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JAMES M. INHOFE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023

LEGISLATIVE TEXT
AND
JOINT EXPLANATORY STATEMENT

TO ACCOMPANY

H.R. 7776

PUBLIC LAW 117–263

BOOK 1 OF 2

JANUARY 2023

Printed for the use of the Committee on
Armed Services of the House of Representatives

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NOTE FROM THE DIRECTOR, LEGISLATIVE OPERATIONS

This committee print consists of the enrolled text and explanatory material for the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (H.R. 7776; Public Law 117–263).

This Act and the material found in this committee print are the product of an agreement between the Chairman and Ranking Member of the House Committee on Armed Services and the Chairman and Ranking Member of the Senate Committee on Armed Services on H.R. 7900, the National Defense Authorization Act for Fiscal Year 2023 as passed by the House of Representatives on July 14, 2022, and Senate amendment 5499, as modified, to H.R. 7900 as proposed by Chairman Jack Reed on October 11, 2022. Senate amendment 5499, as modified, was in the form of an amendment in the nature of a substitute to H.R. 7900 and consisted of the text of S. 4543, the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 as reported by the Senate Committee on Armed Services on July 18, 2022, as well as a number of amendments that were submitted for consideration during the Senate's consideration of its bill that were cleared by both sides. The Senate began consideration of Senate amendment 5499, as modified, on October 11, 2022, but did not complete consideration and therefore was unable to initiate a formal conference with the House.

In order to ensure the enactment of an annual defense bill by the end of the calendar year, the Chairman and Ranking Member of the House Committee on Armed Services and the Chairman and Ranking Member of the Senate Committee on Armed Services agreed to reconcile the provisions of H.R. 7900 and Senate amendment 5499, as modified. The negotiated agreement was brought to the House Floor in the form of a House amendment to the Senate amendment to H.R. 7776. On December 8, 2022, pursuant to the provisions of H. Res. 1512, the House agreed to the House amendment to the Senate amendment to H.R. 7776 by the yeas and nays, 350–80 (Roll no. 516). On December 15, 2022, the Senate agreed to the House amendment to the Senate amendment to H.R. 7776 by a vote of 83–11 (Record Vote Number: 396). The President signed the legislation on December 23, 2022, and it became Public Law 117–263.

Because the agreed-upon language was brought to the House in the form of a House amendment to the Senate amendment to H.R. 7776, there is no conference report and no formal "joint explanatory statement of the conference committee" for H.R. 7776. Instead, Chairman Adam Smith submitted a "Joint Explanatory Statement to Accompany H.R. 7776, the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023" in the *Congressional Record* on December 8, 2022 (pages H9425–H9648). The text of the joint explanatory statement is included in this committee print.

Section 5 of H.R. 7776 specifies that this explanatory material shall have the same effect with respect to the implementation of this legislation as if it were a joint explanatory statement of a committee of conference.

In this committee print, the provisions of H.R. 7900, the House-passed version of the National Defense Authorization Act for Fiscal Year 2023, are generally referred to as "the House bill." The provisions of Senate amendment 5499, as modified, to H.R. 7900 are generally referred to as "the Senate amendment." The final form of the agreements reached during negotiations between the House and the Senate are referred to as "the agreement."

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JAMES M. INHOFE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023

LEGISLATIVE TEXT

[Note from the Director, Legislative Operations: The following is the enrolled legislative text of H.R. 7776, the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, as passed by the House of Representatives and the Senate]

AN ACT

To authorize appropriations for fiscal year 2023 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

(a) IN GENERAL.—This Act may be cited as the "James M. Inhofe National Defense Authorization Act for Fiscal Year 2023".

(b) REFERENCES.—Any reference in this or any other Act to the "National Defense Authorization Act for Fiscal Year 2023" shall be deemed to be a reference to the "James M. Inhofe National Defense Authorization Act for Fiscal Year 2023".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into 11 divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

(6) Division F—Intelligence Authorization Act for Fiscal Year 2023.

(7) Division G—Homeland Security.

(8) Division H—Water Resources.

(9) Division I—Department of State Authorizations.

(10) Division J—Oceans and Atmosphere.

(11) Division K—Don Young Coast Guard Authorization Act of 2022.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.
Sec. 4. Budgetary effects of this Act.
Sec. 5. Explanatory statement.

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Sec. 123. Extension of prohibition on availability of funds for Navy port waterborne security barriers.
Sec. 124. Limitation on authority to modify capabilities and fleet configuration of E–6B aircraft.
Sec. 125. Multiyear procurement authority for Arleigh Burke class destroyers.
Sec. 126. Procurement authority for Ship-to-Shore Connector program.
Sec. 127. Procurement authority for CH–53K heavy lift helicopter program.
Sec. 128. Procurement authorities for John Lewis-class fleet replenishment oiler ships.
Sec. 129. Procurement authorities for certain amphibious shipbuilding programs.
Sec. 130. Contracts for design and construction of the DDG(X) destroyer program.
Sec. 131. Tomahawk and Standard Missile–6 capability on FFG–62 class vessels.
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Sec. 163. Assessment and report on military rotary wing aircraft industrial base.
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Sec. 216. Air-breathing and rocket booster testing capacity upgrades to support critical hypersonic weapons development.
Sec. 217. Competitively awarded demonstrations and tests of electromagnetic warfare technology.
Sec. 218. Administration of the Advanced Sensor Applications Program.
Sec. 219. Quantifiable assurance capability for security of microelectronics.
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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term "congressional defense committees" has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

SEC. 5. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about December 7, 2022, by the Chairman of the Committee on Armed Services of the House of Representatives and the Chairman of the Committee on Armed Services of the Senate, shall have the same effect with re-

spect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. LIMITATIONS ON PRODUCTION OF EXTENDED RANGE CANNON ARTILLERY HOWITZERS.

(a) LIMITATIONS.—In carrying out the acquisition of Extended Range Cannon Artillery howitzers, the Secretary of the Army shall—

(1) limit production of prototype Extended Range Cannon Artillery howitzers to not more than 20;

(2) compare the cost and value to the United States Government of a Paladin Integrated Management-modification production approach with a new-build production approach;

(3) include in any cost analysis or comparison—

(A) the monetary value of a Paladin howitzer that may be modified to produce an Extended Range Cannon Artillery howitzer; and

(B) the monetary value of leveraging government-owned infrastructure to facilitate the modification;

(4) use a full and open competitive approach using best value criteria for post-prototype production source selection; and

(5) base any production strategy and source selection decisions on a full understanding of the cost of production, including—

(A) the comparison of production approaches described in paragraph (2); and

(B) any cost analysis or comparison described in paragraph (3).

(b) CERTIFICATION.—Before issuing a request for proposal for the post-prototype production of an Extended Range Cannon Artillery howitzer, the Secretary of the Army shall—

(1) certify to the congressional defense committees that the acquisition strategy upon which the request for proposal is based complies with the requirements of subsection (a); and

(2) provide to the congressional defense committees a briefing on that acquisition strategy and the relevant cost and value comparison described in subsection (a)(2).

(c) INCLUSION OF CERTAIN INFORMATION IN BUDGET MATERIALS.—The Secretary of the Army shall ensure that the cost of procuring Paladin howitzers to be modified for post-prototype production of Extended Range Cannon Artillery howitzers is included—

(1) in the materials relating to the Extended Range Cannon Artillery program submitted in support of the budget of the President (as submitted to Congress under section 1105(a) of title 31, United States Code) for each fiscal year in which such program is carried out; and

(2) in any budget briefings concerning such program.

Subtitle C—Navy Programs

SEC. 121. REQUIREMENTS RELATING TO EA–18G AIRCRAFT OF THE NAVY.

(a) LIMITATIONS AND MINIMUM INVENTORY REQUIREMENTS.—Section 8062 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

"(f)(1)(A) During the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023 and ending on September 30, 2027, the Secretary of the Navy may not—

"(i) retire an EA–18G aircraft;

"(ii) reduce funding for unit personnel or weapon system sustainment activities for EA–18G aircraft in a manner that presumes future congressional authority to divest such aircraft;

"(iii) place an EA–18G aircraft in active storage status or inactive storage status; or

"(iv) keep an EA–18G aircraft in a status considered excess to the requirements of the possessing command and awaiting disposition instructions.

"(B) The prohibition under subparagraph (A) shall not apply to individual EA–18G aircraft that the Secretary of the Navy determines, on a case-by-case basis, to be no longer mission capable and uneconomical to repair because of aircraft accidents or mishaps.

"(2)(A) The Secretary of the Navy shall maintain a total aircraft inventory of EA–18G aircraft of not less than 158 aircraft, of which not less than 126 aircraft shall be coded as primary mission aircraft inventory.

"(B) The Secretary of the Navy may reduce the number of EA–18G aircraft in the inventory of the Navy below the minimum number specified in subparagraph (A) if the Secretary determines, on a case-by-case basis, that an aircraft is no longer mission capable and uneconomical to repair because of aircraft accidents or mishaps.

"(C) In this paragraph, the term 'primary mission aircraft inventory' means aircraft assigned to meet the primary aircraft authorization—

"(i) to a unit for the performance of its wartime mission;

"(ii) to a training unit for technical and specialized training for crew personnel or leading to aircrew qualification;

"(iii) to a test unit for testing of the aircraft or its components for purposes of research, development, test, and evaluation, operational test and evaluation, or to support testing programs; or

"(iv) to meet requirements for missions not otherwise specified in clauses (i) through (iii).".

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall jointly submit to the congressional defense committees a report that includes a strategy and execution plan for continuously and effectively meeting the airborne electronic attack training and combat requirements of the joint force. At a minimum, the strategy and execution plan shall provide for—

(1) the integration and utilization of both reserve and active duty component forces and resources within the Department of the Navy and the Department of the Air Force; and

(2) the establishment or continuation of one or more joint service expeditionary, land-based electronic attack squadrons that equal or exceed the capacity and capability of such squadrons in effect as of the date of the enactment of this Act.

SEC. 122. NAVY SHIPBUILDING WORKFORCE DEVELOPMENT SPECIAL INCENTIVE.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

"SEC. 8696. NAVY SHIPBUILDING WORKFORCE DEVELOPMENT SPECIAL INCENTIVE.

"(a) REQUIREMENT.—

"(1) IN GENERAL.—The Secretary of the Navy shall include in any solicitation for a covered contract a special incentive for workforce development that funds one or more workforce development activities described in subsection (c).

"(2) AMOUNT OF SPECIAL INCENTIVE.—The amount of a special incentive required under subsection (a)(1) shall be equal to not less than one quarter of one percent and not more than one percent of the estimated cost of the covered contract.

"(3) WAIVER.—

"(A) IN GENERAL.—The Secretary of the Navy may waive one or more of the requirements of this section if the Secretary determines—

"(i) unreasonable cost or delay would be incurred by complying with such requirements;

"(ii) existing workforce development initiatives are sufficient to meet workforce needs;

"(iii) there are minimal workforce development issues to be addressed; or

"(iv) it is not in the national security interests of the United States to comply with such requirements.

"(B) NOTICE TO CONGRESS.—Not less than 30 days prior to issuing a waiver under subparagraph (A), the Secretary of the Navy shall submit to the congressional defense committees written notice of the intent of the Secretary to issue such a waiver. Such notice shall specify the basis for such waiver and include a detailed explanation of the reasons for issuing the waiver.

"(b) MATCHING CONTRIBUTION REQUIREMENT.—

"(1) IN GENERAL.—Funds for a special incentive for workforce development required under subsection (a)(1) may be expended only—

"(A) on or after the date on which the service acquisition executive of the Navy receives a written commitment from one or more entities described in paragraph (2) of separate and distinct cumulative monetary contributions to be made on or after the date of such commitment for workforce development; and

"(B) in an amount that is equal to the aggregate amount of all monetary contributions from entities that made commitments under subparagraph (A) not to exceed the amount of funding made available for the special incentive under subsection (a)(2).

"(2) ENTITIES DESCRIBED.—The entities described in this paragraph are the following:

"(A) The prime contractor that was awarded a covered contract.

"(B) A qualified subcontractor.

"(C) A State government or other State entity.

"(D) A county government or other county entity.

"(E) A local government or other local entity.

"(F) An industry association, organization, or consortium that directly supports workforce development.

"(3) SPECIAL RULE.—In a case in which the aggregate amount of all monetary contributions from entities that made commitments under paragraph (1)(A) is less than the minimum amount specified for the special incentive under subsection (a)(2), funds for the special incentive may be expended in an amount equal to such lesser amount.

"(c) AUTHORIZED ACTIVITIES.—

"(1) IN GENERAL.—Funds for a special incentive for workforce development required under subsection (a)(1) may be obligated or expended only to provide for the activities described in paragraph (2) in support of the production and production support workforce of the prime contractor concerned or a qualified subcontractor concerned.

"(2) ACTIVITIES DESCRIBED.—The activities described in this paragraph are the following:

"(A) The creation of short- and long-term workforce housing, transportation, and other support services to facilitate attraction, relocation, and retention of workers.

"(B) The expansion of local talent pipeline programs for both new and existing workers.

"(C) Investments in long-term outreach in middle school and high school programs, specifically career and technical education programs, to promote and develop manufacturing skills.

"(D) The development or modification of facilities for the primary purpose of workforce development.

"(E) Payment of direct costs attributable to workforce development.

"(F) Attraction and retention bonus programs.

"(G) On-the-job training to develop key manufacturing skills.

"(d) APPROVAL REQUIREMENT.—The service acquisition executive of the Navy shall—

"(1) provide the final approval of the use of funds for a special incentive for workforce development required under subsection (a)(1); and

"(2) not later than 30 days after the date on which such approval is provided, certify to the congressional defense committees compliance with the requirements of subsections (b) and (c), including—

"(A) a detailed explanation of such compliance; and

"(B) the associated benefits to—

"(i) the Federal Government; and

"(ii) the shipbuilding industrial base of the Navy.

"(e) DEFINITIONS.—In this section:

"(1) The term 'covered contract' means a prime contract for the construction of a naval vessel funded using amounts appropriated or otherwise made available for Shipbuilding and Conversion, Navy.

"(2) The term 'qualified subcontractor' means a subcontractor that will deliver the vessel or vessels awarded under a covered contract to the Navy.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 863 of such title is amended by adding at the end the following new item:

"8696. Navy shipbuilding workforce development special incentive.".

(c) APPLICABILITY.—Section 8696 of title 10, United States Code, as added by subsection (a), shall apply with respect to—

(1) a solicitation for a covered contract (as defined in subsection (e) of that section) made on or after June 1, 2023; and

(2) a solicitation or award of a covered contract, if otherwise determined appropriate by the Secretary of the Navy.

SEC. 123. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.

(a) IN GENERAL.—Subsection (a) of section 130 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1665), as most recently amended by section 122 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1570), is further amended by striking "for fiscal years 2019, 2020, 2021, or 2022" and inserting "for any of fiscal years 2019 through 2023".

(b) TECHNICAL AMENDMENT.—Subsection (b)(4) of such section is amended by striking "section 2304" and inserting "sections 3201 through 3205".

SEC. 124. LIMITATION ON AUTHORITY TO MODIFY CAPABILITIES AND FLEET CONFIGURATION OF E–6B AIRCRAFT.

(a) LIMITATION.—Until the date on which the certification described in subsection (b) is submitted to the congressional defense committees, the Secretary of the Navy—

(1) may not retire, or prepare to retire, any E–6B aircraft;

(2) shall maintain the fleet of E–6B aircraft in the configuration in effect as of the date of the enactment of this Act; and

(3) shall ensure that E–6B aircraft continue to meet the operational requirements of the combatant commands that are met by such aircraft as of the date of the enactment of this Act.

(b) CERTIFICATION DESCRIBED.—The certification described in this subsection is a written certification from the Chair of the Joint Requirements Oversight Council indicating that the replacement capability for the E–6B aircraft—

(1) will be fielded at the same time or before the retirement of the first E–6B aircraft; and

(2) at the time such replacement capability achieves initial operational capability, will have the ability to meet the operational requirements of the combatant commands that have been, or that are expected to be, assigned to such replacement capability.

(c) EXCEPTION.—The requirements of subsection (a) shall not apply to an individual E–6B aircraft otherwise required to be maintained by that subsection if the Secretary of the Navy determines, on a case-by-case basis, that such aircraft is no longer mission capable due to a mishap or other damage.

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 3501 of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of up to 15 Arleigh Burke class Flight III guided missile destroyers.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2023, for advance procurement associated with the destroyers for which authorization to enter into a multiyear procurement contract is provided under subsection (a), and for systems and subsystems associated with such destroyers in economic order quantities when cost savings are achievable.

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

(d) MANDATORY INCLUSION OF PRE-PRICED OPTION IN CERTAIN CIRCUMSTANCES.—

(1) IN GENERAL.—In the event the total base quantity of destroyers to be procured through all contracts entered into under subsection (a) is less than 15, the Secretary of the Navy shall ensure that one or more of the contracts includes a pre-priced option for the procurement of additional destroyers such that the sum of such base quantity and the number of destroyers that may be procured through the exercise of such options is equal to 15 destroyers.

(2) DEFINITIONS.—In this subsection:

(A) The term "base quantity" means the quantity of destroyers to be procured under a contract entered into under subsection (a) excluding any quantity of destroyers that may be procured through the exercise of an option that may be part of such contract.

(B) The term "pre-priced option" means a contract option for a contract entered into under subsection (a) that, if exercised, would allow the Secretary of the Navy to procure a

destroyer at a predetermined price specified in such contract.

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

SEC. 126. PROCUREMENT AUTHORITY FOR SHIP-TO-SHORE CONNECTOR PROGRAM.

(a) CONTRACT AUTHORITY.—Beginning in fiscal year 2023, the Secretary of the Navy may enter into one or more contracts for the procurement of up to 25 Ship-to-Shore Connector class craft and associated material.

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

(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

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

(c) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for the Ship-to-Shore Connector program:

(1) The use of such a contract is consistent with the Chief of Naval Operations' projected force structure requirements for Ship-to-Shore Connector class craft.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by craft, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by craft, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by craft, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(3) There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Navy will request funding for the contract at the level required to avoid contract cancellation.

(4) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(5) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic, including a description of the basis for such estimates.

(6) The use of such a contract will promote the national security of the United States.

(7) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year.

(d) MILESTONE DECISION AUTHORITY DEFINED.—In this section, the term "milestone decision authority" has the meaning given that term in section 4251(d) of title 10, United States Code.

SEC. 127. PROCUREMENT AUTHORITY FOR CH–53K HEAVY LIFT HELICOPTER PROGRAM.

(a) CONTRACT AUTHORITY.—During fiscal years 2023 and 2024, the Secretary of the Navy may enter into one or more fixed-price contracts for the procurement of airframes and engines in support of the CH–53K heavy lift helicopter program (in this section referred to as the "program").

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

(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

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

(c) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of Defense certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority (as defined in section 4251(d) of title 10, United States Code) for the program:

(1) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated obligations and expenditures by fiscal year for the program without the authority provided in subsection (a);

(B) the estimated obligations and expenditures by fiscal year for the program with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year for the program with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(2) There is a reasonable expectation that throughout the contemplated contract period the Secretary of Defense will request

funding for the contract at the level required to avoid contract cancellation.

(3) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(4) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

(5) The use of such a contract will promote the national security of the United States.

(6) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year, and the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for such fiscal year will include the funding required to execute the program without cancellation.

SEC. 128. PROCUREMENT AUTHORITIES FOR JOHN LEWIS-CLASS FLEET REPLENISHMENT OILER SHIPS.

(a) CONTRACT AUTHORITY.—

(1) PROCUREMENT AUTHORIZED.—During fiscal years 2023 and 2024, the Secretary of the Navy may enter into one or more contracts for the procurement of not more than eight John Lewis-class fleet replenishment oiler ships.

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The ships authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering the John Lewis-class fleet replenishment oiler ship program.

(b) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for the John Lewis-class fleet replenishment oiler ship program:

(1) The use of such a contract is consistent with the Department of the Navy's projected force structure requirements for such ships.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(3) There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Navy will request funding for the contract at the level required to avoid contract cancellation.

(4) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(5) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

(6) The use of such a contract will promote the national security of the United States.

(7) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year, and the future-years defense program (as defined under section 221 of title 10, United States Code) for such fiscal year will include the funding required to execute the program without cancellation.

(c) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with a ship or ships for which authorization to enter into a contract is provided under subsection (a), and for systems and subsystems associated with such ships in economic order quantities when cost savings are achievable.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

(e) MILESTONE DECISION AUTHORITY DEFINED.—In this section, the term "milestone decision authority" has the meaning given that term in section 4251(d) of title 10, United States Code.

SEC. 129. PROCUREMENT AUTHORITIES FOR CERTAIN AMPHIBIOUS SHIPBUILDING PROGRAMS.

(a) CONTRACT AUTHORITY.—

(1) PROCUREMENT AUTHORIZED.—The Secretary of the Navy may enter into one or more contracts for the procurement of up to five covered ships.

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The ships authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering programs for covered ships.

(b) CERTIFICATION REQUIRED.—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for the covered ship program concerned:

(1) The use of such a contract is consistent with the Commandant of the Marine Corps' projected force structure requirements for amphibious ships.

(2) The use of such a contract will result in savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the

preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a); and

(D) the contractual actions that will ensure the estimated cost savings are realized.

(3) The Secretary of the Navy has a reasonable expectation that throughout the contemplated contract period funding will be available for the contract at the level required to avoid contract cancellation.

(4) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(5) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

(6) The use of such a contract will promote the national security of the United States.

(7) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year.

(c) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with a ship or ships for which authorization to enter into a contract is provided under subsection (a), and for systems and subsystems associated with such ships in economic order quantities when cost savings are achievable.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

(e) TERMINATION.—The authority of the Secretary of the Navy to enter into contracts under subsection (a) shall terminate on September 30, 2026.

(f) DEFINITIONS.—In this section:

(1) The term "covered ship" means a San Antonio-class or America-class ship.

(2) The term "milestone decision authority" has the meaning given that term in section 4251(d) of title 10, United States Code.

SEC. 130. CONTRACTS FOR DESIGN AND CONSTRUCTION OF THE DDG(X) DESTROYER PROGRAM.

(a) IN GENERAL.—If the milestone decision authority of the covered program elects to use source selection procedures for the detailed design and construction of the covered program other than those specified in section 3201 of title 10, United States Code, the Secretary of the Navy—

(1) with respect to prime contracts for concept design, preliminary design, and contract design for the covered program—

(A) shall award such contracts to eligible shipbuilders; and

(B) may award such contracts to other contractors;

(2) shall award prime contracts for detailed design and construction for the covered program only to eligible shipbuilders; and

(3) shall allocate only one vessel in the covered program to each eligible shipbuilder that is awarded a prime contract under paragraph (2).

(b) COLLABORATION REQUIREMENT.—The Secretary of the Navy shall maximize collaboration among the Federal Government and eligible shipbuilders throughout the design and development phases of the covered program, including—

(1) using a common design tool; and

(2) sharing production lessons learned.

(c) COMPETITIVE INCENTIVE REQUIREMENT.—The Secretary of the Navy shall provide for competitive incentives for eligible shipbuilders and other contractors throughout the design, development, and production phases of the covered program, including the following:

(1) Allocation of design labor hours, provided that no eligible shipbuilder has fewer than 30 percent of aggregate design labor hours for any phase of vessel design for the covered program.

(2) Allocation of the lead ship in the covered program.

(3) To the maximum extent practicable, competitive solicitations for vessel procurement under the covered program.

(d) TECHNOLOGY MATURATION REQUIREMENTS.—The Secretary of the Navy shall incorporate into the acquisition strategy of the covered program the requirements of the following:

(1) Section 131 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1237).

(2) Section 221 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1599).

(e) TRANSITION REQUIREMENT.—The Secretary of the Navy shall ensure that the transition from the Arleigh Burke-class destroyer program to the covered program maintains predictable production workload for eligible shipbuilders.

(f) DEFINITIONS.—In this section:

(1) The term "covered program" means the program of the Department of the Navy to procure DDG(X) destroyer class vessels.

(2) The term "eligible shipbuilder" means a prime contractor designated by the milestone decision authority to perform detailed design and construction of the covered program.

(3) The term "milestone decision authority" has the meaning given in section 4211 of title 10, United States Code.

SEC. 131. TOMAHAWK AND STANDARD MISSILE–6 CAPABILITY ON FFG–62 CLASS VESSELS.

Before the first deployment of the vessel designated FFG–63 and that of each successive vessel in the FFG–62 class, the Secretary of the Navy shall ensure that such vessel is capable of carrying and employing Tomahawk and Standard Missile–6 missiles.

SEC. 132. REPORT ON ADVANCE PROCUREMENT FOR CVN–82 AND CVN–83.

(a) REPORT.—Not later than March 1, 2023, the Secretary of the Navy shall submit to the congressional defense committees a report on the plan of the Navy for advance procurement for the aircraft carriers designated CVN–82 and CVN–83.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of—

(1) the value, cost, and feasibility of a two-year advance procurement period under a single-carrier acquisition strategy;

(2) the value, cost, and feasibility of a three-year advance procurement period under a single-carrier acquisition strategy;

(3) the value, cost, and feasibility of a two-year advance procurement period under a two-carrier acquisition strategy;

(4) the value, cost, and feasibility of a three-year advance procurement period under a two-carrier acquisition strategy; and

(5) the effect of a two-carrier acquisition strategy on force development and fleet capability.

(c) DEFINITIONS.—In this section:

(1) The term "single-carrier acquisition strategy" means a strategy for the procurement of the aircraft carriers designated CVN–82 and CVN–83 pursuant to which each aircraft carrier is procured separately under a different contract.

(2) The term "two-carrier acquisition strategy" means a strategy for the procurement of the aircraft carriers designated CVN–82 and CVN–83 pursuant to which both aircraft carriers are procured together under one contract.

SEC. 133. QUARTERLY BRIEFINGS ON THE CH–53K KING STALLION HELICOPTER PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and on a quarterly basis thereafter through the end of fiscal year 2024, the Secretary of the Navy shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the progress of the CH–53K King Stallion helicopter program.

(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the CH–53K King Stallion helicopter program, the following:

(1) An overview of the program schedule.

(2) A statement of the total cost of the program as of the date of the briefing, including the cost of development, testing, and production.

(3) A comparison of the total cost of the program relative to the original acquisition program baseline and the most recently approved acquisition program baseline as of the date of the briefing.

(4) An assessment of the flight testing that remains to be conducted under the program, including any testing required for validation of correction of technical deficiencies.

(5) An update on the status of the correction of technical deficiencies under the program and any effects on the program schedule resulting from the discovery and correction of such deficiencies.

(c) CONFORMING REPEAL.—Section 132 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1238) is repealed.

Subtitle D—Air Force Programs

SEC. 141. MODIFICATION OF INVENTORY REQUIREMENTS FOR AIRCRAFT OF THE COMBAT AIR FORCES.

(a) TOTAL FIGHTER AIRCRAFT INVENTORY REQUIREMENTS.—Section 9062(i)(1) of title 10, United States Code, is amended by striking "1,970" and inserting "1,800".

(b) A–10 MINIMUM INVENTORY REQUIREMENTS.—

(1) Section 134(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2038) is amended by striking "171" and inserting "153".

(2) Section 142(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 755) is amended by striking "171" and inserting "153".

(c) MODIFICATION OF LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF A–10 AIRCRAFT IN STORAGE STATUS.—Section 135(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2039) is amended by striking "the report required under section 134(e)(2)" and inserting "a report that includes the information described in section 134(e)(2)(C)".

SEC. 142. INVENTORY AND OTHER REQUIREMENTS RELATING TO AIR REFUELING TANKER AIRCRAFT.

(a) MINIMUM INVENTORY REQUIREMENT FOR AIR REFUELING TANKER AIRCRAFT.—Section 9062(j) of title 10, United States Code, is amended—

(1) by striking "effective October 1, 2019,"; and

(2) by striking "479" each place it appears and inserting "466".

(b) REPEAL OF LIMITATION ON RETIREMENT OF KC–135 AIRCRAFT.—Section 137 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1576) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(c) MINIMUM NUMBER OF AIR REFUELING TANKER AIRCRAFT IN PMAI OF THE AIR FORCE.—Section 135(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3431) is amended by striking "412" and inserting "400".

(d) PROHIBITION ON REDUCTION OF KC–135 AIRCRAFT IN PMAI OF THE RESERVE COMPONENTS.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Air Force may be obligated or expended to reduce, by more than 12 aircraft, the number of KC–135 aircraft designated as primary mission aircraft inventory within the reserve components of the Air Force.

(2) PRIMARY MISSION AIRCRAFT INVENTORY DEFINED.—In this subsection, the term "primary mission aircraft inventory" has

the meaning given that term in section 9062(i)(2)(B) of title 10, United States Code.

SEC. 143. REQUIREMENTS RELATING TO F–22 AIRCRAFT.

(a) LIMITATIONS AND MINIMUM INVENTORY REQUIREMENTS.—Section 9062 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(k)(1) During the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023 and ending on September 30, 2027, the Secretary of the Air Force may not—

"(A) retire an F–22 aircraft;

"(B) reduce funding for unit personnel or weapon system sustainment activities for F–22 aircraft in a manner that presumes future congressional authority to divest such aircraft;

"(C) keep an F–22 aircraft in a status considered excess to the requirements of the possessing command and awaiting disposition instructions (commonly referred to as 'XJ' status); or

"(D) decrease the total aircraft inventory of F–22 aircraft below 184 aircraft.

"(2) The prohibition under paragraph (1) shall not apply to individual F–22 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable and uneconomical to repair because of aircraft accidents, mishaps, or excessive material degradation and non-airworthiness status of certain aircraft.".

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes a strategy and execution plan, approved by the Secretary, for conducting formal training for F–22 aircrews to ensure that combat capability, capacity, and availability at all F–22 operational units is not degraded.

(2) ELEMENTS.—The strategy and execution plan under paragraph (1) shall—

(A) address how the Air Force will avoid—

(i) diminishing the combat effectiveness of all block variants of F–22 aircraft;

(ii) exacerbating F–22 aircraft availability concerns; and

(iii) complicating F–22 aircraft squadron maintenance operations; and

(B) include the plan of the Secretary for—

(i) the basing of 184 F–22 aircraft; and

(ii) the reestablishment of one or more F–22 formal training units, including—

(I) the planned location of such units;

(II) the planned schedule for the reestablishment of such units; and

(III) and the number of F–22 aircraft that are expected to be assigned to such units.

(c) COMPTROLLER GENERAL AUDIT.—

(1) AUDIT REQUIRED.—The Comptroller General of the United States shall conduct an audit to assess and validate data and information relating to—

(A) the events and activities that would be necessary to upgrade Block 20 F–22 aircraft to a capability configuration comparable to or exceeding the existing or planned configuration of Block 30/35 F–22 aircraft;

(B) the estimated costs of such upgrades; and

(C) a schedule of milestones for such upgrades.

(2) AVAILABILITY OF INFORMATION.—At the request of the Comptroller General, the Secretary of the Air Force shall promptly provide to the Comptroller General any data or other information that may be needed to conduct the audit under paragraph (1), including any data or information it may be necessary to obtain from the original equipment manufacturer of the F–22 aircraft.

(3) BRIEFING.—Not later than April 15, 2023, the Comptroller General shall provide to the congressional defense committees a briefing on the progress and any preliminary results of the audit conducted under paragraph (1).

(4) REPORT.—Following the briefing under paragraph (3), at such time as is mutually agreed upon by the congressional defense committees and the Comptroller General, the Comptroller General shall submit to the congressional defense committees a report on the final results of the audit conducted under paragraph (1).

SEC. 144. MODIFICATION OF EXCEPTION TO PROHIBITION ON CERTAIN REDUCTIONS TO B–1 BOMBER AIRCRAFT SQUADRONS.

Section 133(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1574) is amended by striking "an individual unit" and inserting "a bomb wing".

SEC. 145. REPEAL OF AIR FORCE E–8C FORCE PRESENTATION REQUIREMENT.

Section 147 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1669) is amended by striking subsection (f).

SEC. 146. MINIMUM INVENTORY OF C–130 AIRCRAFT.

(a) MINIMUM INVENTORY REQUIREMENT.—

(1) IN GENERAL.—During the covered period, the Secretary of the Air Force shall maintain a total inventory of C–130 aircraft of not less than 271 aircraft.

(2) EXCEPTION.—The Secretary of the Air Force may reduce the number of C–130 aircraft in the Air Force below the minimum number specified in paragraph (1) if the Secretary determines, on a case-by-case basis, that an aircraft is no longer mission capable because of a mishap or other damage.

(3) COVERED PERIOD DEFINED.—In this subsection, the term "covered period" means the period—

(A) beginning at the close of the period described in section 138(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1577); and

(B) ending on September 30, 2023.

(b) PROHIBITION ON REDUCTION OF C–130 AIRCRAFT ASSIGNED TO NATIONAL GUARD.—

(1) IN GENERAL.—During fiscal year 2023, the Secretary of the Air Force may not reduce the total number of C–130 aircraft assigned to the National Guard below the number so assigned as of the date of the enactment of this Act.

(2) EXCEPTION.—The prohibition under paragraph (1) shall not apply to an individual C–130 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of a mishap or other damage.

SEC. 147. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF C–40 AIRCRAFT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any C–40 aircraft.

(b) EXCEPTION.—

(1) IN GENERAL.—The limitation under subsection (a) shall not apply to an individual C–40 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of a Class A mishap.

(2) CERTIFICATION REQUIRED.—If the Secretary determines under paragraph (1) that an aircraft is no longer mission capable, the Secretary shall submit to the congressional defense committees a certification that the status of such aircraft is due to a Class A mishap and not due to lack of maintenance or repairs or other reasons.

SEC. 148. PROHIBITION ON AVAILABILITY OF FUNDS FOR TERMINATION OF PRODUCTION LINES FOR HH–60W AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Air Force may be obligated or expended to terminate the operations of, or to prepare to terminate the operations of, a production line for HH–60W Combat Rescue Helicopters.

SEC. 149. PROHIBITION ON CERTAIN REDUCTIONS TO INVENTORY OF E–3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) PROHIBITION.—Except as provided in subsections (b) and (c), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or in backup aircraft inventory any E–3 aircraft if such actions would reduce the total aircraft inventory for such aircraft below 26.

(b) EXCEPTION FOR ACQUISITION STRATEGY.—If the Secretary of the Air Force submits to the congressional defense committees an acquisition strategy for the E–7 Wedgetail aircraft approved by the Service Acquisition Executive of the Air Force, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E–3 aircraft to 21 after the date on which the strategy is so submitted.

(c) EXCEPTION FOR CONTRACT AWARD.—If the Secretary of the Air Force awards a contract for the E–7 Wedgetail aircraft, the prohibition under subsection (a) shall not apply to actions taken to reduce

the total aircraft inventory for E–3 aircraft to 18 after the date on which such contact is so awarded.

(d) DESIGNATION AS PRIMARY TRAINING AIRCRAFT INVENTORY.—The Secretary of the Air Force shall designate two E–3 aircraft as Primary Training Aircraft Inventory.

SEC. 150. LIMITATION ON DIVESTMENT OF F–15 AIRCRAFT.

(a) LIMITATION.—Beginning on October 1, 2023, the Secretary of the Air Force may not divest, or prepare to divest, any covered F–15 aircraft until a period of 180 days has elapsed following the date on which the Secretary submits the report required under subsection (b).

(b) REPORT REQUIRED.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the following:

(1) Any plans of the Secretary to divest covered F–15 aircraft during the period covered by the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code, including—

(A) a description of each proposed divestment by fiscal year and location;

(B) an explanation of the anticipated effects of such divestments on the missions, personnel, force structure, and budgeting of the Air Force;

(C) a description of the actions the Secretary intends to carry out—

(i) to mitigate any negative effects identified under subparagraph (B); and

(ii) to modify or replace the missions and capabilities of any units and military installations affected by such divestments; and

(D) an assessment of how such divestments may affect the ability of the Air Force to maintain minimum tactical aircraft inventories.

(2) Any plans of the Secretary to procure covered F–15 aircraft.

(3) Any specific plans of the Secretary to deviate from procurement of new F–15EX aircraft as articulated by the validated requirements contained in Air Force Requirements Decision Memorandum, dated February 1, 2019, regarding F–15EX Rapid Fielding Requirements Document, dated January 16, 2019.

(c) COVERED F–15 AIRCRAFT DEFINED.—In this section, the term "covered F–15 aircraft" means the following:

(1) F–15C aircraft.

(2) F–15D aircraft.

(3) F–15E aircraft.

(4) F–15EX aircraft.

SEC. 151. AUTHORITY TO PROCURE UPGRADED EJECTION SEATS FOR CERTAIN T–38A AIRCRAFT.

The Secretary of the Air Force is authorized to procure upgraded ejection seats for—

(1) all T–38A aircraft of the Air Force Global Strike Command that have not received an upgraded ejection seat under the T–38 Ejection Seat Upgrade Program; and

(2) all T–38A aircraft of the Air Combat Command that have not received an upgraded ejection seat as part of such Program.

SEC. 152. PROCUREMENT AUTHORITY FOR DIGITAL MISSION OPERATIONS PLATFORM FOR THE SPACE FORCE.

(a) PROCUREMENT AUTHORITY.—The Secretary of the Air Force is authorized to enter into one or more contracts for the procurement of a digital mission operations platform for the Space Force.

(b) REQUIRED CAPABILITIES.—A digital mission operations platform procured under subsection (a) shall include the following capabilities:

(1) The platform shall be capable of providing systems operators with the ability to analyze system performance in a simulated mission environment.

(2) The platform shall enable collaboration among such operators in an integrated, physics-based environment.

SEC. 153. DIGITAL TRANSFORMATION COMMERCIAL SOFTWARE ACQUISITION.

(a) PROCUREMENT AUTHORITY.—The Secretary of the Air Force may enter into one or more contracts for the procurement of commercial digital engineering and software tools to meet the digital transformation goals and objectives of the Department of the Air Force.

(b) INCLUSION OF PROGRAM ELEMENT IN BUDGET MATERIALS.—In the materials submitted by the Secretary of the Air Force in support of the budget of the President for fiscal year 2024 (as submitted to Congress pursuant to section 1105 of title 31, United States Code), the Secretary shall include a program element dedicated to the procurement and management of the commercial digital engineering and software tools described in subsection (a).

(c) REVIEW.—In carrying out subsection (a), the Secretary of the Air Force shall—

(1) review the market for commercial digital engineering and software tools; and

(2) conduct research on providers of commercial software capabilities that have the potential to expedite the progress of digital engineering initiatives across the weapon system enterprise, with a particular focus on capabilities that have the potential to generate significant life-cycle cost savings, streamline and accelerate weapon system acquisition, and provide data-driven approaches to inform investments by the Department of the Air Force.

(d) REPORT.—Not later than March 1, 2023, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes—

(1) an analysis of specific digital engineering and software tool capability manufacturers that deliver high mission impact with broad reach into the weapon system enterprise of the Department of the Air Force; and

(2) a prioritized list of programs and offices of the Department of the Air Force that could better utilize commercial digital engineering and software tools and opportunities for the

implementation of such digital engineering and software tool capabilities within the Department.

SEC. 154. REQUIREMENTS STUDY AND STRATEGY FOR THE COMBAT SEARCH AND RESCUE MISSION OF THE AIR FORCE.

(a) REQUIREMENTS STUDY.—

(1) IN GENERAL.—The Secretary of the Air Force shall conduct a study to determine the requirements for the combat search and rescue mission of the Air Force in support of the objectives of the National Defense Strategy.

(2) ELEMENTS.—The study under paragraph (1) shall include the following:

(A) Identification of anticipated combat search and rescue mission requirements necessary to meet the objectives of the most recent National Defense Strategy, including—

(i) requirements for short-term, mid-term, and long-term contingency and steady-state operations against adversaries;

(ii) requirements under the Agile Combat Employment operational scheme of the Air Force;

(iii) requirements relating to regions and specific geographic areas that are expected to have a need for combat search and rescue forces based on the combat-relevant range and penetration capability of United States air assets and associated weapon systems; and

(iv) the level of operational risk associated with each likely requirement and scenario.

(B) An assessment of the rotary, tilt, and fixed wing aircraft and key combat search and rescue enabling capabilities that—

(i) are needed to meet the requirements identified under subparagraph (A); and

(ii) have been accounted for in the budget of the Air Force as of the date of the study.

(C) Identification of any combat search and rescue capability gaps, including an assessment of—

(i) whether and to what extent such gaps may affect the ability of the Air Force to conduct combat search and rescue operations;

(ii) any capability gaps that may be created by procuring fewer HH–60W aircraft than planned under the program of record, including any expected changes to the plan for fielding such aircraft for active, reserve, and National Guard units; and

(iii) any capability gaps attributable to unfunded requirements.

(D) Identification and assessment of key current, emerging, and future technologies with potential application to the combat search and rescue mission, including electric vertical takeoff and landing, unmanned aerial systems, armed air launched effects or similar armed capabilities, electric short take-off and landing, or a combination of such technologies.

(E) An assessment of each technology identified under subparagraph (D), including (as applicable) an assessment of—

(i) technology maturity;

(ii) suitability to the combat search and rescue mission;

(iii) range;

(iv) speed;

(v) payload capability and capacity;

(vi) radio frequency and infrared signatures;

(vii) operational conditions required for the use of such technology, such as runway availability;

(viii) survivability;

(ix) lethality;

(x) potential to support combat missions other than combat search and rescue; and

(xi) estimated cost.

(3) SUBMITTAL TO CONGRESS.—

(A) IN GENERAL.—Not later than April 30, 2023, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study under paragraph (1).

(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—Based on the results of the study conducted under subsection (a), the Secretary of the Air Force shall develop a strategy to meet the requirements identified under such study.

(2) ELEMENTS.—The strategy under paragraph (1) shall include—

(A) A prioritized list of the capabilities needed to meet the requirements identified under subsection (a).

(B) The estimated costs of such capabilities, including—

(i) any amounts already budgeted for such capabilities as of the date of the strategy, including amounts already budgeted for emerging and future technologies; and

(ii) any amounts not already budgeted for such capabilities as of such date.

(C) An estimate of the date by which the capability is expected to become operational.

(D) A description of any requirements identified under subsection (a) that the Secretary of the Air Force does not expect to meet as part of the strategy and an explanation of the reasons such requirements cannot be met.

(3) SUBMITTAL TO CONGRESS.—

(A) IN GENERAL.—Not later than July 30, 2023, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the strategy developed under paragraph (1).

(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

SEC. 155. PLAN FOR TRANSFER OF KC–135 AIRCRAFT TO THE AIR NATIONAL GUARD.

(a) PLAN REQUIRED.—The Secretary of the Air Force shall develop a plan to transfer covered KC–135 aircraft to air refueling wings of the Air National Guard that are classic associations with active duty units of the Air Force.

(b) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Air Force shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the plan developed under subsection (a). The briefing shall include an explanation of—

(1) the effects the plan is expected to have on—

(A) the aerial refueling capability of the Department of Defense; and

(B) personnel; and

(2) any costs associated with the plan.

(c) DEFINITIONS.—In this section:

(1) The term "covered KC–135 aircraft" means a KC–135 aircraft that the Secretary of the Air Force is in the process of replacing with a KC–46A aircraft.

(2) The term "classic association" means a structure under which a regular Air Force unit retains principal responsibility for an aircraft and shares the aircraft with one or more reserve component units.

SEC. 156. ANNUAL REPORTS ON T–7A ADVANCED PILOT TRAINING SYSTEM.

(a) ANNUAL REPORT.—Not later than March 1, 2023, and annually thereafter through 2028, the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the acquisition efforts of the Air Force with respect to the T–7A Advanced Pilot Training System (including any associated aircraft and ground training systems).

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) An overview of the Assistant Secretary's acquisition strategy for the T–7 Advanced Pilot Training System, including the current status of the acquisition strategy as of the date of the report.

(2) The cost and schedule estimates for the T–7 Advanced Pilot Training System program.

(3) In the case of the initial report under this section, the key performance parameters or the equivalent requirements for the program. In the case of subsequent reports, any key performance parameters or the equivalent requirements for the program that have changed since the submission of the previous report under this section.

(4) The test and evaluation master plan for the program.

(5) With respect to the testing program events completed in the year covered by the report—

(A) the completion date of each event;

(B) a summary of the event, including identification of—

(i) the quantity of data points evaluated and subsequently considered complete and validated; and

(ii) the quantity of data points evaluated that remain incomplete or unvalidated and requiring further testing.

(6) The logistics and sustainment strategy for the program and a description of any activities carried out to implement such strategy as of the date of the report.

(7) An explanation of—

(A) the causes of any engineering, manufacturing, development, testing, production, delivery, acceptance, and fielding delays incurred by the program as of the date of the report;

(B) the effects of such delays; and

(C) any subsequent efforts to address such delays.

(8) The post-production aircraft basing and fielding strategy for the program.

(9) Any other matters regarding the acquisition of the T–7 Advanced Pilot Training System that the Assistant Secretary determines to be of critical importance to the long-term viability of the program.

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

SEC. 161. INCREASE IN AIR FORCE AND NAVY USE OF USED COMMERCIAL DUAL-USE PARTS IN CERTAIN AIRCRAFT AND ENGINES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force, with respect to the Air Force, and the Secretary of the Navy, with respect to the Navy, shall develop and implement processes and procedures for—

(1) the acquisition of used, overhauled, reconditioned, and remanufactured commercial dual-use parts; and

(2) the use of such commercial dual-use parts in all—

(A) commercial derivative aircraft and engines; and

(B) aircraft used by the Air Force or Navy that are based on the design of commercial products.

(b) PROCUREMENT OF PARTS.—The processes and procedures implemented under subsection (a) shall provide that commercial dual-use parts shall be acquired—

(1) pursuant to competitive procedures (as defined in section 3012 of title 10, United States Code); and

(2) only from suppliers that provide parts that possess an Authorized Release Certificate Federal Aviation Administration Form 8130-3 Airworthy Approval Tag from a certified repair station pursuant to part 145 of title 14, Code of Federal Regulations.

(c) DEFINITIONS.—In this section:

(1) COMMERCIAL DERIVATIVE.—The term "commercial derivative" means an item procured by the Department of Defense that is or was produced using the same or similar production facili-

ties, a common supply chain, and the same or similar production processes that are used for the production of the item as predominantly used by the general public or by nongovernmental entities for purposes other than governmental purposes.

(2) COMMERCIAL DUAL-USE PART.—The term "commercial dual-use part" means a product that is—

(A) a commercial product;

(B) dual-use;

(C) described in subsection (b)(2); and

(D) not a life-limited part.

(3) COMMERCIAL PRODUCT.—The term "commercial product" has the meaning given such term in section 103 of title 41, United States Code.

(4) DUAL-USE.—The term "dual-use" has the meaning given such term in section 4801 of title 10, United States Code.

SEC. 162. ASSESSMENT AND STRATEGY FOR FIELDING CAPABILITIES TO COUNTER THREATS POSED BY UNMANNED AERIAL SYSTEM SWARMS.

(a) ASSESSMENT, ANALYSIS, AND REVIEW.—The Secretary of Defense shall conduct—

(1) an assessment of the threats posed by unmanned aerial system swarms and unmanned aerial systems with swarm capabilities to installations and deployed Armed Forces;

(2) an analysis of the use or potential use of unmanned aerial system swarms by adversaries, including the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of North Korea, and non-state actors;

(3) an analysis of the national security implications of swarming technologies such as autonomous intelligence and machine learning;

(4) a review of the capabilities used by the Department of Defense to counter threats posed by unmanned aerial systems and an assessment of the effectiveness of such capabilities at countering the threat of unmanned aerial system swarms; and

(5) an overview of the efforts of the Department of Defense to develop and field test technologies that offer scalable, modular, and rapidly deployable capabilities with the ability to counter unmanned aerial system swarms.

(b) STRATEGY DEVELOPMENT AND IMPLEMENTATION REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall develop and implement a strategy to field capabilities to counter threats posed by unmanned aerial system swarms.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include the following:

(A) The development of a comprehensive definition of "unmanned aerial system swarm".

(B) A plan to establish and incorporate requirements for the development, testing, and fielding of technologies and capabilities to counter unmanned aerial system swarms.

(C) A plan to acquire and field adequate capabilities to counter unmanned aerial system swarms in defense of the Armed Forces, infrastructure, and other assets of the United States across land, air, and maritime domains.

(D) An estimate of the resources needed by each Armed Force to implement the strategy.

(E) An analysis, determination, and prioritization of legislative action required to ensure the Department of Defense has the ability to counter the threats posed by unmanned aerial system swarms.

(F) Such other matters as the Secretary determines to be relevant to the strategy.

(3) INCORPORATION INTO EXISTING STRATEGY.—The Secretary of Defense may incorporate the strategy required by paragraph (1) into a comprehensive strategy of the Department of Defense to counter the threat of unmanned aerial systems.

(c) INFORMATION TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary under subsection (a); and

(2) the strategy developed and implemented by the Secretary under subsection (b).

SEC. 163. ASSESSMENT AND REPORT ON MILITARY ROTARY WING AIRCRAFT INDUSTRIAL BASE.

(a) ASSESSMENT REQUIRED.—The Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretaries of the Army, Navy, and Air Force, shall conduct an assessment of the military rotary wing aircraft industrial base.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following:

(1)(A) Identification of each rotary wing aircraft program of the Department of Defense that is in the research and development or procurement phase.

(B) A description of any platform-specific or capability-specific facility or workforce technical skill requirements necessary for each program identified under subparagraph (A).

(2) Identification of—

(A) the rotary wing aircraft capabilities of each Armed Force anticipated for programming beyond the period covered by the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code (as of the date of the assessment); and

(B) the technologies, facilities, and workforce skills necessary for the development of such capabilities.

(3) An assessment of the military industrial base capacity and skills that are available (as of the date of the assessment) to design and manufacture the platforms and capabilities identified under paragraphs (1) and (2) and a list of any gaps in such capacity and skills.

(4)(A) Identification of each component, subcomponent, or equipment supplier in the military rotary wing aircraft industrial base that is the sole source within such industrial base from which that component, subcomponent, or equipment may be obtained.

(B) An assessment of any risk resulting from the lack of other suppliers for such components, subcomponents, or equipment.

(5) Analysis of the likelihood of future consolidation, contraction, or expansion, within the rotary wing aircraft industrial base, including—

(A) identification of the most probable scenarios with respect to such consolidation, contraction, or expansion; and

(B) an assessment of how each such scenario may affect the ability of the Armed Forces to acquire military rotary wing aircraft in the future, including any effects on the cost and schedule of such acquisitions.

(6) Such other matters the Under Secretary of Defense for Acquisition and Sustainment determines appropriate.

(c) REPORT.—Not later than June 1, 2023, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report that includes—

(1) the results of the assessment conducted under subsection (a); and

(2) based on such results, recommendations for reducing any risks identified with respect to the military rotary wing aircraft industrial base.

(d) ROTARY WING AIRCRAFT DEFINED.—In this section, the term "rotary wing aircraft" includes rotary wing and tiltrotor aircraft.

SEC. 164. COMPTROLLER GENERAL AUDIT OF EFFORTS TO MODERNIZE THE PROPULSION, POWER, AND THERMAL MANAGEMENT SYSTEMS OF F–35 AIRCRAFT.

(a) AUDIT REQUIRED.—The Comptroller General of the United States shall conduct an audit of the efforts of the Department of Defense to modernize the propulsion, power, and thermal management systems of F–35 aircraft.

(b) ELEMENTS.—The audit conducted under subsection (a) shall include the following:

(1) An evaluation of the results of the business-case analysis conducted by the Director of the F–35 Joint Program Office, in which the Director assessed options to modernize the propulsion, power, and thermal management systems of the F–35 aircraft.

(2) An assessment of the costs associated with each modernization option assessed in the business-case analysis described in paragraph (1), including any costs associated with development, production, retrofit, integration, and installation of the option (including any aircraft modifications required to accommodate such option), and an assessment of the sustainment infrastructure requirements associated with that option for each variant of F–35 aircraft.

(3) An assessment of the progress made by the prototype engines developed under the Adaptive Engine Transition Program and the development and testing status of the other modernization options assessed in the business-case analysis described in paragraph (1).

(4) An assessment of the timeline associated with modernizing the propulsion, power, and thermal management systems of F–35 aircraft to meet the capability performance requirements of the full Block 4 suite upgrade planned for each variant of such aircraft.

(5) An assessment of the costs associated with modernizing the propulsion, power, and thermal management systems of F–35 aircraft to meet the capability performance requirements of the full Block 4 suite upgrade planned for each variant of such aircraft.

(6) An assessment of the potential effects of each modernization option assessed in the business-case analysis described in paragraph (1) on life-cycle sustainment costs and the costs of spare parts for F–35 aircraft, including any participatory effects on international partners and foreign military sales customers.

(c) BRIEFING.—Not later than February 28, 2023, the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary results of the audit conducted under subsection (a).

(d) REPORT.—Following the briefing under subsection (c), at such time as is mutually agreed upon by the congressional defense committees and the Comptroller General, the Comptroller General shall submit to the congressional defense committees a report on the final results of the audit conducted under subsection (a), including the findings of the Comptroller General with respect to each element specified in subsection (b).

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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Sec. 239. Report on recommendations from Army Futures Command Research Program Realignment Study.
Sec. 240. Report on potential for increased utilization of the Electronic Proving Grounds testing range.
Sec. 241. Study on costs associated with underperforming software and information technology.
Sec. 242. Study and report on sufficiency of operational test and evaluation resources supporting certain major defense acquisition programs.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. MODIFICATION OF COOPERATIVE RESEARCH AND DEVELOPMENT PROJECT AUTHORITY.

(a) IN GENERAL.—Section 2350a(a)(2) of title 10, United States Code, is amended by adding at the end the following:

> *"(F) The European Union, including the European Defence Agency, the European Commission, and the Council of the European Union, and their suborganizations.".*

(c) CONFORMING REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to conform with section 2350a of title 10, United States Code, as amended by subsection (a).

SEC. 212. CLARIFICATION OF ROLE OF SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.

(a) PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.—Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(6)—

(A) by striking "Director of the Joint Artificial Intelligence Center" and inserting "official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232)";

(B) by striking "for the Center" and inserting "to support the activities of such official under section 238 of such Act"; and

(C) in the paragraph heading, by striking "Center";

(2) in subsection (b)(1)(F)—

(A) by striking "Joint Artificial Intelligence Center" and inserting "office of the official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232)"; and

(B) by striking "in the Center" and inserting "in support of the activities of such official under section 238 of such Act"; and

(3) in subsection (c)(2), by striking "Joint Artificial Intelligence Center" and inserting "the activities under section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232)".

(b) REVIEW OF ARTIFICIAL INTELLIGENCE APPLICATIONS AND ESTABLISHMENT OF PERFORMANCE METRICS.—Section 226(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4001 note) is amended—

(1) in paragraph (3), by striking "Director of the Joint Artificial Intelligence Center" and inserting "official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061)";

(2) in paragraph (4), by striking "Director of the Joint Artificial Intelligence Center" and inserting "official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061)"; and

(3) in paragraph (5), by striking "Director of the Joint Artificial Intelligence Center" and inserting "official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061)".

(c) MODIFICATION OF THE JOINT COMMON FOUNDATION PROGRAM.—Section 227(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4001 note) is amended by striking "Joint Artificial Intelligence Center" and inserting "the office of the official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061)".

(d) PILOT PROGRAM ON DATA REPOSITORIES TO FACILITATE THE DEVELOPMENT OF ARTIFICIAL INTELLIGENCE CAPABILITIES FOR THE DEPARTMENT OF DEFENSE.—Section 232 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4001 note) is amended—

*(1) in the section heading, by striking "**PILOT PROGRAM ON DATA REPOSITORIES**" and inserting "**DATA REPOSITORIES**";*

(2) by amending subsection (a) to read as follows:

"(a) ESTABLISHMENT OF DATA REPOSITORIES.—The Secretary of Defense, acting through the official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) (and such other officials as the Secretary determines appropriate), shall—

"(1) establish data repositories containing Department of Defense data sets relevant to the development of artificial intelligence software and technology; and

"(2) allow appropriate public and private sector organizations to access such data repositories for the purpose of developing improved artificial intelligence and machine learning software capabilities that may, as determined appropriate by the Secretary, be procured by the Department to satisfy Department requirements and technology development goals.";

(3) in subsection (b), by striking "If the Secretary of Defense carries out the pilot program under subsection (a), the data repositories established under the program" and inserting "The data repositories established under subsection (a)"; and

(4) by amending subsection (c) to read as follows:

"(c) BRIEFING.—Not later than July 1, 2023, the Secretary of Defense shall provide to the congressional defense committees a briefing on—

"(1) the types of information the Secretary determines are feasible and advisable to include in the data repositories established under subsection (a); and

"(2) the progress of the Secretary in establishing such data repositories.".

(e) DIGITAL DEVELOPMENT INFRASTRUCTURE PLAN AND WORKING GROUP.—Section 1531(d)(2)(C) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2051) is amended by striking "The Joint Artificial Intelligence Center (JAIC)" and inserting "The office of the official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061)".

(f) BOARD OF ADVISORS FOR THE OFFICE OF THE SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.—Section 233 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 4001 note) is amended—

*(1) in the section heading, by striking "**JOINT ARTIFICIAL INTELLIGENCE CENTER**" and inserting "**OFFICE OF THE SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING**";*

(2) in subsection (a), by striking "Joint Artificial Intelligence Center" and inserting "office of the official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) (referred to in this section as the 'Official')";

(3) in subsection (b), by striking "Director" each place in appears and inserting "Official";

(4) in subsection (f), by striking "September 30, 2024" and inserting "September 30, 2026"; and

(5) in subsection (g)—

(A) by striking paragraphs (2) and (3); and

(B) by redesignating paragraph (4) as paragraph (2).

(g) APPLICATION OF ARTIFICIAL INTELLIGENCE TO THE DEFENSE REFORM PILLAR IN THE NATIONAL DEFENSE STRATEGY.—Section 234(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note) is amended by striking "Director of the Joint Artificial Intelligence Center" and inserting "official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061)".

(h) PILOT PROGRAM ON THE USE OF ELECTRONIC PORTFOLIOS TO EVALUATE CERTAIN APPLICANTS FOR TECHNICAL POSITIONS.—Section 247(c) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. note prec. 1580) is amended—

(1) in paragraph (1), by striking "the Joint Artificial Intelligence Center" and inserting "the office of the official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061)";

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(i) ACQUISITION AUTHORITY OF THE DIRECTOR OF THE JOINT ARTIFICIAL INTELLIGENCE CENTER.—Section 808 the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 4001 note) is amended—

*(1) in the section heading, by striking "**THE DIRECTOR OF THE JOINT ARTIFICIAL INTELLIGENCE CENTER**" and inserting "**THE SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING**";*

(2) in subsection (a)—

(A) by striking "the Director of the Joint Artificial Intelligence Center" and inserting "the official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) (referred to in this section as the 'Official')"; and

(B) by striking "the Center" and inserting "the office of such official (referred to in this section as the 'Office')";

(3) in subsection (b)—

(A) in the subsection heading, by striking "JAIC";

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A),

(I) by striking "staff of the Director" and inserting "staff of the Official"; and

(II) by striking "the Director of the Center" and inserting "such Official";

(ii) in subparagraph (A), by striking "the Center" and inserting "the Office";

(iii) in subparagraph (B), by striking "the Center" and inserting "the Office";

(iv) in subparagraph (C), by striking "the Center" each place it appears and inserting "the Office"; and

(v) in subparagraph (D), by striking "the Center" each place it appears and inserting "the Office"; and

(C) in paragraph (2)—

(i) by striking "the Center" and inserting "the Office"; and

(ii) by striking "the Director" and inserting "the Official";

(4) in subsection (c)(1)—

(A) by striking "the Center" and inserting "the Office"; and

(B) by striking "the Director" and inserting "the Official";

(5) in subsection (d), by striking "the Director" and inserting "the Official";

(6) in subsection (e)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking "Center missions" and inserting "the missions of the Office"; and

(ii) in subparagraph (D), by striking "the Center" and inserting "the Office"; and

(B) in paragraph (3), by striking "the Center" and inserting "the Office";

(7) in subsection (f), by striking "the Director" and inserting "the Official"; and

(8) in subsection (g)—

(A) by striking paragraphs (1) and (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively.

(j) BIANNUAL REPORT ON OFFICE OF THE SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.—Section 260 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

*(1) in the section heading, by striking "**JOINT ARTIFICIAL INTELLIGENCE CENTER**" and inserting "**OFFICE OF THE SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING**";*

(2) in subsection (a)—

(A) by striking "2023" and inserting "2026"; and

(B) by striking "the Joint Artificial Intelligence Center (referred to in this section as the 'Center')" and inserting "the office of the official designated under subsection (b) of section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) (referred to in this section as the 'Office')";

(3) in subsection (b)—

(A) by striking "Center" each place it appears and inserting "Office";

(B) in paragraph (2), by striking "the National Mission Initiatives, Component Mission Initiatives, and any other initiatives" and inserting "any initiatives"; and

(C) in paragraph (7), by striking "the Center's investments in the National Mission Initiatives and Component Mission Initiatives" and inserting "the Office's investments in its initiatives and other activities"; and

(4) by striking subsection (c).

(k) CHIEF DATA OFFICER RESPONSIBILITY FOR DEPARTMENT OF DEFENSE DATA SETS.—Section 903(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2223 note) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(l) JOINT ARTIFICIAL INTELLIGENCE RESEARCH, DEVELOPMENT, AND TRANSITION ACTIVITIES.—Section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) is amended—

(1) by amending subsection (c) to read as follows:

"(c) ORGANIZATION AND ROLES.—

"(1) IN GENERAL.—In addition to designating an official under subsection (b), the Secretary of Defense shall assign to appropriate officials within the Department of Defense roles and responsibilities relating to the research, development, prototyping, testing, procurement of, requirements for, and operational use of artificial intelligence technologies.

"(2) APPROPRIATE OFFICIALS.—The officials assigned roles and responsibilities under paragraph (1) shall include—

"(A) the Under Secretary of Defense for Research and Engineering;

"(B) the Under Secretary of Defense for Acquisition and Sustainment;

"(C) one or more officials in each military department;

"(D) officials of appropriate Defense Agencies; and

"(E) such other officials as the Secretary of Defense determines appropriate.";

(2) in subsection (e), by striking "Director of the Joint Artificial Intelligence Center" and inserting "official designated under subsection (b)"; and

(3) by striking subsection (h).

(m) REFERENCES.—Any reference in any law, regulation, guidance, instruction, or other document of the Federal Government to the Director of the Joint Artificial Intelligence Center of the Department of Defense or to the Joint Artificial Intelligence Center shall be deemed to refer to the official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) or the office of such official, as the case may be.

SEC. 213. INCLUSION OF OFFICE OF UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING IN PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

"(10) OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.—The Under Secretary of Defense for

Research and Engineering may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Office of the Under Secretary."; and

(2) in subsection (b)(1)—

(A) in subparagraph (H), by striking "; and" and inserting a semicolon;

(B) in subparagraph (I), by striking the semicolon and inserting "; and"; and

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

"(J) in the case of the Office of the Under Secretary of Defense for Research and Engineering, appoint scientists and engineers to a total of not more than 10 scientific and engineering positions in the Office;".

SEC. 214. MODIFICATION OF LIMITATION ON CANCELLATION OF DESIGNATION OF EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.

Section 226 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1335) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

"(e) DESIGNATION OF OTHER EXECUTIVE AGENTS.—Notwithstanding the requirements of this section or section 1792 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (50 U.S.C. 4531 note), the Secretary of Defense may designate one or more Executive Agents within the Department of Defense (other than the Executive Agent described in subsection (a)) to implement Defense Production Act transactions entered into under the authority of sections 4021, 4022, and 4023 of title 10, United States Code.".

SEC. 215. SUPPORT FOR RESEARCH AND DEVELOPMENT OF BIOINDUSTRIAL MANUFACTURING PROCESSES.

(a) AUTHORIZATION.—Subject to the availability of appropriations, the Secretary of Defense shall provide support for the development of a network of bioindustrial manufacturing facilities to conduct research and development to improve the ability of the industrial base to assess, validate, and scale new, innovative bioindustrial manufacturing processes for the production of chemicals, materials, and other products necessary to support national security or secure fragile supply chains.

(b) FORM OF SUPPORT.—The support provided under subsection (a) may consist of—

(1) providing funding to one or more existing facilities or the establishment of new facilities—

(A) to support the research and development of bioindustrial manufacturing processes; or

(B) to otherwise expand the bioindustrial manufacturing capabilities of such facilities;

(2) the establishment of dedicated facilities within one or more bioindustrial manufacturing facilities to serve as regional hubs for the research, development, and the scaling of bioindus-

trial manufacturing processes and products to higher levels of production; or

(3) designating a bioindustrial manufacturing facility to serve as the lead entity responsible for integrating a network of pilot and intermediate scale bioindustrial manufacturing facilities.

(c) ACTIVITIES.—A facility that receives support under subsection (a) shall carry out activities relating to the research, development, test, and evaluation of innovative bioindustrial manufacturing processes and the scaling of bioindustrial manufacturing products to higher levels of production, which may include—

(1) research on the use of bioindustrial manufacturing to create materials such as polymers, coatings, resins, commodity chemicals, and other materials with fragile supply chains;

(2) demonstration projects to evaluate bioindustrial manufacturing processes and technologies;

(3) activities to scale bioindustrial manufacuring processes and products to higher levels of production;

(4) strategic planning for infrastructure and equipment investments for bioindustrial manufacturing of defense-related materials;

(5) analyses of bioindustrial manufactured products and validation of the application of biological material used as input to new and existing processes to aid in future investment strategies and the security of critical supply chains;

(6) the selection, construction, and operation of pilot and intermediate scale bioindustrial manufacturing facilities;

(7) development and management of a network of facilities to scale production of bioindustrial products;

(8) activities to address workforce needs in bioindustrial manufacturing;

(9) establishing an interoperable, secure, digital infrastructure for collaborative data exchange across entities in the bioindustrial manufacturing community, including government agencies, industry, and academia;

(10) developing and implementing digital tools, process security and assurance capabilities, cybersecurity protocols, and best practices for data storage, sharing and analysis; and

(11) such other activities as the Secretary of Defense determines appropriate.

(d) CONSIDERATIONS.—In determining the number, type, and location of facilities to support under subsection (a), the Secretary of Defense shall consider—

(1) how the facilities may complement each other or increase production levels by functioning together as a network;

(2) how to geographically distribute support to such facilities—

(A) to maximize access to biological material needed as an input to bioindustrial manufacturing processes;

(B) to leverage available industrial and academic expertise, including workforce and human capital;

(C) to leverage relevant domestic infrastructure required to secure supply chains for chemicals and other materials;

(D) to leverage access to venture capital and private sector finance expertise and funding instruments; and

(E) to complement the capabilities of similar facilities; and

(3) how the activities supported under this section can be coordinated with relevant activities of other departments and agencies of the Federal Government.

(e) INITIAL CONCEPT PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees and the National Security Commission on Emerging Biotechnology an initial concept plan for the implementation of this section that includes—

(A) an assessment of capacity scaling needs to determine if, and what type of, additional bioindustrial manufacturing facilities may be needed to meet the needs of the Department of Defense;

(B) a description of types, relative sizes, and locations of the facilities the Secretary intends to establish or support under this section;

(C) a general description of the focus of each facility, including the types of bioindustrial manufacturing equipment, if any, that are expected to be procured for each such facility;

(D) a general description of how the facilities will work as a network to maximize the diversity of bioindustrial products available to be produced by the network;

(E) an explanation of how the network will support the establishment and maintenance of the bioindustrial manufacturing industrial base; and

(F) an explanation of how the Secretary intends to ensure that bioindustrial manufacturing activities conducted under this section are modernized digitally, including through—

(i) the use of data automation to represent processes and products as models and simulations; and

(ii) the implementation of measures to address cybersecurity and process assurance concerns.

(2) BRIEFINGS.—Not later than 180 days after the date of the submittal of the plan under paragraph (1), and annually thereafter for five years, the Secretary of Defense shall provide to the congressional defense committees a briefing on the Secretary's progress in implementing the plan.

(f) BIOINDUSTRIAL MANUFACTURING DEFINED.—In this section, the term "bioindustrial manufacturing" means the use of living organisms, cells, tissues, enzymes, or cell-free systems to produce materials and products for non-pharmaceutical applications.

SEC. 216. AIR-BREATHING AND ROCKET BOOSTER TESTING CAPACITY UPGRADES TO SUPPORT CRITICAL HYPERSONIC WEAPONS DEVELOPMENT.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of the Air Force shall carry out activities to upgrade testing facilities of the Department of the Air Force that support the development of critical hypersonic weapons that—

(1) use air-breathing or rocket booster capabilities; and

(2) are expected to operate in sea-level or high-altitude operational domains.

(b) TIMELINE FOR COMPLETION.—The Secretary of the Air Force shall seek to complete any upgrade under subsection (a), subject to availability of appropriations for such upgrade, not later than 24 months after the upgrade is commenced.

SEC. 217. COMPETITIVELY AWARDED DEMONSTRATIONS AND TESTS OF ELECTROMAGNETIC WARFARE TECHNOLOGY.

(a) DEMONSTRATIONS AND TESTS REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director of the Air Force Rapid Capabilities Office, in coordination with the Air Force Life Cycle Management Center, shall select one or more qualified entities under competitive processes to conduct demonstrations and tests of commercial electronics technology to determine whether technology currently exists that could enable the following electromagnetic warfare capabilities:

(1) The operation of multiple emitters and receivers in the same frequency at the same time and in the same location without mutual interference and without using adaptive beam forming or nulling.

(2) Protecting the reception of Global Positioning System and other vulnerable low-power signals from multiple high-power jammers at a level that is significantly better than the protection afforded by controlled reception pattern antennas.

(3) Simultaneous transmission from and reception of separate signals on the same platform wherein the signals lie in the same frequency and are transmitted and received at the same time without interference.

(4) Capabilities similar those described in paragraphs (1) through (3) in a live, virtual constructive simulation environment.

(5) Other capabilities that might satisfy or support needs set forth in the Electromagnetic Spectrum Superiority Strategy Implementation Plan released on August 5, 2021.

(b) OVERSIGHT OF TESTS.—The Director of Operational Test and Evaluation shall—

(1) provide oversight of the demonstrations and tests required by subsection (a);

(2) review other applicable government or commercial demonstrations and tests; and

(3) not later than 30 days after the completion of the demonstrations and tests under subsection (a), advise the Chief Information Officer of the Department of Defense, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment of the outcomes of the demonstrations and tests.

(c) OUTCOME-BASED ACTIONS REQUIRED.—If the Director of Operational Test and Evaluation and the Director of the Air Force Rapid Capabilities Office affirm that the demonstrations and tests under subsection (a) confirm that certain commercial electronics technology could enable one or more of the capabilities described in such subsection—

(1) not later than 45 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capa-

bilities Office and the Director of Operational Test and Evaluation shall jointly provide to the congressional defense committees a briefing on the outcomes of the tests;

(2) the Director of the Air Force Rapid Capabilities Office may begin engineering form, fit, and function development and integration to incorporate technologies demonstrated and tested under subsection (a) into specific Department of Defense platforms and applications; and

(3) not later than 90 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office, the Chief Information Officer, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment shall jointly provide to the congressional defense committees a briefing on any plans of the Department of Defense to further develop and deploy the technologies demonstrated and tested under subsection (a) to support the Electromagnetic Spectrum Superiority Strategy Implementation Plan released on August 5, 2021.

(d) COMPETITIVENESS REQUIREMENTS.—A decision to commit, obligate, or expend funds for the purposes outlined in this section shall be based on merit-based selection procedures in accordance with the requirements of sections 3201(e) and 4024 of title 10, United States Code, or on competitive procedures.

(e) COMMERCIAL ELECTRONICS TECHNOLOGY DEFINED.—The term "commercial electronics technology" means electronics technology that is—

(1) a commercial component (as defined in section 102 of title 41, United States Code);

(2) a commercial product (as defined in section 103 such title);

(3) a commercial service (as defined in section 103a of such title); or

(4) a commercially available off-the-shelf item (as defined in section 104 of such title).

SEC. 218. ADMINISTRATION OF THE ADVANCED SENSOR APPLICATIONS PROGRAM.

(a) RESOURCE SPONSORS.—

(1) IN GENERAL.—The Commander of Naval Air Systems Command and the Director of Air Warfare shall jointly serve as the resource sponsors for the Advanced Sensor Applications Program (commonly known as "ASAP" and in this section referred to as the "Program").

(2) RESPONSIBILITIES.—The resource sponsors of the Program shall be responsible for the following:

(A) Developing budget requests relating to the Program.

(B) Establishing priorities for the Program.

(C) Approving the execution of funding and projects for the Program.

(D) Coordination and joint planning with external stakeholders in matters relating to the Program.

(b) LIMITATIONS.—Only the Secretary of the Navy, the Under Secretary of the Navy, and the Commander of Naval Air Systems Command may—

(1) provide direction and management for the Program;

(2) set priorities for the Program;

(3) regulate or limit the information available or accessible to the Program;

(4) edit reports or findings generated under the Program; or

(5) coordinate and manage interactions of the Program with external stakeholders.

(c) AUTHORITY FOR PROGRAM MANAGER.—The program manager for the Program may access, consider, act on, and apply information, at all levels of classification and from all sources and organizations, that is pertinent to the projects and activities that the Program is executing, or considering proposing for the future.

(d) QUARTERLY BRIEFINGS.—Not less frequently than once every three months, the program manager for the Program shall provide to the congressional defense committees and congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) a briefing on all aspects of the Program, including on the status of—

(1) the implementation of this section;

(2) the implementation of other congressional directives relating to the Program; and

(3) any direction and oversight of the Program exercised by the Commander of Naval Air Systems Command, the Secretary of the Navy, or the Under Secretary of the Navy.

(e) STRATEGIC RELATIONSHIP.—The program manager for the Program shall evaluate the feasibility and advisability of establishing a strategic relationship with the Naval Research Laboratory pursuant to which the Laboratory provides scientific and technical assistance and support for the Program.

(f) USE OF ASSETS.—The Commander of Naval Air Systems Command shall take all actions the Commander considers reasonable—

(1) to enable the Program to use assets controlled within the Naval Air Systems Command enterprise, including sensor systems and platforms; and

(2) to pursue the use of other assets that may further the mission of the Program.

(g) TERMINATION.—This section shall have no force or effect after September 30, 2027.

SEC. 219. QUANTIFIABLE ASSURANCE CAPABILITY FOR SECURITY OF MICROELECTRONICS.

(a) DEVELOPMENT AND IMPLEMENTATION OF CAPABILITY.—The Secretary of Defense shall develop and implement a capability for quantifiable assurance to achieve practical, affordable, and risk-based objectives for security of microelectronics to enable the Department of Defense to access and apply state-of-the-art microelectronics for military purposes.

(b) ESTABLISHMENT OF REQUIREMENTS AND SCHEDULE OF SUPPORT FOR DEVELOPMENT, TEST, AND ASSESSMENT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall, in consultation with the Under Secretary of Defense for Research and Engineering, establish requirements and a schedule for support from the National Security Agency to develop, test, as-

sess, implement, and improve the capability required by subsection (a).

(2) NATIONAL SECURITY AGENCY.—The Director of the National Security Agency shall take such actions as may be necessary to satisfy the requirements established under paragraph (1).

(3) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering and the Director of the National Security Agency shall jointly provide the congressional defense committees a briefing on the requirements and the schedule for support established under paragraph (1).

(c) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense shall assess whether the Department of Defense, to enable expanded use of unprogrammed application specific integrated circuits or other custom-designed integrated circuits manufactured by a supplier that is not using processes accredited by the Defense Microelectronics Activity for the purpose of enabling the Department to access commercial state-of-the-art microelectronics technology using risk-based quantifiable assurance security methodology, should—

(A) seek changes to the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, and Department of Defense Instruction 5200.44 (relating to protection of mission critical functions to achieve trusted systems and networks); and

(B) expand the use of unprogrammed custom-designed integrated circuits that are not controlled by such regulations.

(2) BRIEFING.—Not later than April 1, 2023, the Secretary of Defense shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the assessment conducted under paragraph (1).

SEC. 220. GOVERNMENT-INDUSTRY-ACADEMIA WORKING GROUP ON MICROELECTRONICS.

(a) ESTABLISHMENT AND DESIGNATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a working group to facilitate coordination among industry, academia, and the Department of Defense on issues of mutual interest relating to microelectronics as described in subsection (c).

(2) DESIGNATION.—The working group established under paragraph (1) shall be known as the "Government-Industry-Academia Working Group on Microelectronics" (referred to in this section as the "Working Group").

(b) COMPOSITION.—The Working Group shall be composed of representatives of organizations and elements of the Department of Defense, industry, and academia.

(c) SCOPE.—The Secretary shall ensure that the Working Group supports dialogue and coordination among industry, academia, and

the Department of Defense on the following issues relating to microelectronics:

(1) Research needs.

(2) Infrastructure needs and shortfalls.

(3) Technical and process standards.

(4) Training and certification needs for the workforce.

(5) Supply chain issues.

(6) Supply chain, manufacturing, and packaging security.

(7) Technology transition issues and opportunities.

(d) CHARTER AND POLICIES.—Not later than March 1, 2023, the Secretary of Defense shall develop a charter and issue policies for the functioning of the Working Group.

(e) ADMINISTRATIVE SUPPORT.—The joint federation of capabilities established under section 937 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) shall provide administrative support to the Working Group.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to allow the Department of Defense to provide any competitive advantage to any participant in the Working Group.

(g) SUNSET.—The provisions of this section shall terminate on December 31, 2030.

SEC. 221. TARGET DATE FOR DEPLOYMENT OF 5G WIRELESS BROADBAND INFRASTRUCTURE AT ALL MILITARY INSTALLATIONS.

(a) TARGET REQUIRED.—Not later than July 30, 2023, the Secretary of Defense shall—

(1) establish a target date by which the Secretary plans to deploy 5G wireless broadband infrastructure at all military installations; and

(2) establish metrics, which shall be identical for each of the military departments, to measure progress toward reaching the target required by paragraph (1).

(b) ANNUAL REPORT.—Not later than December 31, 2023, and on an annual basis thereafter until the date specified in subsection (c), the Secretary of Defense shall submit to the congressional defense committees a report that includes—

(1) the metrics in use pursuant to subsection (a)(2); and

(2) the progress of the Secretary in reaching the target required by subsection (a)(1).

(c) TERMINATION.—The requirement to submit annual reports under subsection (b) shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. 222. OUTREACH TO HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND OTHER MINORITY-SERVING INSTITUTIONS REGARDING NATIONAL SECURITY INNOVATION NETWORK PROGRAMS THAT PROMOTE ENTREPRENEURSHIP AND INNOVATION AT INSTITUTIONS OF HIGHER EDUCATION.

(a) PILOT PROGRAM.—The Under Secretary of Defense for Research and Engineering, acting through the National Security Innovation Network, may carry out a pilot program under which the Under Secretary conducts activities, including outreach and technical assistance, to better connect historically Black colleges and universities and other minority-serving institutions to the commer-

cialization, innovation, and entrepreneurial activities of the Department of Defense.

(b) BRIEFING.—Not later than one year after commencing a pilot program under subsection (a), the Under Secretary of Defense for Research and Engineering shall provide to the congressional defense committees a briefing on the program, including—

(1) an explanation of—

(A) the results of any outreach efforts conducted under the pilot program;

(B) the success of the pilot program in expanding National Security Innovation Network programs to historically Black colleges and universities and other minority-serving institutions; and

(C) any potential barriers to the expansion of the pilot program; and

(2) recommendations for how the Department of Defense can support historically Black colleges and universities and other minority-serving institutions to enable such institutions to successfully participate in Department of Defense commercialization, innovation, and entrepreneurship programs.

(c) TERMINATION.—The authority to carry out the pilot program under subsection (a) shall terminate on the date that is five years after the date of the enactment of this Act.

(d) DEFINITIONS.—In this section:

(1) The term "historically Black college or university" means a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)).

(2) The term "other minority-serving institution" means an institution of higher education specified in paragraphs (2) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

SEC. 223. REPORT AND PILOT PROGRAM BASED ON RECOMMENDATIONS REGARDING DEFENSE RESEARCH CAPACITY AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND OTHER MINORITY-SERVING INSTITUTIONS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the recommendations set forth in the publication of the National Academies of Sciences, Engineering, and Medicine titled "Defense Research Capacity at Historically Black Colleges and Universities and Other Minority Institutions: Transitioning from Good Intentions to Measurable Outcomes" and dated April 28, 2022.

(2) CONTENTS.—The report required under paragraph (1) shall include the following:

(A) With respect to the recommendations and sub-recommendations set forth in the publication described in paragraph (1)—

(i) a description of each recommendation and sub-recommendation the Secretary has implemented as of the date of the report;

(ii) a description of each recommendation and sub-recommendation the Secretary has commenced imple-

menting as of the date of the report, including a justification for determining to commence implementing the recommendation; and

(iii) a description of each recommendation and subrecommendation the Secretary has not implemented or commenced implementing as of the date of the report and a determination as to whether or not to implement the recommendation.

(B) For each recommendation or subrecommendation the Secretary determines to implement under subparagraph (A)(iii)—

(i) a timeline for implementation;

(ii) a description of any additional resources or authorities required for implementation; and

(iii) the plan for implementation.

(C) For each recommendation or subrecommendation the Secretary determines not to implement under subparagraph (A)(iii), a justification for the determination not to implement the recommendation.

(3) FORMAT.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) PROGRAM TO IMPLEMENT REPORT RECOMMENDATIONS AND SUBRECOMMENDATIONS.—

(1) PROGRAM REQUIRED.—The Secretary of Defense shall establish and carry out a program (referred to in this subsection as the "Program") under which the Secretary carries out activities to increase the capacity of eligible institutions to achieve very high research activity status.

(2) CONSIDERATIONS.—In establishing the Program the Secretary shall consider—

(A) the recommendations and subrecommendations to be implemented under subsection (a);

(B) the extent of nascent research capabilities and planned research capabilities at eligible institutions and the relevance of those capabilities to research areas of interest to the Department of Defense;

(C) recommendations from previous studies for increasing the level of research activity at eligible institutions to very high research activity status, including measurable milestones such as growth in very high research activity status indicators and other relevant factors;

(D) how institutions participating in the Program will evaluate and assess progress toward achieving very high research activity status;

(E) how such institutions will sustain an increased level of research activity after the Program terminates; and

(F) reporting requirements for institutions participating in the Program.

(3) CONSULTATION.—In designing the Program, the Secretary may consult with the President's Board of Advisors on historically Black colleges and universities.

(4) PROGRAM ACTIVITIES.—

(A) ACTIVITIES.—Under the Program, the Secretary shall carry out activities to build the capacity of eligible institutions to achieve very high research activity status, which may include—

(i) activities to support—

(I) faculty professional development;

(II) stipends for undergraduate and graduate students and post-doctoral scholars;

(III) recruitment and retention of faculty and graduate students;

(IV) the provision of laboratory equipment and instrumentation;

(V) communication and dissemination of research products produced during the Program;

(VI) construction, modernization, rehabilitation, or retrofitting of facilities for research purposes; and

(ii) such other activities as the Secretary determines appropriate.

(B) IDENTIFICATION OF PRIORITY AREAS.—The Secretary shall establish and update, on an annual basis, a list of research priorities for STEM and critical technologies appropriate for the Program to assist eligible institutions in identifying appropriate areas for research and related activities.

(5) TERMINATION.—The Program shall terminate 10 years after the date on which the Secretary commences the Program.

(6) EVALUATION.—Not later than two years after the date of the enactment of this Act and every two years thereafter until the date on which the Program terminates under paragraph (5), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report providing an update on the Program, including—

(A) a description of the activities carried out under the Program;

(B) an analysis of any growth in very high research activity status indicators of eligible institutions that participated in the Program; and

(C) emerging research areas of interest to the Department of Defense that are being pursued by such institutions.

(7) REPORT TO CONGRESS.—Not later than 180 days after the date on which the program terminates under paragraph (5), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Program that includes the following:

(A) An analysis of the growth in very high research activity status indicators of eligible institutions that participated in the Program.

(B) An evaluation on the effectiveness of the Program in increasing the research capacity of such institutions.

(C) An explanation of how institutions that achieved very high research activity status plan to sustain that status after the termination of the Program.

(D) An evaluation of the maintenance of very high research status by eligible institutions that participated in the Program.

(E) An evaluation of the effectiveness of the Program in increasing the diversity of students conducting high quality research in unique areas.

(F) Recommendations with respect to further activities and investments necessary to elevate the research status of historically Black colleges and universities and other minority-serving institutions.

(G) Recommendations as to whether the Program should be renewed or expanded.

(c) DEFINITIONS.—In this section:

(1) The term "eligible institution" means a historically Black college or university or other minority-serving institution that is classified as a high research activity status institution at the time of participation in the program under subsection (b).

(2) The term "high research activity status" means R2 status, as classified by the Carnegie Classification of Institutions of Higher Education.

(3) The term "historically Black college or university" has the meaning given the term "part B institution" under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(4) The term "other minority-serving institution" means an institution of higher education specified in paragraphs (2) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(5) The term "Secretary" means the Secretary of Defense.

(6) The term "very high research activity status" means R1 status, as classified by the Carnegie Classification of Institutions of Higher Education.

(7) The term "very high research activity status indicators" means the categories used by the Carnegie Classification of Institutions of Higher Education to delineate which institutions have very high activity status, including—

(A) annual expenditures in science and engineering;

(B) per-capita (faculty member) expenditures in science and engineering;

(C) annual expenditures in non-science and engineering fields;

(D) per-capita (faculty member) expenditures in non-science and engineering fields;

(E) doctorates awarded in science, technology, engineering, and mathematics fields;

(F) doctorates awarded in social science fields;

(G) doctorates awarded in the humanities;

(H) doctorates awarded in other fields with a research emphasis;

(I) total number of research staff including postdoctoral researchers;

(J) other doctorate-holding non-faculty researchers in science and engineering and per-capita (faculty) number of doctorate-level research staff including post-doctoral researchers; and

(K) other categories utilized to determine classification.

SEC. 224. PILOT PROGRAM TO SUPPORT THE DEVELOPMENT OF PATENTABLE INVENTIONS IN THE DEPARTMENT OF THE NAVY.

(a) IN GENERAL.—The Secretary of the Navy may carry out a pilot program to expand the support available to covered personnel who seek to engage in the development of patentable inventions that—

(1) have applicablity to the job-related functions of such personnel; and

(2) may have applicability in the civilian sector.

(b) ACTIVITIES.—As part of the pilot program under subsection (a), the Secretary of the Navy may—

(1) expand outreach to covered personnel regarding the availability of patent-related training, legal assistance, and other support for personnel interested in developing patentable inventions;

(2) expand the availability of patent-related training to covered personnel, including by making such training available online;

(3) clarify and issue guidance detailing how covered personnel, including personnel outside of the laboratories and other research organizations of the Department of the Navy, may—

(A) seek and receive support for the development of patentable inventions; and

(B) receive a portion of any royalty or other payment as an inventor or coinventor such as may be due under section 14(a)(1)(A)(i) of the Stevension-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710c(a)(1)(A)(i)); and

(4) carry out other such activities as the Secretary determines appropriate in accordance with the purposes of the pilot program.

(c) TERMINATION.—The authority to carry out the pilot program under subsection (a) shall terminate three years after the date of the enactment of this Act.

(d) DEFINITIONS.—In this section:

(1) The term "covered personnel" means members of the Navy and Marine Corps and civilian employees of the Department of the Navy, including members and employees whose primary duties do not involve research and development.

(2) The term "patentable invention" means an invention that is patentable under title 35, United States Code.

SEC. 225. PILOT PROGRAM TO FACILITATE THE DEVELOPMENT OF BATTERY TECHNOLOGIES FOR WARFIGHTERS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense may establish and carry out a pilot program to assess the feasibility and advisability of providing support to battery producers—

(A) to facilitate the research and development of safe and secure battery technologies for existing and new or novel battery chemistry configurations, including through the research and development of new or updated manufacturing processes and technologies;

(B) to assess commercial battery offerings within the marketplace for viability and utility for warfighter applications; and

(C) to transition battery technologies, including technologies developed under other pilot programs, prototype projects, or other research and development programs, from the prototyping phase to manufacturing production.

(2) DESIGNATION.—The pilot program established under paragraph (1) shall be known as the "Warfighter Electric Battery Transition Project" (referred to in this section as the "Project").

(3) ADMINISTRATION.—The Under Secretary of Defense for Research and Engineering shall administer the Project.

(b) GRANTS, CONTRACTS, AND OTHER AGREEMENTS.—The Secretary of Defense may carry out the Project through the award of support, as described in subsection (a)(1), in the form of grants to, or contracts or other agreements with, battery producers.

(c) COORDINATION.—The Secretary of Defense shall ensure that activities under the Project are coordinated with the Strategic Environmental Research and Development Program under section 2901 of title 10, United States Code.

(d) USE OF GRANT AND CONTRACT AMOUNTS.—A battery producer who receives a grant, contract, or other agreement under the Project may use the amount of the grant, contract, or other agreement to carry out one or more of the following activities:

(1) Conducting research and development to validate new or novel battery chemistry configurations, including through—

(A) experimentation;

(B) prototyping;

(C) testing;

(D) adapting battery technology to integrate with other technologies and systems; or

(E) addressing manufacturing or other production challenges.

(2) Providing commercially available battery technologies to each Secretary of a military department and the commanders of the combatant commands to support utility assessments or other testing by warfighters.

(3) Expanding, validating, or assessing battery recycling capabilities that may provide operational utility to the Department of Defense.

(4) Building and strengthening relationships of the Department of Defense with nontraditional defense contractors in the technology industry that may have unused or underused solutions to specific operational challenges of the Department relating to battery technology.

(e) PRIORITY OF AWARDS.—In awarding grants, contracts, or other agreements under the Project, the Secretary shall give preference to battery producers that meet one or more of the following criteria:

(1) The producer manufactures, designs, or develops battery cells, packs, modules, or other related capabilities in the United States.

(2) The producer manufactures, designs, or develops battery cells, packs, modules, or other related capabilities in the na-

tional technology and industrial base (as defined in section 4801 of title 10, United States Code).

(3) The technology made available by the producer provides modularity to support diverse applications.

(4) The technology made available by the producer facilitates safety in tactical and combat applications by using battery chemistries and configurations that reduce thermal runaway and minimize oxygen liberation.

(5) The producer demonstrates new or novel battery chemistry configurations, safety characteristics, or form-factor configurations.

(6) The producer facilitates the domestic supply chain for raw materials needed for battery production.

(7) The producer offers battery-related commercial products or commercial services.

(f) PLANNING, REPORTING AND DATA COLLECTION.—

(1) PLAN REQUIRED BEFORE IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary of Defense may not commence the Project until the Secretary has completed a plan for the implementation of the Project.

(B) ELEMENTS.—The plan under subparagraph (A) shall provide for—

(i) collecting, analyzing, and retaining Project data;

(ii) developing and sharing best practices for achieving the objectives of the Project;

(iii) identification of any policy or regulatory impediments inhibiting the execution of the Project; and

(iv) sharing results from the Project across the Department of Defense and with other departments and agencies of the Federal Government and Congress.

(C) SUBMITTAL TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the implementation plan developed under subparagraph (A).

(2) FINAL REPORT.—Not later than one year after the date on which the Project terminates under subsection (g), the Secretary of Defense shall submit to the congressional defense committees a final report on the results of the Project. Such report shall include—

(A) a summary of the objectives achieved by the Project; and

(B) recommendations regarding the steps that may be taken to promote battery technologies that are not dependent on foreign competitors to meet the needs of the Armed Forces.

(g) TERMINATION.—The authority to carry out the Project shall terminate on December 31, 2028.

Subtitle C—Plans, Reports, and Other Matters

SEC. 231. MODIFICATION TO ANNUAL REPORTS OF THE DIRECTOR OF OPERATIONAL TEST AND EVALUATION.

Section 139(h)(3) of title 10, United States Code, is amended—

(1) by inserting "or controlled unclassified" after "classified"; and

(2) by striking "submit an unclassified version of the report to Congress" and inserting "submit to Congress a version of the report that is unclassified and does not require safeguarding or dissemination controls".

SEC. 232. EXTENSION OF REQUIREMENT FOR QUARTERLY BRIEFINGS ON STRATEGY FOR FIFTH GENERATION INFORMATION AND COMMUNICATIONS TECHNOLOGIES.

Section 254(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 4571 note) is amended, in the matter preceding subparagraph (A), by striking "March 15, 2022" and inserting "December 1, 2026".

SEC. 233. PLAN FOR INVESTMENTS TO SUPPORT THE DEVELOPMENT OF NOVEL PROCESSING APPROACHES FOR DEFENSE APPLICATIONS.

(a) INVESTMENT PLANS REQUIRED.—Not later than November 1, 2023, and not less frequently than once every three years thereafter until December 31, 2035, the Secretary of Defense shall submit to the congressional defense committees a plan for making investments to support the development of novel processing approaches for defense applications.

(b) ELEMENTS.—Each investment plan required by subsection (a) shall—

(1) identify any investments the Secretary has made, and any future investments the Secretary intends to make, in research and technology development to support the use and fielding of novel processing approaches for defense applications;

(2) identify any investments the Secretary has made, and any future investments the Secretary intends to make, to accelerate the development of novel processing approaches for defense applications, including investments in—

(A) personnel and workforce capabilities;

(B) facilities and infrastructure to host systems utilizing novel processing approaches;

(C) algorithm developments necessary to expand the functionality of each novel processing approach;

(D) other Federal agencies and federally funded laboratories; and

(E) appropriate international and commercial sector organizations and activities;

(3) describe mechanisms to coordinate and leverage investments in novel processing approaches within the Department and with non-Federal partners;

(4) describe the technical goals to be achieved and capabilities to be developed under the plan; and

(5) include recommendations for such legislative or administration actions as may support the effective execution of the investment plan.

(c) FORM.—Each plan submitted under subsection (a) shall be submitted in such form as the Secretary considers appropriate, which may include classified, unclassified, and publicly releasable formats.

(d) NOVEL PROCESSING APPROACHES DEFINED.—In this section, the term "novel processing approaches" means—

(1) emerging techniques in computation, such as biocomputing, exascale computing, utility scale quantum computing; and

(2) associated algorithm and hardware development needed to implement such techniques.

SEC. 234. PLANS TO ACCELERATE THE TRANSITION TO 5G INFORMATION AND COMMUNICATIONS TECHNOLOGY WITHIN THE MILITARY DEPARTMENTS.

(a) THREE-YEAR TRANSITION PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, each Assistant Secretary concerned shall develop and submit to the congressional defense committees a plan that specifies—

(A) the extent to which fifth generation information and communications technology (5G) infrastructure is expected to be implemented in the military department of the Assistant Secretary by the end of the three-year period following the date of the enactment of this Act; and

(B) how the implementation of such technology is expected to be achieved during such period.

(2) ELEMENTS.—Each plan required under paragraph (1) shall include—

(A) an operational needs assessment that identifies the highest priority areas in which the Assistant Secretary intends to implement fifth generation information and communications technologies during the three-year period described in paragraph (1);

(B) an explanation of—

(i) whether and to what extent the Assistant Secretary intends to use an open radio access network approach in implementing fifth generation information and communications technologies in the areas identified under subparagraph (A); and

(ii) if the Assistant Secretary does not intend to use such an open radio access network approach, an explanation of the reasons for such determination;

(C) an investment plan that includes funding estimates, by fiscal year and appropriation account, to accelerate—

(i) the maturation and acquisition of fifth generation information and communications capabilities that use the open radio access network approach; and

(ii) the deployment of such capabilities in the facilities and systems of the military department concerned;

(D) metrics and reporting mechanisms to ensure progress in achieving the objectives of the plan within the three-year period described in paragraph (1);

(E) identification and designation of a single point of contact at each military installation and within each armed force under the jurisdiction of the military department concerned to facilitate the deployment of fifth generation information and communications technologies;

(F) actions the Assistant Secretary intends to carry out to streamline the process for establishing fifth generation wireless coverage at military installations, including actions to reduce delays caused by policies and processes relating to contracting, communications, and the use of real property;

(G) identification of investments that are required to support the transition to fifth generation information and communications technology that uses an open radio access network approach; and

(H) such other matters as the Assistant Secretary considers appropriate.

(3) COORDINATION.—In developing the plans required under paragraph (1), each Assistant Secretary concerned shall coordinate with—

(A) the Chief Information Officer of the Department of Defense;

(B) and the Under Secretary of Defense for Acquisition and Sustainment; and

(C) the Under Secretary of Defense for Research and Engineering.

(4) FORM OF PLAN.—Each plan required under paragraph (1) shall be submitted in unclassified form.

(b) CROSS-FUNCTIONAL TEAM ASSESSMENT.—

(1) ASSESSMENT AND BRIEFING REQUIRED.—After all of the plans required by subsection (a)(1) have been submitted in accordance with such subsection and not later than 150 days after the date of the enactment of this Act, the cross-functional team established pursuant to section 224(c)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 4571 note) shall assess such plans and provide to the congressional defense committees a briefing on the findings of the team with respect to such assessment.

(2) ELEMENTS.—The briefing provided under paragraph (1) shall include the following:

(A) Recommendations to further accelerate the deployment of fifth-generation information and communications technologies that use the open radio access network approach across the Department of Defense.

(B) Recommendations to standardize and streamline the process for establishing fifth generation wireless coverage at military installations, including recommendations for reducing delays caused by policies and processes relating to contracting, communications, and the use of real property.

(C) A plan for the inclusion of representatives of the Department of Defense in international wireless standards-setting bodies.

(D) Such other matters as the cross-functional team described in paragraph (1) considers appropriate.

(c) DEFINITIONS.—In this section:

(1) The term "Assistant Secretary concerned" means—

(A) the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, with respect to matters concerning the Department of the Army;

(B) the Assistant Secretary of the Navy for Research, Development, and Acquisition, with respect to matters concerning the Department of the Navy; and

(C) the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, with respect to matters concerning the Department of the Air Force.

(2) The term "open radio access network approach" means an approach to networking, such as the Open Radio Access Network (commonly known as "Open RAN"), that uses open protocols and interfaces within a network so that components provided by different vendors can be interoperable.

SEC. 235. PLAN FOR DEFENSE ADVANCED RESEARCH PROJECTS AGENCY INNOVATION FELLOWSHIP PROGRAM.

(a) IN GENERAL.—The Director of the Defense Advanced Research Projects Agency shall develop a plan for the establishment of a fellowship program (to be known as the "Innovation Fellowship Program") to expand opportunities for early career scientists to participate in the programs, projects, and other activities of the Agency.

(b) ELEMENTS.—In developing the plan under subsection (a), the Director of the Defense Advanced Research Projects Agency shall—

(1) review the types of programs, projects, and other activities of the Agency that may be open to participation from early career scientists to identify opportunities for the expansion of such participation;

(2) identify criteria for evaluating applicants to the fellowship program described in subsection (a);

(3) establish detailed plans for the implementation of the fellowship program;

(4) conduct an assessment of the potential costs of the fellowship program;

(5) define eligibility requirements for participants in the fellowship program; and

(6) address such other matters as the Director determines appropriate.

(c) SUBMITTAL TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Advanced Research Projects Agency shall submit to the congressional defense committee a report that includes—

(1) the plan developed under subsection (a); and

(2) recommendations for expanding opportunities for early career scientists to participate in the programs, projects, and other activities of the Agency.

(d) EARLY CAREER SCIENTIST DEFINED.—The term "early career scientist" means a scientist who is in an early stage of career devel-

opment according to criteria determined by the Director of the Defense Advanced Research Projects Agency for purposes of this section.

SEC. 236. STRATEGY AND PLAN FOR FOSTERING AND STRENGTHENING THE DEFENSE INNOVATION ECOSYSTEM.

(a) STRATEGY AND IMPLEMENTATION PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop—

(1) a strategy fostering and strengthening the defense innovation ecosystem; and

(2) a plan for implementing such strategy.

(b) PURPOSES.—

(1) STRATEGY.—The purpose of the strategy required by subsection (a)(1) is to provide a framework for identifying, assessing, and tracking innovation ecosystems that are beneficial to advancing the defense, national security, and warfighting missions of the Department of Defense.

(2) IMPLEMENTATION PLAN.—The purpose of the implementation plan required by subsection (a)(2) is to provide—

(A) concrete steps and measures of effectiveness to gauge the effect of the innovation ecosystems described in paragraph (1) on the Department; and

(B) a means for assessing the effectiveness of the strategy developed under subsection (a)(1), including the approaches taken by the Department to grow, foster, and sustain such innovation ecosystems.

(c) ELEMENTS.—The strategy and the implementation plan required by subsection (a) shall include the following elements:

(1) A process for defining, assessing, and selecting innovation ecosystems with potential to provide benefit to the Department of Defense.

(2) Metrics for measuring the performance and health of innovation ecosystems being supported by the Department, including identification of criteria to determine when to support or cease supporting identified ecosystems.

(3) Identification of the authorities and Department of Defense research, development, test, and evaluation assets that can be used to identify, establish, sustain, and expand innovation ecosystems.

(4) For each innovation ecosystem supported by the Department—

(A) a description of the core competencies or focus areas of the ecosystem;

(B) identification of any organizations or elements of the Department that engage with the ecosystem;

(C) identification of the private sector assets that are being used to support, sustain, and expand the identified innovation ecosystem; and

(D) a description of any challenges and successes associated with such ecosystem.

(5) Such other elements as the Secretary considers appropriate.

(d) INTERIM BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the strategy and implementation plan developed under subsection (a).

(e) SUBMITTAL OF STRATEGY AND PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the strategy and implementation plan developed under subsection (a).

(f) QUADRENNIAL UPDATES.—Not later than March 1, 2027, and not less frequently than once ever four years thereafter until December 31, 2039, the Secretary shall—

(1) update the strategy and plan developed under subsection (a); and

(2) submit the updated strategy and plan to the congressional defense committees.

(g) DEFINITIONS.—In this section:

(1) The term "Department of Defense research, development, test, and evaluation assets" includes the following:

(A) The Department of Defense science and technology reinvention laboratories designated under section 4121 of title 10, United States Code.

(B) The Major Range and Test Facility Base (as defined in section 4173(i) of such title).

(C) Department of Defense sponsored manufacturing innovation institutes.

(D) The organic industrial base.

(E) Defense Agencies and Department of Defense Field Activities (as defined in section 101(a) of title 10, United States Code) that carry out activities using funds appropriated for research, development, test, and evaluation.

(F) Any other organization or element of the Department of Defense that carries out activities using funds appropriated for research, development, test, and evaluation.

(2) The term "innovation ecosystem" refers to a regionally based network of private sector, academic, and government institutions in a network of formal and informal institutional relationships that contribute to technological and economic development in a defined technology sector or sectors.

SEC. 237. ASSESSMENT AND STRATEGY RELATING TO HYPERSONIC TESTING CAPACITY OF THE DEPARTMENT OF DEFENSE.

(a) ASSESSMENT.—The Secretary of Defense shall assess the capacity of the Department of Defense to test, evaluate, and qualify the hypersonic capabilities and related technologies of the Department.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following:

(1) An assumption, for purposes of evaluating the capacity described in subsection (a), that the Department of Defense will conduct at least one full-scale, operationally relevant, live-fire, hypersonic weapon test of each hypersonic weapon system that is under development each year by each of the Air Force, the Army, and the Navy, once such system reaches initial operational capability.

(2) An identification of test facilities outside the Department of Defense that have potential to be used to expand the capacity

described in subsection (a), including test facilities of other departments and agencies of the Federal Government, academia, and commercial test facilities.

(3) An analysis of the capability of each test facility identified under paragraph (2) to simulate various individual and coupled hypersonic conditions to accurately simulate a realistic flight-like environment with all relevant aero-thermochemical conditions.

(4) An identification of the coordination, scheduling, reimbursement processes, and requirements needed for the potential use of test facilities of other departments and agencies of the Federal Government, as available.

(5) An analysis of the test frequency, scheduling lead time, test cost, and capacity of each test facility identified under paragraph (2).

(6) A review of test facilities identified under paragraph (2) that could enhance efforts to test flight vehicles of the Department in all phases of hypersonic flight, and other technologies, including sensors, communications, thermal protective shields and materials, optical windows, navigation, and environmental sensors.

(7) An assessment of any cost savings and time savings that could result from using technologies identified in the strategy under subsection (c).

(c) STRATEGY.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a strategy to coordinate the potential use of test facilities and ranges identified under subsection (b)(2) to evaluate hypersonic technologies.

(2) ELEMENTS.—The strategy under paragraph (1) shall—

(A) be based on the assessment under subsection (a);

(B) address how the Secretary will coordinate with other departments and agencies of the Federal Government, including the National Aeronautics and Space Administration, to plan for and schedule the potential use of other Federal Government-owned test facilities and ranges, as available, to evaluate the hypersonic technologies of the Department of Defense;

(C) to the extent practicable, address in what cases the Secretary can use test facilities identified under subsection (b)(2) to fill any existing testing requirement gaps to enhance and accelerate flight qualification of critical hypersonic technologies of the Department;

(D) identify—

(i) the resources needed to improve the frequency and capacity for testing hypersonic technologies of the Department at ground-based test facilities and flight test ranges, including estimated costs for conducting at least one full-scale, operationally relevant, live-fire, hypersonic weapon test of each hypersonic weapon system that is under development each year by each of the Air Force, the Army, and the Navy, once such system reaches initial operational capability;

(ii) the resources needed to reimburse other departments and agencies of the Federal Government for the use of the test facilities and ranges of those departments or agencies to test the hypersonics technologies of the Department;

(iii) the requirements, approval processes, and resources needed to enhance, as appropriate, the testing capabilities and capacity of other Federal Government-owned test facilities and flight ranges, in coordination with the heads of the relevant departments and agencies;

(iv) investments that the Secretary can make to incorporate test facilities identified under subsection (b)(2) into the overall hypersonic test infrastructure of the Department of Defense; and

(v) the environmental conditions, testing sizes, and duration required for flight qualification of both hypersonic cruise and hypersonic boost-glide technologies of the Department; and

(E) address all advanced or emerging technologies that could shorten timelines and reduce costs for hypersonic missile testing, including with respect to—

(i) 3D printing of hypersonic test missile components including the frame, warhead, and propulsion systems;

(ii) reusable hypersonic test beds, including air-launched, sea-launched, and ground-launched options;

(iii) additive manufacturing solutions;

(iv) the potential use of airborne platforms other than the B–52 aircraft to improve flight schedules for such testing; and

(v) other relevant technologies.

(3) COORDINATION.—The Secretary of Defense shall develop the strategy under paragraph (1) in coordination with the Program Director of the Joint Hypersonics Transition Office, the Administrator of the National Aeronautics and Space Administration, the research laboratories of the military departments, and the Department of Defense Test Resource Management Center.

(d) REPORT ON ESTIMATED COSTS OF CONDUCTING A MINIMUM FREQUENCY OF HYPERSONIC WEAPONS TESTING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report that includes an estimate of the costs of conducting at least one full-scale, operationally relevant, live-fire, hypersonic weapon test of each hypersonic weapon system that is under development each year by each of the Air Force, the Army, and the Navy, once such system reaches initial operational capability.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 238. ANNUAL REPORT ON STUDIES AND REPORTS OF FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS.

(a) ANNUAL REPORT REQUIRED.—On an annual basis, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that identifies and provides information about the studies and reports undertaken for the Department of Defense by federally funded research and development centers.

(b) ELEMENTS.—Each report submitted under subsection (a) shall set forth the following:

(1) A list identifying each study and report undertaken by a federally funded research center for the Department of Defense—

(A) that has been completed during the period covered by the report under subsection (a); or

(B) that is in progress as of the date of the report under subsection (a).

(2) For each study and report listed under paragraph (1), the following:

(A) The title of the study or report.

(B) The federally funded research and development center undertaking the study or report.

(C) The amount of funding provided to the federally funded research and development center under the contract or other agreement pursuant to which the study or report is being produced or conducted.

(D) The completion date or anticipated completion date of the study or report.

(c) EXCEPTIONS.—The report required by subsection (a) shall not apply to the following:

(1) Classified reports or studies.

(2) Technical reports associated with scientific research or technical development activities.

(3) Any report or study undertaken pursuant to a contract or other agreement between a federally funded research and development center and an entity outside the Department of Defense.

(4) Reports or studies that are in draft form or that have not undergone a peer-review or prepublication security review process established by the federally funded research and development center concerned.

(d) SPECIAL RULE.—Each report under subsection (a) shall be generated using the products and processes generated pursuant to section 908 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 111 note).

(e) TERMINATION.—The requirement to submit annual reports under subsection (a) shall terminate on the date that is three years after the date of the enactment of this Act.

SEC. 239. REPORT ON RECOMMENDATIONS FROM ARMY FUTURES COMMAND RESEARCH PROGRAM REALIGNMENT STUDY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the recommendations set forth in the publication of the National Acad-

emies of Sciences, Engineering, and Medicine titled "Consensus Study Report: U.S. Army Futures Command Research Program Realignment" and dated April 23, 2022.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A description of each recommendation described in such subsection that has already been implemented.

(2) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(3) A description of each recommendation described in such subsection that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendation.

(4) For each recommendation under paragraph (3) the Secretary determines to implement, the following:

(A) A timeline for implementation.

(B) A description of any additional resources or authorities required for implementation.

(C) The plan for implementation.

(5) For each recommendation under paragraph (3) the Secretary determines not to implement, a justification for the determination not to implement.

(c) FORMAT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 240. REPORT ON POTENTIAL FOR INCREASED UTILIZATION OF THE ELECTRONIC PROVING GROUNDS TESTING RANGE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Chair of the Electronic Warfare Executive Committee of the Department of Defense, shall submit to the congressional defense committees a report on the Electronic Proving Grounds testing range located at Fort Huachuca, Arizona.

(b) ELEMENTS.—The report under subsection (a) shall address—

(1) the amount and types of testing activities conducted at the Electronic Proving Grounds testing range;

(2) any shortfalls in the facilities and equipment of the range;

(3) the capacity of the range to be used for additional testing activities;

(4) the possibility of using the range for the testing activities of other Armed Forces, Federal agencies, and private-sector entities in the United States;

(5) the capacity of the range to be used for realistic electronic warfare training;

(6) electronic warfare training shortfalls at domestic military installations generally; and

(7) the feasibility and advisability of providing a dedicated training area for electronic warfare capabilities.

(c) CONSULTATION.—In preparing the report under subsection (a), the Chair of the Electronic Warfare Executive Committee shall consult with the following:

(1) The Under Secretary of Defense for Research and Engineering.

(2) The Chief Information Officer of the Department of Defense.

(3) The Director of Operational Test and Evaluation of the Department of Defense.

(4) The Commander of the United States Strategic Command.

(5) The Secretary of the Army.

(6) The Electromagnetic Spectrum Operations Cross-Functional Team established pursuant to section 911(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note).

(7) The governments of Cochise County and Sierra Vista, Arizona.

SEC. 241. STUDY ON COSTS ASSOCIATED WITH UNDERPERFORMING SOFTWARE AND INFORMATION TECHNOLOGY.

(a) STUDY REQUIRED.—The Secretary of Defense shall seek to enter into a contract or other agreement with an eligible entity to conduct an independent study on the challenges associated with the use of software and information technology in the Department of Defense, the effects of such challenges, and potential solutions to such challenges.

(b) ELEMENTS.—The independent study conducted under subsection (a) shall include the following:

(1) A survey of members of each Armed Force under the jurisdiction of a Secretary of a military department to identify the most important software and information technology challenges that result in lost working hours, including—

(A) an estimate of the number of working hours lost due to each challenge and the cost of such lost working hours;

(B) the effects of each challenge on servicemember and employee retention; and

(C) any negative effects of each challenge on a mission of the Armed Force or military department concerned.

(2) A summary of the policy or technical challenges that limit the ability of each Secretary of a military department to implement needed software and information technology reforms, which shall be determined based on interviews conducted with individuals who serve as a chief information officer (or an equivalent position) in a military department.

(3) Development of a framework for assessing underperforming software and information technology, with an emphasis on foundational information technology to standardize the measurement and comparison of programs across the Department of Defense and its component organizations. Such a framework shall enable the assessment of underperforming software and information technology based on—

(A) designs, interfaces, and functionality which prioritize user experience and efficacy;

(B) costs due to lost productivity;

(C) reliability and sustainability;

(D) comparisons between—

(i) outdated or outmoded information technologies, software, and applications; and

(ii) modern information technologies, software, and applications;

(E) overhead costs for software and information technology in the Department compared to the overhead costs for comparable software and information technology in the private sector;

(F) comparison of the amounts the Department planned to expend on software and information technology services versus the amounts actually spent for such software and services;

(G) the mean amount of time it takes to resolve technical problems reported by users;

(H) the average rate, expressed in time, for remediating or patching weaknesses or flaws in information technologies, software, and applications;

(I) workforce training time; and

(J) customer satisfaction.

(4) The development of recommendations—

(A) to address the challenges identified under paragraph (1); and

(B) to improve the processes through which the Secretary provides software and information technology throughout the Department, including through—

(i) business processes reengineering;

(ii) improvement of procurement or sustainment processes;

(iii) remediation of hardware and software technology gaps; and

(iv) the development of more detailed and effective cost estimates.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the eligible entity that conducts the study under subsection (a) shall submit to the Secretary of Defense and the congressional defense committees a report on the results of such study.

(d) DEFINITIONS.—In this section:

(1) The term "eligible entity" means an independent entity not under the direction or control of the Secretary of Defense, which may include a department or agency of the Federal Government outside the Department of Defense.

(2) The term "software and information technology" does not include embedded software and information technology used for weapon systems.

SEC. 242. STUDY AND REPORT ON SUFFICIENCY OF OPERATIONAL TEST AND EVALUATION RESOURCES SUPPORTING CERTAIN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) STUDY.—The Director of Operational Test and Evaluation of the Department of Defense shall conduct a study of at least one major defense acquisition program within each covered Armed Force to determine the sufficiency of the operational test and evaluation resources supporting such program.

(b) ELEMENTS.—The study under subsection (a) shall include, with respect to each major defense acquisition program evaluated as part of the study, the following:

(1) Identification and assessment of the operational test and evaluation resources supporting the program—

(A) as of the date of the study;

(B) during the five-year period preceding the date of the study; and

(C) over the period covered by the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code.

(2) For any operational test and evaluation resources determined to be insufficient to meet the needs of the program, an evaluation of the amount of additional funding and any other support that may be required to ensure the sufficiency of such resources.

(3) The amount of Government-funded, contractor-provided operational test and evaluation resources—

(A) provided for the program as of the date of the study; and

(B) that are planned to be provided for the program after such date.

(4) Such other matters as the Director of Operational Test and Evaluation determines to be relevant to the study.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Director of Operational Test and Evaluation shall submit to the congressional defense committees a report on the results of the study conducted under subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term "covered Armed Force" means the Army, the Navy, the Marine Corps, the Air Force, and the Space Force.

(2) The term "major defense acquisition program" has the meaning given that term in section 4201 of title 10, United States Code.

(3) The term "operational test and evaluation resources" means the facilities, specialized test assets, schedule, workforce, and any other resources supporting operational test and evaluation activities under a major defense acquisition program.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

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Subtitle C—Red Hill Bulk Fuel Storage Facility

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Subtitle F—Matters Relating to Depots and Ammunition Production Facilities

Sec. 371. Budgeting for depot and ammunition production facility maintenance and repair: annual report.
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Subtitle G—Other Matters

Sec. 381. Annual reports by Deputy Secretary of Defense on activities of Joint Safety Council.
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Sec. 390. Requirements relating to reduction of out-of-pocket costs of members of the Armed Forces for uniform items.
Sec. 391. Implementation of recommendations relating to animal facility sanitation and plan for housing and care of horses.
Sec. 392. Continued designation of Secretary of the Navy as executive agent for Naval Small Craft Instruction and Technical Training School.
Sec. 393. Prohibition on use of funds for retirement of legacy maritime mine countermeasures platforms.

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.

Chapter 7 of title 10, United States Code, is amended by inserting after section 182 the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 182a. Center for Excellence in Environmental Security

"(a) ESTABLISHMENT.—The Secretary of Defense may operate a Center for Excellence in Environmental Security (in this section referred to as the 'Center').

"(b) MISSIONS.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require international assistance and operations that require coordination between the Department of Defense and other Federal agencies.

"(2) The Center shall be used to provide and facilitate education, training, interagency coordination, and research on the following additional matters:

"(A) Management of the consequences of environmental insecurity with respect to—

"(i) access to water, food, and energy;

"(ii) related health matters; and

"(iii) matters relating to when, how, and why environmental stresses to human safety, health, water, energy, and food will cascade to economic, social, political, or national security events.

"(B) Appropriate roles for the reserve components in response to environmental insecurity resulting from natural disasters.

"(C) Meeting requirements for information in connection with regional and global disasters, including through the use of advanced communications technology as a virtual library.

"(3) The Center shall perform such other missions as the Secretary of Defense may specify.

"(4) To assist the Center in carrying out the missions under this subsection, upon request of the Center, the head of any Federal agency may grant to the Center access to the data, archives, and other physical resources (including facilities) of that agency, and may detail any personnel of that agency to the Center, for the purpose of enabling the development of global environmental indicators.

"(c) JOINT OPERATION WITH EDUCATIONAL INSTITUTION AUTHORIZED.—The Secretary of Defense may enter into an agreement with appropriate officials of an institution of higher education to provide for the operation of the Center. Any such agreement shall provide for the institution to furnish necessary administrative services for the Center, including by directly providing such services or providing the funds for such services.

"(d) ACCEPTANCE OF DONATIONS.—(1) Except as provided in paragraph (2), the Secretary of Defense may accept, on behalf of the Center, donations to be used to defray the costs of the Center or to enhance the operation of the Center. Such donations may be accepted from any agency of the Federal Government, any State or local gov-

ernment, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of a foreign country), or any other private source in the United States or a foreign country.

"(2) The Secretary may not accept a donation under paragraph (1) if the acceptance of the donation would compromise or appear to compromise—

"(A) the ability of the Department of Defense, any employee of the Department, or any member of the armed forces, to carry out any responsibility or duty of the Department or the armed forces in a fair and objective manner; or

"(B) the integrity of any program of the Department of Defense or of any person involved in such a program.

"(3) The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a foreign donation under paragraph (1) would have a result described in paragraph (2).

"(4) Funds accepted by the Secretary under paragraph (1) as a donation on behalf of the Center shall be credited to appropriations available to the Department of Defense for the Center. Funds so credited shall be merged with the appropriations to which credited and shall be available for the Center for the same purposes and the same period as the appropriations with which merged.".

SEC. 312. PARTICIPATION IN POLLUTANT BANKS AND WATER QUALITY TRADING.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2694c the following new section:

"§ 2694d. Participation in pollutant banks and water quality trading

"(a) AUTHORITY TO PARTICIPATE.—The Secretary of a military department, and the Secretary of Defense with respect to matters concerning a Defense Agency, when engaged in an authorized activity that may or will result in the discharge of pollutants, may make payments to a pollutant banking program or water quality trading program approved in accordance with the Water Quality Trading Policy dated January 13, 2003, set forth by the Office of Water of the Environmental Protection Agency, or any successor administrative guidance or regulation.

"(b) TREATMENT OF PAYMENTS.—Payments made under subsection (a) to a pollutant banking program or water quality trading program may be treated as eligible project costs for military construction.

"(c) DISCHARGE OF POLLUTANTS DEFINED.—In this section, the term 'discharge of pollutants' has the meaning given that term in section 502(12) of the Federal Water Pollution Control Act (33 U.S.C. 1362(12)) (commonly referred to as the 'Clean Water Act').".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2694c following new item:

"2694d. Participation in pollutant banks and water quality trading.".

SEC. 313. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR STATE-OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4) The term 'State-owned National Guard facility' includes land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.".

(b) AUTHORITY FOR DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701(a)(1) of such title is amended, in the first sentence, by inserting "and at State-owned National Guard facilities" before the period.

(c) RESPONSIBILITY FOR RESPONSE ACTIONS.—Section 2701(c)(1) of such title is amended by adding at the end the following new subparagraph:

"(D) Each State-owned National Guard facility being used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department at the time of actions leading to contamination by hazardous substances or pollutants or contaminants.".

SEC. 314. RENEWAL OF ANNUAL ENVIRONMENTAL AND ENERGY REPORTS OF DEPARTMENT OF DEFENSE.

(a) ENVIRONMENTAL REPORT.—Section 2711 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:

"(a) REPORT REQUIRED.—Not later than March 31 of each year, the Secretary of Defense shall submit to Congress a report on progress made by environmental programs of the Department of Defense during the preceding fiscal year.

"(b) ELEMENTS.—Each report under subsection (a) shall include, for the year covered by the report, the following:

"(1) With respect to environmental restoration activities of the Department of Defense, and for each of the military departments, information on the Defense Environmental Restoration Program under section 2701 of this title, including—

"(A) the total number of sites at which such program was carried out;

"(B) the progress of remediation for sites that have not yet completed cleanup;

"(C) the remaining cost to complete cleanup of known sites; and

"(D) an assessment by the Secretary of Defense of the overall progress of such program.

"(2) An assessment by the Secretary of achievements for environmental conservation and planning by the Department.

"(3) An assessment by the Secretary of achievements for environmental compliance by the Department.

"(4) An assessment by the Secretary of achievements for climate resiliency by the Department.

"(5) An assessment by the Secretary of the progress made by the Department in achieving the objectives and goals of the Environmental Technology Program of the Department.

"(c) CONSOLIDATION.—The Secretary of Defense may consolidate, attach with, or otherwise include in any report required under subsection (a) any annual report or other requirement that is aligned or associated with, or would be better understood if presented as part of a consolidated report addressing environmental restoration, compliance, and resilience.".

(b) ENERGY REPORT.—

(1) IN GENERAL.—Section 2925 of such title is amended—

*(A) by amending the section heading to read as follows: "**Annual report on energy performance, resilience, and readiness of Department of Defense**"; and*

(B) by striking subsections (a) and (b) and inserting the following new subsections:

"(a) REPORT REQUIRED.—Not later than 240 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report detailing the fulfillment during that fiscal year of the authorities and requirements under sections 2688, 2911, 2912, 2920, and 2926 of this title, including progress on energy resilience at military installations and the use of operational energy in combat platforms and at contingency locations.

"(b) ELEMENTS.—Each report under subsection (a) shall include the following:

"(1) For the year covered by the report, the following:

"(A) A description of the progress made to achieve the goals of the Energy Policy Act of 2005 (Public Law 109–58), section 2911(g) of this title, and the Energy Independence and Security Act of 2007 (Public Law 110–140).

"(B) A description of the energy savings, return on investment, and enhancements to installation mission assurance realized by the fulfillment of the goals described in subparagraph (A).

"(C) A description of and progress toward the energy security, resilience, and performance goals and master planning for the Department of Defense, including associated metrics pursuant to subsections (c) and (d) of section 2911 of this title and requirements under section 2688(g) of this title.

"(D) An evaluation of progress made by the Department in implementing the operational energy strategy of the Department, including the progress of key initiatives and technology investments related to operational energy demand and management.

"(E) Details of the amounts of any funds transferred by the Secretary of Defense pursuant to section 2912 of this title, including a detailed description of the purpose for which such amounts have been used.

"(2) Statistical information on operational energy demands of the Department, in terms of expenditures and consumption, for the preceding five fiscal years, including information on fund-

ing made available in regular defense appropriations Acts and any supplemental appropriations Acts.

"(3) A description of each initiative related to the operational energy strategy of the Department and a summary of funds appropriated for each initiative in the previous fiscal year and current fiscal year and requested for each initiative for the next five fiscal years.

"(4) Such recommendations as the Secretary considers appropriate for additional changes in organization or authority within the Department to enable further implementation of the energy strategy and such other comments and recommendations as the Secretary considers appropriate.

"(c) CLASSIFIED FORM.—If a report under subsection (a) is submitted in classified form, the Secretary of Defense shall, concurrently with such report, submit to the congressional defense committees an unclassified version of the report.

"(d) CONSOLIDATION.—The Secretary of Defense may consolidate, attach with, or otherwise include in any report required under subsection (a) any annual report or other requirement that is aligned or associated with, or would be better understood if presented as part of a consolidated report addressing energy performance, resilience, and readiness.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 173 of such title is amended by striking the item relating to section 2925 and inserting the following new item:

"2925. Annual report on energy performance, resilience, and readiness of Department of Defense.".

(c) CONTINUATION OF REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Section 1080(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does not apply to the following reports:

(A) The report required to be submitted to Congress under section 2711 of title 10, United States Code.

(B) The report required to be submitted to Congress under section 2925 of title 10, United States Code.

(2) CONFORMING REPEAL.—Section 1061(c) of National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note) is amended by striking paragraphs (51) and (54).

SEC. 315. AGGREGATION OF ENERGY CONSERVATION MEASURES AND FUNDING.

Section 2911 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(j) AGGREGATE ENERGY CONSERVATION MEASURES AND FUNDING.—(1) To the maximum extent practicable, the Secretary concerned shall take a holistic view of the energy project opportunities on installations under the jurisdiction of such Secretary and shall consider aggregate energy conservation measures, including energy conservation measures with quick payback, with energy resilience enhancement projects and other projects that may have a longer payback period.

"(2) In considering aggregate energy conservation measures under paragraph (1), the Secretary concerned shall incorporate all funding available to such Secretary for such measures, including—

"(A) appropriated funds, such as—

"(i) funds appropriated for the Energy Resilience and Conservation Investment Program of the Department; and

"(ii) funds appropriated for the Facilities Sustainment, Restoration, and Modernization program of the Department; and

"(B) funding available under performance contracts, such as energy savings performance contracts and utility energy service contracts.".

SEC. 316. ADDITIONAL SPECIAL CONSIDERATIONS FOR ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN.

Section 2911(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(14) The reliability and security of energy resources in the event of a military conflict.

"(15) The value of resourcing energy from partners and allies of the United States.".

SEC. 317. PURCHASE OR LEASE OF ELECTRIC, ZERO EMISSION, ADVANCED-BIOFUEL-POWERED, OR HYDROGEN-POWERED VEHICLES FOR THE DEPARTMENT OF DEFENSE.

(a) REQUIREMENT.—Section 2922g of title 10, United States Code, is amended—

*(1) in the heading, by striking "**systems**" and inserting "**systems; purchase or lease of certain electric and other vehicles**";*

(2) in subsection (a), by striking "In leasing" and inserting "During the period preceding October 1, 2035, in leasing";

(3) in subsection (c), by inserting ", during the period specified in subsection (a)," after "from authorizing"; and

(4) by adding at the end the following new subsections:

"(d) REQUIREMENT.—Except as provided in subsection (e), beginning on October 1, 2035, each covered nontactical vehicle purchased or leased by or for the use of the Department of Defense shall be—

"(1) an electric or zero emission vehicle that uses a charging connector type (or other means to transmit electricity to the vehicle) that meets applicable industry accepted standards for interoperability and safety;

"(2) an advanced-biofuel-powered vehicle; or

"(3) a hydrogen-powered vehicle.

"(e) RELATION TO OTHER VEHICLE TECHNOLOGIES THAT REDUCE CONSUMPTION OF FOSSIL FUELS.—Notwithstanding the requirement under subsection (d), beginning on October 1, 2035, the Secretary of Defense may authorize the purchase or lease of a covered nontactical vehicle that is not described in such subsection if the Secretary determines, on a case-by-case basis, that—

"(1) the technology used in the vehicle to be purchased or leased reduces the consumption of fossil fuels compared to vehicles that use conventional internal combustion technology;

"(2) the purchase or lease of such vehicle is consistent with the energy performance goals and plan of the Department of Defense required by section 2911 of this title; and

"(3) the purchase or lease of a vehicle described in subsection (d) is impracticable under the circumstances.

"(f) WAIVER.—(1) The Secretary of Defense may waive the requirement under subsection (d).

"(2) The Secretary of Defense may not delegate the waiver authority under paragraph (1).

"(g) DEFINITIONS.—In this section:

"(1) The term 'advanced-biofuel-powered vehicle' includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2202 (7 U.S.C. 8101(3)(A)).

"(2) The term 'covered nontactical vehicle' means any vehicle—

"(A) that is not a tactical vehicle designed for use in combat; and

"(B) that is purchased or leased by the Department of Defense pursuant to a contract entered into, renewed, modified, or amended on or after October 1, 2035.

"(3) The term 'hydrogen-powered vehicle' means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 173 of such title is amended by striking the item relating to section 2922g and inserting the following new item:

"2922g. Preference for motor vehicles using electric or hybrid propulsion systems; purchase or lease of certain electric and other vehicles.".

SEC. 318. CLARIFICATION AND REQUIREMENT FOR DEPARTMENT OF DEFENSE RELATING TO RENEWABLE BIOMASS AND BIOGAS.

Section 2924 of title 10, United States Code, is amended—

(1) in paragraph (6)—

(A) by redesignating subparagraphs (D) through (I) as subparagraphs (E) through (J), respectively; and

(B) by inserting after subparagraph (C) the following new subparagraph (D):

"(D) Biogas."; and

(2) by adding at the end the following new paragraphs:

"(7) The term 'biomass' has the meaning given the term 'renewable biomass' in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)).

"(8) The term 'biogas' means biogas as such term is used in section 211(o)(1)(B)(ii)(V) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B)(ii)(V)).".

SEC. 319. PROGRAMS OF MILITARY DEPARTMENTS ON REDUCTION OF FUEL RELIANCE AND PROMOTION OF ENERGY-AWARE BEHAVIORS.

(a) ESTABLISHMENT.—Subchapter III of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such subchapter accordingly):

"§ 2928. Programs on reduction of fuel reliance and promotion of energy-aware behaviors

"(a) ESTABLISHMENT.—Each Secretary of a military department shall establish a program for the promotion of energy-aware behaviors and the reduction of unnecessary fuel consumption within that military department.

"(b) GOALS.—The goals of the programs established under subsection (a) shall be as follows:

"(1) To increase operational energy resiliency.

"(2) To decrease energy-related strategic vulnerabilities and enhance military readiness.

"(3) To integrate sustainability features for new and existing military installations and other facilities of the Department.

"(c) MINIMUM REQUIRED ELEMENTS.—Under the program of a military department under subsection (a), the Secretary of the military department shall carry out, with respect to the military department, and at a minimum, the following:

"(1) The development and implementation of a strategy for the collection and analysis of data on fuel consumption, to identify operational inefficiencies and enable data-driven decision making with respect to fuel logistics and the reduction of fuel consumption.

"(2) The fostering of an energy-aware culture across the military department to reduce fuel consumption, including through—

"(A) the incorporation of energy conservation and resiliency principles into training curricula and other training materials of the military department, including by updating such materials to include information on the effect of energy-aware behaviors on improving readiness and combat capability; and

"(B) the review of standard operating procedures, and other operational manuals and procedures, of the military department, to identify procedures that increase fuel consumption with no operational benefit.

"(3) The integration of operational energy factors into the wargaming of the military department and related training activities that involve the modeling of scenarios, in accordance with subsection (d), to provide to participants in such activities realistic data on the risks and challenges relating to operational energy and fuel logistics.

"(4) The implementation of data-driven procedures, operations planning, and logistics, to optimize cargo transport and refueling operations within the military department.

"(d) WARGAMING ELEMENTS.—In integrating operational energy factors into the wargaming and related training activities of a military department under subsection (c)(3), the Secretary of the military department shall seek to ensure that the planning, design, and execution of such activities include—

"(1) coordination with the elements of the military department responsible for fuel and logistics matters, to ensure the modeling of energy demand and network risk during such activities are accurate, taking into account potential shortfalls

and the direct and indirect effects of the efforts of foreign adversaries to target fuel supply chains; and

"(2) a focus on improving integrated life-cycle management processes and fuel supply logistics.".

(b) DEADLINE FOR ESTABLISHMENT.—The programs required under section 2928 of title 10, United States Code, as added by subsection (a), shall be established by not later than 180 days after the date of the enactment of this Act.

(c) BRIEFING.—Not later than 180 days after the date of enactment of this Act, each Secretary of a military department shall provide to the congressional defense committees a briefing on the establishment of the program of the military department required under such section 2928.

SEC. 320. ESTABLISHMENT OF JOINT WORKING GROUP TO DETERMINE JOINT REQUIREMENTS FOR FUTURE OPERATIONAL ENERGY NEEDS OF DEPARTMENT OF DEFENSE.

Section 352 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1653) is amended by adding at the end the following new subsection:

"(e) ESTABLISHMENT OF JOINT WORKING GROUP TO DETERMINE JOINT REQUIREMENTS FOR FUTURE OPERATIONAL ENERGY NEEDS OF DEPARTMENT OF DEFENSE.—

"(1) ESTABLISHMENT.—The Secretary of Defense shall establish a joint working group (in this subsection referred to as the 'working group') to determine joint requirements for future operational energy needs of the Department of Defense.

"(2) EXECUTIVE AGENT.—The Secretary of the Air Force shall serve as the executive agent of the working group.

"(3) REQUIREMENTS SPECIFIED.—

"(A) IN GENERAL.—In determining joint requirements under paragraph (1), the working group shall address the operational energy needs of each military department and combatant command to meet energy needs in all domains of warfare, including land, air, sea, space, cyberspace, subsea, and subterranean environments.

"(B) PRIORITY FOR CERTAIN SYSTEMS.—Priority for joint requirements under paragraph (1) shall be given to independent operational energy systems that—

"(i) are capable of operating in austere and isolated environments with quick deployment capabilities; and

"(ii) may reduce conventional air pollution and greenhouse gas emissions comparable to systems already in use.

"(4) EXISTING OR NEW PROGRAMS.—The working group shall address the feasibility of meeting joint requirements determined under paragraph (1) through the existing energy programs of the Department and make recommendations for new programs to meet such requirements.

"(5) FOCUS AREAS.—In carrying out the requirements under this subsection, the working group shall focus the efforts of the working group on operational energy, including—

"(A) micro-reactors and small modular reactors;

"(B) hydrogen-based fuel systems, including hydrogen fuel cells and hydrogen-based combustion engines;

"(C) battery storage;

"(D) renewable energy sources;

"(E) retrofits to existing platforms that shall increase efficiencies; and

"(F) other technologies and resources that meet joint requirements determined under paragraph (1).

"(6) RECOMMENDED PLAN OF ACTION.—

"(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall submit to the congressional defense committees a report, and provide to the congressional defense committees a classified briefing, outlining recommendations for programs to meet joint requirements for future operational energy needs of the Department of Defense by 2025, 2030, and 2040.

"(B) FOCUS ON READINESS AND FLEXIBILITY.—In submitting the report and providing the briefing under subparagraph (A), the Secretary shall—

"(i) address each element of the report or briefing, as the case may be, in the context of maintaining or increasing the readiness levels of the Armed Forces and the flexibility of operational elements within the Department; and

"(ii) disregard energy sources that do not increase such readiness and flexibility, with an explanation for the reason such sources were disregarded.

"(C) FORM.—The report under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

"(7) DEFINITIONS.—In this subsection:

"(A) The term 'advanced nuclear reactor' has the meaning given that term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

"(B) The term 'micro-reactor' means an advanced nuclear reactor that has an electric power production capacity that is not greater than 50 megawatts that can be transported via land, air, or sea transport and can be redeployed.

"(C) The term 'small modular reactor' means an advanced nuclear reactor—

"(i) with a rated capacity of less than 300 electrical megawatts; or

"(ii) that can be constructed and operated in combination with similar reactors at a single site.".

SEC. 321. AMENDMENT TO BUDGETING OF DEPARTMENT OF DEFENSE RELATING TO EXTREME WEATHER.

Section 328(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 221 note) is amended—

(1) in paragraph (1), by striking "; and" and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by inserting after paragraph (2) the following new paragraph:

"(3) a calculation of the annual costs to the Department for—

"(A) assistance that is—

"(i) provided to the Federal Emergency Management Agency or any Federal land management agency (as such term is defined in section 802 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801)) pursuant to a request for such assistance and in consultation with the National Interagency Fire Center; or

"(ii) provided under title 10 or title 32, United States Code, to any State, territory, or possession of the United States, regarding extreme weather; and

"(B) resourcing required to support—

"(i) wildfire response, recovery, or restoration efforts occurring within military installations or other facilities of the Department; or

"(ii) any Federal agency other than the Department (including the Federal Emergency Management Agency and the National Interagency Fire Center) with respect to wildfire response, recovery, or restoration efforts, where such resourcing is not reimbursed.".

SEC. 322. PROTOTYPE AND DEMONSTRATION PROJECTS FOR ENERGY RESILIENCE AT CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, each Secretary of a military department shall ensure that covered prototype and demonstration projects are conducted at each military installation under the jurisdiction of that Secretary that is designated by the Secretary of Defense as an "Energy Resilience Testbed" pursuant to subsection (b).

(b) SELECTION OF MILITARY INSTALLATIONS.—

(1) NOMINATION.—Each Secretary of a military department shall nominate military installations under the jurisdiction of that Secretary for selection under paragraph (2), and submit to the Secretary of Defense a list of such nominations.

(2) SELECTION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall select, from among the lists of nominated military installations provided by the Secretaries of the military departments under paragraph (1), at least one such nominated military installation per military department for designation pursuant to paragraph (4).

(3) CONSIDERATIONS.—In selecting military installations under paragraph (2), the Secretary of Defense shall, to the extent practicable, take into consideration the following:

(A) The mission of the installation.

(B) The geographic terrain of the installation and of the community surrounding the installation.

(C) The energy resources available to support the installation.

(D) An assessment of any extreme weather risks or vulnerabilities at the installation and the community surrounding the installation.

(4) DESIGNATION AS ENERGY RESILIENCE TESTBED.—Each military installation selected under paragraph (2) shall be known as an "Energy Resilience Testbed".

(c) COVERED TECHNOLOGIES.—Covered prototype and demonstration projects conducted at military installations designated pursu-

ant to subsection (b) shall include the prototype and demonstration of technologies in the following areas:

(1) Energy storage technologies, including long-duration energy storage systems.

(2) Technologies to improve building energy efficiency in a cyber-secure manner, such as advanced lighting controls, high-performance cooling systems, and technologies for waste heat recovery.

(3) Technologies to improve building energy management and control in a cyber-secure manner.

(4) Tools and processes for design, assessment, and decision making on the installation with respect to all hazards resilience and hazard analysis, energy use, management, and the construction of resilient buildings and infrastructure.

(5) Carbon sequestration technologies.

(6) Technologies relating to on-site resilient energy generation, including the following:

(A) Advanced geothermal technologies.

(B) Advanced nuclear technologies, including small modular reactors.

(7) Port electrification and surrounding defense community infrastructure.

(8) Tidal and wave power technologies.

(9) Distributed ledger technologies.

(d) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall provide to the appropriate congressional committees a briefing on the conduct of covered prototype and demonstration projects at each military installation designated pursuant to subsection (b). Such briefing shall include the following:

(1) An identification of each military installation so designated.

(2) A justification as to why each military installation so designated was selected for such designation.

(3) A strategy for commencing the conduct of such projects at each military installation so designated by not later than one year after the date of the enactment of this Act.

(e) DEADLINE FOR COMMENCEMENT OF PROJECTS.—Beginning not later than one year after the date of the enactment of this Act, covered prototype and demonstration projects shall be conducted at, and such conduct shall be incorporated into the mission of, each military installation designated pursuant to subsection (b).

(f) RESPONSIBILITY FOR ADMINISTRATION AND OVERSIGHT.—Notwithstanding the responsibility of the Secretary of Defense to select each military installation for designation pursuant to subsection (b)(2), the administration and oversight of the conduct of covered prototype and demonstration projects at a military installation so designated, as required under subsection (a), shall be the responsibility of the Secretary of the military department with jurisdiction over that military installation.

(g) CONSORTIUMS.—

(1) IN GENERAL.—Each Secretary of a military department may enter into a partnership with, or seek to establish, a con-

sortium of industry, academia, and other entities described in paragraph (2) to conduct covered prototype and demonstration projects at a military installation that is under the jurisdiction of that Secretary and designated by the Secretary of Defense pursuant to subsection (b).

(2) CONSORTIUM ENTITIES.—The entities described in this paragraph are as follows:

(A) National laboratories.

(B) Industry entities the primary work of which relates to technologies and business models relating to energy resilience and all hazards resilience.

(h) AUTHORITIES.—

(1) IN GENERAL.—Covered prototype and demonstration projects required under this section may be conducted as part of the program for operational energy prototyping established under section 324(c) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3523; 10 U.S.C. 2911 note) (including by using funds available under the Operational Energy Prototyping Fund established pursuant to such section), using the other transactions authority under section 4021 or 4022 of title 10, United States Code, or using any other available authority or funding source the Secretary of Defense determines appropriate.

(2) FOLLOW-ON PRODUCTION CONTRACTS OR TRANSACTIONS.—Each Secretary of a military department shall ensure that, to the extent practicable, any transaction entered into under the other transactions authority under section 4022 of title 10, United States Code, for the conduct of a covered prototype and demonstration project under this section shall provide for the award of a follow-on production contract or transaction pursuant to subsection (f) of such section 4022.

(i) INTERAGENCY COLLABORATION.—In carrying out this section, to the extent practicable, the Secretary of Defense shall collaborate with the Secretary of Energy and the heads of such other Federal departments and agencies as the Secretary of Defense may determine appropriate, including by entering into relevant memoranda of understanding.

(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as precluding any Secretary of a military department from carrying out any activity, including conducting a project or making an investment, relating to the improvement of energy resilience or all hazards resilience under an authority other than this section.

(k) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate.

(2) The term "community infrastructure" has the meaning given that term in section 2391(e) of title 10, United States Code.

(3) The term "covered prototype and demonstration project" means a project to prototype and demonstrate advanced technologies to enhance energy resilience, including with respect to energy supply disruptions, and all hazards resilience at a military installation.

(4) The term "military installation" has the meaning given that term in section 2867 of title 10, United States Code.

SEC. 323. PILOT PROGRAM FOR DEVELOPMENT OF ELECTRIC VEHICLE CHARGING SOLUTIONS TO MITIGATE GRID STRESS.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, and in consultation with the Secretary of Energy, shall carry out a pilot program to develop and test covered infrastructure to mitigate grid stress caused by electric vehicles through the implementation and maintenance on certain military installations of charging stations, microgrids, and other covered infrastructure sufficient to cover the energy demand at such installations.

(b) SELECTION OF MILITARY INSTALLATIONS.—

(1) SELECTION.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall—

(A) select at least one military installation of each Armed Force under the jurisdiction of that Secretary at which to carry out the pilot program under subsection (a); and

(B) submit to the Committees on Armed Services of the House of Representatives and the Senate a notification containing an identification of each such selected installation.

(2) CONSIDERATIONS.—In choosing a military installation for selection pursuant to paragraph (1), each Secretary of a military department shall take into account the following:

(A) A calculation of existing loads at the installation and the existing capacity of the installation for the charging of electric vehicles, including (as applicable) light duty trucks.

(B) Any required upgrades to covered infrastructure on the installation, including electrical wiring, anticipated by the Secretary.

(C) The ownership, financing, operation, and maintenance models of existing and planned covered infrastructure on the installation.

(D) An assessment of local grid needs, and any required updates relating to such needs anticipated by the Secretary.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date on which a Secretary of a military department submits a notification identifying a selected military installation under subsection (b), that Secretary shall submit to the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives and the Committee on Armed Services of the Senate a report on—

(A) the covered infrastructure to be implemented under the pilot program at the installation;

(B) the methodology by which each type of covered infrastructure so implemented shall be assessed for efficacy and efficiency at providing sufficient energy to cover the antici-

pated energy demand of the electric vehicle fleet at the installation and mitigating grid stress; and

(C) the maintenance on the military installation of charging stations and other covered infrastructure, including a microgrid, that will be sufficient to—

(i) cover the anticipated electricity demand of such fleet; and

(ii) improve installation energy resilience.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to the selected military installation for which the report is submitted, the following:

(A) A determination of the type and number of charging stations to implement on the installation, taking into account the interoperability of chargers and the potential future needs or applications for chargers, such as vehicle-to-grid or vehicle-to-building applications.

(B) A determination of the optimal ownership model to provide charging stations on the installation, taking into account the following:

(i) Use of Government-owned (purchased, installed, and maintained) charging stations.

(ii) Use of third-party financed, installed, operated, and maintained charging stations.

(iii) Use of financing models in which energy and charging infrastructure operations and maintenance are treated as a service.

(iv) Cyber and physical security considerations and best practices associated with different ownership, network, and control models.

(C) A determination of the optimal power source to provide charging stations at the installation, taking into account the following:

(i) Transformer and substation requirements.

(ii) Microgrids and distributed energy to support both charging requirements and energy storage.

(3) SOURCE OF SERVICES.—Each Secretary of a military department may use expertise within the military department or enter into a contract with a non-Department of Defense entity to make the determinations specified in paragraph (2).

(d) FINAL REPORT.—Not later than January 1, 2025, the Secretary of Defense shall submit to the congressional committees specified in subsection (c)(1) a final report on the pilot program under subsection (a). Such report shall include the observations and findings of the Department relating to the charging stations and other covered infrastructure implemented and maintained under such pilot program, including with respect to the elements specified in subsection (c)(2).

(e) DEFINITIONS.—In this section:

(1) The terms "Armed Forces" and "military departments" have the meanings given those terms in section 101 of title 10, United States Code.

(2) The term "charging station" means a collection of one or more electric vehicle supply equipment units serving the purpose of charging an electric vehicle battery.

(3) The term "covered infrastructure"—

(A) means infrastructure that the Secretary of Defense determines may be used to—

(i) charge electric vehicles, including by transmitting electricity to such vehicles directly; or

(ii) support the charging of electric vehicles, including by supporting the resilience of grids or other systems for delivering energy to such vehicles (such as through the mitigation of grid stress); and

(B) includes—

(i) charging stations;

(ii) batteries;

(iii) battery-swapping systems;

(iv) microgrids;

(v) off-grid charging systems; and

(vi) other apparatuses installed for the specific purpose of delivering energy to an electric vehicle or to a battery intended to be used in an electric vehicle, including wireless charging technologies.

(4) The term "electric vehicle" includes—

(A) a plug-in hybrid electric vehicle that uses a combination of electric and gas powered engine that can use either gasoline or electricity as a fuel source; and

(B) a plug-in electric vehicle that runs solely on electricity and does not contain an internal combustion engine or gas tank.

(5) The term "electric vehicle supply equipment unit" means the port that supplies electricity to one vehicle at a time.

(6) The term "microgrid" means a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity with respect to the grid.

(7) The term "military installation" has the meaning given that term in section 2801 of title 10, United States Code.

(8) The term "wireless charging" means the charging of a battery by inductive charging or by any means in which a battery is charged without a wire, or plug-in wire, connecting the power source and battery.

SEC. 324. PILOT PROGRAM ON USE OF SUSTAINABLE AVIATION FUEL.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of Defense shall conduct a pilot program on the use of sustainable aviation fuel by the Department of Defense (in this section referred to as the "pilot program").

(2) DESIGN OF PROGRAM.—The pilot program shall be designed to—

(A) identify any logistical challenges with respect to the use of sustainable aviation fuel by the Department;

(B) promote understanding of the technical and performance characteristics of sustainable aviation fuel when used in a military setting; and

(C) engage nearby commercial airports to explore opportunities and challenges to partner on the increased use of sustainable aviation fuel.

(b) SELECTION OF FACILITIES.—

(1) SELECTION.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall select not fewer than two geographically diverse facilities of the Department at which to carry out the pilot program.

(B) ONSITE REFINERY.—Not fewer than one facility selected under subparagraph (A) shall be a facility with an onsite refinery that is located in proximity to not fewer than one major commercial airport that is also actively seeking to increase the use of sustainable aviation fuel.

(2) NOTICE TO CONGRESS.—Upon the selection of each facility under paragraph (1), the Secretary shall submit to the appropriate congressional committees notice of the selection, including an identification of the facility selected.

(c) USE OF SUSTAINABLE AVIATION FUEL.—

(1) PLANS.—For each facility selected under subsection (b), not later than one year after the selection of the facility, the Secretary shall—

(A) develop a plan on how to implement, by September 30, 2028, a target of exclusively using at the facility aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel;

(B) submit the plan developed under subparagraph (A) to the appropriate congressional committees; and

(C) provide to the appropriate congressional committees a briefing on such plan that includes, at a minimum—

(i) a description of any operational, infrastructure, or logistical requirements, and recommendations, for the blending and use of sustainable aviation fuel; and

(ii) a description of any stakeholder engagement in the development of the plan, including any consultations with nearby commercial airport owners or operators.

(2) IMPLEMENTATION OF PLANS.—For each facility selected under subsection (b), during the period beginning on a date that is not later than September 30, 2028, and for five years thereafter, the Secretary shall require, in accordance with the respective plan developed under paragraph (1), the exclusive use at the facility of aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel.

(d) CRITERIA FOR SUSTAINABLE AVIATION FUEL.—Sustainable aviation fuel used under the pilot program shall meet the following criteria:

(1) Such fuel shall be produced in the United States from domestic feedstock sources.

(2) Such fuel shall constitute drop-in fuel that meets all specifications and performance requirements of the Department of Defense and the Armed Forces.

(e) WAIVER.—The Secretary may waive the use of sustainable aviation fuel at a facility under the pilot program if the Secretary—

(1) determines such use is not feasible due to a lack of domestic availability of sustainable aviation fuel or a national security contingency; and

(2) submits to the congressional defense committees notice of such waiver and the reasons for such waiver.

(f) FINAL REPORT.—

(1) IN GENERAL.—At the conclusion of the pilot program, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the appropriate congressional committees a final report on the pilot program.

(2) ELEMENTS.—The report under paragraph (1) shall include each of the following:

(A) An assessment of the effect of using sustainable aviation fuel on the overall fuel costs of blended fuel.

(B) A description of any operational, infrastructure, or logistical requirements, and recommendations, for the blending and use of sustainable aviation fuel, with a focus on scaling up adoption of such fuel throughout the Armed Forces.

(C) Recommendations with respect to how military installations can leverage proximity to commercial airports and other jet fuel consumers to increase the rate of use of sustainable aviation fuel, for both military and non-military use, including potential collaboration on innovative financing or purchasing and shared supply chain infrastructure.

(D) A description of the effects on performance and operation of aircraft using sustainable aviation fuel, including—

(i) if used, considerations of various blending ratios and the associated benefits thereof;

(ii) efficiency and distance improvements of flights using sustainable aviation fuel;

(iii) weight savings on large transportation aircraft and other types of aircraft by using blended fuel with higher concentrations of sustainable aviation fuel;

(iv) maintenance benefits of using sustainable aviation fuel, including with respect to engine longevity;

(v) the effect of the use of sustainable aviation fuel on emissions and air quality;

(vi) the effect of the use of sustainable aviation fuel on the environment and on surrounding communities, including environmental justice factors that are created by the demand for and use of sustainable aviation fuel by the Department of Defense; and

(vii) benefits with respect to job creation in the sustainable aviation fuel production and supply chain.

(g) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means the following:

(A) The Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives.

(B) The Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate.

(2) The term "sustainable aviation fuel" has the meaning given such term in section 40007(e) of the Act titled 'An Act to provide for reconciliation pursuant to title II of S. Con. Res. 14' (Public Law 117–169).

SEC. 325. POLICY TO INCREASE DISPOSITION OF SPENT ADVANCED BATTERIES THROUGH RECYCLING.

(a) POLICY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Assistant Secretary of Defense for Energy, Installations, and Environment, in coordination with the Director of the Defense Logistics Agency, shall establish a policy to increase the disposition of spent advanced batteries of the Department of Defense through recycling (including by updating the Department of Defense Manual 4160.21, titled "Defense Material Disposition: Disposal Guidance and Procedures", or such successor document, accordingly), for the purpose of supporting the reclamation and return of precious metals, rare earth metals, and elements of strategic importance (such as cobalt and lithium) into the supply chain or strategic reserves of the United States.

(b) CONSIDERATIONS.—In developing the policy under subsection (a), the Assistant Secretary shall consider, at a minimum, the following recycling methods:

(1) Pyroprocessing.

(2) Hydroprocessing.

(3) Direct cathode recycling, relithiation, and upcycling.

SEC. 326. GUIDANCE AND TARGET GOAL RELATING TO FORMERLY USED DEFENSE SITES PROGRAMS.

(a) GUIDANCE RELATING TO SITE PRIORITIZATION.—The Assistant Secretary of Defense for Energy, Installations, and Environment shall issue guidance setting forth how, in prioritizing sites for activities funded under the "Environmental Restoration Account, Formerly Used Defense Sites" account established under section 2703(a)(5) of title 10, United States Code, the Assistant Secretary shall weigh the relative risk or other factors between Installation Restoration Program sites and Military Munitions Response Program sites.

(b) TARGET GOAL FOR MILITARY MUNITIONS RESPONSE PROGRAM.—The Assistant Secretary of Defense for Energy, Installations, and Environment shall establish a target goal for the completion of the cleanup of all Military Munitions Response Program sites.

SEC. 327. ANALYSIS AND PLAN FOR ADDRESSING HEAT ISLAND EFFECT ON MILITARY INSTALLATIONS.

(a) INSTALLATION ANALYSIS.—Each Secretary of a military department shall conduct an analysis of the military installations under the jurisdiction of that Secretary to assess the extent to which heat islands affect readiness, infrastructure service life, and utilities costs. Each such analysis shall contain each of the following:

(1) An analysis of how heat islands exacerbate summer heat conditions and necessitate the increased use of air conditioning on the installations, including an estimate of the cost of such increased usage with respect to both utilities costs and shortened service life of air conditioning units.

(2) An assessment of any readiness effects related to heat islands, including the loss of training hours due to black flag conditions, and the corresponding cost of such effects.

(b) PLAN.—Based on the results of the analyses conducted under subsection (a), the Secretaries of the military departments shall jointly—

(1) develop a plan for mitigating the effects of heat islands at the most severely affected installations, including by increasing tree coverage, installing cool roofs or green roofs, and painting asphalt; and

(2) promulgate best practices enterprise-wide for cost avoidance and reduction of the effects of heat islands.

(c) BRIEFING.—Not later than September 30, 2024, the Secretaries of the military departments shall jointly provide to the congressional defense committees a briefing on—

(1) the findings of each analysis conducted under subsection (a);

(2) the plan developed under subsection (b); and

(3) such other matters as the Secretaries determine appropriate.

(d) HEAT ISLAND DEFINED.—The term "heat island" means an area with a high concentration of structures (such as building, roads, and other infrastructure) that absorb and re-emit the sun's heat more than natural landscapes such as forests or bodies of water.

SEC. 328. LIMITATION ON REPLACEMENT OF NON-TACTICAL VEHICLE FLEET OF DEPARTMENT OF DEFENSE WITH ELECTRIC VEHICLES, ADVANCED-BIOFUEL-POWERED VEHICLES, OR HYDROGEN-POWERED VEHICLES.

(a) IN GENERAL.—Until the date on which the Secretary of Defense submits to the Committees on Armed Services of the House of Representatives and the Senate the report described in subsection (b), the Secretary may not enter into an indefinite delivery-indefinite quantity delivery order contract to procure and replace the existing non-tactical vehicle fleet of the Department of Defense with electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles.

(b) ELEMENTS.—The report described in this subsection shall include the following:

(1) A cost estimate for the procurement by the Secretary of Defense, or through contract mechanisms used by the Department (such as energy savings performance contracts), of electric non-tactical vehicles to replace the existing non-tactical vehicle fleet of the Department, which shall include—

(A) an estimated cost per unit and number of units to be procured of each type of electric non-tactical vehicle (such as trucks, buses, and vans);

(B) the cost associated with building the required infrastructure to support electric non-tactical vehicles, including charging stations and electric grid requirements;

(C) a lifecycle cost comparison between electric vehicles and combustion engine vehicles of each type (such as an electric truck versus a conventional truck);

(D) maintenance requirements of electric vehicles compared to combustion engine vehicles; and

(E) for each military department, a cost comparison over periods of three, five, and 10 years of pursuing an electric non-tactical vehicle fleet versus continuing with combustion engine non-tactical vehicles.

(2) An assessment of the current and projected supply chain shortfalls, including critical minerals, for electric vehicles and combustion engine vehicles.

(3) An assessment of the security risks associated with data collection conducted with respect to electric vehicles, combustion engine vehicles, and the related computer systems for each.

(4) An assessment of the current range requirements for electric vehicles compared to combustion engine vehicles and the average life of vehicles of the Department necessary to maintain current readiness requirements of the Department.

(5) An identification of components for electric non-tactical vehicles, advanced-biofuel-powered vehicles, hydrogen-powered vehicles, and combustion engine vehicles that are currently being sourced from the People's Republic of China.

(6) An assessment of the mid- and long-term costs and benefits to the Department of falling behind industry trends related to the adoption of alternative fuel vehicles including electric vehicles, hydrogen-powered vehicles, and advanced-biofuel-powered vehicles.

(7) An assessment of the long-term availability to the Department of internal combustion engines and spare parts for such engines, including whether or not such engines and spare parts will be manufactured in the United States or repairable with parts made in the United States and labor in the United States.

(8) An assessment of the relative risks associated with parking and storing electric vehicles, hydrogen-powered vehicles, advanced-biofuel-powered vehicles, and combustion engine vehicles inside parking structures, including fire risk and water damage.

(c) ADDITIONAL PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be obligated or expended to procure non-tactical vehicles that are electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles, or any components or spare parts associated with such vehicles, that are not in compliance with subpart 22.15 of the Federal Acquisition Regulation (or any successor regulations).

(d) DEFINITIONS.—In this section:

(1) The term "advanced-biofuel-powered vehicle" includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2202 (7 U.S.C. 8101(3)(A)).

(2) The term "charging station" means a parking space with electric vehicle supply equipment that supplies electric energy for the recharging of electric vehicles with at least a level two charger.

(3) The term "electric grid requirements" means the power grid and infrastructure requirements needed to support plug-in electric vehicles and vehicle-to-grid requirements.

(4) The term "electric non-tactical vehicle" means a non-tactical vehicle that is an electric vehicle.

(5) The terms "electric vehicle" includes—

(A) a plug-in hybrid electric vehicle that uses a combination of electric and gas powered engine that can use either gasoline or electricity as a fuel source; and

(B) a plug-in electric vehicle that runs solely on electricity and does not contain an internal combustion engine or gas tank.

(6) The term "hydrogen-powered vehicle" means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.

(7) The term "non-tactical vehicle" means a vehicle other than a tactical vehicle.

(8) The term "tactical vehicle" means a motor vehicle designed to military specification, or a commercial design motor vehicle modified to military specification, to provide direct transportation support of combat or tactical operations, or for the training of personnel for such operations.

Subtitle C—Red Hill Bulk Fuel Storage Facility

SEC. 331. DEFUELING OF RED HILL BULK FUEL STORAGE FACILITY.

(a) DEADLINE FOR COMPLETION OF DEFUELING.—

(1) IN GENERAL.—The Secretary of Defense shall complete the defueling of the Red Hill Bulk Fuel Storage Facility in a safe and expeditious manner by a deadline that is approved by the State of Hawaii Department of Health.

(2) REPORT.—Not later than 30 days after the date of the enactment of this Act, and quarterly thereafter until the completion of the defueling of the Red Hill Bulk Fuel Storage Facility, the Secretary of Defense shall submit to the congressional defense committees, and make publicly available on an appropriate website of the Department of Defense, a report on the status of such defueling.

(b) PLANNING AND IMPLEMENTATION OF DEFUELING.—The Secretary of Defense shall plan for and implement the defueling of the Red Hill Bulk Fuel Storage Facility in consultation with the Administrator of the Environmental Protection Agency and the State of Hawaii Department of Health.

(c) NOTIFICATION REQUIREMENT.—The Secretary of Defense may not begin the process of defueling the Red Hill Bulk Storage Facility until the date on which the Secretary submits to the congressional defense committees a notification that such defueling would not adversely affect the ability of the Department of Defense to provide fuel to support military operations in the area of responsibility of the United States Indo-Pacific Command.

SEC. 332. AUTHORIZATION OF CLOSURE OF UNDERGROUND STORAGE TANK SYSTEM AT RED HILL BULK FUEL STORAGE FACILITY.

(a) AUTHORIZATION.—The Secretary of Defense may close the underground storage tank system at the Red Hill Bulk Fuel Storage Facility of the Department of Defense located in Hawaii (in this section referred to as the "Facility").

(b) PLAN FOR FACILITY CLOSURE AND POST-CLOSURE CARE.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan for—

(A) the closure of the Facility, along with a report on the cost projections for such closure;

(B) monitoring of the Facility following closure;

(C) corrective actions to mitigate fuel releases of groundwater at the Facility, including resources necessary for the Secretary of the Navy to conduct such actions at the Facility;

(D) coordination and communication with applicable Federal and State regulatory authorities, and surrounding communities, on release response and remediation activities conducted by the Secretary of the Navy at the Facility;

(E) improvements to processes, procedures, organization, training, leadership, education, facilities, and policy of the Department of Defense related to best practices for the remediation and closure of the Facility; and

(F) measures to ensure that future strategic level assets of the Department of Defense are properly maintained and critical environmental assets are protected.

(2) PREPARATION OF PLAN.—The Secretary of the Navy shall prepare the plan required under paragraph (1) in consultation with the following:

(A) The Environmental Protection Agency.

(B) The Hawaii Department of Health.

(C) The United States Geological Survey.

(D) Any other relevant Federal or State agencies the Secretary considers appropriate.

(c) IDENTIFICATION OF POINT OF CONTACT AT DEPARTMENT OF DEFENSE.—Not later than 60 days after the date of the enactment of this Act, to ensure clear and consistent communication relating to defueling, closure, and release response, the Secretary of Defense shall identify a single point of contact within the Office of the Secretary of Defense to oversee and communicate with the public and Members of Congress regarding the status of the Facility.

(d) WATER MONITORING BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the status of the ground water monitoring program—

(1) to monitor movement of the fuel plume in the aquifer surrounding the Facility;

(2) to monitor long-term impacts to such aquifer and local water bodies resulting from fuel releases from the Facility; and

(3) to coordinate with the Agency for Toxic Substances and Disease Registry of the Department of Health and Human Services as the Agency conducts a follow up to the previously conducted voluntary survey of individuals and entities potentially impacted by fuel releases from the Facility.

SEC. 333. REPORT ON BULK FUEL REQUIREMENTS APPLICABLE TO UNITED STATES INDO-PACIFIC COMMAND.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Office of the Secretary of Defense for administration and service-wide activities, not more than 90 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees a report that includes the following elements:

(1) The bulk fuel requirements of the United States Indo-Pacific Command associated with the operational plans of the command that involve the most stress on bulk fuel, disaggregated by theater component commander, as such term is defined in section 1513 of title 10, United States Code, implementing the requirement.

(2) The hardening requirements of the United States Indo-Pacific Command associated with the distribution of bulk fuel to support the proposed force laydown in the area of responsibility of such command.

(3) A bulk fuels connector strategy to reposition fuels within the area of responsibility of such command, which shall include a specific assessment of the following:

(A) The overall bulk fuel requirements for the force structure of the surface fleet tankers of the Navy and any specific requirements associated with the proposed force laydown specified in paragraph (2).

(B) The intra-theater connector strategy of the Department of Defense to logistically support theater-specific bulk fuel requirements.

(C) The bulk fuel requirements for light amphibious warfare ships.

(4) An identification of the funding mechanisms used, or proposed to be used, to meet each of the requirements specified in paragraphs (1) through (3), including programmed and unfunded requirements, and a description of any additional staffing or resources necessary to meet such requirements.

(5) A risk assessment of the potential risk associated with the denial of access to bulk fuel storage facilities located in foreign countries, including a specific assessment of clauses in contracts entered into by the Director of the Defense Logistics Agency that provide for surety of access to such storage facilities, taking into account the insurance sought with respect to such surety and the anticipated penalties for failing to provide such surety.

(b) INCLUSION IN SEPARATE REPORTS.—An element listed in paragraphs (1) through (5) of subsection (a) shall be deemed to be included in the report under subsection (a) if included in a separate report submitted to the congressional defense committees on or before the date of the submission of the report under such subsection.

(c) FORM.—The report under subsection (a) shall be submitted in an unclassified and publicly releasable form, but may contain a classified annex.

SEC. 334. PLACEMENT OF SENTINEL OR MONITORING WELLS IN PROXIMITY TO RED HILL BULK FUEL STORAGE FACILITY.

(a) IN GENERAL.—Not later than April 1, 2023, the Secretary of the Navy, in coordination with the Director of the United States Geological Survey and the Administrator of the Environmental Protection Agency, shall submit to the congressional defense committees a report on the placement of sentinel or monitoring wells in proximity to the Red Hill Bulk Fuel Storage Facility for the purpose of monitoring and tracking the movement of fuel that has escaped the Facility. Such report shall include—

(1) the number and location of new wells that have been established during the 12-month period preceding the date of the submission of the report;

(2) an identification of any new wells proposed to be established;

(3) an analysis of the need for any other wells;

(4) the proposed number and location of any such additional wells; and

(5) the priority level of each proposed well based on—

(A) the optimal locations for new wells; and

(B) the capability of a proposed well to assist in monitoring and tracking the movement of fuel toward the Halawa shaft, the Halawa Well, and the Aiea Well.

(b) QUARTERLY BRIEFINGS.—Not later than 30 days after the submission of the report under subsection (a), and every 90 days thereafter for 12 months, the Secretary of the Navy shall provide to the congressional defense committees a briefing on the progress of the Department of the Navy toward installing the wells described in paragraphs (2) and (3) of subsection (a).

SEC. 335. STUDIES RELATING TO WATER NEEDS OF THE ARMED FORCES ON OAHU.

(a) STUDY ON FUTURE WATER NEEDS OF OAHU.—

(1) IN GENERAL.—Not later than July 31, 2023, the Secretary of Defense shall conduct a study on how the Department of Defense may best address the future water needs of the Armed Forces on the island of Oahu. Such study shall include consideration of—

(A) the construction of a new water treatment plant or plants;

(B) the construction of a new well for use by members of the Armed Forces and the civilian population;

(C) the construction of a new well for the exclusive use of members of the Armed Forces;

(D) transferring ownership and operation of existing Department of Defense utilities to a municipality or existing publicly owned utility;

(E) conveying certain Navy utilities to the Honolulu Board of Water Supply; and

(F) any other water solutions the Secretary of Defense determines appropriate.

(2) CONSULTATION.—In carrying out the study under paragraph (1), the Secretary of Defense shall consult with the Administrator of the Environmental Protection Agency, the State of Hawaii, the Honolulu Board of Water Supply, and any other entity the Secretary of Defense determines appropriate.

(3) REPORT; BRIEFING.—Upon completion of the study under paragraph (1), the Secretary of Defense shall—

(A) submit to the appropriate congressional committees a report on the findings of the study; and

(B) provide to the appropriate congressional committees a briefing on such findings.

(b) HYDROLOGICAL STUDIES.—

(1) GROUNDWATER FLOW MODEL STUDY.—Not later than July 31, 2023, the Secretary of the Navy, in consultation with the Administrator of the Environmental Protection Agency, the Director of the United States Geological Survey, and the State of Hawaii, shall commence the conduct of a new study, or continue an existing study, to further refine the modeling of groundwater flow in the area surrounding the Red Hill Bulk Fuel Storage Facility. Such study shall be designed to—

(A) seek to improve the understanding of the direction and rate of groundwater flow and dissolved fuel migration within the aquifers in the area surrounding the facility;

(B) reflect site-specific data, including available data of the heterogeneous subsurface geologic system of such area; and

(C) address previously identified deficiencies in existing groundwater flow models.

(2) DEADLINES FOR COMPLETION.—

(A) GROUNDWATER FLOW MODEL STUDY.—The study under paragraph (1) shall be completed by not later than one year after the date of the enactment of this Act.

(B) SUBSEQUENT STUDY.—Not later than one year after the date on which the study under paragraph (1) is completed, the Secretary of the Navy shall complete a subsequent study to model contaminant fate and transport in the area surrounding the Red Hill Bulk Fuel Storage Facility.

(3) REPORTS; BRIEFINGS.—Upon completion of a study under this subsection, the Secretary of the Navy shall—

(A) submit to the congressional defense committees a report on the findings of the study; and

(B) provide to the congressional defense committees a briefing on such findings.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Energy and Commerce of the House of Representatives.

(3) The Committee on Environment and Public Works of the Senate.

SEC. 336. STUDY ON ALTERNATIVE USES FOR RED HILL BULK FUEL STORAGE FACILITY.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center that meets the criteria specified in paragraph (2) under which such center will conduct a study to determine the range of feasible alternative Department of Defense uses for the Red Hill Bulk Fuel Storage Facility and provide to the Secretary a report on the findings of the study. The conduct of such study shall include—

(A) engagement with stakeholders;

(B) a review of historical alternative uses of facilities with similar characteristics; and

(C) such other modalities as determined necessary to appropriately identify alternative use options, including data and information collected from various stakeholders and through site visits to physically inspect the facility.

(2) CRITERIA FOR FFRDC.—The federally funded research and development center with which the Secretary seeks to enter into an agreement under paragraph (1) shall meet the following criteria:

(A) A primary focus on studies and analysis.

(B) A record of conducting research and analysis using a multidisciplinary approach.

(C) Demonstrated specific competencies in—

(i) life cycle cost-benefit analysis;

(ii) military facilities and how such facilities support missions; and

(iii) the measurement of environmental impacts.

(D) A strong reputation for publishing publicly releasable analysis to inform public debate.

(b) COST-BENEFIT ANALYSIS.—An agreement entered into pursuant to subsection (a) shall specify that the study conducted under the agreement will include a cost-benefit analysis of the feasible Department of Defense alternative uses considered under the study. Such cost-benefit analysis shall cover each of the following for each such alternative use:

(1) The design and construction costs.

(2) Life-cycle costs, including the operation and maintenance costs of operating the facility, such as annual operating costs, predicted maintenance costs, and any disposal costs at the end of the useful life of the facility.

(3) Any potential military benefits.

(4) Any potential benefits for the local economy, including any potential employment opportunities for members of the community.

(5) A determination of environmental impact analysis requirements.

(6) The effects of the use on future mitigation efforts.

(7) Any additional factors determined to be relevant by the federally funded research and development center in consultation with the Secretary.

(c) DEADLINE FOR COMPLETION.—An agreement entered into pursuant to subsection (a) shall specify that the study conducted under

the agreement shall be completed by not later than February 1, 2024.

(d) BRIEFING.—Upon completion of a study conducted under an agreement entered into pursuant to subsection (a), the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing on the findings of the study.

(e) PUBLIC AVAILABILITY.—

(1) FFRDC.—An agreement entered into pursuant to subsection (a) shall specify that the federally funded research and development center shall make an unclassified version of the report provided to the Secretary publicly available on an appropriate website of the center.

(2) DEPARTMENT OF DEFENSE.—Upon receipt of such report, the Secretary shall make an unclassified version of the report publicly available on an appropriate website of the Department of Defense.

SEC. 337. BRIEFING ON DEPARTMENT OF DEFENSE EFFORTS TO TRACK HEALTH IMPLICATIONS OF FUEL LEAKS AT RED HILL BULK FUEL STORAGE FACILITY.

(a) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Health and Human Services, shall provide to the congressional defense committees a briefing on the efforts of the Secretary of Defense to appropriately track the health implications of fuel leaks at the Red Hill Bulk Fuel Storage Facility for members of the Armed Forces and dependents thereof, including members of each Armed Force and dependents thereof. The briefing shall include each of the following:

(1) A plan to coordinate with the Director of the Centers for Disease Control and Prevention to align such efforts with the public health assessment and monitoring efforts of the Director.

(2) A description of any potential benefits of coordinating and sharing data with the State of Hawaii Department of Health.

(3) An analysis of the extent to which data from the State of Hawaii Department of Health and data from other non-Department of Defense sources can and should be used in any long-term health study relating to fuel leaks at the Red Hill Bulk Fuel Storage Facility.

(4) A description of the potential health implications of contaminants, including fuel, detected in the drinking water distribution system at the Red Hill Bulk Fuel Storage Facility during testing after the fuel leaks at such facility that occurred in May and November 2021, respectively.

(5) A description of any contaminants, including fuel, detected in the water supply at the Red Hill Bulk Fuel Storage Facility during the 12-month period preceding the fuel leak at such facility that occurred in November 2021.

(6) A description of any potential benefits of broadening the tracing window to include indications of contaminants, including fuel, in the drinking water supply at the Red Hill Bulk Fuel Storage Facility prior to May 2021.

(b) ARMED FORCES DEFINED.—In this section, the term "Armed Forces" has the meaning given that term in section 101 of title 10, United States Code.

Subtitle D—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 341. DEPARTMENT OF DEFENSE RESEARCH RELATING TO PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) PUBLICATION OF INFORMATION.—

(1) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, Secretary of Defense shall publish on the publicly available website established under section 331(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2701 note) timely and regularly updated information on the research efforts of the Department of Defense relating to perfluoroalkyl substances or polyfluoroalkyl substances, which shall include the following:

(A) A description of any research collaboration or data sharing by the Department with the Department of Veterans Affairs, the Agency for Toxic Substances and Disease Registry, or any other agency (as defined in section 551 of title 5, United States Code), State, academic institution, nongovernmental organization, or other entity.

(B) Regularly updated information on research projects supported or conducted by the Department of Defense pertaining to the development, testing, and evaluation of a fluorine-free firefighting foam or any other alternative to aqueous film forming foam that contains perfluoroalkyl substances or polyfluoroalkyl substances, excluding any proprietary information that is business confidential.

(C) Regularly updated information on research projects supported or conducted by the Department pertaining to the health effects of perfluoroalkyl substances or polyfluoroalkyl substances, including information relating to the impact of such substances on firefighters, veterans, and military families, and excluding any personally identifiable information.

(D) Regularly updated information on research projects supported or conducted by the Department pertaining to treatment options for drinking water, surface water, ground water, and the safe disposal of perfluoroalkyl substances or polyfluoroalkyl substances.

(E) Budget information, including specific spending information for the research projects relating to perfluoroalkyl substances or polyfluoroalkyl substances that are supported or conducted by the Department.

(F) Such other matters as may be relevant to ongoing research projects supported or conducted by the Department to address the use of perfluoroalkyl substances or polyfluoroalkyl substances and the health effects of the use of such substances.

(2) FORMAT.—The information published under paragraph (1) shall be made available in a downloadable, machine-readable, open, and user-friendly format.

(3) DEFINITIONS.—In this subsection:

(A) The term "military installation" includes active, inactive, and former military installations.

(B) The term "perfluoroalkyl substance" means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(C) The term "polyfluoroalkyl substance" means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(b) INCLUSION OF RESEARCH DUTIES IN PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES TASK FORCE.—Section 2714(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(5) Supporting research efforts relating to perfluoroalkyl substances or polyfluoroalkyl substances.

"(6) Establishing practices to ensure the timely and complete dissemination of research findings and related data relating to perfluoroalkyl substances or polyfluoroalkyl substances to the general public.".

SEC. 342. INCREASE OF TRANSFER AUTHORITY FOR FUNDING OF STUDY AND ASSESSMENT ON HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.

Section 316(a)(2)(B) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350), as amended by section 315(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1713), section 321 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1307), section 337 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3533), and section 342 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1643), is further amended—

(1) in clause (ii), by striking "2023" and inserting "2022"; and

(2) by adding at the end the following new clause:

"(iii) Without regard to section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than $20,000,000 during fiscal year 2023 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.".

SEC. 343. PRIZES FOR DEVELOPMENT OF NON-PFAS-CONTAINING TURNOUT GEAR.

Section 330 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3528; 10 U.S.C. 2661 note prec.) is amended—

(1) in subsection (a)—

(A) by striking "of a non-PFAS-containing" and inserting "of the following:"

"(1) A non-PFAS-containing"; and

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

"(2) Covered personal protective firefighting equipment that does not contain an intentionally added perfluoroalkyl substance or polyfluoroalkyl substance."; and

(2) by amending subsection (f) to read as follows:

"(f) DEFINITIONS.—In this section:

"(1) The term 'perfluoroalkyl substance' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

"(2) The term 'polyfluoroalkyl substance' means a man-made chemical containing at least one fully fluorinated carbon atom and at least one non-fully fluorinated carbon atom.

"(3) The term 'covered personal protective firefighting equipment" means the following:

"(A) Turnout gear jacket or coat.

"(B) Turnout gear pants.

"(C) Turnout coveralls.

"(D) Any other personal protective firefighting equipment, as determined by the Secretary of Defense, in consultation with the Administrator of the United States Fire Administration.".

SEC. 344. MODIFICATION OF LIMITATION ON DISCLOSURE OF RESULTS OF TESTING FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES ON PRIVATE PROPERTY.

Section 345(a)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2715 note) is amended by inserting "personally identifiable information in connection with" after "publicly disclose".

SEC. 345. RESTRICTION ON PROCUREMENT OR PURCHASING BY DEPARTMENT OF DEFENSE OF TURNOUT GEAR FOR FIREFIGHTERS CONTAINING PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

(a) PROHIBITION ON PROCUREMENT AND PURCHASING.—Subject to subsection (d), beginning on October 1, 2026, the Secretary of Defense may not enter into a contract to procure or purchase covered personal protective firefighting equipment for use by Federal or civilian firefighters if such equipment contains an intentionally added perfluoroalkyl substance or polyfluoroalkyl substance.

(b) IMPLEMENTATION.—

(1) INCLUSION IN CONTRACTS.—The Secretary of Defense shall include the prohibition under subsection (a) in any contract entered into by the Department of Defense to procure covered personal protective firefighting equipment for use by Federal or civilian firefighters.

(2) NO OBLIGATION TO TEST.—In carrying out the prohibition under subsection (a), the Secretary shall not have an obligation to test covered personal protective firefighting equipment to confirm the absence of perfluoroalkyl substances or polyfluoroalkyl substances.

(c) EXISTING INVENTORY.—Nothing in this section shall impact existing inventories of covered personal protective firefighting equipment.

(d) AVAILABILITY OF ALTERNATIVES.—

(1) IN GENERAL.—The requirement under subsection (a) shall be subject to the availability of sufficiently protective covered personal protective firefighting equipment that does not contain intentionally added perfluoroalkyl substances or polyfluoroalkyl substances.

(2) EXTENSION OF EFFECTIVE DATE.—If the Secretary of Defense determines that no sufficiently protective covered personal protective firefighting equipment that does not contain intentionally added perfluoroalkyl substances or polyfluoroalkyl substances is available, the deadline under subsection (a) shall be extended until the Secretary determines that such covered personal protective firefighting equipment is available.

(e) DEFINITIONS.—In this section:

(1) The term "covered personal protective firefighting equipment" means—

(A) any product that provides protection to the upper and lower torso, arms, legs, head, hands, and feet; or

(B) any other personal protective firefighting equipment, as determined by the Secretary of Defense.

(2) The term "perfluoroalkyl substance" means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(3) The term "polyfluoroalkyl substance" means a man-made chemical containing at least one fully fluorinated carbon atom and at least one non-fully fluorinated carbon atom.

SEC. 346. ANNUAL REPORT ON PFAS CONTAMINATION AT CERTAIN MILITARY INSTALLATIONS FROM SOURCES OTHER THAN AQUEOUS FILM-FORMING FOAM.

Not later than one year after the date of the enactment of this Act, and annually thereafter for the following four years, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report on any known or suspected contamination on or around military installations located in the United States resulting from the release of any perfluoroalkyl substance or polyfluoroalkyl substance originating from a source other than aqueous film-forming foam.

SEC. 347. REPORT ON CRITICAL PFAS USES; BRIEFINGS ON DEPARTMENT OF DEFENSE PROCUREMENT OF CERTAIN ITEMS CONTAINING PFOS OR PFOA.

(a) IDENTIFICATION OF CRITICAL USES.—Not later than June 1, 2023, the Secretary of Defense, in consultation with the Defense Critical Supply Chain Task Force and the Chemical and Material Risk Management Program of the Department of Defense, shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report outlining the uses of perfluoroalkyl substances and polyfluoroalkyl substances that are critical to the national security of the United States, with a focus on such critical uses in—

(1) the sectors outlined in the February 2022 report of the Department of Defense titled "Securing Defense-Critical Supply Chains"; and

(2) sectors of strategic importance for domestic production and investment to build supply chain resilience, including ki-

netic capabilities, energy storage and batteries, and microelectronics and semiconductors.

(b) ANNUAL BRIEFINGS.—Not later than 270 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing that includes a description of each of the following:

(1) Steps taken to identify covered items procured by the Department of Defense that contain perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA).

(2) Steps taken to identify products and vendors of covered items that do not contain PFOS or PFOA.

(3) Steps taken to limit the procurement by the Department of covered items that contain PFOS or PFOA.

(4) Steps the Secretary intends to take to limit the procurement of covered items that contain PFOS or PFOA.

(c) COVERED ITEM DEFINED.—In this section, the term "covered item" means—

(1) nonstick cookware or cooking utensils for use in galleys or dining facilities; and

(2) upholstered furniture, carpets, and rugs that have been treated with stain-resistant coatings.

Subtitle E—Logistics and Sustainment

SEC. 351. RESOURCES REQUIRED FOR ACHIEVING MATERIEL READINESS METRICS AND OBJECTIVES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—Section 118 of title 10, United States Code, is amended:

(1) in subsection (d)(2), by striking "objectives" and inserting "objectives, such as infrastructure, workforce, or supply chain considerations";

(2) redesignating subsection (e) as subsection (f); and

(3) inserting after subsection (d) the following new subsection (e):

"(e) FUNDING ESTIMATES.—Not later than five days after the date on which the Secretary of Defense submits to Congress the materials in support of the budget of the President for a fiscal year, the Director of Cost Assessment and Performance Evaluation shall submit to the congressional defense committees a comprehensive estimate of the funds necessary to meet the materiel readiness objectives required by subsection (c) through the period covered by the most recent future-years defense program. At a minimum, the Director shall provide, for each major weapon system, by designated mission design series, variant, or class, a comprehensive estimate of the funds necessary to meet such objectives that—

"(1) have been obligated by subactivity group within the operation and maintenance accounts for the second fiscal year preceding the budget year;

"(2) the Director estimates will have been obligated by subactivity group within the operation and maintenance accounts by the end of the fiscal year preceding the budget year; and

"(3) have been budgeted and programmed across the future years defense program within the operation and maintenance accounts by subactivity group.".

(b) PHASED IMPLEMENTATION.—The Director of Cost Assessment and Performance Evaluation may meet the requirements of subsection (e) of section 118 of title 10, United States Code, as added by subsection (a), through a phased submission of the funding estimates required under such subsection. In conducting a phased implementation, the Director shall ensure that—

(1) for the budget request for fiscal year 2024, funding estimates are provided for a representative sample by military department of at least one-third of the major weapon systems;

(2) for the budget request for fiscal year 2025, funding estimates are provided for an additional one-third of the major weapon systems; and

(3) full implementation for all major weapons systems is completed not later than five days after the date on which the Secretary of Defense submits to Congress the materials in support of the budget of the President for fiscal year 2026.

SEC. 352. ANNUAL PLAN FOR MAINTENANCE AND MODERNIZATION OF NAVAL VESSELS.

(a) ANNUAL PLAN.—Section 231 of title 10, United States Code, is amended—

*(1) in the heading, by inserting "**, maintenance, and modernization**" after "**construction**";*

(2) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively;

(3) by inserting after subsection (c) the following new subsection:

"(d) ANNUAL PLAN FOR MAINTENANCE AND MODERNIZATION OF NAVAL VESSELS.—In addition to the plan included under subsection (a)(1), the Secretary of Defense shall include with the defense budget materials for a fiscal year each of the following:

"(1) A plan for the maintenance and modernization of naval vessels that includes the following:

"(A) A forecast of the maintenance and modernization requirements for both the naval vessels in the inventory of the Navy and the vessels required to be delivered under the naval vessel construction plan under subsection (a)(1).

"(B) A description of the initiatives of the Secretary of the Navy to ensure that activities key to facilitating the maintenance and modernization of naval vessels (including with respect to increasing workforce and industrial base capability and capacity, shipyard level-loading, and facility improvements) receive sufficient resourcing, and are including in appropriate planning, to facilitate the requirements specified in subparagraph (A).

"(2) A certification by the Secretary that both the budget for that fiscal year and the future-years defense program submitted to Congress in relation to such budget under section 221 of this title provide for funding for the maintenance and modernization of naval vessels at a level that is sufficient for such maintenance and modernization in accordance with the plan under paragraph (1)."; and

(4) in subsection (f), as redesignated by paragraph (2), by inserting " and the plan and certification under subsection (d)" after "subsection (a)".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of title 10, United States Code, is amended by striking the item relating to section 231 and inserting the following new item:

"231. Budgeting for construction, maintenance, and modernization of naval vessels: annual plan and certification.".

SEC. 353. INCLUSION OF INFORMATION REGARDING JOINT MEDICAL ESTIMATES IN READINESS REPORTS.

Section 482(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (11) as paragraph (12); and

(2) by inserting after paragraph (10) the following new paragraph:

"(11) A summary of the joint medical estimate under section 732(b)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1817) prepared by the Joint Staff Surgeon, with a mitigation plan to correct any readiness problem or deficiency and the timeline, cost, and any legislative action required to correct any such problem or deficiency.".

SEC. 354. INAPPLICABILITY OF ADVANCE BILLING DOLLAR LIMITATION FOR RELIEF EFFORTS FOLLOWING MAJOR DISASTERS OR EMERGENCIES.

Section 2208(l)(3) of title 10, United States Code, is amended—

(1) by striking "The total" and inserting "(A) Except as provided in subparagraph (B), the total"; and

(2) by adding at the end the following new subparagraph:

"(B) The dollar limitation under subparagraph (A) shall not apply with respect to advance billing for relief efforts following a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).".

SEC. 355. REPEAL OF COMPTROLLER GENERAL REVIEW ON TIME LIMITATIONS ON DURATION OF PUBLIC-PRIVATE COMPETITIONS.

Section 322(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2252) is repealed.

SEC. 356. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS REGARDING SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN OF THE NAVY.

(a) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Navy shall—

(1) develop metrics for assessing progress of the Secretary toward improved shipyard capacity and performance in carrying out the Shipyard Infrastructure Optimization Plan of the Navy, including by measuring the effectiveness of capital investments;

(2) ensure that the shipyard optimization program office of the Navy—

(A) includes all costs, such as inflation, program office activities, utilities, roads, environmental remediation, historic preservation, and alternative workspace when developing a detailed cost estimate; and

(B) uses cost estimating best practices in developing a detailed cost estimate, including—

(i) a program baseline;

(ii) a work breakdown structure;

(iii) a description of the methodology and key assumptions;

(iv) a consideration of inflation;

(v) a full assessment of risk and uncertainty; and

(vi) a sensitivity analysis; and

(3) obtain independent cost estimates for projects under the shipyard optimization program that are estimated to exceed $250,000,000, to validate the cost estimates of the Navy developed for such projects pursuant to paragraph (2) and inform the prioritization of projects under such program.

(b) BRIEFING.—If the Secretary of the Navy is unable to implement the requirements under subsection (a) by March 1, 2023, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives before such date on—

(1) the current progress of the Secretary toward implementing those requirements;

(2) any hindrance to implementing those requirements; and

(3) any additional resources necessary to implement those requirements.

SEC. 357. LIMITATION ON AVAILABILITY OF FUNDS FOR MILITARY INFORMATION SUPPORT OPERATIONS.

Of the funds authorized to be appropriated by this Act or otherwise made available for Operation and Maintenance, Defense-Wide, for military information support operations, not more than 75 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees a plan for—

(1) appropriately scoping and tailoring messaging activities to foreign target audiences;

(2) ensuring messages serve a valid military purpose;

(3) effectively managing risk associated with web-based military information support operations;

(4) maintaining alignment with policies and procedures of the Department of Defense;

(5) adequately overseeing and approving the work of contractors;

(6) ensuring alignment with policy guidance and procedures of the Department; and

(7) coordinating activities with the Global Engagement Center of the Department of State and other relevant non-Department of Defense entities.

SEC. 358. NOTIFICATION OF MODIFICATION TO POLICY REGARDING RETENTION RATES FOR NAVY SHIP REPAIR CONTRACTS.

(a) NOTIFICATION.—The Secretary of the Navy may not modify the general policy of the Department of the Navy regarding retention rates for contracts for Navy ship repair until a period of 15 days has elapsed following the date on which the Assistant Secretary of the Navy for Research, Development, and Acquisition submits to the congressional defense committees a notification that includes, with respect to such modification, the following information:

(1) An identification of any considerations that informed the decision to so modify.

(2) A description of the desired effect of the modification on the Navy ship repair industrial base.

(b) TERMINATION.—This section, and the requirements thereof, shall terminate on September 30, 2025.

SEC. 359. RESEARCH AND ANALYSIS ON CAPACITY OF PRIVATE SHIPYARDS IN UNITED STATES AND EFFECT OF THOSE SHIPYARDS ON NAVAL FLEET READINESS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall seek to enter into an agreement with a nonprofit entity or a federally funded research and development center to conduct research and analysis regarding the capacity and capability of private shipyards in the United States to repair, maintain, and modernize surface combatants and support ships of the Navy to ensure fleet readiness.

(b) ELEMENTS.—The research and analysis conducted under subsection (a) shall include the following:

(1) An assessment of the maintenance needs of the Navy during the five-year period preceding the date of the enactment of this Act, including the frequency of unplanned maintenance and the average time it takes to repair ships.

(2) An assessment of the projected maintenance needs of the Navy during the 10-year period following such date of enactment.

(3) An assessment of whether current private shipyards in the United States have the capacity to meet current and anticipated needs of the Navy to maintain and repair ships, including whether there are adequate ship repair facilities and a sufficiently trained workforce.

(4) An identification of barriers limiting the success of intermediate-level and depot-level maintenance availabilities, including constraints of adding private depot capacity and capability.

(5) Recommendations based on the findings of paragraphs (1) through (4) regarding actions the Secretary of the Navy can take to ensure there is an industrial base of private ship repair facilities to meet the needs of the Navy and ensure fleet readiness, including whether the Secretary should institute a new force generation model, establish additional homeport facilities, or establish new hub-type maintenance facilities.

(c) INPUT FROM PRIVATE SHIPYARDS.—In conducting research and analysis under subsection (a), the nonprofit entity or federally funded research and development center with which the Secretary of the Navy enters into an agreement under subsection (a) shall consult with private shipyards regarding—

(1) the fleet maintenance needs of surface combatant and support ships of the Navy;

(2) private shipyard capacity, including workforce; and

(3) additional investment in private shipyards necessary to meet the needs of the Navy.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the nonprofit entity or federally fund-

ed research and development center with which the Secretary of the Navy enters into an agreement under subsection (a) shall submit to the Secretary a report on the results of the research and analysis undertaken under such subsection.

(2) SUBMISSION TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall submit to the congressional defense committees a copy of the report.

SEC. 360. INDEPENDENT STUDY RELATING TO FUEL DISTRIBUTION LOGISTICS ACROSS UNITED STATES INDO-PACIFIC COMMAND.

(a) STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center that meets the criteria under subsection (b) to conduct a study on fuel distribution logistics in the area of responsibility of the United States Indo-Pacific Command.

(b) CRITERIA FOR FFRDC.—The criteria under this subsection are the following:

(1) A primary focus on the conduct of studies and analysis.

(2) A demonstrated record of conducting research and analysis using a multidisciplinary approach.

(3) A strong reputation for publishing publicly releasable analysis to inform public debate.

(c) IDA STRATEGIC FUEL ASSESSMENT.—In conducting the study pursuant to a contract under subsection (a), the federally funded research and development center shall use the results of the July 1, 2020, report of the Institute for Defense Analyses titled "INDOPACOM Strategic Fuel Assessment" as a baseline to inform its analysis of fuel distribution logistics in the area of responsibility of the United States Indo-Pacific Command.

(d) ELEMENTS.—A contract under subsection (a) shall provide that a study conducted under the contract shall include, with respect to the area of responsibility of the United States Indo-Pacific Command, the following:

(1) An evaluation of the vulnerabilities associated with the production, refinement, and distribution of fuel by the Armed Forces during periods of conflict and in contested logistics environments within the area, including with respect to the capability of the Armed Forces to sustain operational flights by aircraft and joint force distributed operations.

(2) An assessment of potential adversary capabilities to disrupt such fuel distribution in the area through a variety of means, including financial means, cyber means, and conventional kinetic attacks.

(3) An assessment of any gaps in the capability or capacity of inter- or intra-theater fuel distribution, including any gaps relating to storage, transfer platforms, manning for platforms, command and control, or fuel handling.

(4) An evaluation of the positioning of defense fuel support points in the area, including with respect to operational suitability and vulnerability to a variety of kinetic threats.

(5) An assessment of the readiness of allies and partners of the United States to support the supply, storage, and distribu-

tion of fuel by the Armed Forces in the area, including a review of any relevant security cooperation agreements entered into between the United States and such allies and partners.

(6) An assessment of potential actions to mitigate any vulnerabilities identified pursuant to the study.

(e) REPORT.—

(1) SUBMISSION TO SECRETARY OF DEFENSE.—

(A) IN GENERAL.—A contract under subsection (a) shall provide that a study conducted under the contract shall require that the federally funded research and development center submit to the Secretary a report containing the findings of such study.

(B) FORM.—The report under subparagraph (A) shall be submitted in an unclassified and publicly releasable form, but may include a classified annex.

(2) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Secretary receives the report under paragraph (1)(A), the Secretary shall submit to the appropriate congressional committees a copy of such report, submitted without change.

(f) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means—

(A) the congressional defense committees;

(B) the Committee on Transportation and Infrastructure of the House of Representatives; and

(C) the Committee on Commerce, Science, and Transportation of the Senate.

(2) The term "contested logistics environment" has the meaning given such term in section 2926 of title 10, United States Code.

SEC. 361. QUARTERLY BRIEFINGS ON EXPENDITURES FOR ESTABLISHMENT OF FUEL DISTRIBUTION POINTS IN UNITED STATES INDO-PACIFIC COMMAND AREA OF RESPONSIBILITY.

(a) QUARTERLY BRIEFINGS.—On a quarterly basis until the date that is two years after the date of the enactment of this Act, the Commander of United States Indo-Pacific Command shall provide to the congressional defense committees briefings on the use of the funds described in subsection (c).

(b) CONTENTS OF BRIEFINGS.—Each briefing under subsection (a) shall include an expenditure plan for the establishment of fuel distribution points in the area of responsibility of United States Indo-Pacific Command relating to the defueling and closure of the Red Hill Bulk Fuel Storage Facility.

(c) FUNDS DESCRIBED.—The funds described in this subsection are the amounts authorized to be appropriated or otherwise made available for fiscal year 2023 for Military Construction, Defense-wide for Planning and Design for United States Indo-Pacific Command.

Subtitle F—Matters Relating to Depots and Ammunition Production Facilities

SEC. 371. BUDGETING FOR DEPOT AND AMMUNITION PRODUCTION FACILITY MAINTENANCE AND REPAIR: ANNUAL REPORT.

Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 239d. Budgeting for depot and ammunition production facility maintenance and repair: annual report

"(a) ANNUAL REPORT.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall include with the defense budget materials for each fiscal year a report regarding the maintenance and repair of covered facilities.

"(b) ELEMENTS.—Each report required under subsection (a) shall include, at a minimum, the following (disaggregated by military department):

"(1) With respect to each of the three fiscal years preceding the fiscal year covered by the defense budget materials with which the report is included, revenue data for that fiscal year for the maintenance, repair, and overhaul workload funded at all the depots of the military department.

"(2) With respect to the fiscal year covered by the defense budget materials with which the report is included and each of the two fiscal years prior, an identification of the following:

"(A) The amount of appropriations budgeted for that fiscal year for depots, further disaggregated by the type of appropriation.

"(B) The amount budgeted for that fiscal year for working-capital fund investments by the Secretary of the military department for the capital budgets of the covered depots of the military department, shown in total and further disaggregated by whether the investment relates to the efficiency of depot facilities, work environment, equipment, equipment (non-capital investment program), or processes.

"(C) The total amount required to be invested by the Secretary of the military department for that fiscal year for the capital budgets of covered depots pursuant to section 2476(a) of this title.

"(D) A comparison of the budgeted amount identified under subparagraph (B) with the total required amount identified under subparagraph (C).

"(E) For each covered depot of the military department, of the total required amount identified under subparagraph (C), the percentage of such amount allocated, or projected to be allocated, to the covered depot for that fiscal year.

"(3) For each covered facility of the military department, the following:

"(A) Information on the average facility condition, average critical facility condition, restoration and maintenance project backlog, and average equipment age, including a

description of any changes in such metrics from previous years.

"(B) Information on the status of the implementation at the covered facility of the plans and strategies of the Department of Defense relating to covered facility improvement, including, as applicable, the implementation of the strategy required under section 359 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1323; 10 U.S.C. 2460 note).

"(c) DEFINITIONS.—In this section:

"(1) The term 'ammunition production facility' means an ammunition organic industrial base production facility.

"(2) The terms 'budget' and 'defense budget materials' have the meaning given those terms in section 234 of this title.

"(3) The term 'covered depot' has the meaning given that term in section 2476 of this title.

"(4) The term 'covered facility' means a covered depot or an ammunition production facility.".

SEC. 372. EXTENSION OF AUTHORIZATION OF DEPOT WORKING CAPITAL FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION.

Section 2208(u)(4) of title 10, United States Code, is amended by striking "2023" and inserting "2025".

SEC. 373. FIVE-YEAR PLANS FOR IMPROVEMENTS TO DEPOT AND AMMUNITION PRODUCTION FACILITY INFRASTRUCTURE.

Chapter 146 of title 10, United States Code, is amended by inserting after section 2742 the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 2473. Annual five-year plans on improvement of depot infrastructure

"(a) SUBMISSION.—As part of the annual budget submission of the President under section 1105(a) of title 31, each Secretary of a military department shall submit to the congressional defense committees a plan describing the objectives of that Secretary to improve depot infrastructure during the five fiscal years following the fiscal year for which such budget is submitted.

"(b) ELEMENTS.—Each plan submitted by a Secretary of a military department under subsection (a) shall include the following:

"(1) With respect to the five-year period covered by the plan, an identification of the major lines of effort, milestones, and specific goals of the Secretary over such period relating to the improvement of depot infrastructure and a description of how such goals support the goals outlined in section 359(b)(1)(B) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1324; 10 U.S.C. 2476 note).

"(2) The estimated costs of necessary depot infrastructure improvements and a description of how such costs would be addressed by the Department of Defense budget request submitted during the same year as the plan and the applicable future-years defense program.

"(3) Information regarding the plan of the Secretary to initiate such environmental and engineering studies as may be

necessary to carry out planned depot infrastructure improvements.

"(4) Detailed information regarding how depot infrastructure improvement projects will be paced and sequenced to ensure continuous operations.

"(c) INCORPORATION OF RESULTS-ORIENTED MANAGEMENT PRACTICES.—Each plan under subsection (a) shall incorporate the leading results-oriented management practices identified in the report of the Comptroller General of the United States titled 'Actions Needed to Improve Poor Conditions of Facilities and Equipment that Affect Maintenance Timeliness and Efficiency' (GAO–19–242), or any successor report, including—

"(1) analytically based goals;

"(2) results-oriented metrics;

"(3) the identification of required resources, risks, and stakeholders; and

"(4) regular reporting on progress to decision makers.".

SEC. 374. MODIFICATION TO MINIMUM CAPITAL INVESTMENT FOR CERTAIN DEPOTS.

(a) MODIFICATION.—Section 2476 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "Each fiscal year" and inserting "(1) Each fiscal year";

(B) by striking "six" and inserting "eight"; and

(C) by inserting after paragraph (1), as designated by subparagraph (A), the following new paragraph:

"(2) Of the amount required to be invested in the capital budgets of the covered depots of a military department under paragraph (1) for each fiscal year—

"(A) 75 percent shall be used for the modernization or improvement of the efficiency of depot facilities, equipment, work environment, or processes in direct support of depot operations; and

"(B) 25 percent shall be used for the sustainment, restoration, and modernization (as such terms are defined in the Department of Defense Financial Management Regulation 7000.14–R, or successor regulation) of existing facilities or infrastructure.";

(2) in subsection (b), by striking ", but does not include funds spent for sustainment of existing facilities, infrastructure, or equipment";

(3) by redesignating subsections (c) through (e) as subsections (d) through (f);

(4) by inserting after subsection (b) the following new subsection:

"(c) COMPLIANCE WITH CERTAIN REQUIREMENTS RELATING TO PERSONNEL AND TOTAL FORCE MANAGEMENT.—In identifying amounts to invest pursuant to the requirement under subsection (a)(1), the Secretary of a military department shall comply with all applicable requirements of sections 129 and 129a of this title."; and

(5) in subsection (e)(2), as redesignated by paragraph (3), by adding at the end the following new subparagraph:

"(F) A table enumerating, for the period covered by the report, the amounts invested to meet the requirement under subsection

(a)(1), disaggregated by funding source and whether the amount is allocated pursuant to subparagraph (A) or subparagraph (B) of subsection (a)(2).".

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Such section is further amended in subsections (d) and (e), as redesignated by subsection (a)(3), by striking "subsection (a)" and inserting "subsection (a)(1)" each place it appears.

(2) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—Section 2861(b) of title 10, United States Code, is amended—

(A) by striking "subsection (e) of section 2476" and inserting "subsection (f) of section 2476"; and

(B) by striking "subsection (a) of such section" and inserting "subsection (a)(1) of such section".

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to fiscal years beginning on or after October 1, 2023.

SEC. 375. CONTINUATION OF REQUIREMENT FOR BIENNIAL REPORT ON CORE DEPOT-LEVEL MAINTENANCE AND REPAIR.

(a) IN GENERAL.—Section 1080(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does not apply to the report required to be submitted to Congress under section 2464(d) of title 10, United States Code.

(b) CONFORMING REPEAL.—Section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2401; 10 U.S.C. 111 note) is amended by striking paragraph (45).

SEC. 376. CONTINUATION OF REQUIREMENT FOR ANNUAL REPORT ON FUNDS EXPENDED FOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE AND REPAIR WORKLOADS.

(a) IN GENERAL.—Section 1080(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does not apply to the report required to be submitted to Congress under section 2466(d) of title 10, United States Code.

(b) CONFORMING REPEAL.—Section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2401; 10 U.S.C. 111 note) is amended by striking paragraph (46).

SEC. 377. CLARIFICATION OF CALCULATION FOR CERTAIN WORKLOAD CARRYOVER OF DEPARTMENT OF THE ARMY.

For purposes of calculating the amount of workload carryover with respect to the depots and arsenals of the Department of the Army, the Secretary of Defense shall authorize the Secretary of the Army to use a calculation for such carryover that applies a material end of period exclusion.

Subtitle G—Other Matters

SEC. 381. ANNUAL REPORTS BY DEPUTY SECRETARY OF DEFENSE ON ACTIVITIES OF JOINT SAFETY COUNCIL.

Section 184(k) of title 10, United States Code is amended—

(1) by striking "REPORT.—The Chair" and inserting "REPORTS.—(1) The Chair"; and

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

"(2) Not later than March 31, 2023, and not later than December 31 of each year thereafter, the Deputy Secretary of Defense shall submit to the congressional defense committees a report containing—

"(A) a summary of the goals and priorities of the Deputy Secretary for the year following the date of the submission of the report with respect to the activities of the Council; and

"(B) an assessment by the Deputy Secretary of the activities of the Council carried out during the year preceding the date of such submission.".

SEC. 382. ACCOUNTABILITY FOR DEPARTMENT OF DEFENSE CONTRACTORS USING MILITARY WORKING DOGS.

(a) IN GENERAL.—Chapter 50 of title 10, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 995. Accountability for contractors using military working dogs

"(a) ANNUAL REPORTING REQUIREMENT FOR CONTRACTORS.—Each covered contract shall specify that the contractor is required to submit to the Under Secretary of Defense (Comptroller), on an annual basis for the duration of the covered contract, a report containing an identification of—

"(1) the number of military working dogs that are in the possession of the covered contractor and located outside of the continental United States in support of a military operation, if any; and

"(2) the primary location of any such military working dogs.

"(b) COVERED CONTRACT DEFINED.—In this section the term 'covered contract' means a contract that the Secretary of Defense determines involves military working dogs.".

(b) APPLICABILITY.—Section 995 of title 10, United States Code, as added by subsection (a), shall apply with respect to a contract entered into on or after the date of the enactment of this Act.

(c) BRIEFING REQUIREMENT.—Not later than March 1, 2023, and annually thereafter for each of the subsequent three years, the Secretary of Defense shall provide to the congressional defense committees a briefing on the implementation of section 995 of title 10, United States Code, as added by subsection (a).

(d) DEADLINE FOR GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense (Comptroller) shall issue the guidance on the annual reporting requirement under section 995 of title 10, United States Code, as added by subsection (a).

(e) REGULATIONS TO PROHIBIT ABANDONMENT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall issue regulations to prohibit the abandonment of military working dogs used in support of a military operation outside of the continental United States.

SEC. 383. MEMBERSHIP OF COAST GUARD ON JOINT SAFETY COUNCIL.

Section 184(b)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following new subparagraph:

"(D) During periods in which the Coast Guard is not operating as a service in the Department of the Navy, an officer of the Coast Guard, appointed by the Secretary of Homeland Security.".

SEC. 384. INCLUSION IN REPORT ON UNFUNDED PRIORITIES NATIONAL GUARD RESPONSIBILITIES IN CONNECTION WITH NATURAL AND MAN-MADE DISASTERS.

(a) IN GENERAL.—In the report required under section 222a of title 10, United States Code, for fiscal year 2024, the officer specified under subsection (b)(7) of such section shall include as part of the National Guard unfunded priorities described in subsection (c)(3) of such section unfunded priorities that relate to non-Federal National Guard responsibilities in connection with natural and man-made disasters.

(b) TECHNICAL AMENDMENT.—Section 222a(c)(3) of title 10, United States Code, is amended by striking "subsection (b)(6)" both places it appears and inserting "subsection (b)(7)".

SEC. 385. SUPPORT FOR TRAINING OF NATIONAL GUARD PERSONNEL ON WILDFIRE PREVENTION AND RESPONSE.

Section 351 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1367; 32 U.S.C. 501 note) is amended to read as follows:

"SEC. 351. TRAINING OF NATIONAL GUARD PERSONNEL ON WILDFIRE PREVENTION AND RESPONSE.

"The Secretary of the Army and the Secretary of the Air Force, in consultation with the Chief of the National Guard Bureau, may provide support for the training of appropriate personnel of the National Guard on wildfire prevention and response. In carrying out this section, the Secretaries—

"(1) shall give a preference to personnel assigned to military installations with the highest wildfire suppression needs, as determined by the Secretaries; and

"(2) may consult with the Executive Board of the National Interagency Fire Center.".

SEC. 386. INTERAGENCY COLLABORATION AND EXTENSION OF PILOT PROGRAM ON MILITARY WORKING DOGS AND EXPLOSIVES DETECTION.

(a) EXTENSION OF PILOT PROGRAM.—Section 381(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1672; 10 U.S.C. 3062 note) is amended by striking "2024" and inserting "2025".

(b) REVIEW OF RESEARCH EFFORTS OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF HOMELAND SECURITY.—

(1) REVIEW.—The Secretary of Defense, in coordination with the Secretary of Homeland Security, shall conduct a review of the recent and ongoing research, testing, and evaluation efforts of the Department of Defense and the Department of Homeland

Security, respectively, regarding explosives detection working dogs.

(2) MATTERS.—The review under paragraph (1) shall include an analysis of the following:

(A) Any recent or ongoing research efforts of the Department of Defense or the Department of Homeland Security, respectively, relating to explosives detection working dogs, and any similarities between such efforts.

(B) Any recent or ongoing veterinary research efforts of the Department of Defense or the Department of Homeland Security, respectively, relating to working dogs, canines, or other areas that may be relevant to the improvement of the breeding, health, performance, or training of explosives detection working dogs.

(C) Any research areas relating to explosives detection working dogs in which there is a need for ongoing research but no such ongoing research is being carried out by either the Secretary of Defense or the Secretary of Homeland Security, particularly with respect to the health, domestic breeding, and training of explosives detection working dogs.

(D) How the recent and ongoing research efforts of the Department of Defense and the Department of Homeland Security, respectively, may improve the domestic breeding of working dogs, including explosives detection working dogs, and the health outcomes and performance of such domestically bred working dogs, including through coordination with academic or industry partners with experience in research relating to working dogs.

(E) Potential opportunities for the Secretary of Defense to collaborate with the Secretary of Homeland Security on research relating to explosives detection working dogs.

(F) Any research partners of the Department of Defense or the Department of Homeland Security, or both, that may be beneficial in assisting with the research efforts and areas described in this subsection.

(c) PLAN REQUIRED.—Not later than 180 days of the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall submit to the appropriate congressional committees a plan for the Secretary of Defense to collaborate, as appropriate, with the Secretary of Homeland Security on research relating to explosives detection working dogs and other relevant matters. Such plan shall include the following:

(1) An analysis of potential opportunities for collaboration between the Secretary of Defense and the Secretary of Homeland Security on the research efforts and areas described in subsection (a)(2).

(2) An identification of specific programs or areas of research for such collaboration.

(3) An identification of any additional agreements or authorities necessary for the Secretaries to carry out such collaboration.

(4) An identification of additional funding necessary to carry out such collaboration.

(5) An analysis of potential coordination on the research efforts and areas described in subsection (a)(2) with academic

and industry partners with experience in research relating to working dogs, including an identification of potential opportunities for such coordination in carrying out the collaboration described in paragraph (1).

(6) A proposed timeline for the Secretary of Defense to engage in such collaboration, including specific proposed deadlines.

(7) A description of how programs carried out pursuant to this section seek to address the health and welfare issues identified by the Comptroller General of the United States in the report titled "Working Dogs: Federal Agencies Need to Better Address Health and Welfare" published on October 19, 2022 (GAO-23-104489).

(8) Any other matters the Secretary of Defense considers appropriate.

(d) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means the following:

(A) The congressional defense committees.

(B) The Committee on Homeland Security of the House of Representatives.

(C) The Committee on Homeland Security and Governmental Affairs of the Senate.

(2) The term "explosives detection working dog" means a canine that, in connection with the work duties of the canine performed for a Federal department or agency, is certified and trained to detect odors indicating the presence of explosives in a given object or area, in addition to the performance of such other duties for the Federal department or agency as may be assigned.

SEC. 387. AMENDMENT TO THE SIKES ACT.

(a) USE OF NATURAL FEATURES.—Section 101(a)(3)(A) of the Sikes Act (16 U.S.C. 670a(a)(3)(A)) is amended—

(1) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(2) by inserting after clause (i) the following:

"(ii) the use of natural and nature-based features to maintain or improve military installation resilience;".

(b) EXPANDING AND MAKING PERMANENT THE PROGRAM FOR INVASIVE SPECIES MANAGEMENT FOR MILITARY INSTALLATIONS.—Section 101(g) of the Sikes Act (16 U.S.C. 670a(g)) is amended—

(1) by striking the header and inserting "PROGRAM FOR INVASIVE SPECIES MANAGEMENT FOR MILITARY INSTALLATIONS"; and

(2) in paragraph (1)—

(A) by striking "During fiscal years 2009 through 2014, the" and inserting "The"; and

(B) by striking "in Guam".

SEC. 388. NATIONAL STANDARDS FOR FEDERAL FIRE PROTECTION AT MILITARY INSTALLATIONS.

(a) STANDARDS REQUIRED.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure that—

(1) members of the Armed Forces and employees of Defense Agencies who provide fire protection services to military installations comply with the national consensus standards developed by the National Fire Protection Association;

(2) the minimum staffing requirement for any firefighting vehicle responding to a structural building emergency at a military installation is not less than four firefighters per vehicle; and

(3) the minimum staffing requirement for any firefighting vehicle responding to an aircraft or airfield incident at a military installation is not less than three firefighters per vehicle.

(b) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that—

(1) details each instance in which the standards of that military department deviate from the national consensus standards specified in subsection (a)(1), and at what military installation;

(2) includes, for each military installation under the jurisdiction of that Secretary, a detailed description of response times for emergency services and firefighting vehicle staffing levels; and

(3) includes an assessment of the feasibility of requiring compliance with the national consensus standards specified in subsection (a)(1) in accordance with such subsection at each military installation under the jurisdiction of that Secretary (without exception), the cost of requiring such compliance, and the estimated timeline for that Secretary to implement such requirement.

(c) DEFINITIONS.—In this section:

(1) The terms "Armed Forces" and "Defense Agency" have the meanings given such terms in section 101 of title 10, United States Code.

(2) The term "firefighter" has the meaning given that term in section 707(b) of the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116–92; 10 U.S.C. 1074m note).

(3) The term "military installation" has the meaning given that term in section 2801 of title 10, United States Code.

SEC. 389. PILOT PROGRAMS FOR TACTICAL VEHICLE SAFETY DATA COLLECTION.

(a) IN GENERAL.—Not later than October 1, 2023, the Secretary of the Army and the Secretary of the Navy shall each initiate a pilot program to evaluate the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles in the Army and the Marine Corps, respectively.

(b) DURATION.—Each pilot program initiated under subsection (a) shall be carried out for a period of not less than two years.

(c) REQUIREMENTS.—In carrying out a pilot program under this section, the Secretary of the Army and the Secretary of the Navy each shall—

(1) select not fewer than one military installation in the United States under the jurisdiction of the Secretary that contains the necessary forces, equipment, and maneuver training ranges to collect data on drivers and military tactical vehicles

during training and routine operation at which to carry out the pilot program;

(2) install data recorders on a sufficient number of each type of military tactical vehicle specified in subsection (d) to gain statistically significant results;

(3) select a data recorder capable of collecting and exporting telemetry data, event data, and driver identification data during operation and accidents;

(4) establish and maintain a data repository for operation and event data captured by the data recorder; and

(5) establish processes to leverage operation and event data to improve individual vehicle operator performance, identify installation hazards that threaten safe vehicle operation, and identify vehicle-type specific operating conditions that increase the risk of accidents or mishaps.

(d) MILITARY TACTICAL VEHICLES SPECIFIED.—Military tactical vehicles specified in this subsection are the following:

(1) High Mobility Multipurpose Wheeled Vehicles.

(2) Family of Medium Tactical Vehicles.

(3) Medium Tactical Vehicle Replacements.

(4) Heavy Expanded Mobility Tactical Trucks.

(5) Light Armored Vehicles.

(6) Stryker armored combat vehicles.

(7) Such other military tactical vehicles as the Secretary of the Army or the Secretary of the Navy considers appropriate.

(e) CYBER RISK EXEMPTION.—The Secretary of the Army or the Secretary of the Navy, as the case may be, may exempt from a pilot program under this section a military tactical vehicle specified under subsection (d) if that Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate a certification that, with respect to inclusion of the military tactical vehicle, there is a high potential of cyber risk as a result of the absence of a cross-domain solution capable of segregating classified and unclassified data.

(f) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall each—

(1) develop plans for implementing the pilot programs under this section; and

(2) provide to the congressional defense committees a briefing on those plans and the estimated cost of implementing those plans.

(g) REPORT REQUIRED.—Not later than December 15, 2024, the Secretary of the Army and the Secretary of the Navy shall each submit to the congressional defense committees a report on the respective pilot programs carried out under this section by the Secretaries, including—

(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(2) adjustments made, or to be made, to the implementation plans developed under subsection (f); and

(3) any other matters determined appropriate by the Secretaries.

(h) ASSESSMENT REQUIRED.—Not later than December 15, 2025, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the congressional defense committees an assessment of the pilot programs carried out under this section, including—

(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(2) an assessment of the utility of establishing an enduring program to use data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(3) an assessment of the scope, size, and estimated cost of such an enduring program; and

(4) such other matters as the Secretary of the Army and the Secretary of the Navy determine appropriate.

SEC. 390. REQUIREMENTS RELATING TO REDUCTION OF OUT-OF-POCKET COSTS OF MEMBERS OF THE ARMED FORCES FOR UNIFORM ITEMS.

(a) TRACKING REQUIREMENT.—The Secretary of Defense shall take such steps as may be necessary to track the expected useful life of uniform items for officers and enlisted members of the Armed Forces, for the purposes of—

(1) estimating the rate at which such uniform items are replaced;

(2) determining the resulting out-of-pocket costs for such members over time;

(3) determining the necessity of establishing a uniform replacement allowance for officers of the Armed Forces, based on the replacement rate estimated pursuant to paragraph (1) and the out-of-pocket costs determined pursuant to paragraph (2); and

(4) determining the adequacy of the uniform allowance for enlisted members of the Armed Forces.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the expected useful life of required uniform items for members of the Armed Forces, projected changes to such required uniform items, and related costs anticipated by the Secretary (disaggregated by Armed Force). Such report shall include—

(1) pricing information for each such item, including items that are not considered uniquely military; and

(2) an assessment of the necessity of establishing a uniform replacement allowance for officers of the Armed Forces, as determined pursuant to subsection (a)(3).

SEC. 391. IMPLEMENTATION OF RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION AND PLAN FOR HOUSING AND CARE OF HORSES.

(a) IMPLEMENTATION BY SECRETARY OF THE ARMY OF CERTAIN RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION.—Not later than March 1, 2023, the Secretary of the Army shall implement the recommendations contained in the memorandum of the Department of the Army dated February 25, 2022, the subject of which is "Animal Facility Sanitation Inspection Findings for the

Fort Myer Caisson Barns/Paddocks and the Fort Belvoir Caisson Pasture Facility" (MHCB–RN).

(b) PLAN FOR HOUSING AND CARE OF ALL HORSES WITHIN CARE OF OLD GUARD.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Army shall submit to Congress a plan for the housing and care of all horses within the care of the 3rd United States Infantry (commonly known as the "Old Guard").

(2) ELEMENTS.—The plan required by paragraph (1) shall include—

(A) a description of each modification planned or underway at the Fort Myer Caisson Barns/Paddocks, the Fort Belvoir Caisson Pasture Facility, and any other facility or location under consideration for stabling of the horses described in paragraph (1);

(B) an identification of adequate space at Fort Myer, Virginia, to properly care for the horses described in paragraph (1);

(C) a prioritization of the allotment of the space identified under subparagraph (B) over other functions of Fort Myer that could be placed elsewhere;

(D) projected timelines and resource requirements to execute the plan; and

(E) a description of—

(i) immediate remedies for the unsanitary and unsafe conditions present at the locations described in subparagraph (A); and

(ii) how long-term quality of life improvements will be provided for the horses described in paragraph (1).

SEC. 392. CONTINUED DESIGNATION OF SECRETARY OF THE NAVY AS EXECUTIVE AGENT FOR NAVAL SMALL CRAFT INSTRUCTION AND TECHNICAL TRAINING SCHOOL.

The Secretary of the Navy shall continue, through fiscal year 2023—

(1) to perform the responsibilities of the Department of Defense executive agent for the Naval Small Craft Instruction and Technical Training School pursuant to section 352(b) of title 10, United States Code; and

(2) to provide such support as may be necessary for the continued operation of such school.

SEC. 393. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF LEGACY MARITIME MINE COUNTERMEASURES PLATFORMS.

(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to discontinue or prepare to discontinue, including by making a substantive reduction in training and operational employment, any element of the Marine Mammal Program of the Navy, that has been used, or is currently being used, for—

(1) port security at Navy bases, known as Mark-6 systems; or

(2) mine search capabilities, known as Mark-7 systems.

(b) WAIVER.—The Secretary of the Navy may waive the prohibition under subsection (a) if the Secretary, with the concurrence of the Director of Operational Test and Evaluation, certifies in writing to the congressional defense committees that the Secretary has—

(1) identified a replacement capability and the necessary quantity of such capability to meet all operational requirements currently being met by the Marine Mammal Program, including a detailed explanation of such capability and quantity;

(2) achieved initial operational capability of all capabilities referred to in paragraph (1), including a detailed explanation of such achievement; and

(3) deployed a sufficient quantity of capabilities referred to in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all operational requirements currently being met by Marine Mammal Program, including a detailed explanation of such deployment.

TITLE IV—MILITARY PERSONNEL AUTHORIZATION

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. End strength level matters.
Sec. 403. Additional authority to vary Space Force end strength.

Subtitle B—Reserve Forces

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

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2023, as follows:

(1) The Army, 452,000.

(2) The Navy, 354,000.

(3) The Marine Corps, 177,000.

(4) The Air Force, 325,344.

(5) The Space Force, 8,600.

SEC. 402. END STRENGTH LEVEL MATTERS.

(a) STRENGTH LEVELS TO SUPPORT NATIONAL DEFENSE STRATEGY.—

(1) REPEAL.—Section 691 of title 10, United States Code, is repealed.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 691.

(b) CERTAIN ACTIVE-DUTY AND SELECTED RESERVE STRENGTHS.—Section 115 of such title is amended—

(1) in subsection (f), by striking "increase" each place it appears and inserting "vary"; and

(2) in subsection (g)—

(A) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

"(A) vary the end strength pursuant to subsection (a)(1)(A) for a fiscal year for the armed force or forces under the jurisdiction of that Secretary by a number not equal to more than two percent of such authorized end strength; and

"(B) vary the end strength pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of the reserve component of the armed force or forces under the jurisdiction of that Secretary by a number equal to not more than one percent of such authorized end strength.";

(B) in paragraph (2), by striking "increase" each place it appears and inserting "variance"; and

(C) by adding at the end the following new paragraph (3):

"(3) The Secretary of the military department concerned shall promptly notify the congressional defense committees if such Secretary exceeds a variance under paragraph (1), and at least once every 90 days thereafter for so long as such end strength is outside such variance. Each such notification shall include the following:

"(A) Modified projected end strengths for active and reserve components of the armed force or forces for which such Secretary exceeds such variance.

"(B) An identification of any budgetary effects projected as a result of such modified end strength projections.

"(C) An explanation of any effects on readiness resulting from such modified end strength projections.".

SEC. 403. ADDITIONAL AUTHORITY TO VARY SPACE FORCE END STRENGTH.

(a) IN GENERAL.—Notwithstanding section 115(g) of title 10, United States Code, upon determination by the Secretary of the Air Force that such action would enhance manning and readiness in essential units or in critical specialties, the Secretary may vary the end strength authorized by Congress for each fiscal year as follows:

(1) Increase the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.

(2) Decrease the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(b) TERMINATION.—The authority provided under subsection (a) shall terminate on December 31, 2023.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2023, as follows:

(1) The Army National Guard of the United States, 325,000.

(2) The Army Reserve, 177,000.

(3) The Navy Reserve, 57,000.
(4) The Marine Corps Reserve, 33,000.
(5) The Air National Guard of the United States, 108,400.
(6) The Air Force Reserve, 70,000.
(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve for any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2023, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,845.
(2) The Army Reserve, 16,511.
(3) The Navy Reserve, 10,077.
(4) The Marine Corps Reserve, 2,388.
(5) The Air National Guard of the United States, 25,333.
(6) The Air Force Reserve, 6,003.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

(a) IN GENERAL.—The minimum number of military technicians (dual status) as of the last day of fiscal year 2023 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.
(2) For the Army Reserve, 6,492.
(3) For the Air National Guard of the United States, 10,994.
(4) For the Air Force Reserve, 7,111.

(b) LIMITATION ON NUMBER OF TEMPORARY MILITARY TECHNICIANS (DUAL STATUS).—The number of temporary military technicians (dual-status) employed under the authority of subsection (a) may not exceed 25 percent of the total authorized number specified in such subsection.

(c) LIMITATION.—Under no circumstances may a military technician (dual status) employed under the authority of this section be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken against the individual or the individual's position.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2023, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.
(2) The Army Reserve, 13,000.
(3) The Navy Reserve, 6,200.
(4) The Marine Corps Reserve, 3,000.
(5) The Air National Guard of the United States, 16,000.
(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2023.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Authorized strengths for Space Force officers on active duty in grades of major, lieutenant colonel, and colonel.
Sec. 502. Distribution of commissioned officers on active duty in general officer and flag officer grades.
Sec. 503. Redistribution of Naval officers serving on active duty in the grades of O-8 and O-9.
Sec. 504. Authorized strength after December 31, 2022: general officers and flag officers on active duty.
Sec. 505. Extension of grade retention for certain officers awaiting retirement.
Sec. 506. Exclusion of officers serving as lead special trial counsel from limitations on authorized strengths for general and flag officers.
Sec. 507. Constructive service credit for certain officers of the Armed Forces.
Sec. 508. Improvements to the selection of warrant officers in the military departments for promotion.
Sec. 509. Advice and consent requirement for waivers of mandatory retirement for Superintendents of military service academies.

Sec. 509A. Modification of reports on Air Force personnel performing duties of a Nuclear and Missile Operations Officer (13N).
Sec. 509B. Assessments of staffing in the Office of the Secretary of Defense and other Department of Defense headquarters offices.
Sec. 509C. GAO review of certain officer performance evaluations.
Sec. 509D. Study of chaplains.

Subtitle B—Reserve Component Management

Sec. 511. Inclusion of additional information on the Senior Reserve Officers' Training Corps in reports accompanying the national defense strategy.
Sec. 512. Expansion of eligibility to serve as an instructor in the Junior Reserve Officers' Training Corps.
Sec. 513. Backdating of effective date of rank for reserve officers in the National Guard due to undue delays in Federal recognition.
Sec. 514. Inspections of the National Guard.
Sec. 515. Authority to waive requirement that performance of Active Guard and Reserve duty at the request of a Governor may not interfere with certain duties.
Sec. 516. Continued National Guard support for FireGuard program.
Sec. 517. Enhancement of National Guard Youth Challenge Program.
Sec. 518. Notice to Congress before certain actions regarding units of certain reserve components.
Sec. 519. Independent study on Federal recognition of National Guard officers.
Sec. 519A. Review and update of report on geographic dispersion of Junior Reserve Officers' Training Corps.
Sec. 519B. Briefing on duties of the Army Interagency Training and Education Center.

Subtitle C—General Service Authorities and Military Records

Sec. 521. Consideration of adverse information by special selection review boards.
Sec. 522. Expansion of eligibility for direct acceptance of gifts by members of the Armed Forces and Department of Defense and Coast Guard employees and their families.
Sec. 523. Limitation of extension of period of active duty for a member who accepts a fellowship, scholarship, or grant.
Sec. 524. Expansion of mandatory characterizations of administrative discharges of certain members on the basis of failure to receive COVID-19 vaccine.
Sec. 525. Rescission of COVID-19 vaccination mandate.
Sec. 526. Temporary exemption from end strength grade restrictions for the Space Force.
Sec. 527. Notification to next of kin upon the death of a member of the Armed Forces: study; update; training; report.
Sec. 528. Gender-neutral fitness physical readiness standards for military occupational specialties of the Army.
Sec. 529. Recurring report regarding COVID-19 mandate.
Sec. 530. Sense of Congress regarding women involuntarily separated from the Armed Forces due to pregnancy or parenthood.

Subtitle D—Recruitment and Retention

Sec. 531. Treatment of personally identifiable information regarding prospective recruits.
Sec. 532. Revival and extension of temporary authority for targeted recruitment incentives.
Sec. 533. Report on recruiting efforts of certain Armed Forces.
Sec. 534. Review of marketing and recruiting of the Department of Defense.
Sec. 535. Report on Department of Defense recruitment advertising to racial and ethnic minority communities.
Sec. 536. Improving oversight of military recruitment practices in public secondary schools.
Sec. 537. Best practices for the retention of certain female members of the Armed Forces.
Sec. 538. Review of certain personnel policies of special operations forces.
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Sec. 591. Report on non-citizen members of the Armed Forces.
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Sec. 593. Clarification of authority of NCMAF to update Chaplains Hill at Arlington National Cemetery.
Sec. 594. Disinterment of remains of Andrew Chabrol from Arlington National Cemetery.
Sec. 595. Pilot program on safe storage of personally owned firearms.
Sec. 596. Pilot program on car sharing on remote or isolated military installations.
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Sec. 598. Study on improvement of access to voting for members of the Armed Forces overseas.
Sec. 599. Report on incidence of military suicides by military job code.
Sec. 599A. Report on efforts to prevent and respond to deaths by suicide in the Navy.
Sec. 599B. Report on officer personnel management and the development of the professional military ethic of the Space Force.

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORIZED STRENGTHS FOR SPACE FORCE OFFICERS ON ACTIVE DUTY IN GRADES OF MAJOR, LIEUTENANT COLONEL, AND COLONEL.

The table in subsection (a)(1) of section 523 of title 10, United States Code, is amended by inserting after the items relating to the Marine Corps new items relating to the total number of commissioned officers (excluding officers in categories specified in subsection (b) of such section) serving on active duty in the Space Force in the grades of major, lieutenant colonel, and colonel, respectively, as follows:

"3,900	*1,016*	*782*	*234*
4,300	*1,135*	*873*	*262*
5,000	*1,259*	*845*	*315*
7,000	*1,659*	*1,045*	*415*
10,000	*2,259*	*1,345*	*565".*

SEC. 502. DISTRIBUTION OF COMMISSIONED OFFICERS ON ACTIVE DUTY IN GENERAL OFFICER AND FLAG OFFICER GRADES.

Section 525 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "as follows:" and inserting an em dash;

(B) in paragraph (4)(C), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(5) in the Space Force, if that appointment would result in more than—

"(A) 2 officers in the grade of general;

"(B) 7 officers in a grade above the grade of major general; or

"(C) 6 officers in the grade of major general.";";

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking "and Marine Corps" and inserting "Marine Corps, and Space Force"; and

(B) in paragraph (2), by striking "or Marine Corps" and inserting "Marine Corps, or Space Force"; and

(3) in subsection (d), by striking "or Commandant of the Marine Corps" and inserting "Commandant of the Marine Corps, or Chief of Space Operations".

SEC. 503. REDISTRIBUTION OF NAVAL OFFICERS SERVING ON ACTIVE DUTY IN THE GRADES OF O-8 AND O-9.

Subsection (a)(3) of section 525 of title 10, United States Code, as amended by section 502, is amended—

(1) in subparagraph (B), by striking "33" and inserting "34"; and

(2) in subparagraph (C), by striking "50" and inserting "49".

SEC. 504. AUTHORIZED STRENGTH AFTER DECEMBER 31, 2022: GENERAL OFFICERS AND FLAG OFFICERS ON ACTIVE DUTY.

Section 526a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "and Marine Corps" and inserting "Marine Corps, and Space Force";

(B) in paragraph (1), by striking "220" and inserting "218";

(C) in paragraph (2), by striking "151" and inserting "149";

(D) in paragraph (3), by striking "187" and inserting "170"; and

(E) by adding at the end the following new paragraph: "(5) For the Space Force, 21."; and

(2) in subsection (b)(2), by adding at the end the following new subparagraph:

"(E) For the Space Force, 6.".

SEC. 505. EXTENSION OF GRADE RETENTION FOR CERTAIN OFFICERS AWAITING RETIREMENT.

Section 601(b)(5) of title 10, United States Code, is amended by striking "retirement, but not for more than 60 days." and inserting the following: "retirement, but—

"(A) subject to subparagraph (B), not for more than 60 days; and

"(B) with respect to an officer awaiting retirement following not less than one year of consecutive deployment outside of the United States to a combat zone (as defined in section 112(c) of the Internal Revenue Code of 1986) or in support of a contingency operation, not for more than 90 days.".

SEC. 506. EXCLUSION OF OFFICERS SERVING AS LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS ON AUTHORIZED STRENGTHS FOR GENERAL AND FLAG OFFICERS.

During the two-year period beginning on the date of the enactment of this Act, the limitations in section 526a(a) of title 10, United States Code, as amended by section 504, shall not apply to a general or flag officer serving in the position of lead special trial counsel pursuant to an appointment under section 1044f(a)(2) of such title.

SEC. 507. CONSTRUCTIVE SERVICE CREDIT FOR CERTAIN OFFICERS OF THE ARMED FORCES.

(a) CONSTRUCTIVE SERVICE CREDIT FOR WARRANT OFFICERS.—Section 572 of title 10, United States Code, is amended—

(1) by inserting "(a)" before "For the purposes"; and

(2) by adding at the end the following new subsection:

"(b) The Secretary concerned shall credit a person who is receiving an original appointment as a warrant officer in the regular component of an armed force under the jurisdiction of such Secretary concerned, and who has advanced education or training or special experience, with constructive service for such education, training, or experience, as follows:

"(1) For special training or experience in a particular warrant officer field designated by the Secretary concerned, if such training or experience is directly related to the operational needs of the armed force concerned, as determined by such Secretary concerned.

"(2) For advanced education in a warrant officer field designated by the Secretary concerned, if such education is directly related to the operational needs of the armed force concerned, as determined by such Secretary concerned.".

(b) REPORT.—Not later than February 1, 2027, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the amendments made by subsection (a). Such report shall include—

(1) the evaluation of such amendments by the Secretary;

(2) the estimate of the Secretary regarding how many individuals are eligible for credit under subsection (b) of such section, as added by subsection (a); and

(3) the determination of the Secretary whether existing special pay for such members is adequate.

SEC. 508. IMPROVEMENTS TO THE SELECTION OF WARRANT OFFICERS IN THE MILITARY DEPARTMENTS FOR PROMOTION.

(a) PROMOTION BY SELECTION BOARDS: RECOMMENDATION; EXCLUSION FROM CONSIDERATION.—Section 575 of title 10, United States Code, is amended by adding at the end the following new subsections:

"(e)(1) In selecting the warrant officers to be recommended for promotion, a selection board shall, when authorized by the Secretary concerned, recommend warrant officers of particular merit, pursuant to guidelines and procedures prescribed by the Secretary concerned, from among those warrant officers selected for promotion, to be placed higher on the promotion list contained in the report of such board under section 576(c) of this title.

"(2) A selection board may recommend that a warrant officer be placed higher on a promotion list under paragraph (1) only if the warrant officer receives the recommendation of at least a majority of the members of the board, unless the Secretary concerned establishes an alternative requirement. Any such alternate requirement shall be furnished to the board as part of the guidelines furnished to the board under section 576 of this title.

"(3) For the warrant officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend the order in which those warrant officers should be placed on the list.

"(f)(1) Upon the request of a warrant officer, the Secretary concerned may exclude the warrant officer from consideration for promotion under this section.

"(2) The Secretary concerned may approve a request of a warrant officer under paragraph (1) only if—

"(A) the basis for the request is to allow the officer to complete—

"(i) an assignment in support of career progression;

"(ii) advanced education;

"(iii) an assignment such Secretary determines is of significant value to the Armed Force concerned; or

"(iv) a career progression requirement delayed by an assignment or education;

"(B) such Secretary determines that such exclusion from consideration is in the best interest of the Armed Force concerned; and

"(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests exclusion from consideration.".

(b) PRIORITY FOR PROMOTION OF WARRANT OFFICERS IN REPORT OF SELECTION BOARD.—Subsection (c) of section 576 of such title is amended to read as follows:

"(c) The names of warrant officers selected for promotion under this section shall be arranged in the report of such board in the following order of priority:

"(1) Warrant officers recommended under section 575(e) of this title to be placed higher on the promotion list, in the order in which the board determines.

"(2) Warrant officers otherwise recommended for promotion, in the order of seniority on the warrant officer active-duty list.".

(c) PROMOTIONS: HOW MADE; EFFECTIVE DATE.—Section 578(a) of such title is amended by striking "of the seniority of such officers on the warrant officer active-duty list" and inserting "set forth in section 576(c) of this title".

SEC. 509. ADVICE AND CONSENT REQUIREMENT FOR WAIVERS OF MANDATORY RETIREMENT FOR SUPERINTENDENTS OF MILITARY SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 7321(b) of title 10, United States Code, is amended by adding at the end the following: "In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in

lieu of retirement shall be subject to the advice and consent of the Senate.".

(b) UNITED STATES NAVAL ACADEMY.—Section 8371(b) of title 10, United States Code, is amended by adding at the end the following: "In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in lieu of retirement shall be subject to the advice and consent of the Senate.".

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9321(b) of title 10, United States Code, is amended by adding at the end the following: "In the event a waiver under this subsection is granted, the subsequent nomination and appointment of such officer having served as Superintendent of the Academy to a further assignment in lieu of retirement shall be subject to the advice and consent of the Senate.".

SEC. 509A. MODIFICATION OF REPORTS ON AIR FORCE PERSONNEL PERFORMING DUTIES OF A NUCLEAR AND MISSILE OPERATIONS OFFICER (13N).

Section 506(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1682) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following new paragraph (8):

"(8) A staffing plan for managing personnel in the 13N career field as the Air Force transitions from the Minuteman III weapon system to the Sentinel weapon system.".

SEC. 509B. ASSESSMENTS OF STAFFING IN THE OFFICE OF THE SECRETARY OF DEFENSE AND OTHER DEPARTMENT OF DEFENSE HEADQUARTERS OFFICES.

(a) OFFICE OF THE SECRETARY OF DEFENSE.—The Secretary of Defense shall conduct an assessment of staffing of the Office of the Secretary of Defense. Such assessment shall including the following elements:

(1) A validation of every military staff billet assigned to the Office of the Secretary of Defense against existing military personnel requirements.

(2) The estimated effect of returning 15 percent of such military staff billets to operational activities of the Armed Forces concerned, over a period of 36 months, would have on the office of the Secretary of Defense and other Department of Defense Headquarters Offices.

(3) A plan and milestones for how reductions described in paragraph (2) would occur, a schedule for such reductions, and the process by which the billets would be returned to the operational activities of the Armed Forces concerned.

(b) OFFICE OF THE JOINT CHIEFS OF STAFF.—The Chairman of the Joint Chiefs of Staff shall conduct an assessment of staffing of the Office of the Joint Chiefs of Staff. Such assessment shall including the following elements:

(1) A validation of every military staff billet assigned to the Office of the Joint Chiefs of Staff against existing military personnel requirements.

(2) The estimated effect of returning 15 percent of such military staff billets to operational activities of the Armed Forces

concerned, over a period of 36 months, would have on the office of the Joint Staff and the Chairman's Controlled Activities and other related Joint Staff Headquarters Offices.

(3) A plan and milestones for how reductions described in paragraph (2) would occur, a schedule for such reductions, and the process by which the billets would be returned to the operational activities of the Armed Forces concerned.

(c) INTERIM BRIEFING AND REPORT.—

(1) INTERIM BRIEFING.—Not later than April 1, 2023, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives an interim briefing on the assessments under subsections (a) and (b).

(2) FINAL REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the assessments under subsections (a) and (b). Such report shall include the following:

(A) A validation of every military staff billet assigned to the Office of the Secretary of Defense and the Joint Staff to include the Chairman's Controlled Activities against existing military personnel requirements.

(B) The methodology and process through which such validation was performed.

(C) Relevant statistical analysis on military billet fill rates against validated requirements.

(D) An analysis of unvalidated military billets currently performing staff support functions,

(E) The rationale for why unvalidated military billets may be required.

(F) The cost of military staff filling both validated and unvalidated billets.

(G) Lessons learned through the military billet validation process and statistical analysis under subparagraphs (B) through (F).

(H) Any other matters the Secretary determines relevant to understanding the use of military staff billets described in subsections (a) and (b).

(I) Any legislative, policy or budgetary recommendations of the Secretary related to the subject matter of the report.

SEC. 509C. GAO REVIEW OF CERTAIN OFFICER PERFORMANCE EVALUATIONS.

(a) REVIEW REQUIRED.—Not later than one year after the enactment of this Act, the Comptroller General of the United States shall review the officer performance reports of each Armed Force under the jurisdiction of a Secretary of a military department in order to—

(1) study the fitness report systems used for the performance evaluation of officers; and

(2) provide to the Secretary of Defense and the Secretaries of the military departments recommendations regarding how to improve such systems.

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

(1) An analysis of the effectiveness of the fitness report systems at evaluating and documenting the performance of officers.

(2) A comparison of the fitness report systems for officers of each Armed Force described in subsection (a) with best practices for performance evaluations used by public- and private-sector organizations.

(3) An analysis of the value of fitness reports in providing useful information to officer promotion boards.

(4) An analysis of the value of fitness reports in providing useful feedback to officers being evaluated.

(5) Recommendations to improve the fitness report systems to—

(A) increase its effectiveness at accurately evaluating and documenting the performance of officers;

(B) provide more useful information to officer promotion boards; and

(C) provide more useful feedback regarding evaluated officers.

(c) ACCESS TO DATA AND RECORDS.—The Secretaries of the military departments shall provide to the Comptroller General sufficient resources and access to technical data, individuals, organizations, and records that the Comptroller General requires to complete the review under this section.

(d) SUBMISSION TO SECRETARIES.—Upon completing the review under subsection (a), the Comptroller General shall submit to the Secretary of Defense and the Secretaries of the military departments a report on the results of the review.

(e) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Secretary of Defense and the Secretaries of the military departments receive the report under subsection (d), the Secretary of Defense shall submit to the congressional defense committees—

(1) an unaltered copy of such report; and

(2) any comments of the Secretary regarding such report.

SEC. 509D. STUDY OF CHAPLAINS.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall submit to the Committees on Armed Services of the Senate and House of Representatives a study of the roles and responsibilities of chaplains.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) The resources (including funding, administrative support, and personnel) available to support religious programs.

(2) Inclusion of chaplains in resiliency, suicide prevention, wellness, and other related programs.

(3) The role of chaplains in embedded units, headquarters activities. and military treatment facilities.

(4) Recruitment and retention of chaplains.

(5) An analysis of the number of hours chaplains spend in roles including pastoral care, religious services, counseling, and administration.

(6) The results of any surveys that have assessed the roles, responsibilities and satisfaction of chaplains.

(7) A review of the personnel requirements for chaplains during fiscal years 2013 through 2022.

(8) Challenges to the abilities of chaplains to offer ministry services.

Subtitle B—Reserve Component Management

SEC. 511. INCLUSION OF ADDITIONAL INFORMATION ON THE SENIOR RESERVE OFFICERS' TRAINING CORPS IN REPORTS ACCOMPANYING THE NATIONAL DEFENSE STRATEGY.

Section 113(m) of title 10, United States Code, is amended—

(1) by redesignating the second paragraph (8) as paragraph (11);

(2) by redesignating the first paragraph (8), as paragraph (10);

(3) by redesignating paragraphs (5), (6), and (7) paragraphs (7), (8), and (9), respectively; and

(4) by inserting after paragraph (4) the following new paragraphs:

"(5) The number of Senior Reserve Officers' Training Corps scholarships awarded during the fiscal year covered by the report, disaggregated by gender, race, and ethnicity, for each military department.

"(6) The program completion rates and program withdrawal rates of Senior Reserve Officers' Training Corps scholarship recipients during the fiscal year covered by the report, disaggregated by gender, race, and ethnicity, for each military department.".

SEC. 512. EXPANSION OF ELIGIBILITY TO SERVE AS AN INSTRUCTOR IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) IN GENERAL.—Section 2031 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection:

"(f)(1) Instead of, or in addition to, detailing officers and noncommissioned officers on active duty under subsection (c)(1) or authorizing the employment of retired officers and noncommissioned officers under subsection (d) or (e), the Secretary of the military department concerned may authorize qualified institutions to employ as administrators and instructors in the program officers or noncommissioned officers who—

"(A)(i) receive honorable discharges—

"(I) after completing at least eight years of service; and

"(II) not longer than five years before applying for such employment; or

"(ii)(I) are in an active status; and

"(II) who are not yet eligible for retired pay; and

"(B) apply for such employment.

"(2) The Secretary of the military department concerned shall pay to the institution an amount equal to one-half of the amount to be paid to an instructor pursuant to the JROTC Instructor Pay Scale for any period.

"(3) Notwithstanding the limitation in paragraph (2), the Secretary of the military department concerned may pay to the institution more than one-half of the amount paid to the member by the institution if, as determined by such Secretary—

"(A) the institution is in an educationally and economically deprived area; and

"(B) such action is in the national interest.

"(4) Payments under this subsection shall be made from funds appropriated for that purpose.

"(5) The Secretary of the military department concerned may require an officer or noncommissioned officer employed under this subsection to transfer to the Individual Ready Reserve as a condition of such employment.".

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing regarding—

(1) the number of instructors employed pursuant to the amendment made by subsection (a); and

(2) costs to the Federal Government arising from such employment.

SEC. 513. BACKDATING OF EFFECTIVE DATE OF RANK FOR RESERVE OFFICERS IN THE NATIONAL GUARD DUE TO UNDUE DELAYS IN FEDERAL RECOGNITION.

Paragraph (2) of section 14308(f) of title 10, United States Code, is amended to read as follows:

"(2) If there is a delay in extending Federal recognition in the next higher grade in the Army National Guard or the Air National Guard to a reserve commissioned officer of the Army or the Air Force that exceeds 100 days from the date the National Guard Bureau deems such officer's application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau, and the delay was not attributable to the action or inaction of such officer—

"(A) in the event of State promotion with an effective date before January 1, 2024, the effective date of the promotion concerned under paragraph (1) may be adjusted to a date determined by the Secretary concerned, but not earlier than the effective date of the State promotion; and

"(B) in the event of State promotion with an effective date on or after January 1, 2024, the effective date of the promotion concerned under paragraph (1) shall be adjusted by the Secretary concerned to the later of—

"(i) the date the National Guard Bureau deems such officer's application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau; and

"(ii) the date on which the officer occupies a billet in the next higher grade.".

SEC. 514. INSPECTIONS OF THE NATIONAL GUARD.

(a) ELEMENT.—Subsection (a) of section 105 of title 32, United States Code, is amended—

(1) in paragraph (6), by striking "; and" and inserting a semicolon;

(2) in paragraph (7), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(8) the units and members of the Army National Guard or Air National Guard comply with Federal law and policy applicable to the National Guard, including policies issued by the Secretary of Defense, the Secretary of the military department concerned, or the Chief of the National Guard Bureau.".

(b) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the implementation of paragraph (8) of such subsection, as added by subsection (a). Such report shall include the following:

(1) The number of inspections conducted that included determinations under such paragraph.

(2) With regard to each such inspection—

(A) the date;

(B) the unit of the Army National Guard or the Air National Guard inspected;

(C) the officer who conducted such inspection; and

(D) the determination of the officer whether the unit was in compliance with Federal law and policy applicable to the National Guard.

SEC. 515. AUTHORITY TO WAIVE REQUIREMENT THAT PERFORMANCE OF ACTIVE GUARD AND RESERVE DUTY AT THE REQUEST OF A GOVERNOR MAY NOT INTERFERE WITH CERTAIN DUTIES.

(a) IN GENERAL.—Section 328(b) of title 32, United States Code, is amended by adding at the end the following new subsection:

"(c) WAIVER AUTHORITY.—(1) Notwithstanding section 101(d)(6)(A) of title 10 and subsection (b) of this section, the Governor of a State or the Commonwealth of Puerto Rico, Guam, or the Virgin Islands, or the commanding general of the District of Columbia National Guard, as the case may be, may, at the request of the Secretary concerned, order a member of the National Guard to perform Active Guard and Reserve duty for purposes of performing training of the regular components of the armed forces as the primary duty.

"(2) Training performed under paragraph (1) must be in compliance with the requirements of section 502(f)(2)(B)(i) of this title.

"(3) No more than 100 personnel may be granted a waiver by a Secretary concerned under paragraph (1) at a time.

"(4) The authority under paragraph (1) shall terminate on October 1, 2024.".

(b) BRIEFING ON PERFORMANCE OF TRAINING AS PRIMARY DUTY.—Not later than March 1, 2023, the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services

of the House of Representatives a briefing describing how many members of the National Guard are performing Active Guard and Reserve duty for purposes of performing training of the regular components of the Armed Forces as primary duty.

(c) BRIEFING ON END STRENGTH REQUIREMENTS.—Not later than October 1, 2024, the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing outlining the end strength requirement going forward for Active Guard and Reserve forces of the National Guard impacted by subsection (c) of section 328(b) of title 32, United States Code, as added by subsection (a) of this section.

SEC. 516. CONTINUED NATIONAL GUARD SUPPORT FOR FIREGUARD PROGRAM.

Section 515 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), is amended—

*(1) by inserting "**(a)** general.—" before "Until";*

(2) by striking "September 30, 2026" and inserting "September 30, 2029";

(3) by striking "support" and inserting "carry out";

(4) by striking "personnel of the California National Guard" and inserting "National Guard personnel (including from the Colorado National Guard and the California National Guard)"; and

(5) by adding at the end the following:

"(b) TRANSFER.—Until the date specified in subsection (a), no component (including any analytical responsibility) of the FireGuard program may be transferred from the Department of Defense to another entity. If the Secretary seeks to make such a transfer, the Secretary shall, at least three years before such transfer, provide to the appropriate congressional committees a written report and briefing that detail—

"(1) plans of the Secretary for such transfer; and

"(2) how such transfer will sustain and improve detection and monitoring of wildfires.

"(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means the following:

"(1) The Committee on Armed Services of the Senate.

"(2) The Committee on Armed Services of the House of Representatives.

"(3) The Select Committee on Intelligence of the Senate.

"(4) The Permanent Select Committee on Intelligence of the House of Representatives.".

SEC. 517. ENHANCEMENT OF NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

Section 516 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended, in subsection (a), by striking "fiscal year 2022" and inserting "fiscal years 2022 and 2023".

SEC. 518. NOTICE TO CONGRESS BEFORE CERTAIN ACTIONS REGARDING UNITS OF CERTAIN RESERVE COMPONENTS.

(a) NOTICE REQUIRED; ELEMENTS.—The Secretary of a military department may not take any covered action regarding a covered unit until the day that is 60 days after the Secretary of a military department submits to Congress notice of such covered action. Such notice shall include the following elements:

(1) An analysis of how the covered action would improve readiness.

(2) A description of how the covered action would align with the National Defense Strategy and the supporting strategies of each military departments.

(3) A description of any proposed organizational change associated with the covered action and how the covered action will affect the relationship of administrative, operational, or tactical control responsibilities of the covered unit.

(4) The projected cost and any projected long-term cost savings of the covered action.

(5) A detailed description of any requirements for new infrastructure or relocation of equipment and assets necessary for the covered action.

(6) A description of how the covered activity will affect the ability of the covered Armed Force to accomplish its current mission.

(b) APPLICABILITY.—This section shall apply to any step to perform covered action regarding a covered unit on or after the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

(1) The term "covered action" means any of the following:

(A) To deactivate.

(B) To reassign.

(C) To move the home station.

(2) The term "covered Armed Force" means the following:

(A) The Army.

(B) The Navy.

(C) The Marine Corps.

(D) The Air Force.

(E) The Space Force.

(3) The term "covered unit" means a unit of a reserve component of a covered Armed Force.

SEC. 519. INDEPENDENT STUDY ON FEDERAL RECOGNITION OF NATIONAL GUARD OFFICERS.

(a) INDEPENDENT STUDY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the National Guard commissioned officer and warrant officer promotion system and provide recommendations to the Department of Defense, the Department of the Air Force, the Department of the Army, the National Guard Bureau, and individual State National Guard commands.

(2) ELEMENTS.—The study referred to in paragraph (1) shall include a comprehensive review and assessment of the following:

(A) Reasons for delays in processing personnel actions for Federal recognition of State National Guard member promotions.

(B) The Federal recognition process used to extend Federal recognition to State promotions.

(C) Best practices among the various State National Guards for managing their requirements under the existing National Guard promotion system.

(D) Possible improvements to requirements, policies, procedures, workflow, or resources to reduce the processing time for Federal recognition of state promotions.

(E) An assessment of the feasibility of developing or adopting a commercially available solution for an integrated enterprise information technology system for managing National Guard officer and warrant officer promotions that allows seamless transition for promotions as they move through review at the National Guard Bureau, the Department of the Army, the Department of the Air Force, and the Department of Defense.

(F) Possible metrics to evaluate effectiveness of any recommendations made.

(G) Possible remedies for undue delays in Federal recognition, including adjustment to the effective date of promotion beyond current statutory authorities.

(H) Any other matters the federally funded research and development center determines relevant.

(3) REPORT.—

(A) IN GENERAL.—The contract under paragraph (1) shall require the federally funded research and development center that conducts the study under the contract to submit to the Secretary of Defense, the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau a report on the results of the study.

(B) SUBMISSION TO CONGRESS.—Upon receiving the report required under subparagraph (A), the Secretary of Defense shall submit an unedited copy of the report results to the congressional defense committees within 30 days of receiving the report from the federally funded research and development corporation.

(b) REPORTING REQUIREMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified in paragraph (3), the Secretary of Defense, in consultation with the Secretary of the Army and the Secretary of the Air Force as appropriate, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report detailing the current status of the Federal recognition process for National Guard promotions.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An update on efforts to transition to fully digital processes in accordance with recommendations made pursuant to subsection (a).

(B) The average processing time for personnel actions related to Federal recognition of reserve commissioned officer promotions in the Army and Air National Guards, respectively, including the time in days from the date at which the National Guard Bureau received the promotion until the date at which Federal recognition was granted.

(C) The average time it took during the previous fiscal year to extend Federal recognition.

(D) The number of Army and Air National Guard officers who experienced Federal recognition delays greater than 90 days in the previous fiscal year.

(E) A summary of any additional resources or authorities needed to further streamline the Federal recognition processes to reduce average Federal recognition processing time to 90 days or fewer.

(F) Any other information that the Secretaries concerned deem relevant.

(3) EXPIRATION OF ANNUAL REPORTING REQUIREMENT.—The date referred to in paragraph (1) is such time as the average processing time for personnel actions described under this subsection is reduced to 90 days or fewer for each of the Army and Air National Guards.

SEC. 519A. REVIEW AND UPDATE OF REPORT ON GEOGRAPHIC DISPERSION OF JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) REPORT: REVIEW; UPDATE.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall review and update the 2017 report from the RAND Corporation titled "Geographic and Demographic Representativeness of Junior Reserve Officer Training Corps" (Library of Congress Control Number: 2017950423).

(b) ELEMENTS.—The report updated under subsection (a) shall include the following:

(1) An assessment of whether there is adequate representation in, and reasonable access to, units of the Junior Reserve Officers' Training Corps (hereinafter, "JROTC") for students in all regions of the of the United States.

(2) The estimated cost and time to increase the number of units of JROTC to ensure adequate representation and reasonable access described in paragraph (1).

(3) Recommendations to increase adequate representation and reasonable access described in paragraph (1) in areas of the United States that the Secretary of Defense determines lack such adequate representation and reasonable access.

(c) SUBMISSION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives the report updated under this section.

SEC. 519B. BRIEFING ON DUTIES OF THE ARMY INTERAGENCY TRAINING AND EDUCATION CENTER.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Assistant Sec-

retary of Defense for Homeland Defense and Global Security and the Chief of the National Guard Bureau, shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing that includes—

(1) an organizational plan and an estimate of the annual costs necessary for the Army Interagency Training and Education Center to carry out duties assigned to it by the Chief of the National Guard Bureau; and

(2) the staffing requirements needed to adequately staff such duties.

Subtitle C—General Service Authorities and Military Records

SEC. 521. CONSIDERATION OF ADVERSE INFORMATION BY SPECIAL SELECTION REVIEW BOARDS.

Section 628a(a)(1) of title 10, United States Code, is amended—

(1) by inserting "(A)" before "If the Secretary concerned"; and

(2) by adding at the end the following new subparagraph:

"(B) Nothing in this section shall be construed to prevent a Secretary concerned from deferring consideration of adverse information concerning an officer subject to this section until the next regularly scheduled promotion board applicable to such officer, in lieu of furnishing such adverse information to a special selection review board under this section.".

SEC. 522. EXPANSION OF ELIGIBILITY FOR DIRECT ACCEPTANCE OF GIFTS BY MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE AND COAST GUARD EMPLOYEES AND THEIR FAMILIES.

Section 2601a of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking "; or" and inserting a semicolon;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

"(3) that results in enrollment in a Warriors in Transition program, as defined in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1071 note); or"; and

(2) in subsection (c), by striking "paragraph (1), (2) or (3) of".

SEC. 523. LIMITATION OF EXTENSION OF PERIOD OF ACTIVE DUTY FOR A MEMBER WHO ACCEPTS A FELLOWSHIP, SCHOLARSHIP, OR GRANT.

(a) LIMITATION.—Subsection (b) of section 2603 of title 10, United States Code, is amended by striking "at least".

(b) MODERNIZATION.—Subsection (a) of such section is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking "or his designee" and inserting "(or an individual designated by the President)"; and

(B) by striking "him" and inserting "the member";

(2) in paragraph (1), by striking "his field" and inserting "the field of the member";

(3) in paragraph (3), by striking "his recognized potential for future career service" and inserting "the recognized potential for future career service of the member"; and

(4) in the matter following paragraph (3)—

(A) by striking "his" both places it appears and inserting "the member's"; and

(B) by striking "him" and inserting "the member".

SEC. 524. EXPANSION OF MANDATORY CHARACTERIZATIONS OF ADMINISTRATIVE DISCHARGES OF CERTAIN MEMBERS ON THE BASIS OF FAILURE TO RECEIVE COVID-19 VACCINE.

Section 736(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 1161 note) is amended—

(1) in the matter preceding paragraph (1), by striking "During the period of time beginning on August 24, 2021, and ending on the date that is two years after the date of the enactment of this Act, any" and inserting "Any";

(2) in paragraph (1) by striking "; or" and inserting a semicolon;

(3) in paragraph (2), by striking the period and inserting "; or"; and

(4) by adding at the end the following new paragraph:

"(3) in the case of a covered member receiving an administrative discharge before completing the first 180 continuous days of active duty, uncharacterized.".

SEC. 525. RESCISSION OF COVID-19 VACCINATION MANDATE.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall rescind the mandate that members of the Armed Forces be vaccinated against COVID-19 pursuant to the memorandum dated August 24, 2021, regarding "Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members".

SEC. 526. TEMPORARY EXEMPTION FROM END STRENGTH GRADE RESTRICTIONS FOR THE SPACE FORCE.

Section 517 and section 523 (as amended by section 501 of this Act) of title 10, United States Code, shall not apply to the Space Force until January 1, 2024.

SEC. 527. NOTIFICATION TO NEXT OF KIN UPON THE DEATH OF A MEMBER OF THE ARMED FORCES: STUDY; UPDATE; TRAINING; REPORT.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a study on the notification processes of the next of kin upon the death of a member of the Armed Forces. In conducting the study, the Secretary shall identify the following elements:

(1) The time it takes for such notification to occur after such death, recovery of remains, and identification of remains. Such time shall be determined through an analysis of data regarding cases involving such notifications.

(2) The effect of media (including social media) and other forms of communication on such processes.

(3) Means by which the Secretary may improve such processes to reduce the time described in paragraph (1).

(4) Any legislative recommendations of the Secretary to improve such processes to reduce the time described in paragraph (1).

(b) UPDATE.—Upon completion of the study under subsection (a), the Secretary shall review and update training and education materials regarding such processes, implementing means described in subsection (a)(3).

(c) OPERATIONAL TRAINING.—The Secretary of the military department concerned shall include a training exercise, using materials updated (including lessons learned) under subsection (b), regarding a death described in this section in each major exercise conducted by such Secretary or the Secretary of Defense.

(d) REPORT.—Not later one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing—

(1) the results of the study;

(2) a description of the update under subsection (b); and

(3) lessons learned, as described in subsection (c).

SEC. 528. GENDER-NEUTRAL FITNESS PHYSICAL READINESS STANDARDS FOR MILITARY OCCUPATIONAL SPECIALTIES OF THE ARMY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall—

(1) establish gender-neutral physical readiness standards that ensure soldiers can perform the duties of their respective military occupational specialties; and

(2) provide to the Committees on Armed Services of the Senate and House of Representatives a briefing describing the methodology used to determine the standards established under paragraph (1).

SEC. 529. RECURRING REPORT REGARDING COVID-19 MANDATE.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a recurring report regarding the requirement that a member of the Armed Forces shall receive a vaccination against COVID-19. Each such report may not contain any personally identifiable information, and shall contain the following:

(1) With regard to religious exemptions to such requirement—

(A) the number of such exemptions for which members applied;

(B) the number of such religious exemptions denied;

(C) the reasons for such denials;

(D) the number of members denied such a religious exemption who complied with the requirement; and

(E) the number of members denied such a religious exemption who did not comply with the requirement who were separated, and with what characterization.

(2) With regard to medical exemptions to such requirement—

(A) the number of such medical exemptions for which members applied;

(B) the number of such medical exemptions denied;

(C) the reasons for such denials;

(D) the number of members denied such a medical exemption who complied with the requirement; and

(E) the number of members denied such a medical exemption who did not comply with the requirement who were separated, and with what characterization.

(b) FREQUENCY; TERMINATION.—The Secretary shall submit the first such report not later than 90 days after the date of the enactment of this Act and every 90 days thereafter until the first of the following to occur:

(1) The Secretary of Defense lifts such requirement.

(2) The day that is two years after the date of the enactment of this Act.

SEC. 530. SENSE OF CONGRESS REGARDING WOMEN INVOLUNTARILY SEPARATED FROM THE ARMED FORCES DUE TO PREGNANCY OR PARENTHOOD.

(a) FINDINGS.—Congress finds the following:

(1) In June 1948, Congress enacted the Women's Armed Services Integration Act of 1948, which formally authorized the appointment and enlistment of women in the regular components of the Armed Forces.

(2) With the expansion of the Armed Forces to include women, the possibility arose for the first time that members of the regular components of the Armed Forces could become pregnant.

(3) The response to such possibilities and actualities was Executive Order 10240, signed by President Harry S. Truman in 1951, which granted the Armed Forces the authority to involuntarily separate or discharge a woman if she became pregnant, gave birth to a child, or became a parent by adoption or a stepparent.

(4) The Armed Forces responded to the Executive order by systematically discharging any woman in the Armed Forces who became pregnant.

(5) The Armed Forces were required to offer women who were involuntarily separated or discharged due to pregnancy the opportunity to request retention in the military.

(6) The Armed Forces may not have provided required separation benefits, counseling, or assistance to the members of the Armed Forces who were separated or discharged due to pregnancy.

(7) Thousands of members of the Armed Forces were involuntarily separated or discharged from the Armed Forces as a result of pregnancy.

(8) Such involuntary separation or discharge from the Armed Forces on the basis of pregnancy was challenged in Federal district court by Stephanie Crawford in 1975, whose legal argument stated that this practice violated her constitutional right to due process of law.

(9) The Court of Appeals for the Second Circuit ruled in Stephanie Crawford's favor in 1976 and found that Executive Order 10240 and any regulations relating to the Armed Forces that made separation or discharge mandatory due to pregnancy were unconstitutional.

(10) By 1976, all regulations that permitted involuntary separation or discharge of a member of the Armed Forces because of pregnancy or any form of parenthood were rescinded.

(11) Today, women comprise 17 percent of the Armed Forces, and many are parents, including 12 percent of whom are single parents.

(12) While military parents face many hardships, today's Armed Forces provide various lengths of paid family leave for mothers and fathers, for both birth and adoption of children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that women who served in the Armed Forces before February 23, 1976, should not have been involuntarily separated or discharged due to pregnancy or parenthood.

Subtitle D—Recruitment and Retention

SEC. 531. TREATMENT OF PERSONALLY IDENTIFIABLE INFORMATION REGARDING PROSPECTIVE RECRUITS.

(a) TREATMENT OF PERSONALLY IDENTIFIABLE INFORMATION.—Section 503(a) of title 10, United States Code, is amended adding at the end the following new paragraphs:

"(3) PII regarding a prospective recruit collected or compiled under this subsection shall be kept confidential, and a person who has had access to such PII may not disclose the information except for purposes of this section or other purpose authorized by law.

"(4) In the course of conducting a recruiting campaign, the Secretary concerned shall—

"(A) notify a prospective recruit of data collection policies of the armed force concerned; and

"(B) permit the prospective recruit to elect not to participate in such data collection.

"(5) In this subsection, the term 'PII' means personally identifiable information.".

(b) PILOT PROGRAM ON RECRUITING.—

(1) AUTHORITY.—The Secretary of Defense may conduct a pilot program (such a program shall be referred to as a "Military Recruiting Modernization Program") to evaluate the feasibility and effectiveness of collecting and using PRI with modern technologies to allow the Secretary to more effectively and efficiently use recruiting resources.

(2) TREATMENT OF PROSPECTIVE RECRUIT INFORMATION.—PRI collected under a pilot program under this subsection—

(A) may be used by the Armed Forces and entities into which the Secretary has entered into an agreement regarding military recruitment only for purposes of military recruitment;

(B) shall be kept confidential.

(C) may not be maintained more than three years after collection; and

(3) OPT-OUT.—A pilot program under this subsection may allow a prospective recruit to opt-out of the collection of PRI regarding such prospective recruit.

(4) TERMINATION.—Any such pilot program shall terminate three years after implementation.

(5) INTERIM BRIEFING.—Not later than 90 days after the implementing a pilot program under this subsection, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program. Such briefing shall include the following:

(A) The definition, prescribed by the Secretary, of PRI.

(B) How the Secretary intends to handle privacy concerns related to the collection of PRI.

(C) Legal concerns over the collection, use, and maintenance of PRI.

(6) FINAL REPORT.—Not later than 120 days after the completion of a pilot program under this subsection, the Under Secretary of Defense for Personnel and Readiness shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program. Such report shall include the following:

(A) A summary of whether and how the pilot program modernized recruiting efforts.

(B) A description of any efficiencies identified under the pilot program.

(C) Any violations of privacy laws arising from the pilot program.

(D) Legislative recommendations of the Under Secretary arising from this pilot program.

(7) DEFINITIONS.—In this section:

(A) The term "PRI" means information, prescribed by the Secretary of Defense, regarding a prospective recruit.

(B) The term "prospective recruit" means an individual who is eligible to join the Armed Forces and is—

(i) 17 years of age or older; or

(ii) in the eleventh grade (or its equivalent) or higher.

SEC. 532. REVIVAL AND EXTENSION OF TEMPORARY AUTHORITY FOR TARGETED RECRUITMENT INCENTIVES.

Section 522(h) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 503 note) is—

(1) is revived to read as it did immediately before its expiration on December 31, 2020; and

(2) is amended—

(A) by striking the semicolon and inserting a comma; and

(B) by striking "2020" and inserting "2025".

SEC. 533. REPORT ON RECRUITING EFFORTS OF CERTAIN ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on recruiting efforts of the covered Armed Forces.

(b) ELEMENTS.—The report shall contain, with regards to the covered Armed Forces during fiscal years 2018 through 2022, the following elements:

(1) A comparison of—

(A) the number of active duty enlistments from each geographic region;

(B) the number of recruiters stationed in each geographic region; and

(C) advertising dollars spent in each geographic region, including annual numbers and averages.

(2) A comparison of the number of active duty enlistments produced by each recruiting battalion, recruiting district, or recruiting region, the number of recruiters stationed in each battalion, and advertising dollars spent in support of each battalion, including annual numbers and averages.

(3) An analysis of the geographic dispersion of enlistments by military occupational specialty.

(4) An analysis of the amount of Federal funds spent on advertising per active duty enlistment by recruiting battalion, recruiting district, or recruiting region, and a ranked list of those battalions from most efficient to least efficient.

(5) A comparison of the race, religion, sex, education levels, military occupational specialties, and waivers for enlistment granted to enlistees by geographic region and recruiting battalion, recruiting district, or recruiting region of responsibility.

(6) An assessment of obstacles that recruiters face in the field, including access to schools and administrative support.

(7) Efforts the Secretary of the military department concerned is taking to mitigate obstacles described in paragraph (6).

(c) DEFINITIONS.—In this section:

(1) The term "covered Armed Force" means an Armed Force under the jurisdiction of the Secretary of a military department.

(2) The term "geographic region" means a region used for the 2020 decennial census.

SEC. 534. REVIEW OF MARKETING AND RECRUITING OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later that September 30, 2023, the Comptroller General of the United States, in consultation with experts determined by the Secretary of Defense, shall evaluate the marketing and recruiting efforts of the Department of Defense to determine how to use social media and other technology platforms to convey to young people the opportunities and benefits of service in the covered Armed Forces.

(b) COVERED ARMED FORCE DEFINED.—In this section, the term "covered Armed Force" means the following:

(1) The Army.

(2) The Navy.

(3) The Marine Corps.

(4) The Air Force.

(5) The Space Force.

SEC. 535. REPORT ON DEPARTMENT OF DEFENSE RECRUITMENT ADVERTISING TO RACIAL AND ETHNIC MINORITY COMMUNITIES.

Not later than June 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on the efforts of the Department of Defense to increase marketing and advertising to adequately reach racial and ethnic minority communities.

SEC. 536. IMPROVING OVERSIGHT OF MILITARY RECRUITMENT PRACTICES IN PUBLIC SECONDARY SCHOOLS.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on military recruitment practices in public secondary schools during calendar years 2018 through 2022, including—

(1) the zip codes of public secondary schools visited by military recruiters; and

(2) the number of recruits from public secondary schools by zip code and local education agency.

SEC. 537. BEST PRACTICES FOR THE RETENTION OF CERTAIN FEMALE MEMBERS OF THE ARMED FORCES.

The Secretaries of the military departments shall share and implement best practices regarding the use of retention and exit survey data to identify barriers and lessons learned to improve the retention of female members of the Armed Forces under the jurisdiction of such Secretaries.

SEC. 538. REVIEW OF CERTAIN PERSONNEL POLICIES OF SPECIAL OPERATIONS FORCES.

(a) REVIEW REQUIRED.—The Secretary of Defense shall direct the covered officials to review (and, if a covered official determines it necessary, update guidance and processes) matters described in section 167(e)(2)(J) of title 10, United States Code. The covered officials shall complete such review (and update) not later than 180 days after the date of the enactment of this Act.

(b) ELEMENTS OF REVIEW.—The review and updates under subsection (a) shall address the respective roles of the military departments and the United States Special Operations Command with respect to the following:

(1) Coordination between special operations command and the military departments regarding recruiting and retention to ensure that personnel requirements of special operations forces and the military departments are met appropriately.

(2) Opportunities for members of special operations forces to enroll in professional military education.

(3) Promotion opportunities for members of special operations forces and an assessment of whether such opportunities are adequate to fulfill staffing requirements of special operations forces.

(4) Data sharing between the military departments and special operations command with respect to special operations forces personnel.

(5) Any other matter the Secretary of Defense determines appropriate.

(c) REPORT REQUIRED.—Not later than 90 days after completing the review (and any updates) under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on such review and any resulting updates to guidance and processes. The report shall also include any recommendations of the Secretary regarding matters described in subsection (a) or (b).

(d) DEFINITIONS.—In this section:

(1) The term "covered officials" means—

(A) the Secretaries of the military departments;

(B) the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; and

(C) the Commander of special operations command.

(2) The term "special operations command" has the meaning given that term in section 167(a) of title 10, United States Code.

(3) The term "special operations forces" means the forces described in section 167(j) of title 10, United States Code.

SEC. 539. SUPPORT FOR MEMBERS WHO PERFORM DUTIES REGARDING REMOTELY PILOTED AIRCRAFT: STUDY; REPORT.

(a) STUDY.—The Secretary of Defense shall conduct a study to identify opportunities to provide more support services to, and greater recognition of combat accomplishments of, RPA crew. Such study shall identify the following with respect to each covered Armed Force:

(1) Safety policies applicable to crew of traditional aircraft that apply to RPA crew.

(2) Personnel policies, including crew staffing and training practices, applicable to crew of traditional aircraft that apply to RPA crew.

(3) Metrics the Secretaries of the military departments use to evaluate the health of RPA crew.

(4) Incentive pay, retention bonuses, promotion rates, and career advancement opportunities for RPA crew.

(5) Combat zone compensation available to RPA crew.

(6) Decorations and awards for combat available to RPA crew.

(7) Mental health care available to crew of traditional aircraft and RPA crew who conduct combat operations.

(8) Whether RPA crew receive post-separation health (including mental health) care equivalent to crew of traditional aircraft.

(9) An explanation of any difference under paragraph (8).

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the following:

(1) The results of the study conducted under this section.

(2) Any policy recommendations of the Secretary regarding such results.

(3) Progress made by the Secretary of the Air Force in implementing the recommendations of the Comptroller General of the United States in the following reports:

(A) GAO-19-155, titled "Unmanned Aerial Systems: Air Force Pilot Promotion Rates Have Increased but Oversight Process of Some Positions Could Be Enhanced".

(B) GAO-20-320, titled "Unmanned Aerial Systems: Air Force Should Take Additional Steps to Improve Aircrew Staffing and Support".

(c) DEFINITIONS.—In this section:

(1) The term "covered Armed Force" means an Armed Force under the jurisdiction of the Secretary of a military department.

(2) The term "RPA crew" means members of covered Armed Forces who perform duties relating to remotely piloted aircraft.

(3) The term "traditional aircraft" means fixed or rotary wing aircraft operated by an onboard pilot.

SEC. 539A. RETENTION AND RECRUITMENT OF MEMBERS OF THE ARMY WHO SPECIALIZE IN AIR AND MISSILE DEFENSE SYSTEMS.

(a) STUDY.—The Comptroller General of the United States shall study efforts to retain and recruit members with military occupational specialties regarding air and missile defense systems of the Army.

(b) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing on the status of the study.

(c) FINAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report that identifies steps the Secretary of the Army may take to improve such retention and recruitment.

Subtitle E—Military Justice and Other Legal Matters

SEC. 541. MATTERS IN CONNECTION WITH SPECIAL TRIAL COUNSEL.

(a) DEFINITION OF COVERED OFFENSE.—

(1) IN GENERAL.—Section 801(17)(A) of title 10, United States Code (article 1(17)(A) of the Uniform Code of Military Justice), as added by section 533 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1695), is amended by striking "section 920 (article 120)" and inserting "section 919a (article 119a), section 920 (article 120), section 920a (article 120a)".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect immediately after the coming into effect of the amendments made by section 533 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1695) as provided in section 539C of that Act (10 U.S.C. 801 note) and shall apply with respect to offenses that occur after that date.

(b) INCLUSION OF SEXUAL HARASSMENT AS COVERED OFFENSE.—

(1) IN GENERAL.—Section 801(17)(A) of title 10, United States Code (article 1(17)(A) of the Uniform Code of Military Justice), as added by section 533 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1695) and amended by subsection (a) of this section, is further amended—

(A) by striking "or"; and

(B) by striking "of this title" and inserting ", or the standalone offense of sexual harassment punishable under section 934 (article 134) of this title in each instance in which a formal complaint is made and such formal complaint is substantiated in accordance with regulations prescribed by the Secretary concerned".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2025, and shall apply with respect to offenses that occur after that date.

(c) RESIDUAL PROSECUTORIAL DUTIES AND OTHER JUDICIAL FUNCTIONS OF CONVENING AUTHORITIES IN COVERED CASES.—The President shall prescribe regulations to ensure that residual prosecutorial duties and other judicial functions of convening authorities, including granting immunity, ordering depositions, and hiring experts, with respect to charges and specifications over which a special trial counsel exercises authority pursuant to section 824a of title 10, United States Code (article 24a of the Uniform Code of Military Justice) (as added by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1692)), are transferred to the military judge, the special trial counsel, or other authority as appropriate in such cases by no later than the effective date established in section 539C of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 801 note), in consideration of due process for all parties involved in such a case.

(d) AMENDMENT TO THE RULES FOR COURTS-MARTIAL.—The President shall prescribe in regulation such modifications to Rule 813 of the Rules for Courts-Martial and other Rules as appropriate to ensure that at the beginning of each court-martial convened, the presentation of orders does not in open court specify the name, rank, or position of the convening authority convening such court, unless such convening authority is the Secretary concerned, the Secretary of Defense, or the President.

(e) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the progress of the Department of Defense in implementing this section, including an identification of—

(1) the duties to be transferred under subsection (c);

(2) the positions to which those duties will be transferred; and

(3) any provisions of law or Rules for Courts Martial that must be amended or modified to fully complete the transfer.

(f) ADDITIONAL REPORTING RELATING TO IMPLEMENTATION OF SUBTITLE D OF TITLE V OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—Not later than February 1, 2025, and annually thereafter for five years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the holistic effect of the reforms contained in subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) on the military justice system. The report shall include the following elements:

(1) An overall assessment of the effect such reforms have had on the military justice system and the maintenance of good order and discipline in the ranks.

(2) The percentage of caseload and courts-martial assessed as meeting, or having been assessed as potentially meeting, the definition of "covered offense" under section 801(17) of title 10, United States Code (article 1(17) of the Uniform Code of Mili-

tary Justice) (as added by section 533 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 17 Stat. 1695)), disaggregated by offense and military service where possible.

(3) An assessment of prevalence and data concerning disposition of cases by commanders after declination of prosecution by special trial counsel, disaggregated by offense and military service when possible.

(4) Assessment of the effect, if any, the reforms contained in such subtitle have had on non-judicial punishment concerning covered and non-covered offenses.

(5) A description of the resources and personnel required to maintain and execute the reforms made by such subtitle during the reporting period relative to fiscal year 2022.

(6) A description of any other factors or matters considered by the Secretary to be important to a holistic assessment of those reforms on the military justice system.

SEC. 542. TECHNICAL CORRECTIONS RELATING TO SPECIAL TRIAL COUNSEL.

(a) TECHNICAL CORRECTIONS.—Section 824a(c)(3) of title 10, United States Code (article 24a(c)(3) of the Uniform Code of Military Justice), is amended—

(1) by striking "Subject to paragraph (4)" and inserting "Subject to paragraph (5)"; and

(2) in subparagraph (D), by striking "an ordered rehearing" and inserting "an authorized rehearing".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1692) as provided in section 539C of that Act (10 U.S.C. 801 note).

SEC. 543. RANDOMIZATION OF COURT-MARTIAL PANELS.

(a) IN GENERAL.—Section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

"(4) When convening a court-martial, the convening authority shall detail as members thereof members of the armed forces under such regulations as the President may prescribe for the randomized selection of qualified personnel, to the maximum extent practicable.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is two years after the date of the enactment of this Act and shall apply with respect to courts-martial convened on or after that effective date.

(c) REGULATIONS.—Not later than the effective date specified in subsection (b), the President shall prescribe regulations implementing the requirement under paragraph (4) of section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), as added by subsection (a) of this section.

SEC. 544. JURISDICTION OF COURTS OF CRIMINAL APPEALS.

(a) WAIVER OF RIGHT TO APPEAL; WITHDRAWAL OF APPEAL.—Section 861(d) of title 10, United States Code (article 61(d) of the Uniform Code of Military Justice), is amended by striking "A waiver"

and inserting "Except as provided by section 869(c)(2) of this title (article 69(c)(2)), a waiver".

(b) JURISDICTION.—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking "shall have jurisdiction over" and all that follows through the period at the end of subparagraph (D) and inserting the following: "shall have jurisdiction over—

"(A) a timely appeal from the judgment of a court-martial, entered into the record under section 860c(a) of this title (article 60c(a)), that includes a finding of guilty; and

"(B) a summary court-martial case in which the accused filed an application for review with the Court under section 869(d)(1) of this title (article 69(d)(1)) and for which the application has been granted by the Court."; and

(2) in subsection (c), by striking "is timely if" and all that follows through the period at the end of paragraph (2) and inserting the following: "is timely if—

"(1) in the case of an appeal under subparagraph (A) of such subsection, it is filed before the later of—

"(A) the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)); or

"(B) the date set by the Court of Criminal Appeals by rule or order; and

"(2) in the case of an appeal under subparagraph (B) of such subsection, an application for review with the Court is filed not later than the earlier of the dates established under section 869(d)(2)(B) of this title (article 69(d)(2)(B)).".

(c) REVIEW BY JUDGE ADVOCATE GENERAL.—Section 869 of title 10, United States Code (article 69 of the Uniform Code of Military Justice), is amended—

(1) by amending subsection (a) to read as follows:

"(a) IN GENERAL.—Upon application by the accused or receipt of the record pursuant to section 864(c)(3) of this title (article 64(c)(3)) and subject to subsections (b), (c), and (d), the Judge Advocate General may—

"(1) with respect to a summary court-martial, modify or set aside, in whole or in part, the findings and sentence; or

"(2) with respect to a general or special court-martial, order such court-martial to be reviewed under section 866 of this title (article 66)."; and

(2) in subsection (b)—

(A) by inserting "(1)" before "To qualify"; and

(B) by striking "not later than one year after" and all that follows through the period at the end and inserting the following: "not later than—

"(A) for a summary court-martial, one year after the date of completion of review under section 864 of this title (article 64); or

"(B) for a general or special court-martial, one year after the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)), unless the accused submitted a waiver or

withdrawal of appellate review under section 861 of this title (article 61) before being provided notice of appellate rights, in which case the application must be submitted to the Judge Advocate General not later than one year after the entry of judgment under section 860c of this title (article 60c).

"(2) The Judge Advocate General may, for good cause shown, extend the period for submission of an application, except that—

"(A) in the case of an application for review of a summary court martial, the Judge Advocate may not consider an application submitted more than three years after the completion date referred to in paragraph (1)(A); and

"(B) in case of an application for review of a general or special court-martial, the Judge Advocate may not consider an application submitted more than three years after the end of the applicable period under paragraph (1)(B).";

(3) in subsection (c)—

(A) in paragraph (1)(A), by striking "section 864 or 865(b) of this title (article 64 or 65(b))" and inserting "section 864 of this title (article 64)"; and

(B) in paragraph (2), by striking "the Judge Advocate General shall order appropriate corrective action under rules prescribed by the President" and inserting "the Judge Advocate General shall send the case to the Court of Criminal Appeals"; and

(4) in subsection (d)—

(A) in paragraph (1), by striking "under subsection (c)—" and all that follows through "(B) in a case submitted" and inserting "under subsection (c)(1) in a case submitted"; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking "paragraph (1)(B)" and inserting "paragraph (1)".

(d) APPLICABILITY.—The amendments made by this section shall not apply to—

(1) any matter that was submitted before the date of the enactment of this Act to a Court of Criminal Appeals established under section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice); or

(2) any matter that was submitted before the date of the enactment of this Act to a Judge Advocate General under section 869 of such title (article 69 of the Uniform Code of Military Justice).

SEC. 545. SPECIAL TRIAL COUNSEL OF THE DEPARTMENT OF THE AIR FORCE.

(a) IN GENERAL.—Section 1044f of title 10, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking "The policies shall" and inserting "Subject to subsection (c), the policies shall";

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection:

"(c) SPECIAL TRIAL COUNSEL OF DEPARTMENT OF THE AIR FORCE.—In establishing policies under subsection (a), the Secretary of Defense shall—

"(1) in lieu of providing for separate offices for the Air Force and Space Force under subsection (a)(1), provide for the establishment of a single dedicated office from which office the activities of the special trial counsel of the Department of the Air Force shall be supervised and overseen; and

"(2) in lieu of providing for separate lead special trial counsels for the Air Force and Space Force under subsection (a)(2), provide for the appointment of one lead special trial counsel who shall be responsible for the overall supervision and oversight of the activities of the special trial counsel of the Department of the Air Force.".

(b) EFFECTIVE DATE.—The amendments made subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 532 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1694) as provided in section 539C of that Act (10 U.S.C. 801 note).

SEC. 546. INDEPENDENT INVESTIGATION OF SEXUAL HARASSMENT.

(a) DEFINITIONS.—Subsection (e) of section 1561 of title 10, United States Code, as amended by section 543 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1709), is amended to read as follows:

"(e) DEFINITIONS.—In this section:

"(1) The term 'independent investigator' means a civilian employee of the Department of Defense or a member of the Army, Navy, Marine Corps, Air Force, or Space Force who—

"(A) is outside the immediate chain of command of the complainant and the subject of the investigation; and

"(B) is trained in the investigation of sexual harassment, as determined by—

"(i) the Secretary of Defense, in the case of a civilian employee of the Department of Defense;

"(ii) the Secretary of the Army, in the case of a member of the Army;

"(iii) the Secretary of the Navy, in the case of a member of the Navy or Marine Corps; or

"(iv) the Secretary of the Air Force, in the case of a member of the Air Force or Space Force.

"(2) The term 'sexual harassment' means conduct that constitutes the offense of sexual harassment as punishable under section 934 of this title (article 134) pursuant to the regulations prescribed by the Secretary of Defense for purposes of such section (article).".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 543 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1709) as provided in subsection (c) of that section.

SEC. 547. PRIMARY PREVENTION RESEARCH AGENDA AND WORKFORCE.

(a) ANNUAL PRIMARY PREVENTION RESEARCH AGENDA.—Section 549A(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1722) is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (5), (6), and (7), respectively;

(2) by inserting after paragraph (1) the following new paragraphs:

"(2) include a focus on whether and to what extent sub-populations of the military community may be targeted for interpersonal violence more than others;

"(3) seek to identify factors that influence the prevention, perpetration, and victimization of interpersonal and self-directed violence;

"(4) seek to improve the collection and dissemination of data on hazing and bullying related to interpersonal and self-directed violence;"; and

(3) by amending paragraph (6), as redesignated by paragraph (1) of this section, to read as follows:

"(6) incorporate collaboration with other Federal departments and agencies, including the Department of Health and Human Services and the Centers for Disease Control and Prevention, State governments, academia, industry, federally funded research and development centers, nonprofit organizations, and other organizations outside of the Department of Defense, including civilian institutions that conduct similar data-driven studies, collection, and analysis; and".

(b) PRIMARY PREVENTION WORKFORCE.—Section 549B of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1722) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking "subsection (a)" and inserting "paragraph (1)"; and

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

"(3) COMPTROLLER GENERAL REPORT.—Not later than one year after the date of the enactment of this paragraph, the Comptroller General of the United States shall submit to the congressional defense committees a report that—

"(A) compares the sexual harassment and prevention training of the Department of Defense with similar programs at other departments and agencies of the Federal Government; and

"(B) includes relevant data collected by colleges and universities and other relevant outside entities on hazing and bullying and interpersonal and self-directed violence."; and

(2) by adding at the end the following new subsection:

"(e) INCORPORATION OF RESEARCH AND FINDINGS.—The Secretary of Defense shall ensure that the findings and conclusions from the primary prevention research agenda established under section 549A are regularly incorporated, as appropriate, within the primary prevention workforce established under subsection (a).".

SEC. 548. LIMITATION ON AVAILABILITY OF FUNDS FOR RELOCATION OF ARMY CID SPECIAL AGENT TRAINING COURSE.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Army may be obligated or expended to relocate an Army CID special agent training course until—

(1)(A) the Secretary of the Army submits to the Committees on Armed Services of the Senate and the House of Representatives—

(i) the evaluation and plan required by subsection (a) of section 549C of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1724);

(ii) the implementation plan required by subsection (b) of such section; and

(iii) a separate report on any plans of the Secretary to relocate an Army CID special agent training course, including an explanation of the business case for any transfer of training personnel proposed as part of such plan;

(B) the Secretary provides to the Committee on Armed Services of the House of Representatives a briefing on the contents of each report specified in subparagraph (A); and

(C) a period of 90 days has elapsed following the briefing under subparagraph (B); and

(2) the Secretary submits a written certification to the Committees on Armed Services of the Senate and the House of Representatives indicating that the Army has fully complied with subsection (c) of section 549C of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1724) with regard to locations at which military criminal investigative training is conducted.

(b) DEFINITIONS.—In this section:

(1) The term "relocate", when used with respect to an Army CID special agent training course, means the transfer of such course to a location different than the location used for such course as of the date of the enactment of this Act.

(2) The term "Army CID special agent training course" means a training course provided to members of the Army to prepare such members for service as special agents in the Army Criminal Investigation Division.

SEC. 549. REVIEW OF TITLING AND INDEXING PRACTICES OF THE ARMY AND CERTAIN OTHER ORGANIZATIONS.

(a) REVIEW OF TITLING AN INDEXING DECISIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall review the case file of each member or former member of the Army, the Army Reserve, or the Army National Guard who was titled or indexed in connection with the Guard Recruiting Assistance Program, the Army Reserve Recruiting Assistance Program, or any related activity to determine the appropriateness of the titling or indexing decision that was made with respect to such member or former member.

(b) FACTORS TO BE CONSIDERED.—In reviewing a titling or indexing decision under subsection (a), the Secretary of the Army shall consider—

(1) the likelihood that the member or former member to whom the decision pertains will face future criminal prosecution or other adverse action on the basis of the facts in the record at the time of the review;

(2) the appropriate evidentiary standard to apply to the review of the decision; and

(3) such other circumstances or factors as the Secretary determines are in the interest of equity and fairness.

(c) NOTIFICATION AND APPEAL.—

(1) IN GENERAL.—Upon the completion of each review under subsection (a), the Secretary of the Army shall notify the member or former member concerned of such review, the disposition of the relevant instance of titling or indexing, and the mechanisms the member or former member may pursue to seek correction, removal, or expungement of that instance of titling or indexing.

(2) NOTIFICATION OF NEXT OF KIN.—In a case in which a member or former member required to be notified under paragraph (1) is deceased, the Secretary of the Army shall provide the notice required under such paragraph to the primary next of kin of the member or former member.

(d) ACTIONS BY THE SECRETARY OF THE ARMY.—If the Secretary of the Army determines that correction, removal, or expungement of an instance of titling or indexing is appropriate after considering the factors under subsection (b), the Secretary of the Army may request that the name, personally identifying information, and other information relating to the individual to whom the titling or indexing pertains be corrected in, removed from, or expunged from, the following:

(1) A law enforcement or criminal investigative report of the Department of Defense or any component of the Department.

(2) An index item or entry in the Department of Defense Central Index of Investigations (DCII).

(3) Any other record maintained in connection with a report described in paragraph (1), or an index item or entry described in paragraph (2), in any system of records, records database, records center, or repository maintained by or on behalf of the Department, including entries in the Federal Bureau of Investigation's Interstate Identification Index or any successor system.

(e) REPORT OF SECRETARY OF THE ARMY.—Not later than 180 days after the completion of the review required by subsection (a), the Secretary of the Army shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the review. The report shall include the following:

(1) The total number of instances of titling and indexing reviewed under such subsection.

(2) The number of cases in which action was taken to correct, remove, or expunge an instance of titling or indexing.

(3) The number of members and former members who remain titled after the conclusion of the review.

(4) The number of members and former members who remain indexed after the conclusion of the review.

(5) A brief description of the reasons the members and former members counted under paragraphs (3) and (4) remain titled or indexed.

(6) Such other matters as the Secretary determines appropriate.

(f) SECRETARY OF DEFENSE REVIEW AND REPORT.—

(1) REVIEW.—The Secretary of Defense shall conduct a review the titling and indexing practices of the criminal investigative organizations of the Armed Forces. Such review shall include—

(A) an assessment of the practices of titling and indexing and the continued relevance of such practices to the operation of such criminal investigative organizations;

(B) an evaluation of the suitability of the evidentiary requirements and related practices for titling and indexing in effect at the time of the review; and

(C) the development of recommendations, as appropriate, to improve the consistency, accuracy, and utility of the titling and indexing processes across such criminal investigative organizations.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the review conducted under paragraph (1).

(g) DEFINITIONS.—In this section:

(1) The term "titling" means the practice of identifying an individual as the subject of a criminal investigation the records of a military criminal investigative organization and storing such information in a database or other records system.

(2) The term "indexing" means the practice of submitting an individual's name or other personally identifiable information to the Federal Bureau of Investigation's Interstate Identification Index, or any successor system.

SEC. 549A. BRIEFING AND REPORT ON RESOURCING REQUIRED FOR IMPLEMENTATION OF MILITARY JUSTICE REFORM.

(a) BRIEFING AND REPORT REQUIRED.—

(1) BRIEFING.—Not later than March 1, 2023, and no less frequently than once every 180 days thereafter through December 31, 2024, each Secretary concerned shall provide to the appropriate congressional committees a briefing that details the resourcing necessary to implement subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the appropriate congressional committees a report that details the resourcing necessary to implement subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(3) FORM OF BRIEFING AND REPORT.—The Secretaries concerned may provide the briefings and report required under paragraphs (1) and (2) jointly, or separately, as determined appropriate by such Secretaries.

(b) ELEMENTS.—The briefing and report required under subsection (a) shall address the following:

(1) The number of personnel and personnel authorizations (military and civilian) required by the Armed Forces to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(2) The basis for the numbers provided pursuant to paragraph (1), including the following:

(A) A description of the organizational structure in which such personnel or groups of personnel are or will be aligned.

(B) The nature of the duties and functions to be performed by any such personnel or groups of personnel across the domains of policy-making, execution, assessment, and oversight.

(C) The optimum caseload goal assigned to the following categories of personnel who are or will participate in the military justice process: criminal investigators of different levels and expertise, laboratory personnel, defense counsel, special trial counsel, military defense counsel, military judges, military magistrates, and paralegals.

(D) Any required increase in the number of personnel currently authorized in law to be assigned to the Armed Force concerned.

(3) The nature and scope of any contract required by the Armed Force concerned to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(4) The amount and types of additional funding required by the Armed Force concerned to implement the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(5) Any additional authorities required to implement the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(6) Any additional information the Secretary concerned determines is necessary to ensure the manning, equipping, and resourcing of the Armed Forces to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the amendments made by that subtitle.

(c) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives.

(2) The term "Secretary concerned" has the meaning given that term in section 101(a) of title 10, United States Code.

SEC. 549B. REPORT ON SHARING INFORMATION WITH COUNSEL FOR VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (referred to in this section as the "Advisory Committee") shall submit to the Committees on Armed Services of the Senate and the House of Representatives and each Secretary concerned a report on the feasibility and advisability of establishing a uniform policy for the sharing of the information described in subsection (c) with a Special Victims' Counsel, Victims' Legal Counsel, or other counsel representing a victim of an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

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

(1) An assessment of the feasibility and advisability of establishing the uniform policy described in subsection (a), including an assessment of the potential effects of such a policy on—

(A) the privacy of individuals;

(B) the criminal investigative process; and

(C) the military justice system generally.

(2) If the Advisory Committee determines that the establishment of such a policy is feasible and advisable, a description of—

(A) the stages of the military justice process at which the information described in subsection (c) should be made available to counsel representing a victim; and

(B) any circumstances under which some or all of such information should not be shared.

(3) Such recommendations for legislative or administrative action as the Advisory Committee considers appropriate.

(c) INFORMATION DESCRIBED.—The information described in this subsection is the following:

(1) Any recorded statements of the victim to investigators.

(2) The record of any forensic examination of the person or property of the victim, including the record of any sexual assault forensic exam of the victim that is in possession of investigators or the Government.

(3) Any medical record of the victim that is in the possession of investigators or the Government.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term "Secretary concerned" has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SEC. 549C. DISSEMINATION OF CIVILIAN LEGAL SERVICES INFORMATION.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense, acting through the head of the Sexual Assault Prevention and Response Office of the Department of Defense, shall ensure that information on the availability of legal resources from civilian legal service organizations is distributed to military-

connected sexual assault victims in an organized and consistent manner.

Subtitle F—Member Education

SEC. 551. AUTHORIZATION OF CERTAIN SUPPORT FOR MILITARY SERVICE ACADEMY FOUNDATIONS.

(a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2245 the end the following new section:

"§ 2246. Authorization of certain support for military service academy foundations

"(a) AUTHORITY.—Subject to subsection (b) and pursuant to regulations prescribed by the Secretary of Defense, the Superintendent of a Service Academy may authorize a covered foundation to use, on an unreimbursed basis, facilities or equipment of such Service Academy.

"(b) LIMITATIONS.—Use of facilities or equipment under subsection (a) may be provided only if such use—

"(1) is without any liability of the United States to the covered foundation;

"(2) does not affect the ability of any official or employee of the military department concerned, or any member of the armed forces, to carry out any responsibility or duty in a fair and objective manner;

"(3) does not compromise the integrity or appearance of integrity of any program of the military department concerned, or any individual involved in such a program;

"(4) does not include the participation of any cadet or midshipman, other than participation in an honor guard at an event of the covered foundation;

"(5) complies with the Joint Ethics Regulation; and

"(6) has been reviewed and approved by an attorney of the military department concerned.

"(c) BRIEFING.—In any fiscal year during which the Superintendent of a Service Academy exercises the authority under subsection (a), the Secretary of the military department concerned shall provide a briefing not later than the last day of that fiscal year to the Committees on Armed Services of the Senate and House of Representatives regarding the number of events or activities of a covered foundation supported by such exercise during such fiscal year.

"(d) DEFINITIONS.—In this section:

"(1) The term 'covered foundation' means a charitable, educational, or civic nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986, that the Secretary concerned determines operates exclusively to support, with respect to a Service Academy, any of the following:

"(A) Recruiting.

"(B) Parent or alumni development.

"(C) Academic, leadership, or character development.

"(D) Institutional development.

"(E) Athletics.

"(2) The term 'Service Academy' has the meaning given such term in section 347 of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to item 2245 the following new item:

"2246. Authorization of certain support for military service academy foundations.".

SEC. 552. INDIVIDUALS FROM THE DISTRICT OF COLUMBIA WHO MAY BE CONSIDERED FOR APPOINTMENT TO MILITARY SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 7442 of title 10, United States Code, is amended, in subsection (b)(5), by striking "paragraphs (3) and (4)" and inserting "paragraphs (3) through (10)".

(b) UNITED STATES NAVAL ACADEMY.—Section 8454 of title 10, United States Code, is amended, in subsection (b)(5), by striking "paragraphs (3) and (4)" and inserting "paragraphs (3) through (10)".

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9442 of title 10, United States Code, is amended, in subsection (b)(5), by striking "paragraphs (3) and (4)" and inserting "paragraphs (3) through (10)".

SEC. 553. AGREEMENT BY A CADET OR MIDSHIPMAN TO PLAY PROFESSIONAL SPORT CONSTITUTES A BREACH OF AGREEMENT TO SERVE AS AN OFFICER.

(a) UNITED STATES MILITARY ACADEMY.—Section 7448 of title 10, United States Code, is amended as follows:

(1) Paragraph (5) of subsection (a) is amended to read as follows:

"(5) That the cadet may not obtain employment as a professional athlete until two years after the cadet graduates from the Academy.".

(2) Subsection (b) is amended by adding at the end the following new paragraph:

"(4) A cadet who violates paragraph (5) of subsection (a) is not eligible for the alternative obligation under paragraph (1).".

(3) Subsection (c) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting, after paragraph (1), the following new paragraph (2):

"(2) that a cadet who obtains employment as a professional athlete—

"(A) in violation of paragraph (5) of subsection (a) has breached an agreement under such subsection; and

"(B) at least two years after the cadet graduates from the Academy has not breached an agreement under subsection (a);".

(4) Subsection (d) is amended—

(A) by striking "with respect to an officer who is a graduate of the Academy" and inserting "with respect to a cadet"; and

(B) by striking "officer's" and inserting "cadet's".

(5) Subsection (f) is amended by striking "the terms" and inserting "each term".

(b) UNITED STATES NAVAL ACADEMY.—Section 8459 of title 10, United States Code, is amended as follows:

(1) Paragraph (5) of subsection (a) is amended to read as follows:

"(5) That the midshipman may not obtain employment as a professional athlete until two years after the midshipman graduates from the Academy.".

(2) Subsection (b) is amended by adding at the end the following new paragraph:

"(4) A midshipman who violates paragraph (5) of subsection (a) is not eligible for the alternative obligation under paragraph (1).".

(3) Subsection (c) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting, after paragraph (1), the following new paragraph (2):

"(2) that a midshipman who obtains employment as a professional athlete—

"(A) in violation of paragraph (5) of subsection (a) has breached an agreement under such subsection; and

"(B) at least two years after the midshipman graduates from the Academy has not breached an agreement under subsection (a);".

(4) Subsection (d) is amended—

(A) by striking "with respect to an officer who is a graduate of the Academy" and inserting "with respect to a midshipman"; and

(B) by striking "officer's" and inserting "midshipman's".

(5) Subsection (f) is amended by striking "the terms" and inserting "each term".

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9448 of title 10, United States Code, is amended as follows:

(1) Paragraph (5) of subsection (a) is amended to read as follows:

"(5) That the cadet may not obtain employment as a professional athlete until two years after the cadet graduates from the Academy.".

(2) Subsection (b) is amended by adding at the end the following new paragraph:

"(4) A cadet who violates paragraph (5) of subsection (a) is not eligible for the alternative obligation under paragraph (1).".

(3) Subsection (c) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting, after paragraph (1), the following new paragraph (2):

"(2) that a cadet who obtains employment as a professional athlete—

"(A) in violation of paragraph (5) of subsection (a) has breached an agreement under such subsection; and

"(B) at least two years after the cadet graduates from the Academy has not breached an agreement under subsection (a);".

(4) Subsection (d) is amended—

(A) by striking "with respect to an officer who is a graduate of the Academy" and inserting "with respect to a cadet"; and

(B) by striking "officer's" and inserting "cadet's".

(5) Subsection (f) is amended by striking "the terms" and inserting "each term".

SEC. 554. NAVAL POSTGRADUATE SCHOOL AND UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY: TERMS OF PROVOSTS AND CHIEF ACADEMIC OFFICERS.

(a) NAVAL POSTGRADUATE SCHOOL.—

(1) IN GENERAL.—Section 8543 of title 10, United States Code, is amended—

(A) by striking "Academic Dean" each place it appears and inserting "Chief Academic Officer";

(B) in subsection (a), by striking the second sentence and inserting "An individual selected by the Secretary of the Navy for the position of Provost and Chief Academic Officer shall serve in that position for a term of not more than five years and may be continued in that position for an additional term of up to five years."

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

*(A) SECTION HEADING.—The heading of such section is amended by striking "**Academic Dean**" and inserting "**Chief Academic Officer**".*

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 855 of such title is amended by striking the item relating to section 8543 and inserting the following new item:

"8543. Provost and Chief Academic Officer.".

(C) CONFORMING AMENDMENT.—Section 8542(a)(4)(A)(ii)(II) of such title is amended by striking "permanently appointed to the position of Provost and Academic Dean" and inserting "selected for the position of Provost and Chief Academic Officer".

(b) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—Subsection (b) of section 9414b of such title is amended—

(1) in the heading, by striking "ACADEMIC DEAN" and inserting "CHIEF ACADEMIC OFFICER";

(2) by striking "Academic Dean" each place it appears and inserting "Chief Academic Officer";

(3) in paragraph (1), by striking "appointed" and inserting "selected"; and

(4) by striking paragraph (2) and inserting the following:

"(2) TERM.—An individual selected for the position of Provost and Chief Academic Officer shall serve in that position for a term of not more than five years and may be continued in that position for an additional term of up to five years.".

SEC. 555. NAVAL POSTGRADUATE SCHOOL: ATTENDANCE BY ENLISTED MEMBERS.

(a) IN GENERAL.—Subsection (a)(2)(D)(iii) of section 8545 of title 10, United States Code, is amended by striking "only on a space-available basis".

(b) BRIEFING.—Six years after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on the effects of increasing enrollment of enlisted members at the Naval Postgraduate School pursuant to the amendment made by subsection (a). Such briefing shall include the following elements:

(1) Any increase to the effectiveness, readiness, or lethality of the Armed Forces.

(2) Effects on rates of recruitment, promotion (including compensation to members), and retention.

SEC. 556. MODIFICATION OF ANNUAL REPORT ON DEMOGRAPHICS OF MILITARY SERVICE ACADEMY APPLICANTS.

Subsection (c)(2) of section 575 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 7442 note) is amended by adding at the end the following new subparagraph:

"(C) Anything the Secretary determines to be significant regarding gender, race, ethnicity, or other demographic information, described in subsection (b), of such individuals.".

SEC. 557. STUDY AND REPORT ON PROFESSIONAL MILITARY EDUCATION.

(a) REPORT.—Not later than December 1, 2025, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Secretaries of the military departments, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the effectiveness of PME in educating officers of the Armed Forces.

(b) ELEMENTS.—The Secretary of Defense shall include in the report the following elements:

(1) DEFINITIONS; PURPOSE STATEMENT.—In order to improve readiness and create a culture of lifelong learning for PME students and faculty—

(A) recommendations regarding whether to define PME, or to revise existing definitions in section 2151 of title 10, United States Code; and

(B) a purpose statement for PME.

(2) COURSE OF STUDY.—With regards to a course of study in PME—

(A) an analysis of, and legislative recommendations regarding, the existing three-phase approach to JPME under section 2154 of title 10, United States Code.

(B) legislative recommendations regarding developing a statutory three-phase approach for PME other than JPME, similar to such approach for JPME; and

(C) a proposed career learning plan, provided to an officer every two years, to track the progress of such officer in achieving PME and JPME outcomes and other career milestones.

(3) CURRICULUM EVALUATION.—An evaluation of curricula of institutions of PME, including—

(A) compliance with subject matter requirements under chapter 107 of title 10, United States Code;

(B) legislative recommendations regarding such subject matter requirements, including whether to include the national defense strategy in such requirements;

(C) the curriculum development process, including whether such process is responsive to changing global threats, and any ways to improve such process to be able to make rapid, relevant, and responsive curriculum updates;

(D) current modes of instruction and related recommendations, including the use of interactive seminars, war games, simulations, experiential learning, and iterative case studies;

(E) special areas of focus regarding innovation, including disruptive change, adaptive thinking, design thinking, cyber security, artificial intelligence, applied design for innovation, and other areas the Secretary determines appropriate; and

(F) the development and assessment of learning outcomes regarding lethality and strategic influence.

(4) SYSTEMS OF ACCOUNTABILITY AND PERFORMANCE.—An evaluation of the following accountability and performance systems:

(A) Student performance assessments.

(B) The documentation of student performance in military service records.

(C) Consideration of student performance records in the determination of assignments and promotions.

(D) Consideration of expertise or academic focus in the determination of assignments.

(5) ACADEMIC FACULTY AND STUDENT REVIEW SYSTEM.—A summary of current processes to review the following:

(A) The means by which faculty assigned to teach PME (including members of the Armed Forces and civilian personnel) are selected, managed, promoted, and evaluated.

(B) The academic freedom of faculty described in subparagraph (A).

(C) A review of how members are selected for residential and non-residential PME, including the consideration of student performance assessments during PME.

(6) INTERACTIONS OF WITH INSTITUTIONS OF PME CIVILIAN INSTITUTIONS.—

(A) PARTNERSHIPS.—A review of existing academic partnerships between institutions of PME and civilian institutions, including—

(i) the scopes, purposes, and lengths of such partnerships;

(ii) any research, curriculum development, or sharing of faculty or students between institutions; and

(iii) any collaborations or exchanges by faculties or students.

(B) CONSORTIUM.—An appraisal of a prospective consortium of institutions of PME and civilian institutions, including—

(i) the feasability and advisability of establishing such a consortium;

(ii) recommendations, if any, regarding potential consortium members;

(iii) the anticipated costs and timeline to establish such a consortium; and

(iii) whether the inclusion of the Naval Postgraduate School or Air Force Institute of Technology in such a consortium would require legislation.

(7) ORGANIZATION.—With regards to the organizational structure and lines of authority established pursuant to section 2152 of title 10, United States Code—

(A) an analysis; and

(B) any legislative recommendations.

(c) INTERIM BRIEFINGS AND FINAL REPORT.—

(1) INITIAL BRIEFING.—Not later than June 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate an initial briefing on the progress of the Secretary in preparing the report.

(2) INTERIM BRIEFINGS.—Every six months after the initial briefing, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate an interim briefing on the progress and contents of the report.

(3) FINAL BRIEFING.—Not later than December 1, 2025, in conjunction with issuance of the final report, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a final briefing on the findings and recommendations in the report.

(d) DEFINITIONS.—In this section:

(1) The term "institutions of PME" means—

(A) the professional military education schools;

(B) the senior level service schools;

(C) the intermediate level service schools;

(D) the joint intermediate level service school;

(E) the Naval Postgraduate School; and

(F) the Air Force Institute of Technology.

(2) The terms "intermediate level service school", "joint intermediate level service school", and "senior level service school" have the meaning given such terms in section 2151 of title 10, United States Code.

(3) The term "JPME" means "joint professional military education" has the meaning given such term in section 2151 of title 10, United States Code.

(4) The term "PME" means professional military education, including JPME.

(5) The term "professional military education schools" means the schools specified in section 2162(b) of title 10, United States Code.

SEC. 558. REPORT ON TREATMENT OF CHINA IN CURRICULA OF PROFESSIONAL MILITARY EDUCATION.

(a) IN GENERAL.—Not later than December 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding the treatment of China in the curricula of institutions of military education,

including changes to such treatment implemented in the five years preceding the date of such report.

(b) DEFINITIONS.—In this section:

(1) The term "institutions of military education" means—

(A) the professional military education schools;

(B) the senior level service schools;

(C) the intermediate level service schools;

(D) the joint intermediate level service school;

(E) the Naval Postgraduate School; and

(F) the Air Force Institute of Technology.

(2) The terms "intermediate level service school", "joint intermediate level service school", and "senior level service school" have the meaning given such terms in section 2151 of title 10, United States Code.

(3) The term "professional military education schools" means the schools specified in section 2162 of title 10, United States Code.

Subtitle G—Member Training and Transition

SEC. 561. CODIFICATION OF SKILLBRIDGE PROGRAM.

(a) IN GENERAL.—Section 1143(e) of title 10, United States Code, is amended—

(1) in the heading, by adding "; SKILLBRIDGE" after "TRAINING"; and

(2) in paragraph (1), by adding at the end "Such a program shall be known as 'Skillbridge'.".

(b) REGULATIONS.—To carry out Skillbridge, the Secretary of Defense shall, not later than September 30, 2023—

(1) update Department of Defense Instruction 1322.29, titled "Job Training, Employment Skills Training, Apprenticeships, and Internships (JTEST-AI) for Eligible Service Members"; and

(2) develop a funding plan for Skillbridge that includes funding lines across the future-years defense program under section 221 of title 10, United States Code.

SEC. 562. PILOT PROGRAM ON REMOTE PERSONNEL PROCESSING IN THE ARMY.

(a) ESTABLISHMENT.—Not later than January 1, 2024, the Secretary of the Army shall implement a pilot program to expedite in-processing and out-processing at one or more military installations—

(1) under the jurisdiction of such Secretary; and

(2) located within the continental United States.

(b) FUNCTIONS.—The pilot program shall perform the following functions:

(1) Enable the remote in-processing and out-processing of covered personnel, including by permitting covered personnel to sign forms electronically.

(2) Reduce the number of hours required of covered personnel for in-processing and out-processing.

(3) Provide, to covered personnel and the commander of a military installation concerned, electronic copies of records related to in-processing and out-processing.

(c) TERMINATION.—The pilot program shall terminate on January 1st, 2027.

(d) REPORT.—Not later than January 1, 2026, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding the pilot program, including the recommendation of the Secretary whether to make the pilot program permanent.

(e) DEFINITIONS.—In this section:

(1) The term "covered personnel" includes members of the Army and civilian employees of the Department of the Army.

(2) The term "in-processing" means the administrative activities that covered personnel undertake pursuant to a permanent change of station.

(3) The term "out-processing" means the administrative activities that covered personnel undertake pursuant to a permanent change of station, separation from the Army, or end of employment with the Department of the Army.

SEC. 563. ANNUAL REPORT ON MEMBERS SEPARATING FROM ACTIVE DUTY WHO FILE CLAIMS FOR DISABILITY BENEFITS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, and not later than each January 1 thereafter through 2025, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall submit to the appropriate congressional committees a report on members of the Armed Forces who file claims for disability benefits.

(b) ELEMENTS.—The report under this section shall include, for the period beginning on October 1, 2019, through the month that ended most recently before the date of the report, the number of members serving on active duty, disaggregated by Armed Force, who filed a claim for disability benefits—

(1) more than 180 days before the discharge or release of such member from active duty;

(2) between 180 and 90 days before the discharge or release of such member from active duty;

(3) fewer than 90 days before the discharge or release of such member from active duty;

(4) before separation and was issued a decision letter before the discharge or release of such member from active duty;

(5) before separation and was issued a decision letter after the discharge or release of such member from active duty;

(6) completed a mental health evaluation before the discharge or release of such member from active duty; and

(7) did not complete a mental health evaluation before the discharge or release of such member from active duty.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The Committees on Armed Services of the Senate and House of Representatives.

(2) The Committees on Veterans' Affairs of the Senate and House of Representatives.

SEC. 564. FEMALE MEMBERS OF CERTAIN ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE IN STEM.

(a) STUDY ON MEMBERS AND CIVILIANS.—Not later than September 30, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing containing the results of a study on how to increase participation of covered individuals in positions in the covered Armed Forces or Department of Defense and related to STEM.

(b) DEFINITIONS.—In this section:

(1) The term "covered Armed Force" means an Armed Force under the jurisdiction of the Secretary of a military department.

(2) The term "covered individual" means a female—

(A) member of a covered Armed Force; or

(B) civilian employee of the Department of Defense.

(3) The term "STEM" means science, technology, engineering, and mathematics.

Subtitle H—Military Family Readiness and Dependents' Education

SEC. 571. CLARIFICATION AND EXPANSION OF AUTHORIZATION OF SUPPORT FOR CHAPLAIN-LED PROGRAMS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 1789 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "chaplain-led programs" and inserting "a chaplain-led program";

(B) by striking "members of the armed forces" and all that follows through "status and their immediate family members," and inserting "a covered individual"; and

(C) by inserting ", or to support the resiliency, suicide prevention, or holistic wellness of such covered individual" after "structure";

(2) in subsection (b)—

(A) by striking "members of the armed forces and their family members" and inserting "a covered individual";

(B) by striking "programs" and inserting "a program"; and

(C) by striking "retreats and conferences" and inserting "a retreat or conference"; and

(3) by striking subsection (c) and inserting the following:

"(c) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual' means—

"(1) a member of the armed forces on active duty;

"(2) a member of the reserve components in an active status; or

"(3) a dependent of an individual described in subparagraph (A) or (B).".

(b) ANNUAL BRIEFINGS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing on imple-

mentation of the amendments made by this section. Each such briefing shall include the following:

(1) The frequency with which the Secretaries of the military departments used the authority under such amendments in the year preceding the date of the briefing.

(2) Lessons learned from such usage.

SEC. 572. PILOT PROGRAM TO EXPAND ELIGIBILITY FOR ENROLLMENT AT DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS: EXTENSION; REPORT.

(a) EXTENSION.—Section 589C(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2164 note) is amended by striking "four years after the date of the enactment of this Act" and inserting "on July 1, 2029".

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2028, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the conduct of the pilot program under such section.

(2) ELEMENTS.—The report shall include a description of—

(A) the locations at which the pilot program is carried out;

(B) the number of students participating in the pilot program for each academic year by location; and

(C) the outcome measures used to gauge the value of the pilot program to the Department of Defense.

SEC. 573. COMMERCIAL AIR WAIVER FOR NEXT OF KIN REGARDING TRANSPORTATION OF REMAINS OF CASUALTIES.

Section 580A of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following:

"(c) TRANSPORTATION OF DECEASED MILITARY MEMBER.—In the event of a death that requires the Secretary concerned to provide a death benefit under subchapter II of chapter 75 of title 10, United States Code, such Secretary—

"(1) shall provide the next of kin or other appropriate person a commercial air travel use waiver for the transportation of deceased remains of military member who dies outside of—

"(A) the United States; and

"(B) a theater of combat operations; or

"(2) may provide the next of kin or other appropriate person a commercial air travel use waiver for the transportation of deceased remains of military member who dies inside a theater of combat operations.".

SEC. 574. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MILITARY AND CIVILIAN PERSONNEL.

(a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.—

(1) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2023 by section 301 and available for operation and maintenance for Defense-wide activities

as specified in the funding table in section 4301, $50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(2) LOCAL EDUCATIONAL AGENCY DEFINED.—In this subsection, the term "local educational agency" has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2023 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(2) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated for fiscal year 2023 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for use by the Secretary of Defense to make payments to local educational agencies determined by the Secretary to have higher concentrations of military dependent students with severe disabilities.

(3) REPORT.—Not later than March 31, 2023, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the evaluation of the Secretary of each local educational agency with higher concentrations of military dependent students with severe disabilities and subsequent determination of the amounts of impact aid each such agency shall receive.

SEC. 575. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.

(a) ASSISTANCE AUTHORIZED.—To assist communities in making adjustments resulting from changes in the size or location of the Armed Forces, the Secretary of Defense shall provide financial assistance to an eligible local educational agency described in subsection (b) if, during the period between the end of the school year preceding the fiscal year for which the assistance is authorized and the beginning of the school year immediately preceding that school year, the local educational agency—

(1) had (as determined by the Secretary of Defense in consultation with the Secretary of Education) an overall increase or reduction of—

(A) not less than five percent in the average daily attendance of military dependent students in the schools of the local educational agency; or

(B) not less than 500 military dependent students in average daily attendance in the schools of the local educational agency; or

(2) is projected to have an overall increase, between fiscal years 2023 and 2028, of not less than 500 military dependent students in average daily attendance in the schools of the local educational agency as the result of a signed record of decision.

(b) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—A local educational agency is eligible for assistance under subsection (a) for a fiscal year if—

(1) 20 percent or more of students enrolled in schools of the local educational agency are military dependent students; and

(2) in the case of assistance described in subsection (a)(1), the overall increase or reduction in military dependent students in schools of the local educational agency is the result of one or more of the following:

(A) The global rebasing plan of the Department of Defense.

(B) The official creation or activation of one or more new military units.

(C) The realignment of forces as a result of the base closure process.

(D) A change in the number of housing units on a military installation.

(E) A signed record of decision.

(c) CALCULATION OF AMOUNT OF ASSISTANCE.—

(1) PRO RATA DISTRIBUTION.—The amount of the assistance provided under subsection (a) to a local educational agency that is eligible for such assistance for a fiscal year shall be equal to the product obtained by multiplying—

(A) the per-student rate determined under paragraph (2) for that fiscal year; by

(B) the net of the overall increases and reductions in the number of military dependent students in schools of the local educational agency, as determined under subsection (a).

(2) PER-STUDENT RATE.—For purposes of paragraph (1)(A), the per-student rate for a fiscal year shall be equal to the dollar amount obtained by dividing—

(A) the total amount of funds made available for that fiscal year to provide assistance under subsection (a); by

(B) the sum of the overall increases and reductions in the number of military dependent students in schools of all eligible local educational agencies for that fiscal year under that subsection.

(3) MAXIMUM AMOUNT OF ASSISTANCE.—A local educational agency may not receive more than $15,000,000 in assistance under subsection (a) for any fiscal year.

(d) DURATION.—Assistance may not be provided under subsection (a) after September 30, 2028.

(e) NOTIFICATION.—Not later than June 30, 2023, and June 30 of each fiscal year thereafter for which funds are made available to carry out this section, the Secretary of Defense shall notify each local educational agency that is eligible for assistance under subsection (a) for that fiscal year of—

(1) the eligibility of the local educational agency for the assistance; and

(2) the amount of the assistance for which the local educational agency is eligible.

(f) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse assistance made available under subsection (a) for a fiscal year not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (e) for that fiscal year.

(g) BRIEFING REQUIRED.—Not later than March 1, 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the estimated cost of providing assistance to local educational agencies under subsection (a) through September 30, 2028.

(h) ELIGIBLE USES.—Amounts disbursed to a local education agency under subsection (f) may be used by such local educational agency for—

(1) general fund purposes;
(2) special education;
(3) school maintenance and operation;
(4) school expansion; or
(5) new school construction.

(i) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, Defense-wide, Department of Defense Education Activity, Line 390, as specified in the corresponding funding table in section 4301, is hereby increased by $15,000,000 for purposes of this section.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, Defense-wide, for Washington Headquarters Services, Line 500, as specified in the corresponding funding table in section 4301, is hereby reduced by $15,000,000.

(j) DEFINITIONS.—In this section:

(1) The term "base closure process" means any base closure and realignment process conducted after the date of the enactment of this Act under section 2687 of title 10, United States Code, or any other similar law enacted after that date.

(2) The term "local educational agency" has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(3) The term "military dependent students" means—

(A) elementary and secondary school students who are dependents of members of the Armed Forces; and

(B) elementary and secondary school students who are dependents of civilian employees of the Department of Defense.

(4) The term "State" means each of the several States and the District of Columbia.

SEC. 576. PILOT PROGRAM ON HIRING OF SPECIAL NEEDS INCLUSION COORDINATORS FOR DEPARTMENT OF DEFENSE CHILD DEVELOPMENT CENTERS.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot

program to hire special needs inclusion coordinators at child development centers selected by the Secretary under subsection (b).

(b) SELECTION OF CENTERS.—The Secretary of Defense shall select the child development centers at which the pilot program required by subsection (a) will be carried out based on—

(1) the number of dependent children enrolled in the Exceptional Family Member Program at the military installation on which the center in located;

(2) the number of children with special needs enrolled in the center; and

(3) such other considerations as the Secretary, in consultation with the Secretaries of the military departments, considers appropriate.

(c) FUNCTIONS.—Each special needs inclusion coordinator assigned to a child development center under the pilot program required by subsection (a) shall—

(1) coordinate intervention and inclusion services at the center;

(2) provide direct classroom support; and

(3) provide guidance and assistance relating to the increased complexity of working with the behaviors of children with special needs.

(d) BRIEFINGS REQUIRED.—

(1) BRIEFING ON ANTICIPATED COSTS.—Not later than March 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the anticipated costs for the pilot program required by subsection (a).

(2) BRIEFING ON EFFECTIVENESS OF PROGRAM.—Not later than September 30, 2025, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program required by subsection (a) that includes—

(A) the number of special needs inclusion coordinators hired under the pilot program;

(B) a description of any issues relating to the retention of those coordinators;

(C) a recommendation with respect to whether the pilot program should be made permanent or expanded to other military installations; and

(D) an assessment of the amount of funding required to make the pilot program permanent or expand the pilot program to other military installations, as the Secretary recommends under subparagraph (C).

(e) DURATION OF PILOT PROGRAM.—The pilot program required by subsection (a) shall—

(1) commence not later than January 1, 2024; and

(2) terminate on December 31, 2026.

(f) CHILD DEVELOPMENT CENTER DEFINED.—In this section, the term "child development center" has the meaning given that term in section 2871(2) of title 10, United States Code, and includes a facility identified as a child care center or day care center.

SEC. 577. PROMOTION OF CERTAIN CHILD CARE ASSISTANCE.

(a) IN GENERAL.—Each Secretary concerned shall promote, to members of the Armed Forces under the jurisdiction of such Secretary concerned, awareness of child care assistance available under—

(1) section 1798 of title 10, United States Code; and

(2) section 589 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1791 note).

(b) REPORTING.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the Committees on Armed Services of the Senate and House of Representatives a report summarizing activities taken by such Secretary concerned to carry out subsection (a).

(c) SECRETARY CONCERNED DEFINED.—In this section, the term "Secretary concerned" has the meaning given such term in section 101 of title 10, United States Code.

SEC. 578. INDUSTRY ROUNDTABLE ON MILITARY SPOUSE HIRING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall seek to convene an industry roundtable to discuss the hiring of military spouses. Such discussion shall include the following elements:

(1) The value of, and opportunities to, private entities that hire military spouses.

(2) Career opportunities for military spouses.

(3) Understanding the challenges that military spouses encounter in the labor market.

(4) Gaps and opportunities in the labor market for military spouses.

(5) Best hiring practices from industry leaders in human resources.

(6) The benefits of portable licenses and interstate licensure compacts for military spouses.

(b) PARTICIPANTS.—The participants in the roundtable shall include the following:

(1) The Under Secretary of Defense for Personnel and Readiness.

(2) The Assistant Secretary for Manpower and Reserve Affairs of each military department.

(3) The Director of the Defense Human Resources Activity.

(4) Other officials of the Department of Defense the Secretary of Defense determines appropriate.

(5) Private entities that elect to participate.

(c) NOTICE.—The Under Secretary shall publish notice of the roundtable in multiple private sector forums and the Federal Register to encourage participation in the roundtable by private entities and entities interested in the hiring of military spouses.

(d) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on the lessons learned from the roundtable, including the recommendation of the Secretary whether to convene the roundtable annually.

SEC. 579. RECOMMENDATIONS FOR THE IMPROVEMENT OF THE MILITARY INTERSTATE CHILDREN'S COMPACT.

(a) RECOMMENDATIONS REQUIRED.—The Secretaries concerned, in consultation with States through the Defense-State Liaison Office, shall develop recommendations to improve the Military Interstate Children's Compact.

(b) CONSIDERATIONS.—In carrying out subsection (a), the Secretaries concerned shall—

(1) identify any barriers—

(A) to the ability of a parent of a transferring military-connected child to enroll the child, in advance, in an elementary or secondary school in the State in which the child is transferring, without requiring the parent or child to be physically present in the State; and

(B) to the ability of a transferring military-connected child who receives special education services to gain access to such services and related supports in the State to which the child transfers within the timeframes required under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

(2) consider the feasibility and advisability of—

(A) tracking and reporting the number of families who use advanced enrollment in States that offer advanced enrollment to military-connected children;

(B) States clarifying in legislation that eligibility for advanced enrollment requires only written evidence of a permanent change of station order, and does not require a parent of a military-connected child to produce a rental agreement or mortgage statement; and

(C) the Secretary of Defense, in coordination with the Military Interstate Children's Compact, developing a letter or other memorandum that military families may present to local educational agencies that outlines the protections afforded to military-connected children by the Military Interstate Children's Compact; and

(3) identify any other actions that may be taken by the States (acting together or separately) to improve the Military Interstate Children's Compact.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretaries concerned shall submit to the Committees on Armed Services of the Senate and House of Representatives, and to the States, a report setting forth the recommendations developed under subsection (a).

(d) DEFINITIONS.—In this section:

(1) The terms "armed forces", "active duty" and "congressional defense committees" have the meanings given those terms in section 101 of title 10, United States Code.

(2) The terms "child", "elementary school", "local educational agency", "secondary school", "parent", and "State" have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) The term "Military Interstate Children's Compact" means the Interstate Compact on Educational Opportunity for Military Children as described in Department of Defense Instruction

1342.29, dated January 31, 2017 (or any successor to such instruction).

(4) The term "Secretary concerned" means—

(A) the Secretary of Defense, with respect to matters concerning the Department of Defense; and

(B) the Secretary of the department in which the Coast Guard is operating, with respect to matters concerning the Coast Guard when it is not operating as a service in the Department of the Navy.

(5) The term "transferring military-connected child" means the child of a parent who—

(A) is serving on active duty in the Armed Forces;

(B) is changing duty locations due to a permanent change of station order; and

(C) has not yet established an ongoing physical presence in the State to which the parent is transferring.

SEC. 579A. FEASIBILITY OF INCLUSION OF AU PAIRS IN PILOT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES FOR IN-HOME CHILD CARE.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit, to the Committees on Armed Services of the Senate and House of Representatives, a briefing containing the assessment of the Secretary of Defense of the feasibility, advisability, and considerations of expanding eligibility for the pilot program under section 589 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1791 note) to members of the Armed Forces who participate in an exchange visitor program under section 62.31 of title 22, Code of Federal Regulations, or successor regulation.

SEC. 579B. BRIEFING ON POLICIES REGARDING SINGLE PARENTS SERVING AS MEMBERS OF THE ARMED FORCES.

Not later than September 30, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing on regulations and rules of the Department of Defense regarding single parents serving as members of the Armed Forces. Such briefing shall include ways the Secretary has determined to improve such regulations and rules.

SEC. 579C. PUBLIC REPORTING ON CERTAIN MILITARY CHILD CARE PROGRAMS.

Not later than September 30, 2023, and each calendar quarter thereafter, the Secretary of Defense shall post, on a publicly accessible website of the Department of Defense, information regarding the Military Child Care in Your Neighborhood and Military Child Care in Your Neighborhood-Plus programs, disaggregated by State, ZIP code, and Armed Force. Such information shall include whether each such provider is nationally accredited or rated by the Quality Rating and Improvement System of the State.

SEC. 579D. BRIEFING ON VERIFICATION OF ELIGIBLE FEDERALLY CONNECTED CHILDREN FOR PURPOSES OF FEDERAL IMPACT AID PROGRAMS.

Not later than February 1, 2023, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall

brief the Committees on Armed Services of the Senate and House of Representatives on the following:

(1) The feasibility of developing a process whereby the commander of a military installation may certify the information contained in impact aid source check forms received by such commander from local educational agencies as of the date of such certification.

(2) An estimate of resources, per military installation concerned, necessary to implement such a process, including personnel, information technology, and other costs.

(3) The estimated time required to implement such a process, including time for the Secretary of Defense to develop guidance regarding such a process.

(4) The possible benefits of working with local educational agencies to ensure that impact aid source check forms are submitted appropriately to enable such certification.

SEC. 579E. SENSE OF CONGRESS ON RIGHTS OF PARENTS OF CHILDREN ATTENDING SCHOOLS OPERATED BY THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the parent of a child who attends a school operated by the Department of Defense Education Activity has parental rights as previously established by the Activity, including the following:

(1) The right to information about the curriculum and instructional materials of the school.

(2) The right to be informed if the school or Department of Defense Education Activity alters the school's academic standards or learning benchmarks.

(3) The right to meet with each teacher of their child not less than twice during each school year, including meetings in the form of parent-teacher conferences.

(4) The right to information about the budget of the school.

(5) The right to request information regarding the professional qualifications of their child's classroom teacher.

(6) The right to address the school advisory committee or the school board.

(7) The right to information about the school's discipline policy, including policies related to responding to any violent activity in the school.

(8) The right to information about any plans to eliminate gifted and talented programs or accelerated coursework at the school.

(9) The right to be informed of the results of environmental testing and safety at school facilities.

(b) REPORT.—Not later than six months after the date of the enactment of this Act and consistent with the parental rights specified in subsection (a), the Director of the Department of Defense Education Activity shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the parental rights specified in such subsection. The report shall include, with respect to the schools operated by the Department of Defense Education Activity, an explanation of—

(1) how and where a parent may access information about their rights;

(2) the accessibility of that information;

(3) how such schools inform parents of their rights and the means to access such rights; and

(4) the uniformity of parental rights across such schools.

(c) DEFINITION.—In this section, the term "school operated by the Department of Defense Education Activity" means—

(1) a Department of Defense domestic dependent elementary or secondary school, as described in section 2164 of title 10, United States Code; or

(2) any other elementary or secondary school or program for dependents operated by the Department of Defense Education Activity.

Subtitle I—Decorations, Awards, and Other Honors

SEC. 581. CLARIFICATION OF PROCEDURE FOR BOARDS FOR THE CORRECTION OF MILITARY RECORDS TO REVIEW DETERMINATIONS REGARDING CERTAIN DECORATIONS.

Section 1552 of title 10, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting, after subsection (i), the following new subsection:

"(j) For a recommendation to award or upgrade a military decoration or award submitted pursuant to section 1130 of this title, a board determination in favor of the claimant shall allow such a recommendation to proceed, and an award or upgrade to be made by the applicable award authority, without regard to the statutory time limitation contained in section 7274, section 8298, or section 9274 of this title, as the case may be.".

SEC. 582. AUTHORIZATIONS FOR CERTAIN AWARDS.

(a) AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FRED MCGEE FOR ACTS OF VALOR ON JUNE 16, 1952.—

(1) AUTHORIZATION.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7272 of such title to Fred McGee for the acts of valor described in the paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor described in this paragraph are the actions of Fred McGee as a corporal in the Army on June 16, 1952, for which he was previously awarded the Silver Star.

(b) AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO DAVID R. HALBRUNER FOR ACTS OF VALOR ON SEPTEMBER 11-12, 2012.—

(1) AUTHORIZATION.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7272 of such

title to David R. Halbruner for the acts of valor described in the paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor described in this paragraph are the actions of David R. Halbruner as a master sergeant in the Army on September 11-12, 2012, for which he was previously awarded the Distinguished-Service Cross.

SEC. 583. POSTHUMOUS APPOINTMENT OF ULYSSES S. GRANT TO GRADE OF GENERAL OF THE ARMIES OF THE UNITED STATES.

The President is authorized to appoint Ulysses S. Grant posthumously to the grade of General of the Armies of the United States, equal to the rank and precedence held by General John J. Pershing pursuant to the Act titled "An Act Relating to the creation of the office of General of the Armies of the United States", approved September 3, 1919 (41 Stat. 283, ch. 56).

SEC. 584. ENHANCED INFORMATION RELATED TO AWARDING OF THE PURPLE HEART.

(a) PUBLICATION OF AWARD CRITERIA.—Not later than 180 days after the date of the enactment of this Act, each Chief of an Armed Force shall publish on a publicly available website of such Armed Force includes a link to—

(1) a description of the background of the Purple Heart;

(2) the eligibility criteria for awarding the Purple Heart; and

(3) contact information for the awards and decorations liaison of such Armed Force to facilitate confirmation, by a veteran or a veteran's next of kin, whether a veteran was awarded the Purple Heart after December 31, 2002.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, each Chief of an Armed Force shall submit to the congressional defense committees a report on implementation of the requirements under subsection (a). The report shall—

(1) provide background on the website described in such subsection;

(2) include the number of requests received by the Armed Force related to confirming the award of a Purple Heart;

(3) describe the average response time for confirming the award of a Purple Heart in response to an inquiry from a veteran or next of kin; and

(4) include recommendations for decreasing the amount of time taken to respond to such inquiries.

Subtitle J—Miscellaneous Reports and Other Matters

SEC. 591. REPORT ON NON-CITIZEN MEMBERS OF THE ARMED FORCES.

Section 115a of title 10, United States Code, is amended by adding at the end the following new subsection:

"(h) Not later than April 1 each year, the Secretary shall submit to Congress a report that sets forth the following with respect to personnel:

"(1) The number of members of the Armed Forces who are not citizens of the United States during the year covered by such report.

"(2) The immigration status of such members.

"(3) The number of such members naturalized.".

SEC. 592. NOTIFICATION ON MANNING OF AFLOAT NAVAL FORCES: MODIFICATIONS; CODIFICATION.

(a) REPEALS.—

(1) SUNSET.—Subsection (e) of section 597 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 8013 note) is repealed.

(2) OBSOLETE PROVISION.—Subsection (f) of such section is repealed.

(b) DEFINITIONS: ADDITION; CLERICAL IMPROVEMENTS.—Subsection (d) of such section—

(1) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (3), (2), and (1), respectively;

(B) by striking the heading of each such paragraph; and

(C) by adding at the end the following new paragraph:

"(4) The term 'surface combatant vessel' means any littoral combat ship (including the LCS–1 and LCS–2 classes), frigate (including the FFG–62 class), destroyer (excluding the DDG–1000 class), or cruiser (including the CG–47 class).''; and

(2) is redesignated as subsection (e).

(c) ESTABLISHMENT OF CERTAIN CREWING REQUIREMENT.—Such section is amended by inserting, after subsection (c), the following new subsection (d):

"(d) CREWING OF A SURFACE COMBATANT VESSEL: PROHIBITION; EXCEPTION.—(1) Beginning on October 1, 2025, the Secretary of the Navy may not assign more than one crew to a covered ship that is a surface combatant vessel if any surface combatant vessel was included in a notification under subsection (a) during the 12 months preceding such assignment.

"(2) The prohibition under paragraph (1) shall not apply to a littoral combat ship configured to conduct mine countermeasures if the Secretary of the Navy submits to the congressional defense committees a certification and detailed explanation that such ship is unable to meet operational requirements regarding mine countermeasures, determined by the commander of a combatant command concerned, with only one crew.".

(d) CODIFICATION.—

(1) IN GENERAL.—Such section, as amended by this section, is transferred to chapter 825 of title 10, United States Code, inserted after section 8226, and redesignated as section 8227.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding, after the item relating to section 8226, the following new item:

"8227. Notifications on manning of afloat naval forces.".

SEC. 593. CLARIFICATION OF AUTHORITY OF NCMAF TO UPDATE CHAPLAINS HILL AT ARLINGTON NATIONAL CEMETERY.

Section 584(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 38 U.S.C. 2409 note) is amended by adding at the end the following new paragraph:

"(4) AUTHORITY OF SECRETARY OF THE ARMY.—The Secretary of the Army may permit NCMAF to carry out any action authorized by this subsection without regard to the time limitation under section 2409(b)(2)(C) of title 38, United States Code.".

SEC. 594. DISINTERMENT OF REMAINS OF ANDREW CHABROL FROM ARLINGTON NATIONAL CEMETERY.

(a) DISINTERMENT.—Not later than September 30, 2023, the Secretary of the Army shall disinter the remains of Andrew Chabrol from Arlington National Cemetery.

(b) NOTIFICATION.—The Secretary of the Army may not carry out subsection (a) until after notifying the next of kin of Andrew Chabrol.

(c) DISPOSITION.—After carrying out subsection (a), the Secretary of the Army shall—

(1) relinquish the remains to the next of kin described in subsection (b); or

(2) if no such next of kin responds to notification under subsection (b), arrange for disposition of the remains as the Secretary of the Army determines appropriate.

SEC. 595. PILOT PROGRAM ON SAFE STORAGE OF PERSONALLY OWNED FIREARMS.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a pilot program to promote the safe storage of personally owned firearms.

(b) ELEMENTS.—Under the pilot program under subsection (a), the Secretary of Defense shall furnish to members of the Armed Forces who are participating in the pilot program at military installations selected under subsection (e) locking devices or firearm safes, or both, for the purpose of securing personally owned firearms when not in use (including by directly providing, subsidizing, or otherwise making available such devices or safes).

(c) PARTICIPATION.—

(1) VOLUNTARY PARTICIPATION.—Participation by members of the Armed Forces in the pilot program under subsection (a) shall be on a voluntary basis.

(2) LOCATION OF PARTICIPANTS.—A member of the Armed Forces may participate in the pilot program under subsection (a) carried out at a military installation selected under subsection (e) regardless of whether the member resides at the military installation.

(d) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the implementation of the pilot program under subsection (a).

(e) SELECTION OF INSTALLATIONS.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall select not fewer than five military installations at which to carry out the pilot program under subsection (a).

(f) EFFECT ON EXISTING POLICIES.—Nothing in this section shall be construed to circumvent or undermine any existing safe storage policies, laws, or regulations on military installations.

(g) REPORT.—Upon the termination under subsection (h) of the pilot program under subsection (a), the Secretary of Defense shall

submit to the congressional defense committees a report containing the following information:

(1) The number and type of locking devices and firearm safes furnished to members of the Armed Forces under the pilot program.

(2) The cost of carrying out the pilot program.

(3) An analysis of the effect of the pilot program on suicide prevention.

(4) Such other information as the Secretary may determine appropriate, which shall exclude any personally identifiable information about participants in the pilot program.

(h) TERMINATION.—The pilot program under subsection (a) shall terminate on the date that is six years after the date of the enactment of this Act.

SEC. 596. PILOT PROGRAM ON CAR SHARING ON REMOTE OR ISOLATED MILITARY INSTALLATIONS.

(a) DETERMINATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall determine whether it is feasible and advisable to carry out a pilot program to allow car sharing on more than two remote or isolated military installations.

(b) AUTHORITY.—If the Secretary determines that such a pilot program is feasible and advisable, the Secretary shall submit to the congressional defense committees a plan to carry out the pilot program not later than 90 days after such determination.

(c) PROGRAM ELEMENTS.—To carry out a pilot program under this section, the Secretary shall take steps including the following:

(1) Seek to enter into an agreement with an entity that—

(A) provides car sharing services; and

(B) is capable of serving the selected military installations.

(2) Provide to members assigned to such military installations the resources the Secretary determines necessary to participate in such pilot program.

(3) Promote such pilot program to such members as the Secretary determines.

(d) DURATION.—A pilot program under this section shall terminate two years after the Secretary commences such pilot program.

(e) REPORT.—Upon the termination of a pilot program under this section, the Secretary of Defense shall submit to the congressional defense committees a report containing the following information:

(1) The number of individuals who used car sharing services offered pursuant to the pilot program.

(2) The cost to the United States of the pilot program.

(3) An analysis of the effect of the pilot program on mental health and community connectedness of members described in subsection (b)(2).

(4) Other information the Secretary determines appropriate.

(f) MILITARY INSTALLATION DEFINED.—In this section, the term "military installation" has the meaning given such term in section 2801 of title 10, United States Code.

SEC. 597. BRIEFING ON THE EFFECTS OF ECONOMIC INFLATION ON MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing on the extent to which economic inflation has affected members of the Armed Forces.

SEC. 598. STUDY ON IMPROVEMENT OF ACCESS TO VOTING FOR MEMBERS OF THE ARMED FORCES OVERSEAS.

(a) STUDY REQUIRED.—The Director of the Federal Voting Assistance Program of the Department of Defense shall conduct a study on means of improving access to voting for members of the Armed Forces overseas.

(b) REPORT.—Not later than September 30, 2024, the Director shall submit to Congress a report on the results of the study conducted under subsection (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas on means of improving access to voting for such members, including through the establishment of unit-level assistance mechanisms or permanent voting assistance offices.

(2) An estimate of the costs and requirements in connection with an expansion of the number of Voting Assistance Officers in order to fully meet the needs of members of the Armed Forces overseas for access to voting.

(3) A description and assessment of various actions to be undertaken under the Federal Voting Assistance Program in order to increase the capabilities of the Voting Assistance Officer program.

SEC. 599. REPORT ON INCIDENCE OF MILITARY SUICIDES BY MILITARY JOB CODE.

(a) REPORT.—Not later than December 31, 2023, the Secretary of Defense, in coordination with the Secretary of Homeland Security with regards to the Coast Guard, shall conduct a review and submit to the Committees on Armed Services of the Senate and House of Representatives a report on the rates of suicides in the Armed Forces, beginning after September 11, 2001, disaggregated by—

(1) year;

(2) military job code (Army military occupational specialty, Navy enlisted classification or billet, Marine Corps military occupational specialty, Air Force specialty code, or Coast Guard rating); and

(3) whether the member was serving on active duty, in the National Guard, or as a Reserve.

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

(1) A compilation of suicide data by military job code to determine which military career fields have a higher per capita suicide rate compared to—

(A) other military career fields for the same period;

(B) the overall suicide rate for each Armed Force for the same period;

(C) the overall suicide rate for the Department of Defense for the same period; and

(D) the national suicide rate for the same period.

(2) A disaggregation of suicide data by age categories consistent with the age categories used in the Department of Defense Annual Suicide Report.

(c) INTERIM BRIEFING.—Not later than June 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing on the preliminary findings of the review conducted under this section.

SEC. 599A. REPORT ON EFFORTS TO PREVENT AND RESPOND TO DEATHS BY SUICIDE IN THE NAVY.

(a) REVIEW REQUIRED.—The Inspector General of the Department of Defense shall conduct a review of the efforts by the Secretary of the Navy to—

(1) prevent incidents of deaths by suicide, suicide attempts, and suicidal ideation among covered members; and

(2) respond to such incidents.

(b) ELEMENTS OF REVIEW.—The study conducted under subsection (a) shall include an assessment of each of the following:

(1) The extent of data collected regarding incidents of deaths by suicide, suicide attempts, and suicidal ideation among covered members, including data regarding whether such covered members are assigned to sea duty or shore duty at the time of such incidents.

(2) The means used by commanders to prevent and respond to incidents of deaths by suicide, suicide attempts, and suicidal ideation among covered members.

(3) Challenges related to—

(A) the prevention of incidents of deaths by suicide, suicide attempts, and suicidal ideation among members of the Navy assigned to sea duty; and

(B) the development of a response to such incidents.

(4) The capacity of teams providing mental health services to covered members to respond to incidents of suicidal ideation or suicide attempts among covered members in the respective unit each such team serves.

(5) The means used by such teams to respond to such incidents, including the extent to which post-incident programs are available to covered members.

(6) Such other matters as the Inspector General considers appropriate in connection with the prevention of deaths by suicide, suicide attempts, and suicidal ideation among covered members.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report that includes a summary of the results of the review conducted under subsection (a).

(d) COVERED MEMBER DEFINED.—In this section the term "covered member" means a member of the Navy assigned to sea duty or shore duty.

SEC. 599B. REPORT ON OFFICER PERSONNEL MANAGEMENT AND THE DEVELOPMENT OF THE PROFESSIONAL MILITARY ETHIC OF THE SPACE FORCE.

(a) REPORT REQUIRED.—Not later than June 1, 2023, the Secretary of the Air Force shall submit to the Committees on Armed

Services of the Senate and House of Representatives a report on officer personnel management and the development of the professional military ethic of the Space Force.

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

(1) A description of issues related to officer development in the Space Force, including—

(A) the professional military education model for professional education of, and continual learning for, officers of the Space Force;

(B) the career development model for officers of the Space Force, including key knowledge, skills, and attributes expected of Space Force officers at each of the company grade, field grade, and general officer levels;

(C) desired career trajectories for Space Force officers, including key assignments throughout identified Space Force career tracks and how the flexibility of the Space Force Component proposal will be used to achieve these desired career paths;

(D) how proposed constructive credit for civilian education and non-military experience in related space industry or government sectors will align with the proposed PME and career development models; and

(E) how the Space Force Component proposal will enable officers to achieve joint qualifications required for promotion to general officer.

(2) A description of issues related to officer accessions of the Space Force, including—

(A) the expected sources of commissioning for officers of the Space Force, including the desired proportions of officer assessments from the Reserve Officer Training Corps, military service academies, Officer Training School, and direct commissions at each grade above O-1;

(B) the role of proposed constructive credit for civilian education and non-military experience in accessing officers at each grade above O-1 and the extent to which the Space Force plans to grant constructive credit in determining an officer's entry grade at each grade above O-1; and

(C) the role of targeted recruiting, as described in the Guardian Ideal, for officer accessions, including how it will work, how frequently it will be used, for what positions, and how it will fit into overall officer accessions.

(3) A description of issues related to the professional military ethic of the Space Force, including—

(A) how the proposed talent management system, career development model, PME model, and proposed Space Force Component structure will affect the development of a unique military culture of the Space Force as an Armed Force with space as a warfighting domain;

(B) the role of the professional military ethic in the Space Force, including expectations of commissioned officers as public servants and military leaders;

(C) the expected role of civilian employees of the Space Force in the development and stewardship of the Space

Force as an Armed Force, and how such employees are distinct from members of the Space Force;

(D) the ethical implications of creating a force that is designed to "partner effectively with other space-interested entities," as described in the Guardian Ideal, and how the Space Force intends to address any ethical conflicts arising from its desired close partnership with non-military and non-governmental entities in private industry; and

(E) the specific barriers between officers, enlisted members, and civilian employees that are described as "unnecessary" in the Guardian Ideal, how and why such barriers are unnecessary for the Space Force, and any statutory or policy changes the Space Force proposes to remove such barriers, including any proposed changes to the Uniform Code of Military Justice.

(4) Any other issues related to personnel management and professional development of officers of the Space Force that the Secretary of the Air Force determines appropriate.

(c) DEFINITIONS.—In this section:

(1) The term "Guardian Ideal" means the document with that title, dated September 17, 2021, and issued by the Chief of Space Operations.

(2) The term "PME" means professional military education.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Bonus and Incentive Pays

Sec. 601. One-year extension of certain expiring bonus and special pay authorities.
Sec. 602. Increase to maximum amounts of certain bonus and special pay authorities.
Sec. 603. Cold weather duty: authorization of assignment or special duty pay; travel allowance for members of the Armed Forces assigned to Alaska.
Sec. 604. Air Force rated officer retention demonstration program.

Subtitle B—Allowances Other Than Travel and Transportation Allowances

Sec. 611. Increases in maximum allowable income for purposes of eligibility for basic needs allowance.
Sec. 612. Extension of authority to temporarily adjust basic allowance for housing in certain areas.
Sec. 613. Temporary continuation of rate of basic allowance for housing for members of the Armed Forces whose sole dependent dies while residing with the member.
Sec. 614. Basic allowance for housing for members without dependents when home port change would financially disadvantage member.
Sec. 615. Revival and redesignation of provision establishing benefits for certain members assigned to the Defense Intelligence Agency.
Sec. 616. Extension of one-time uniform allowance for officers who transfer to the Space Force.
Sec. 617. OCONUS cost of living allowance: adjustments; notice to certain congressional committees.

Subtitle C—Travel and Transportation Allowances

Sec. 621. Allowable travel and transportation allowances: complex overhaul.
Sec. 622. Expansion of authority to reimburse a member of the uniformed services for spousal business costs arising from a permanent change of station.
Sec. 623. Extension of authority to reimburse members for spouse relicensing costs pursuant to a permanent change of station.

Sec. 624. Reimbursement of a member of the uniformed services for costs to relocate a pet that arise from a permanent change of station.
Sec. 625. Travel and transportation allowances for certain members of the Armed Forces who attend a professional military education institution or training classes.
Sec. 626. Conforming amendments to update references to travel and transportation authorities.
Sec. 627. Pilot program to reimburse members of the Armed Forces for certain child care costs incident to a permanent change of station or assignment.

Subtitle D—Leave

Sec. 631. Technical amendments to leave entitlement and accumulation.
Sec. 632. Modification of authority to allow members of the Armed Forces to accumulate leave in excess of 60 days.
Sec. 633. Convalescent leave for a member of the Armed Forces.

Subtitle E—Family and Survivor Benefits

Sec. 641. Claims relating to the return of personal effects of a deceased member of the Armed Forces.
Sec. 642. Extension of parent fee discount to child care employees.
Sec. 643. Survivor Benefit Plan open season.
Sec. 644. Military installations with limited child care: briefing.
Sec. 645. Food insecurity among military families: data collection; training; report.

Subtitle F—Defense Resale Matters

Sec. 651. Prohibition of the sale of certain goods from the Xinjiang Uyghur Autonomous Region in commissaries and exchanges.

Subtitle G—Miscellaneous Studies, Briefings and Reports

Sec. 661. Study on basic pay.
Sec. 662. Report on accuracy of basic allowance for housing.
Sec. 663. Review of dislocation and relocation allowances.
Sec. 664. Complex overhaul pay: briefing.
Sec. 665. Studies on compensation for DOD child care providers.
Sec. 666. Barriers to home ownership for members of the Armed Forces: study; report.

Subtitle A—Bonus and Incentive Pays

SEC. 601. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking "December 31, 2022" and inserting "December 31, 2023".

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking "December 31, 2022" and inserting "December 31, 2023":

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—Section 333(i) of title 37, United States Code, is amended by striking "December 31, 2022" and inserting "December 31, 2023".

(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sec-

tions of title 37, United States Code, are amended by striking "December 31, 2022" and inserting "December 31, 2023":

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b) of title 37, United States Code, is amended—

(1) in paragraph (7)(E), by striking "December 31, 2022" and inserting "December 31, 2023"; and

(2) in paragraph (8)(C), by striking "September 30, 2022" and inserting "December 31, 2023".

SEC. 602. INCREASE TO MAXIMUM AMOUNTS OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES.

(a) GENERAL BONUS AUTHORITY FOR ENLISTED MEMBERS.—Section 331(c)(1) of title 37, United States Code, is amended—

(1) in subparagraph (A), by striking "$50,000" and inserting "$75,000"; and

(2) in subparagraph (B), by striking "$30,000" and inserting "$50,000".

(b) SPECIAL BONUS AND INCENTIVE PAY AUTHORITIES FOR NUCLEAR OFFICERS.—Section 333(d)(1)(A) of title 37, United States Code, is amended by striking "$50,000" and inserting "$75,000".

(c) SPECIAL AVIATION INCENTIVE PAY AND BONUS AUTHORITIES FOR OFFICERS.—Section 334(c)(1) of title 37, United States Code, is amended—

(1) in subparagraph (A), by striking "$1,000" and inserting "$1,500"; and

(2) in subparagraph (B), by striking "$35,000" and inserting "$50,000".

(d) SKILL INCENTIVE PAY OR PROFICIENCY BONUS.—Section 353(c)(1)(A) of title 37, United States Code, is amended by striking "$1,000" and inserting "$1,750".

SEC. 603. COLD WEATHER DUTY: AUTHORIZATION OF ASSIGNMENT OR SPECIAL DUTY PAY; TRAVEL ALLOWANCE FOR MEMBERS OF THE ARMED FORCES ASSIGNED TO ALASKA.

(a) PAY.—Section 352(a)(2) of title 37, United States Code, is amended by inserting "(including a cold weather location)" after "location".

(b) TRAVEL ALLOWANCE.—

(1) ESTABLISHMENT.—During the period specified in paragraph (5), the Secretary of a military department shall reimburse an eligible member of the armed forces for the cost of airfare for that member to travel to the home of record of the member.

(2) ELIGIBLE MEMBERS.—A member of the armed forces is eligible for a reimbursement under paragraph (1) if—

(A) the member is assigned to a duty location in Alaska; and

(B) an officer in a grade above O–5 in the chain of command of the member authorizes the travel of the member.

(3) TREATMENT OF TIME AS LEAVE.—The time during which an eligible member is absent from duty for travel reimbursable under paragraph (1) shall be treated as leave for purposes of section 704 of title 10, United States Code.

(4) BRIEFING REQUIRED.—Not later than February 1, 2024, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on—

(A) the use and effectiveness of reimbursements under paragraph (1);

(B) the calculation and use of the cost of living allowance for a member assigned to a duty location in Alaska; and

(C) the use of special pays and other allowances as incentives for cold weather proficiency or duty location.

(5) PERIOD SPECIFIED.—The period specified in this paragraph is the period—

(A) beginning on the date of the enactment of this Act; and

(B) ending on December 31, 2023.

SEC. 604. AIR FORCE RATED OFFICER RETENTION DEMONSTRATION PROGRAM.

(a) PROGRAM REQUIREMENT.—The Secretary shall establish and carry out within the Department of the Air Force a demonstration program to assess and improve retention on active duty in the Air Force of rated officers described in subsection (b).

(b) RATED OFFICERS DESCRIBED.—Rated officers described in this subsection are rated officers serving on active duty in the Air Force, excluding rated officers with a reserve appointment in the Air National Guard or Air Force Reserve—

(1) whose continued service on active duty would be in the best interest of the Department of the Air Force, as determined by the Secretary; and

(2) who have not more than three years and not less than one year remaining on an active duty service obligation under section 653 of title 10, United States Code.

(c) WRITTEN AGREEMENT.—

(1) IN GENERAL.—Under the demonstration program required under subsection (a), the Secretary shall offer retention incentives under subsection (d) to a rated officer described in subsection (b) who executes a written agreement to remain on active duty in a regular component of the Air Force for not less than four years after the completion of the active duty service obligation of the officer under section 653 of title 10, United States Code.

(2) EXCEPTION.—If the Secretary of the Air Force determines that an assignment previously guaranteed under subsection (d)(1) to a rated officer described in subsection (b) cannot be fulfilled, the agreement of the officer under paragraph (1) to remain on active duty shall expire not later than one year after that determination.

(d) RETENTION INCENTIVES.—

(1) GUARANTEE OF FUTURE ASSIGNMENT LOCATION.—Under the demonstration program required under subsection (a), the Secretary may offer to a rated officer described in subsection (b) a guarantee of future assignment locations based on the preference of the officer.

(2) AVIATION BONUS.—Under the demonstration program required under subsection (a), notwithstanding section 334(c) of title 37, United States Code, the Secretary may pay to a rated officer described in subsection (b) an aviation bonus not to exceed an average annual amount of $50,000 (subject to paragraph (3)(B)).

(3) COMBINATION OF INCENTIVES.—The Secretary may offer to a rated officer described in subsection (b) a combination of incentives under paragraphs (1) and (2).

(e) ANNUAL BRIEFING.—Not later than December 31, 2023, and annually thereafter until the termination of the demonstration program required under subsection (a), the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing describing the use of such demonstration program and its effects on the retention on active duty in the Air Force of rated officers described in subsection (b).

(f) DEFINITIONS.—In this section:

(1) RATED OFFICER.—The term "rated officer" means an officer specified in section 9253 of title 10, United States Code.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Air Force.

(g) TERMINATION.—This section shall terminate on December 31, 2028.

Subtitle B—Allowances Other Than Travel and Transportation Allowances

SEC. 611. INCREASES IN MAXIMUM ALLOWABLE INCOME FOR PURPOSES OF ELIGIBILITY FOR BASIC NEEDS ALLOWANCE.

(a) IN GENERAL.—Section 402b(b) of title 37, United States Code, is amended—

(1) by striking "130 percent" both places it appears and inserting "150 percent"; and

(2) in paragraph (2)—

(A) by inserting "(A)" before "the gross";

(B) by striking "; and" and inserting "; or"; and

(C) by inserting at the end the following:

"(B) if the Secretary concerned determines it appropriate (based on location, household need, or special circumstance), the gross household income of the member during the most recent calendar year did not exceed an amount equal to 200 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location of the member and the number of individuals in the household of the member for such year; and".

(b) IMPLEMENTATION.—Not later than January 1, 2024, the Secretary concerned (as defined in section 101 of title 37, United States Code) shall modify the calculation of the basic needs allowance under section 402b of title 37, United States Code, to implement the amendments made by subsection (a).

SEC. 612. EXTENSION OF AUTHORITY TO TEMPORARILY ADJUST BASIC ALLOWANCE FOR HOUSING IN CERTAIN AREAS.

Section 403(b)(8)(C) of title 37, United States Code, is amended by striking "2022" and inserting "2024".

SEC. 613. TEMPORARY CONTINUATION OF RATE OF BASIC ALLOWANCE FOR HOUSING FOR MEMBERS OF THE ARMED FORCES WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.

(a) AUTHORITY.—Section 403 of title 37, United States Code, as amended by section 612, is further amended—

(1) by redesignating subsections (m) through (p) as subsections (n) through (q); and

(2) by inserting after subsection (l) the following new subsection (m):

"(m) TEMPORARY CONTINUATION OF RATE OF BASIC ALLOWANCE FOR MEMBERS OF THE ARMED FORCES WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.—(1) Notwithstanding subsection (a)(2) or any other section of law, the Secretary of Defense or the Secretary of the Department in which the Coast Guard is operating, may, after the death of the sole dependent of a member of the armed forces, continue to pay a basic allowance for housing to such member at the rate paid to such member on the date of such death if—

"(A) such sole dependent dies—

"(i) while the member is on active duty; and

"(ii) while residing with the member, unless separated by the necessity of military service or to receive institutional care as a result of disability or incapacitation or under such other circumstances as the Secretary concerned may by regulation prescribe; and

"(B) the member is not occupying a housing facility under the jurisdiction of the Secretary concerned on the date of the death of the sole dependent.

"(2) The continuation of the rate of an allowance under this subsection shall terminate upon the earlier of the following to occur:

"(A) The day that is one year after the date of the death of the sole dependent.

"(B) The permanent change of station, or permanent change of assignment with movement of personal property and household goods under section 453(c) of this title, of the member.".

(b) CONFORMING AMENDMENT.—Section 2881a(c) of title 10, United States Code, is amended by striking "section 403(n)" and inserting "section 403(o)".

SEC. 614. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WITHOUT DEPENDENTS WHEN HOME PORT CHANGE WOULD FINANCIALLY DISADVANTAGE MEMBER.

Subsection (p) of section 403 of title 37, United States Code, as redesignated by section 612, is further amended in subsection (p)—

(1) in the subsection heading, by striking "LOW-COST AND NO-COST" and inserting "CERTAIN";

(2) by inserting "(1)" before "In the case of a member who is assigned"; and

(3) by adding at the end the following new paragraph:

"(2)(A) In the case of a member without dependents who is assigned to a unit that undergoes a change of home port or a change of permanent duty station, if the Secretary concerned determines that it would be inequitable to base the member's entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station, the Secretary concerned may—

"(i) waive the requirement to base the member's entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station member; and

"(ii) treat that member for the purposes of this section as if the unit to which the member is assigned did not undergo such a change.

"(B) The Secretary concerned may grant a waiver under subparagraph (A) to not more than 100 members in a calendar year.

"(C) Not later than March 1 of each calendar year, the Secretary concerned shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the use of the authority provided by subparagraph (A) during the preceding calendar year that includes—

"(i) the number of members granted a waiver under subparagraph (A) during that year; and

"(ii) for each such waiver, an identification of—

"(I) the grade of the member;

"(II) the home port or permanent duty station of the unit to which the member is assigned before the change described in subparagraph (A); and

"(III) the new home port or permanent duty station of that unit.

"(D) This paragraph shall cease to be effective on December 31, 2027.".

SEC. 615. REVIVAL AND REDESIGNATION OF PROVISION ESTABLISHING BENEFITS FOR CERTAIN MEMBERS ASSIGNED TO THE DEFENSE INTELLIGENCE AGENCY.

(a) REVIVAL.—Section 491 of title 37, United States Code—

(1) is revived to read as it did immediately before its repeal under section 604 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81); and

(2) is redesignated as section 431 of such title.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting, after the item relating to section 427, the following new item:

"431. Benefits for certain members assigned to the Defense Intelligence Agency.".

SEC. 616. EXTENSION OF ONE-TIME UNIFORM ALLOWANCE FOR OFFICERS WHO TRANSFER TO THE SPACE FORCE.

Subsection (d)(1) of section 606 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3672; 37 U.S.C. 416 note) is amended by striking "September 30, 2022" and inserting "September 30, 2023".

SEC. 617. OCONUS COST OF LIVING ALLOWANCE: ADJUSTMENTS; NOTICE TO CERTAIN CONGRESSIONAL COMMITTEES.

(a) ADJUSTMENTS.—

(1) REDUCTIONS: LIMITATION.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating may reduce the cost-of-living allowance for a member of the Armed Forces assigned to a duty station located outside the United States—

(A) not more than once every six months; or

(B) in connection with a permanent change of station for such member.

(2) INCREASES.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating may increase the allowance described in paragraph (1) for a member of the Armed Forces at any time.

(b) NOTICE.—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and House of Representatives not less than 180 days before modifying a table used to calculate the living allowance described in subsection (a).

(c) BRIEFING.—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing containing—

(1) the determination of the Secretary regarding the effects of this section on the allowance described in subsection (a);

(2) an assessment of the representative market basket of goods and services used to determine such allowance, including the methodology to identify such market basket and the frequency with which such allowance is adjusted; and

(3) the methodology and process by which surveys regarding such allowance are updated, including the average response rates and the efforts undertaken to ensure a representative sample of beneficiaries are surveyed.

Subtitle C—Travel and Transportation Allowances

SEC. 621. ALLOWABLE TRAVEL AND TRANSPORTATION ALLOWANCES: COMPLEX OVERHAUL.

Section 452 of title 37, United States Code, is amended, in subsection (b)—

(1) by redesignating the second paragraph (18) as paragraph (21); and

(2) by adding at the end the following new paragraphs:

"(22) Permanent change of assignment to or from a naval vessel undergoing nuclear refueling or defueling and any concurrent complex overhaul, even if such assignment is within the same area as the current assignment of the member.

"(23) Current assignment to a naval vessel entering or exiting nuclear refueling or defueling and any concurrent complex overhaul.".

SEC. 622. EXPANSION OF AUTHORITY TO REIMBURSE A MEMBER OF THE UNIFORMED SERVICES FOR SPOUSAL BUSINESS COSTS ARISING FROM A PERMANENT CHANGE OF STATION.

(a) IN GENERAL.—Section 453 of title 37, United States Code, is amended, in subsection (g)—

(1) in the heading, by inserting "OR BUSINESS COSTS" after "RELICENSING COSTS";

(2) in paragraph (1), by inserting "or qualified business costs" after "qualified relicensing costs";

(3) in paragraph (2)—

(A) by inserting "(A)" before "Reimbursement";

(B) by inserting "for qualified relicensing costs" after "subsection";

(C) by striking "$1000" and inserting "$1,000"; and

(D) by adding at the end the following new subparagraph:

"(B) Reimbursement provided to a member under this subsection for qualified business costs may not exceed $1,000 in connection with each reassignment described in paragraph (1).";

(4) in paragraph (3), by inserting "or qualified business costs" after "qualified relicensing costs";

(5) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting "business license, permit," after "courses,";

(B) in subparagraph (A)—

(i) by inserting ", or owned a business," before "during";

(ii) by inserting "professional" before "license"; and

(iii) by inserting ", or business license or permit," after "certification"; and

(C) in subparagraph (B)—

(i) by inserting "professional" before "license"; and

(ii) by inserting ", or business license or permit," after "certification"; and

(6) by adding at the end the following new paragraph:

"(5) In this subsection, the term 'qualified business costs' means costs, including moving services for equipment, equipment removal, new equipment purchases, information technology expenses, and inspection fees, incurred by the spouse of a member if—

"(A) the spouse owned a business during the member's previous duty assignment and the costs result from a movement described in paragraph (1)(B) in connection with the member's change in duty location pursuant to reassignment described in paragraph (1)(A); and

"(B) the costs were incurred or paid to move such business to a new location in connection with such reassignment.".

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing regarding implementation of the amendments made by subsection (a), including—

(1) the number of times such Secretary used the authority under such amendments; and

(2) the costs to the Federal Government arising from such usage.

SEC. 623. EXTENSION OF AUTHORITY TO REIMBURSE MEMBERS FOR SPOUSE RELICENSING COSTS PURSUANT TO A PERMANENT CHANGE OF STATION.

Section 453 of title 37, United States Code, as amended by section 622, is further amended, in subsection (g)(3), by striking "December 31, 2024" and inserting "December 31, 2029".

SEC. 624. REIMBURSEMENT OF A MEMBER OF THE UNIFORMED SERVICES FOR COSTS TO RELOCATE A PET THAT ARISE FROM A PERMANENT CHANGE OF STATION.

Section 453 of title 37, United States Code, as amended by sections 622, and 623, is further amended by adding at the end the following new subsection:

"(h) REIMBURSEMENT FOR TRANSPORTATION OF PETS ARISING FROM CERTAIN PERMANENT CHANGES OF STATIONS.—(1) The Secretary concerned may reimburse a member for any cost related to the relocation of a pet that arises from a permanent change of station of such member within the continental United States. Such reimbursement may not exceed $550 for each such permanent change of station.

"(2) The Secretary concerned may reimburse a member for any cost related to the relocation of a pet that arises from a permanent change of station of such member to or from a duty station located outside the continental United States. Such reimbursement may not exceed $4,000 for each such permanent change of station.".

SEC. 625. TRAVEL AND TRANSPORTATION ALLOWANCES FOR CERTAIN MEMBERS OF THE ARMED FORCES WHO ATTEND A PROFESSIONAL MILITARY EDUCATION INSTITUTION OR TRAINING CLASSES.

Section 453 of title 37, United States Code, as amended by sections 622, 623, and 624, is further amended by adding at the end the following new subsection:

"(i) ATTENDANCE AT PROFESSIONAL MILITARY EDUCATION INSTITUTION OR TRAINING CLASSES.—

"(1) The Secretary of the military department concerned may authorize temporary duty status, and travel and transportation allowances payable to a member in such status, for a member under the jurisdiction of such Secretary who is reassigned—

"(A) between duty stations located within the United States;

"(B) for a period of not more than one year;

"(C) for the purpose of participating in professional military education or training classes,

"(D) with orders to return to the duty station where the member maintains primary residence and the dependents of such member reside.

"(2) If the Secretary of the military department concerned assigns permanent duty status to a member described in paragraph (1), such member shall be eligible for travel and transportation allowances including the following:

"(A) Transportation, including mileage at the same rate paid for a permanent change of station.

"(B) Per diem while traveling between the permanent duty station and professional military education institution or training site.

"(C) Per diem paid in the same manner and amount as temporary lodging expenses.

"(D) Per diem equal to the amount of the basic allowance for housing under section 403 of this title paid to a member—

"(i) in the grade of such member;

"(ii) without dependents;

"(iii) who resides in the military housing area in which the professional military education institution or training site is located.

"(E) Movement of household goods in an amount determined under applicable regulations.".

SEC. 626. CONFORMING AMENDMENTS TO UPDATE REFERENCES TO TRAVEL AND TRANSPORTATION AUTHORITIES.

(a) BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.—Section 256(g)(2)(B)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(g)(2)(B)(ii)) is amended by striking "sections 403a and 475" and inserting "sections 403b and 405".

(b) TITLE 5.—Title 5, United States Code, is amended—

(1) in section 4109(a)(2)—

(A) in subparagraph (A), by striking "sections 474 and 475" and inserting "sections 405 and 452"; and

(B) in subparagraph (B), by striking "sections 476 and 479" and inserting "sections 452 and 453(c)";

(2) in section 5725(c)(2)(B), by striking "section 476(b)(1)(H)(iii)" and inserting "subsections (c) and (d) of section 453"; and

(3) in section 5760—

(A) in subsection (c), by striking "section 481h(b)" and inserting "section 451(a)"; and

(B) in subsection (d)—

(i) in paragraph (2), by striking "section 474(d)" and inserting "section 464"; and

(ii) in paragraph (3), by striking "section 481h(d)(1)" and inserting "section 452(d)".

(c) TITLE 10.—Title 10, United States Code, is amended—

(1) in section 710—

(A) in subsection (f)(4)(A), in the matter preceding clause (i), by striking "section 474" and inserting "section 452"; and

(B) in subsection (h)(4), by striking "section 481f" and inserting "section 453(f)";

(2) in section 1174a(b)(2)(B), by striking "sections 474 and 476" and inserting "sections 452 and 453(c)";

(3) in section 1175(j), by striking "sections 474 and 476" and inserting "sections 452 and 453(c)";

(4) in section 1175a(e)(2)(B), by striking "sections 474 and 476" and inserting "sections 452 and 453(c)";

(5) in section 1491(d)(3), by striking "section 495(a)(2)" and inserting "section 435(a)(2)";

(6) in section 2013(b)(2)—

(A) in subparagraph (A), by striking "sections 474 and 475" and inserting "sections 405 and 452"; and

(B) in subparagraph (B), by striking "sections 476 and 479" and inserting "sections 452 and 453(c)";

(7) in section 2493(a)(4)(B)(ii), by striking "section 481f(d)" and inserting "section 453(f)";

(8) in section 2613(g), by striking "section 481h(b)" and inserting "section 451(a)"; and

(9) in section 12503—

(A) in subsection (a), in the second sentence, by striking "sections 206 and 495" and inserting "sections 206 and 435";

(B) in subsection (b)(2)(A), by striking "section 495" and inserting "section 435"; and

(C) in subsection (c), by striking "chapter 7" and inserting "section 452".

(d) TITLE 14.—Section 2764 of title 14, United States Code, is amended, in the first and third sentences, by striking "subsection (b) of section 476" and inserting "section 453(c)".

(e) TITLE 32.—Section 115 of title 32, United States Code, is amended—

(1) in subsection (a), in the third sentence, by striking "sections 206 and 495" and inserting "sections 206 and 435";

(2) in subsection (b)(2)(A), by striking "section 495" and inserting "section 435"; and

(3) in subsection (c), by striking "chapter 7" and inserting "section 452".

(f) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—Section 236(f)(4)(A) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3036(f)(4)(A)) is amended, in the matter preceding clause (i), by striking "section 474" and inserting "section 452".

(g) TITLE 36.—Section 2101(b)(2) of title 36, United States Code, is amended by striking "section 475" and inserting "section 405".

(h) TITLE 37.—Title 37, United States Code, is amended—

(1) in section 403—

(A) in subsection (d)(2)(A), by striking "section 476" and inserting "section 452"; and

(B) in subsection (g)—

(i) in paragraph (2), in the second sentence, by striking "section 474" and inserting "section 452"; and

(ii) in paragraph (3), by striking "section 476" and inserting "section 453(c)";

(2) in section 420(b), by striking "sections 474–481" and inserting "section 452";

(3) in section 422(a), by striking "section 480" and inserting "section 452";

(4) in section 427—

(A) in subsection (a)(1)(A), by striking "section 476" and inserting "section 452"; and

(B) in subsection (c)(1), by striking "section 476" and inserting "section 452";

(5) in section 433(b), by striking "section 474(d)(2)(A)" and inserting "section 452";

(6) in section 451(a)(2)(H)—

(A) in clause (i), by striking "section 481f" and inserting "section 453(f)";

(B) in clause (ii), by striking "section 481h" and inserting "section 452(b)(12)";

(C) in clause (iii), by striking "section 481j" and inserting "section 452(b)(13)";

(D) in clause (iv), by striking "section 481k" and inserting "section 452(b)(14)"; and

(E) in clause (v), by striking "section 481l" and inserting "section 452(b)(15)";

(7) in section 1002(b)(1), by striking "section 474(a)–(d), and (f)," and inserting "section 452";

(8) in section 1003, by striking "sections 402–403b, 474–477, 479–481, and 414" and inserting "sections 402 through 403b, 405, 414, 452, and 453"; and

(9) in section 1006(g)—

(A) by striking "section 477" and inserting "section 452(c)(2)"; and

(B) by striking "section 475a(a)" and inserting "section 452(b)(11)".

(i) CHILD NUTRITION ACT OF 1966.—Section 17(d)(2)(B)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)(ii)) is amended by striking "section 475" and inserting "section 405".

SEC. 627. PILOT PROGRAM TO REIMBURSE MEMBERS OF THE ARMED FORCES FOR CERTAIN CHILD CARE COSTS INCIDENT TO A PERMANENT CHANGE OF STATION OR ASSIGNMENT.

(a) ESTABLISHMENT.—The Secretary of Defense shall carry out a pilot program to reimburse members of the Armed Forces for certain child care costs incident to a permanent change of station or assignment.

(b) TRAVEL AND TRANSPORTATION ALLOWANCES.—Under the pilot program, the Secretary of Defense shall treat a designated child care provider as an authorized traveler if child care is not available to a member of the Armed Forces at a military child development center at the permanent duty location of such member not later than 30 days after the member arrives at such location.

(c) REIMBURSEMENT OF CERTAIN CHILD CARE COSTS.—

(1) AUTHORITY.—Under the pilot program, the Secretary of Defense may reimburse a member of the Armed Forces for travel expenses for a designated child care provider when—

(A) the member is reassigned, either as a permanent change of station or permanent change of assignment, to a new duty station;

(B) the movement of the member's dependents is authorized at the expense of the United States under section 451 of title 37, United States Code, as part of the reassignment;

(C) child care is not available at a military child development center at such duty station not later than 30 days after the member arrives at such duty station; and

(D) the dependent child is on the wait list for child care at such military child development center.

(2) MAXIMUM AMOUNTS.—Reimbursement provided to a member under this subsection may not exceed—

(A) $500 for a reassignment between duty stations within the continental United States; and

(B) $1,500 for a reassignment involving a duty station outside of the continental United States.

(3) DEADLINE.—A member may not apply for reimbursement under this subsection later than one year after a reassignment described in paragraph (1).

(4) CONCURRENT RECEIPT PROHIBITED.—In the event a household contains more than one member eligible for reimbursement under this subsection, reimbursement may be paid to one member among such members as such members shall jointly elect.

(d) REPORT.—Not later than January 1, 2027, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the pilot program, including the recommendation of the Secretary whether to make the pilot program permanent.

(e) TERMINATION.—The pilot program shall terminate on September 30, 2028.

(f) DEFINITIONS.—In this section:

(1) The term "authorized traveler" has the meaning given such term in section 451 of title 37, United States Code.

(2) The term "designated child care provider" means an adult selected by a member of the armed forces to provide child care to a dependent child of such member.

(3) The term "military child development center" has the meaning given such term in section 1800 of title 10, United States Code.

Subtitle D—Leave

SEC. 631. TECHNICAL AMENDMENTS TO LEAVE ENTITLEMENT AND ACCUMULATION.

(a) REPEAL OF OBSOLETE AUTHORITY.—Section 701 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) through (m) as subsections (d) through (l).

(b) CONFORMING AMENDMENTS TO SECTION 701 OF TITLE 10.—Section 701 of title 10, United States Code, is amended—

(1) in subsection (b), by striking "subsections (d), (f), and (g)" and inserting "subsections (e) and (f)";

(2) in subsection (f), as redesignated by subsection (a)(2), in the first sentence, by striking "subsections (b), (d), and (f)" and inserting "subsections (b) and (e)"; and

(3) in subsection (i), as so redesignated, in the first sentence, by striking "subsections (b), (d), and (f)" and inserting "subsections (b) and (e)".

(c) CONFORMING AMENDMENTS TO OTHER PROVISIONS OF LAW.—

(1) TITLE 14.—Section 2508(a) of title 14, United States Code, is amended by striking "section 701(f)(2)" and inserting "section 701(e)".

(2) TITLE 37.—Title 37, United States Code, is amended—

(A) in section 501—

(i) in subsection (b)(6), by striking "120 days of leave under section 701(f)(1)" and inserting "90 days of leave under section 701(e)"; and

(ii) in subsection (h), by striking "section 701(g)" and inserting "section 701(f)"; and

(B) in section 502(b), by striking "section 701(h)" and inserting "section 701(g)".

(d) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2023.

SEC. 632. MODIFICATION OF AUTHORITY TO ALLOW MEMBERS OF THE ARMED FORCES TO ACCUMULATE LEAVE IN EXCESS OF 60 DAYS.

(a) IN GENERAL.—Section 701 of title 10, United States Code, as amended by section 631, is further amended by striking subsection (e) and inserting the following:

"(e)(1) The Secretary concerned, under uniform regulations to be prescribed by the Secretary of Defense, may authorize a member described in paragraph (2) to retain not more than 30 days of excess leave.

"(2) A member described in this paragraph is a member who—

"(A)(i) serves on active duty for a continuous period of at least 120 days for which the member is entitled to special pay under section 310(a) of title 37; or

"(ii) is assigned to a deployable ship or mobile unit or to other duty designated for the purposes of this section;

"(B) except for this subsection, would lose any excess leave at the end of the fiscal year; and

"(C) receives, from the first officer in a grade above O-6 in the chain of command of such member, written authorization to retain such excess leave.

"(3) Excess leave retained by a member under this subsection shall be forfeited unless used before the end of the second fiscal year after the end of the fiscal year in which the service or assignment described in paragraph (2)(A) terminated.

"(4) In this subsection, the term 'excess leave' means leave accrued by a member in excess of the number of days of leave authorized to be accumulated under subsection (b).".

(b) TRANSITION RULE.—Leave in excess of 90 days, accumulated by a member of the Armed Forces under section 701 of such title before the effective date under subsection (c), is forfeited unless—

(1) used by the member on or before September 30, 2026; or

(2) the retention of such leave is otherwise authorized by law.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on January 1, 2023.

SEC. 633. CONVALESCENT LEAVE FOR A MEMBER OF THE ARMED FORCES.

(a) IN GENERAL.—Section 701 of title 10, United States Code, as amended by sections 631 and 632, is further amended by adding at the end the following new subsection:

"(m)(1) Except as provided by subsection (h)(3), and under regulations prescribed by the Secretary of Defense, a member of the armed forces diagnosed with a medical condition is allowed convalescent leave if—

"(A) the medical or behavioral health provider of the member—

"(i) determines that the member is not yet fit for duty as a result of that condition; and

"(ii) recommends such leave for the member to provide for the convalescence of the member from that condition; and

"(B) the commanding officer of the member or the commander of the military medical treatment facility authorizes such leave for the member.

"(2) A member may take not more than 30 days of convalescent leave under paragraph (1) with respect to a condition described in that paragraph unless—

"(A) such leave in excess of 30 days is authorized by—

"(i) the Secretary concerned; or

"(ii) an individual at the level designated by the Secretary concerned, but not below the grade of O–5 or the civilian equivalent; or

"(B) the member is authorized to receive convalescent leave under subsection (h)(3) in conjunction with the birth of a child.

"(3)(A) Convalescent leave may be authorized under paragraph (1) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.

"(B) In authorizing convalescent leave for a member under paragraph (1) with respect to a condition described in that paragraph, the commanding officer of the member or the commander of the military medical treatment facility, as the case may be, shall—

"(i) limit the duration of such leave to the minimum necessary in relation to the diagnosis, prognosis, and probable final disposition of the condition of the member; and

"(ii) authorize leave tailored to the specific medical needs of the member rather than (except for convalescent leave provided for under subsection (h)(3)) authorizing leave based on a predetermined formula.

"(4) A member taking convalescent leave under paragraph (1) shall not have the member's leave account reduced as a result of taking such leave.

"(5) In this subsection, the term 'military medical treatment facility' means a facility described in subsection (b), (c), or (d) of section 1073d of this title.".

(b) TREATMENT OF CONVALESCENT LEAVE FOR BIRTH OF CHILD.—Paragraph (4) of subsection (h) of such section, as redesignated by section 632, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by inserting "(A)" after "(4)"; and

(3) by adding at the end the following new subparagraph:

"(B) Convalescent leave may be authorized under subparagraph (A) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023.

Subtitle E—Family and Survivor Benefits

SEC. 641. CLAIMS RELATING TO THE RETURN OF PERSONAL EFFECTS OF A DECEASED MEMBER OF THE ARMED FORCES.

Section 1482(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(11)(A) Delivery of personal effects of a decedent to the next of kin or other appropriate person.

"(B) If the Secretary concerned enters into an agreement with an entity to carry out subparagraph (A), the Secretary concerned may, at the request of the person described in such subparagraph, pursue a claim against such entity that arises from the failure of such entity to substantially perform such subparagraph.

"(C) If an entity described in subparagraph (B) fails to substantially perform subparagraph (A) by damaging, losing, or destroying the personal effects of a decedent, the Secretary concerned shall reimburse the person designated under subsection (c) the greater of $1,000 or the fair market value of such damage, loss, or destruction. The Secretary concerned may request, from the person designated under subsection (c), proof of fair market value and ownership of the personal effects.".

SEC. 642. EXTENSION OF PARENT FEE DISCOUNT TO CHILD CARE EMPLOYEES.

Section 1793 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) CHILD CARE EMPLOYEE DISCOUNT.—The Secretary of Defense may, to support recruitment and retention initiatives, charge a child care employee, whose child attends a military child development center, a reduced fee for such attendance.".

SEC. 643. SURVIVOR BENEFIT PLAN OPEN SEASON.

(a) ELECTIONS BY PERSONS NOT CURRENTLY PARTICIPATING IN SURVIVOR BENEFIT PLAN.—

(1) ELECTION OF SBP COVERAGE.—An eligible retired or former member may elect to participate in the Survivor Benefit Plan during the open season described in subsection (e).

(2) ELIGIBLE RETIRED OR FORMER MEMBERS.—For purposes of paragraph (1), an eligible retired or former member is a member or former member of the uniformed services who, on or before the day before the first day of the open season described in subsection (e)—

(A) is entitled to retired pay; or

(B) would be entitled to retired pay under chapter 1223 of title 10, United States Code (or chapter 67 of such title as in effect before October 5, 1994), but for the fact that such member or former member is under 60 years of age.

(3) STATUS UNDER SBP OF PERSONS MAKING ELECTIONS.—

(A) STANDARD ANNUITY.—A person making an election under paragraph (1) by reason of eligibility under paragraph (2)(A) shall be treated for all purposes as providing a standard annuity under the Survivor Benefit Plan.

(B) RESERVE-COMPONENT ANNUITY.—A person making an election under paragraph (1) by reason of eligibility under paragraph (2)(B) shall be treated for all purposes as providing a reserve-component annuity under the Survivor Benefit Plan.

(4) PREMIUMS FOR OPEN SEASON.—

(A) PREMIUMS TO BE CHARGED.—The Secretary of Defense shall prescribe in regulations premiums that a person who makes an election under paragraph (1) shall be required to pay for participating in the Survivor Benefit Plan pursuant to the election.

(B) AMOUNT OF PREMIUMS.—The total amount of the premiums to be paid by a person under the regulations prescribed under subparagraph (A) shall be equal to the sum of—

(i) the total amount by which the retired pay of the person would have been reduced before the effective date of the election under subsection (d) if the person had elected to participate in the Survivor Benefit Plan (for the same base amount specified in the election) at the first opportunity that was afforded the person to participate under chapter 73 of title 10, United States Code;

(ii) interest on the amount by which the retired pay of the person would have been so reduced, computed from the date on which the retired pay would have been so reduced at such rate or rates and according to such methodology as the Secretary determines reasonable; and

(iii) any additional amount that the Secretary determines necessary to protect the actuarial soundness of the Department of Defense Military Retirement Fund against any increased risk for the fund that is associated with the election.

(C) PREMIUMS TO BE CREDITED TO RETIREMENT FUND.—Premiums paid under the regulations prescribed under subparagraph (A) shall be credited to the Department of Defense Military Retirement Fund.

(b) ELECTIONS BY PERSONS CURRENTLY PARTICIPATING IN SURVIVOR BENEFIT PLAN.—

(1) ELECTION OF TO DISCONTINUE SBP PARTICIPATION.—A person participating in the Survivor Benefit Plan on the day before the first day of the open season described in subsection (e) may elect to discontinue such participation during the open season.

(2) CONSENT OF BENEFICIARIES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a person described in paragraph (1) may not make an election under that paragraph without the concurrence of—

(i) each designated beneficiary of such person under the Survivor Benefit Plan; and

(ii) the spouse of such person, if such person is married.

(B) EXCEPTION WHEN BENEFICIARY UNAVAILABLE.—A person may make an election under paragraph (1) without a concurrence required under subparagraph (2) if the person establishes to the satisfaction of the Secretary concerned—

(i) that the whereabouts of the spouse or beneficiary, as the case may be, cannot be determined; or

(ii) that, due to exceptional circumstances, requiring the person to seek the consent of the spouse or beneficiary, as the case may be, would otherwise be inappropriate.

(3) TREATMENT OF PREMIUMS.—

(A) DISCONTINUATION OF REDUCTIONS IN PAY.—As of the effective date under subsection (d) of an election by a person under paragraph (1), the Secretary concerned shall discontinue the reduction being made in the retired pay of the person arising from participation in the Survivor Benefit Plan or, in the case of a person who has been required to make deposits in the Treasury on account of participation in the Survivor Benefit Plan, that person may discontinue making such deposits effective on such effective date.

(B) TREATMENT OF PREVIOUS REDUCTIONS.—A person who makes an election under paragraph (1) is not entitled to a refund of any reduction or deposit described in subparagraph (A) made before such effective date.

(c) MANNER OF MAKING ELECTIONS.—

(1) IN GENERAL.—An election under subsection (a) or (b) shall be made in writing, signed by the person making the election, and received by the Secretary concerned before the end of the open season described in subsection (e).

(2) CONDITIONS.—Except as provided in paragraph (3), an election under subsection (a) shall be made subject to the same conditions, and with the same opportunities for designation of beneficiaries and specification of base amount, that apply under the Survivor Benefit Plan.

(3) ELECTION MUST BE VOLUNTARY.—An election under subsection (a) or (b) is not effective unless the person making the election declares the election to be voluntary. An election under subsection (a) or (b) to participate or not to participate in the Survivor Benefit Plan may not be required by any court. An election by a person under subsection (a) to participate in the Survivor Benefit Plan is not subject to the concurrence of a spouse or former spouse of the person.

(4) DESIGNATION WITH RESPECT TO RESERVE-COMPONENT ANNUITY.—A person making an election under subsection (a) to provide a reserve-component annuity shall make a designation described in section 1448(e) of title 10, United States Code.

(d) EFFECTIVE DATE FOR ELECTIONS.—An election under subsection (a) or (b) shall be effective on the first day of the first calendar month following the month in which the election is received by the Secretary concerned.

(e) OPEN SEASON DESCRIBED.—The open season described in this subsection is the period beginning on the date of the enactment of this Act and ending on January 1, 2024.

(f) APPLICABILITY OF CERTAIN PROVISIONS OF LAW.—The provisions of sections 1449, 1453, and 1454 of title 10, United States Code, are applicable to a person making an election, and to an election, under subsection (a) or (b) in the same manner as if the election were made under the Survivor Benefit Plan.

(g) DEFINITIONS.—In this section:

(1) The terms "base amount", "reserve-component annuity", and "standard annuity" have the meanings given those terms in section 1447 of title 10, United States Code.

(2) The term "Department of Defense Military Retirement Fund" means the fund established under section 1461(a) of title 10, United States Code.

(3) The term "retired pay" includes retainer pay.

(4) The terms "Secretary concerned" and "uniformed services" have the meanings given those terms in section 101 of title 37, United States Code.

(5) The term "Survivor Benefit Plan" means the program established under subchapter II of chapter 73 of title 10, United States Code.

SEC. 644. MILITARY INSTALLATIONS WITH LIMITED CHILD CARE: BRIEFING.

(a) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a briefing regarding child care at military installations of the covered Armed Forces—

(1) that are not served by a military child development center; or

(2) where the military child development center has few available spots.

(b) ELEMENTS.—The briefing under subsection (a) shall include the following elements:

(1) With regards to each military installation described in such subsection:

(A) The current and maximum possible enrollment at the military child development center (if one exists).

(B) Plans of the Secretary to expand an existing, or construct a new, military child development center.

(C) The resulting capacity of each military child development center described in subparagraph (B).

(D) The median cost of services at accredited child care facilities located near such military installation compared to the amount of assistance provided by the Secretary of the military department concerned to members for child care services.

(2) Any policy recommendations of the Secretary of Defense—

(A) to address the rising cost of child care near military installations; and

(B) regarding the rates of child care fee assistance provided to members of the covered Armed Forces.

(c) DEFINITIONS.—In this section:

(1) The term "covered Armed Force" means the following:

(A) The Army.

(B) The Navy.

(C) The Marine Corps.

(D) The Air Force.

(E) The Space Force.

(2) The term "military child development center" has the meaning given such term in section 1800 of title 10, United States Code.

SEC. 645. FOOD INSECURITY AMONG MILITARY FAMILIES: DATA COLLECTION; TRAINING; REPORT.

(a) DATA COLLECTION.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness, in coordination with the Under Secretary for Food, Nutrition, and Consumer Services of the Department of Agriculture, shall—

(1) develop a survey, in collaboration with the Department of Agriculture, to determine how many members of the Armed Forces serving on active duty, and dependents of such members, are food insecure;

(2) issue the survey to such members and dependents;

(3) collect data related to the number of such members and dependents who—

(A) are eligible for the basic needs allowance under section 402b of title 37, United States Code;

(B) receive such basic needs allowance; and

(C) are surveyed on the use, by such members and dependents, of Federal nutrition assistance programs, including—

(i) the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(ii) the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786); and

(iii) the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), and the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);

(4) develop and carry out a plan to train and designate an individual who will assist members at military installations on how and where to refer such members and their dependents for participation in Federal nutrition assistance programs described in paragraph (3)(C); and

(5) coordinate efforts of the Department of Defense to address food insecurity and nutrition.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the four subsequent years, the Under Secretary of Defense for Personnel & Readiness shall submit to the congressional defense committees, the Committees on Agriculture and Education and Labor of the House of Rep-

resentatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report including the following:

(1) The number of members of the Armed Forces serving on active duty and their dependents who are food insecure.

(2) The number of such members and their dependents who use the Federal nutrition assistance programs described in subsection (a)(3).

(3) The number of such members and their dependents described in subsection (a)(3).

(4) The status of implementation of the plan under subsection (a)(5).

Subtitle F—Defense Resale Matters

SEC. 651. PROHIBITION OF THE SALE OF CERTAIN GOODS FROM THE XINJIANG UYGHUR AUTONOMOUS REGION IN COMMISSARIES AND EXCHANGES.

(a) PROHIBITION.—Subchapter III of chapter 147 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2496. Sale of certain goods from the Xinjiang Uyghur Autonomous Region prohibited

"(a) PROHIBITION.—The Secretary of Defense may not knowingly permit the sale, at a commissary store or military exchange, of any good, ware, article, or merchandise—

"(1) containing any product mined, produced, or manufactured, wholly or in part, by forced labor from the XUAR; or

"(2) from an entity that has used labor from within or transferred from XUAR as part of a 'poverty alleviation' or 'pairing assistance' program.

"(b) DEFINITIONS.—In this section:

"(1) The term 'forced labor' means any work or service that is exacted from any person under the menace of any penalty for nonperformance and that the worker does not offer to perform.

"(2) The term 'XUAR' means the Xinjiang Uyghur Autonomous Region of the People's Republic of China.".

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

"2496. Sale of certain goods from the Xinjiang Uyghur Autonomous Region prohibited.".

Subtitle G—Miscellaneous Studies, Briefings and Reports

SEC. 661. STUDY ON BASIC PAY.

(a) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a nonprofit entity or a federally funded research and development center to conduct research and analysis on the value of basic pay for members of the Armed Forces. The Secretary may include such research and analysis in the next quadrennial review of military compensation.

(b) ELEMENTS.—The research and analysis conducted under subsection (a) shall include the following:

(1) An assessment of the model used to determine the basic pay in the current basic pay tables, including—

(A) an analysis of whether to update the current model to meet the needs of the 2023 employment market;

(B) a historical understanding of when the current model was established and how frequently it has been during the last 10 years;

(C) an understanding of the assumptions on which the model is based and how such assumptions are validated;

(D) an analysis of time-in-grade requirements and how they may affect retention and promotion; and

(E) an assessment of how recruiting and retention information is used to adjust the model.

(2) An assessment of whether to modify current basic pay tables to consider higher rates of pay for specialties the Secretary determines are in critical need of personnel.

(3) An analysis of—

(A) how basic pay has compared with civilian pay since the 70th percentile benchmark for basic pay was established; and

(B) whether to change the 70th percentile benchmark.

(4) An assessment of whether—

(A) to adjust the annual increase in basic pay, currently guided by changes in the Employment Cost Index as a measure of the growth in private-sector employment costs; or

(B) to use a different index, such as the Defense Employment Cost Index.

(5) Legislative and policy recommendations regarding basic pay table based on analyses and assessments under paragraphs (1) through (4).

(c) BRIEFINGS AND PROGRESS REPORT.—

(1) INTERIM BRIEFING.—Not later than April 1, 2023, the Secretary shall provide to the appropriate congressional committees an interim briefing on the elements described in subsection (b).

(2) PROGRESS REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a progress report on the study under this section.

(3) FINAL BRIEFING.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a final briefing on the study under this section.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The Committee on Armed Services of the House of Representatives.

(2) The Committee on Armed Services of the Senate.

SEC. 662. REPORT ON ACCURACY OF BASIC ALLOWANCE FOR HOUSING.

(a) REPORT; ELEMENTS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation

with the Secretary of the department in which the Coast Guard is operating, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on BAH. Such report shall contain the following elements:

(1) The evaluation of the Secretary—

(A) of the efficiency and accuracy of the current system used to calculate BAH;

(B) the appropriateness of using mean and median housing costs in such calculation;

(C) of existing MHAs, in relation to choices in, and availability of, housing to servicemembers;

(D) of the suitability of the six standard housing profiles in relation to the average family sizes of servicemembers, disaggregated by uniformed service, rank, and MHA;

(E) of the flexibility of BAH to respond to changes in real estate markets; and

(F) of residential real estate processes to determine rental rates.

(2) The recommendation of the Secretary—

(A) regarding the feasibility of including information, furnished by Federal entities, regarding school districts, in calculating BAH;

(B) whether to calculate BAH more frequently, including in response to a sudden change in the housing market;

(C) whether to enter into an agreement with a covered entity, to compile data and develop an enterprise grade, objective, data-driven algorithm to calculate BAH;

(D) whether to publish the methods used by the Secretary to calculate BAH on a publicly accessible website of the Department of Defense; and

(E) whether BAH calculations appropriately account for increased housing costs associated with Coast Guard facilities.

(b) DEFINITIONS.—In this section:

(1) The term "BAH" means the basic allowance for housing for members of the uniformed services under section 403 of title 37, United States Code.

(2) The term "covered entity" means a nationally recognized entity in the field of commercial real estate that has data on local rental rates in real estate markets across the United States.

(3) The term "MHA" means military housing area.

(4) The term "servicemember" has the meaning given such term in section 101 of the Servicemembers Civil Relief Act (50 U.S.C. 3911).

SEC. 663. REVIEW OF DISLOCATION AND RELOCATION ALLOWANCES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report—

(1) reviewing the adequacy of the amounts of dislocation and relocation allowances paid under section 452 of title 37, United States Code, to members of the covered Armed Forces, in connection with changes in such members' temporary or permanent duty assignment locations, taking into consideration the rising

costs of moving, challenges in the housing market, and other expenses incurred by such members;

(2) assessing the effects of delays in the issuance of orders relating to changes to temporary or permanent duty assignment locations on the timing of dislocation and relocation allowances paid to members of the covered Armed Forces;

(3) assessing the feasibility and advisability of paying dislocation or relocation allowances to members of the covered Armed Forces who are permanently assigned from one unit to another with no change of permanent duty station when the units are within the same metropolitan area; and

(4) making recommendations with respect to the matters described in paragraphs (1), (2), and (3).

(b) COVERED ARMED FORCES DEFINED.—In this section, the term "covered Armed Forces" means the Army, Navy, Marine Corps, Air Force, and Space Force.

SEC. 664. COMPLEX OVERHAUL PAY: BRIEFING.

(a) BRIEFING.—Not later than six months after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing regarding the feasibility and advisability of establishing complex overhaul pay.

(b) COMPLEX OVERHAUL PAY DEFINED.—In this section, the term "complex overhaul pay" means a special monthly pay—

(1) established pursuant to regulations prescribed under section 352 of title 37, United States Code;

(2) paid to a member of the Armed Forces assigned to a naval vessel undergoing nuclear refueling or defueling, and any concurrent complex overhaul;

(3) in addition to any other pay or allowance to which a member is entitled; and

(4) in an amount equal to $200 per month.

SEC. 665. STUDIES ON COMPENSATION FOR DOD CHILD CARE PROVIDERS.

(a) IN GENERAL.—

(1) STUDIES REQUIRED.—The Secretary of Defense shall, for each geographic area in which the Secretary of a military department operates a military child development center, conduct a study—

(A) comparing the total compensation, including all pay and benefits, of child care employees of each military child development center in the geographic area to the total compensation of similarly credentialed employees in such geographic area; and

(B) estimating the difference in average pay and the difference in average benefits between such child care employees.

(2) SCHEDULE.—The Secretary of Defense shall complete the studies required under paragraph (1)—

(A) for the geographic areas containing the military installations with the 25 longest wait lists for child care services at military child development centers, not later than one year after the date of the enactment of this Act; and

(B) for geographic areas other than geographic areas described in subparagraph (A), not later than two years after the date of the enactment of this Act.

(3) REPORTS.—

(A) INTERIM REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report summarizing the results of the studies required under paragraph (1) that have been completed as of the date of the submission of such report.

(B) FINAL REPORT.—Not later than 120 days after the completion of all the studies required under paragraph (1), the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report summarizing the results of such studies.

(b) DEFINITIONS.—In this section:

(1) The term "benefits" includes—

(A) retirement benefits;

(B) any insurance premiums paid by an employer;

(C) education benefits, including tuition reimbursement and student loan repayment; and

(D) any other compensation an employer provides to an employee for service performed as an employee (other than pay), as determined appropriate by the Secretary of Defense.

(2) The terms "child care employee" and "military child development center" have the meanings given such terms in section 1800 of title 10, United States Code.

(3) The term "pay" includes the basic rate of pay of an employee and any additional payments an employer pays to an employee for service performed as an employee.

SEC. 666. BARRIERS TO HOME OWNERSHIP FOR MEMBERS OF THE ARMED FORCES: STUDY; REPORT.

(a) STUDY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center or non-profit entity to conduct a study on the unique barriers to home ownership for members of the Armed Forces.

(b) REPORT.—At the conclusion of the study under subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of such study.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Improvements to TRICARE dental program.
Sec. 702. Health benefits for members of the National Guard following required training or other duty to respond to a national emergency.
Sec. 703. Improvement of referrals for specialty care under TRICARE Prime during permanent changes of station.
Sec. 704. Confidentiality requirements for mental health care services for members of the Armed Forces.

Sec. 705. Audit of behavioral health care network providers listed in TRICARE directory.
Sec. 706. Independent analysis of quality and patient safety review process under direct care component of TRICARE program.
Sec. 707. Study on providing benefits under TRICARE Reserve Select and TRICARE dental program to members of the Selected Reserve and dependents thereof.
Sec. 708. GAO study on certain contracts relating to TRICARE program and oversight of such contracts.
Sec. 709. GAO study on coverage of mental health services under TRICARE program and relationship to certain mental health parity laws.

Subtitle B—Health Care Administration

Sec. 711. Accountability for wounded warriors undergoing disability evaluation.
Sec. 712. Inclusion of level three trauma care capabilities in requirements for medical centers.
Sec. 713. Centers of excellence for specialty care in military health system.
Sec. 714. Maintenance of Core Casualty Receiving Facilities to improve medical force readiness.
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Sec. 716. Improvements to processes to reduce financial harm caused to civilians for care provided at military medical treatment facilities.
Sec. 717. Authority to carry out studies and demonstration projects relating to delivery of health and medical care through use of other transaction authority.
Sec. 718. Licensure requirement for certain health-care professionals providing services as part of mission relating to emergency, humanitarian, or refugee assistance.
Sec. 719. Authorization of permanent program to improve opioid management in the military health system.
Sec. 720. Modification of requirement to transfer research and development and public health functions to Defense Health Agency.
Sec. 721. Access to certain dependent medical records by remarried former spouses.
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Sec. 723. Plan for Accountable Care Organization demonstration.
Sec. 724. Feasibility study and plan on establishing a Military Health System Medical Logistics Directorate and Military Health System Education and Training Directorate.

Subtitle C—Reports and Other Matters

Sec. 731. Briefing and report on reduction or realignment of military medical manning and medical billets.
Sec. 732. Independent analysis of Department of Defense Comprehensive Autism Care Demonstration program.
Sec. 733. Clarification of membership requirements and compensation authority for independent suicide prevention and response review committee.
Sec. 734. Termination of veterans' advisory board on radiation dose reconstruction.
Sec. 735. Brain health initiative of Department of Defense.
Sec. 736. Establishment of partnership program between United States and Ukraine for military trauma care and research.
Sec. 737. Improvements relating to behavioral health care available under military health system.
Sec. 738. Certification program in provision of mental health services to members of the Armed Forces and military families.
Sec. 739. Standardization of policies relating to service in Armed Forces by individuals diagnosed with HBV.
Sec. 740. Suicide cluster: standardized definition for use by Department of Defense; congressional notification.
Sec. 741. Limitation on reduction of military medical manning end strength: certification requirement and other reforms.
Sec. 742. Feasibility study on establishment of Department of Defense internship programs relating to civilian behavioral health providers.
Sec. 743. Updates to prior feasibility studies on establishment of new command on defense health.

Sec. 744. Capability assessment and action plan with respect to effects of exposure to open burn pits and other environmental hazards.
Sec. 745. Kyle Mullen Navy SEAL medical training review.
Sec. 746. Reports on composition of medical personnel of each military department and related matters.
Sec. 747. Report on effects of low recruitment and retention on operational tempo and physical and mental health of members of the Armed Forces.
Sec. 748. Guidance for addressing healthy relationships and intimate partner violence through TRICARE Program.
Sec. 749. Briefing on suicide prevention reforms for members of the Armed Forces.

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. IMPROVEMENTS TO TRICARE DENTAL PROGRAM.

(a) IN GENERAL.—Section 1076a of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by striking "The plans" and inserting the following: "(1) IN GENERAL.—The plans"; and

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

"(2) PREMIUM SHARING PLANS.—Effective as of January 1, 2026, the regulations prescribed pursuant to paragraph (1) shall include, with respect to premium sharing plans referred to in subsection (d)(1), the following elements:

"(A) A third party administrator shall manage the administrative features of such plans, including eligibility, enrollment, plan change and premium payment processes, submission of qualifying life events changes, and address changes.

"(B) Such plans shall include the following three enrollment options:

"(i) Self.

"(ii) Self plus one.

"(iii) Family.

"(C) In the United States, to the extent practicable, individuals eligible to enroll in such a plan shall be offered options to enroll in plans of not fewer than two and not more than four dental insurance carriers.

"(D) To the extent practicable, each carrier described in subparagraph (C)—

"(i) shall manage dental care delivery matters, including claims adjudication (with required electronic submission of claims), coordination of benefits, covered services, enrollment verification, and provider networks;

"(ii) shall, in addition to offering a standard option plan, offer a non-standard option plan;

"(iii) may offer a non-standard option plan managed as a dental health maintenance organization plan;

"(iv) shall establish and operate dental provider networks that provide—

"(I) accessible care with a prevention or wellness focus;

"(II) continuity of care;

"(III) coordinated care (including appropriate dental and medical referrals);

"(IV) patient-centered care (including effective communications, individualized care, and shared decision-making); and

"(V) high-quality, safe care;

"(v) shall develop and implement adult and pediatric dental quality measures, including effective measurements for—

"(I) access to care;

"(II) continuity of care;

"(III) cost;

"(IV) adverse patient events;

"(V) oral health outcomes; and

"(VI) patient experience; and

"(vi) may conduct in the provider networks established and operated by the carrier under clause (iv), to the extent practicable, pilot programs on the development of a model of care based on the model of care commonly referred to as patient-centered dental homes.";

(2) in subsection (d)(1)—

(A) in subparagraph (B), by striking "The member's" and inserting "During the period preceding January 1, 2026, the member's";

(B) in subparagraph (C), by striking "of each year," and inserting "of each year during the period preceding January 1, 2026,";

(C) in subparagraph (D), by striking "The Secretary of Defense" and inserting "During the period preceding January 1, 2026, the Secretary of Defense"; and

(D) by adding at the end the following new subparagraphs:

"(E) Beginning on January 1, 2026, the amount of the premium required under subparagraph (A)—

"(i) for standard option plans, shall be established by the Secretary annually such that in the aggregate (taking into account the adjustments under subparagraph (F) and subsection (e)(3), the Secretary's share of each premium is 60 percent of the premium for each enrollment category (self, self plus one, and family, respectively) of each standard option plan; and

"(ii) for non-standard option plans, shall be equal to the amount determined under clause (i) plus 100 percent of the additional premium amount applicable to such non-standard option plan.

"(F) Beginning on January 1, 2026, the Secretary of Defense shall reduce the monthly premium required to be paid under paragraph (1) in the case of enlisted members in pay grade E–1, E–2, E–3, or E–4.";

(3) in subsection (e), by adding at the end the following new paragraph:

"(3) Beginning on January 1, 2026, the Secretary of Defense shall reduce copayments required to be paid under paragraph (1) in the case of enlisted members in pay grade E–1, E–2, E–3, or E–4.";

(4) in subsection (j), by striking "The Secretary of Defense may not reduce benefits provided under a plan established under this section until" and inserting "During the period preceding January 1, 2026, the Secretary of Defense may not reduce benefits provided under a plan established under this section, and on or after January 1, 2026, the Secretary may not reduce benefits provided under a standard option plan under this section, until"; and

(5) by adding at the end the following new subsection:

"(l) DEFINITIONS.—In this section:

"(1) The term 'non-standard option plan' means a high option dental insurance plan that includes covered services in addition to, or provides greater coverage with respect to, services covered under a standard option plan.

"(2) The term 'standard option plan' means a dental insurance plan that provides for the coverage of preventive services, basic restorative services, and specialty dental care services at a level that is at least commensurate with the coverage of the same services provided under the premium sharing plans under this section during the period preceding January 1, 2026.".

(b) RULEMAKING.—Pursuant to the authority under section 1076a(b)(1) of title 10, United States Code, as amended by subsection (a), the Secretary of Defense shall—

(1) not later than January 1, 2025, prescribe an interim final rule to carry out the amendments made by subsection (a); and

(2) after prescribing the interim final rule under subparagraph (A) and considering public comments with respect to such interim final rule, prescribe a final rule, effective on January 1, 2026, to carry out such amendments.

(c) BRIEFINGS.—Not later than January 1 of each of 2024, 2025, and 2026, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the status of the implementation of the amendments made by subsection (a).

SEC. 702. HEALTH BENEFITS FOR MEMBERS OF THE NATIONAL GUARD FOLLOWING REQUIRED TRAINING OR OTHER DUTY TO RESPOND TO A NATIONAL EMERGENCY.

(a) TRANSITIONAL HEALTH CARE.—Subsection (a)(2) of section 1145 of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(G) A member of the National Guard who is separated from full-time National Guard Duty to which called or ordered under section 502(f) of title 32 for a period of active service of more than 30 days to perform duties that are authorized by the President or the Secretary of Defense for the purpose of responding to a national emergency declared by Congress or the President and supported by Federal funds.".

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking "active duty" and inserting "active service";

(B) in paragraph (3), by striking "paragraph (2)(B)" and inserting "subparagraph (B) or (G) of paragraph (2)";

(C) in paragraph (4)—

(i) by striking "active duty" each place it appears and inserting "active service"; and

(ii) in the second sentence, by striking "or (D)" and inserting "(D), or (G)";

(D) in paragraph (5), in subparagraphs (A) and (B), by striking "active duty" each place it appears and inserting "active service"; and

(E) in paragraph (7)(A)—

(i) by striking "service on active duty" and inserting "active service"; and

(ii) by striking "active duty for" and inserting "active service for";

(2) in subsection (b)(1), by striking "active duty" and inserting "active service"; and

(3) in subsection (d)(1)(A), by striking "active duty" and inserting "active service".

SEC. 703. IMPROVEMENT OF REFERRALS FOR SPECIALTY CARE UNDER TRICARE PRIME DURING PERMANENT CHANGES OF STATION.

(a) IN GENERAL.—Section 714 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1095f note) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

"(e) IMPROVEMENT OF SPECIALTY CARE REFERRALS DURING PERMANENT CHANGES OF STATION.—In conducting evaluations and improvements under subsection (d) to the referral process described in subsection (a), the Secretary shall ensure beneficiaries enrolled in TRICARE Prime who are undergoing a permanent change of station receive referrals from their primary care manager to such specialty care providers in the new location as the beneficiary may need before undergoing the permanent change of station.".

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the contractual and technical barriers preventing record sharing between civilian provider networks under the TRICARE program that lead to increased wait times for care for members of the Armed Forces and the dependents thereof undergoing permanent changes of station across provider network regions.

SEC. 704. CONFIDENTIALITY REQUIREMENTS FOR MENTAL HEALTH CARE SERVICES FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—In order to reinforce the policies of eliminating stigma in obtaining mental health care services and further encouraging help-seeking behavior by members of the Armed Forces, not later than July 1, 2023, the Secretary of Defense shall—

(1) update and reissue Department of Defense Instruction 6490.08, titled "Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Service Members" and issued on August 17, 2011, taking into account—

(A) experience implementing the Instruction; and

(B) opportunities to more effectively dispel stigma in obtaining mental health care services and encourage help-seeking behavior; and

(2) develop standards within the Department of Defense that—

(A) ensure, except in a case in which there is an exigent circumstance, the confidentiality of mental health care services provided to members who voluntarily seek such services;

(B) include a model for making determinations with respect to exigent circumstances that clarifies the responsibilities regarding the determination of the effect on military function and the prevention of self-harm by the individual; and

(C) in a case in which there is an exigent circumstance, prevent health care providers from disclosing more than the minimum amount of information necessary to address the exigent circumstance.

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

(1) Requirements for confidentiality regarding the request and receipt by a member of the Armed Forces of mental health care services under the self-initiated referral process under section 1090a(e) of title 10, United States Code.

(2) Requirements for confidentiality regarding the results of any drug testing incident to such mental health care services.

(3) Procedures that reflect best practices of the mental health profession with respect to suicide prevention.

(4) A prohibition against retaliating against a member of the Armed Forces who requests mental health care services.

(5) Such other elements as the Secretary determines will most effectively support the policies of—

(A) eliminating stigma in obtaining mental health care services; and

(B) encouraging help-seeking behavior by members of the Armed Forces.

(c) JOINT POLICY WITH THE SECRETARY OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Not later than July 1, 2023, the Secretary of Defense and the Secretary of Veterans Affairs shall issue a joint policy that provides, except in a case in which there is an exigent circumstance, for the confidentiality of mental health care services provided by the Secretary of Veterans Affairs to members of the Armed Forces, including the reserve components, under section 1712A, 1720F, 1720H, or 1789 of title 38, United States Code, or other applicable law.

(2) ELEMENTS.—The joint policy issued under paragraph (1) shall, to the extent practicable, include standards comparable to the standards developed under subsection (a)(2).

(d) REPORT.—Not later than July 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a copy of the standards developed under subsection (a)(2) and the joint policy issued under subsection (c).

(e) EXIGENT CIRCUMSTANCE DEFINED.—In this section, the term "exigent circumstance" means a circumstance in which the Secretary of Defense determines the need to prevent serious harm to an individual or essential military function clearly outweighs the need for confidentiality of information obtained by a health care provider incident to mental health care services voluntarily sought by a member of the Armed Forces.

SEC. 705. AUDIT OF BEHAVIORAL HEALTH CARE NETWORK PROVIDERS LISTED IN TRICARE DIRECTORY.

(a) AUDIT REQUIRED.—The Comptroller General of the United States shall conduct an audit of the behavioral health care providers listed in the TRICARE directory.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the findings of the audit under subsection (a). Such report shall include the following:

(1) An identification of the following, disaggregated by provider specialty and TRICARE provider network region:

(A) The number of such behavioral health care providers with respect to which there are duplicate listings in the TRICARE directory.

(B) The number of such behavioral health care providers that, as of the commencement of the audit, were listed in the TRICARE directory as available and accepting new TRICARE patients.

(C) The number of such behavioral health care providers that, as a result of the audit, the Comptroller General determines are no longer available or accepting new TRICARE patients.

(D) The number of such behavioral health care providers that were not previously listed in the TRICARE directory as available and accepting new TRICARE patients but that, as a result of the audit, the Comptroller General determines are so available and accepting.

(E) The number of behavioral health care providers listed in the TRICARE directory that are no longer practicing.

(F) The number of behavioral health care providers that, in conducting the audit, the Comptroller General could not reach for purposes of verifying information relating to availability or status.

(2) An identification of the number of TRICARE beneficiaries in each TRICARE region, disaggregated by beneficiary category.

(3) A description of the methods by which the Secretary of Defense measures the following:

(A) The accessibility and accuracy of the TRICARE directory, with respect to behavioral health care providers listed therein.

(B) The adequacy of behavioral health care providers under the TRICARE program.

(4) A description of the efforts of the Secretary of Defense to recruit and retain behavioral health care providers.

(5) Recommendations by the Comptroller General, based on the findings of the audit, on how to improve the availability of behavioral health care providers that are network providers under the TRICARE program, including through the inclusion of specific requirements in the next generation of TRICARE contracts.

(c) DEFINITIONS.—In this section:

(1) The term "TRICARE directory" means the directory of network providers under the TRICARE program.

(2) The term "TRICARE program" has the meaning given such term in section 1072 of title 10, United States Code.

SEC. 706. INDEPENDENT ANALYSIS OF QUALITY AND PATIENT SAFETY REVIEW PROCESS UNDER DIRECT CARE COMPONENT OF TRICARE PROGRAM.

(a) AGREEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center for the federally funded research and development center to carry out the activities described in subsections (b) and (c).

(2) TIMING.—The Secretary shall seek to enter into the agreement described in paragraph (1) not later October 1, 2023.

(b) ANALYSIS BY FFRDC.—

(1) ANALYSIS.—Under an agreement between the Secretary and a federally funded research and development center entered into pursuant to subsection (a), the federally funded research and development center shall conduct an analysis of the quality and patient safety review process for health care provided under the direct care component of the TRICARE program and develop recommendations for the Secretary based on such analysis.

(2) ELEMENTS.—The analysis conducted and recommendations developed under paragraph (1) shall include, with respect to the direct care component of the TRICARE program, an assessment of the following:

(A) The procedures under such component regarding credentialing and privileging for health care providers (and an assessment of compliance with such procedures).

(B) The processes under such component for quality assurance, standard of care, and incident review (and an assessment of compliance with such processes).

(C) The accountability processes under such component for health care providers who are found to have not met a required standard of care.

(D) The transparency activities carried out under such component, including an assessment of the publication of clinical quality metrics (at the level of military medical treatment facilities and other operational medical units of the Department of Defense), and a comparison with similar metrics for non-Department health care entities.

(E) The standardization activities carried under such component, including activities aimed at eliminating unwarranted variation in clinical quality metrics at the level of military medical treatment facilities and other operational medical units of the Department.

(F) The implementation under such component of the requirements of section 744 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3708; 10 U.S.C. 1071 note), including with respect to health care delivery on ships and planes, in deployed settings, and in all other circumstances outside of military medical treatment facilities.

(G) The organizational roles and responsibilities of military health system entities involved in clinical quality management functions under such component, including the Assistant Secretary of Defense for Health Affairs, the Director of the Defense Health Agency, and the Surgeons General of the Army, Navy, and Air Force, each of whom shall conduct and submit to the federally funded research and development center an internal assessment of the respective entity regarding each element set forth under this paragraph.

(3) INFORMATION ACCESS AND PRIVACY.—

(A) ACCESS TO RECORDS.—Notwithstanding section 1102 of title 10, United States Code, the Secretary shall provide the federally funded research and development center with access to such records of the Department of Defense as the Secretary may determine necessary for purposes of the federally funded research and development center conducting the analysis and developing the recommendations under paragraph (1).

(B) PRIVACY OF INFORMATION.—In conducting the analysis and developing the recommendations under paragraph (1), the federally funded research and development center—

(i) shall maintain any personally identifiable information in records accessed by the federally funded research and development center pursuant to subparagraph (A) in accordance with applicable laws, protections, and best practices regarding the privacy of information; and

(ii) may not permit access to such information by any individual or entity not engaged in conducting such analysis or developing such recommendations.

(c) BRIEFING AND REPORTS.—

(1) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate an interim briefing on—

(A) the selection of a federally funded research and development center with which the Secretary shall seek to enter into an agreement with under subsection (a);

(B) any related guidance issued by the Secretary; and

(C) the methodology for conducting the study to be used by such federally funded research and development center.

(2) REPORT TO SECRETARY.—Under an agreement entered into between the Secretary and a federally funded research and development center under subsection (a), the federally funded research and development center, not later than one year after the date of the execution of the agreement, shall submit to the Secretary a report on the findings of the federally funded research and development center with respect to the analysis conducted and recommendations developed under subsection (b).

(3) REPORT TO CONGRESS.—Not later than 120 days after the date on which the Secretary receives the report of the federally funded research and development center under paragraph (1), the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate such report, along with an assessment by the Secretary of the analysis, findings, and recommendations contained therein and the plan of the Secretary for strengthening clinical quality management in the military health system.

(4) PUBLICATION.—The Secretary shall make the report under paragraph (2) available on a public website in unclassified form.

(d) TRICARE PROGRAM DEFINED.—In this section, the term "TRICARE program" has the meaning given such term in section 1072 of title 10, United States Code.

SEC. 707. STUDY ON PROVIDING BENEFITS UNDER TRICARE RESERVE SELECT AND TRICARE DENTAL PROGRAM TO MEMBERS OF THE SELECTED RESERVE AND DEPENDENTS THEREOF.

(a) STUDY.—The Secretary of Defense may conduct a study on the feasibility, potential cost effects to the budget of the Department of Defense, changes in out-of-pocket costs to beneficiaries, and effects on other Federal programs of expanding eligibility for TRICARE Reserve Select and the TRICARE dental program to include all members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, the dependents thereof, and the non-dependent children thereof under the age of 26.

(b) SPECIFICATIONS.—If the Secretary conducts the study under subsection (a), the Secretary shall include in the study an assessment of the following:

(1) Cost-shifting to the Department of Defense to support the expansion of TRICARE Reserve Select and the TRICARE dental program from—

(A) health benefit plans under chapter 89 of title 5, United States Code;

(B) employer-sponsored health insurance;

(C) private health insurance;

(D) insurance under a State health care exchange; and

(E) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(2) New costs for the Department of Defense to enroll in TRICARE Reserve Select and the TRICARE dental program members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who were previously uninsured.

(3) The resources needed to implement TRICARE Reserve Select and the TRICARE dental program for all such members,

the dependents thereof, and the non-dependent children thereof under the age of 26.

(4) Cost-savings, if any, resulting from the expansion of TRICARE Reserve Select and the TRICARE dental program with regard to increased training days performed in support of mass medical events during battle assemblies of the reserve components, including an assessment of the impact of such expansion on—

(A) medical readiness;

(B) overall deployability rates;

(C) deployability timelines;

(D) fallout rates at mobilization sites;

(E) cross-leveling of members of the reserve components to backfill medical fallouts at mobilization sites; and

(F) any other readiness metrics affected by such expansion.

(5) Any effect of such expansion on recruitment and retention of members of the Armed Forces, including members of the Ready Reserve of the reserve components of the Armed Forces.

(6) Cost-savings, if any, in contracts that implement the Reserve Health Readiness Program of the Department of Defense.

(c) DETERMINATION OF COST EFFECTS.—If the Secretary conducts the study under subsection (a), the Secretary shall include in such study an assessment of the potential cost effects to the budget of the Department of Defense for scenarios of expanded eligibility for TRICARE Reserve Select and the TRICARE dental program as follows:

(1) Premium free for members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, the dependents thereof, and the non-dependent children thereof under the age of 26.

(2) Premium free for such members and subsidized premiums for such dependents and non-dependent children.

(3) Subsidized premiums for such members, dependents, and non-dependent children.

(d) USE OF A FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—The Secretary may enter into a contract with a federally funded research and development center the Secretary determines is qualified and appropriate to conduct the study under subsection (a).

(e) BRIEFING; REPORT.—

(1) BRIEFING.—If the Secretary conducts the study under subsection (a), not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the methodology and approach of the study.

(2) REPORT.—If the Secretary conducts the study under subsection (a), not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study.

(f) DEFINITIONS.—In this section:

(1) The term "TRICARE dental program" means dental benefits under section 1076a of title 10, United States Code.

(2) The term "TRICARE Reserve Select" means health benefits under section 1076d of such title.

SEC. 708. GAO STUDY ON CERTAIN CONTRACTS RELATING TO TRICARE PROGRAM AND OVERSIGHT OF SUCH CONTRACTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on certain contracts relating to the TRICARE program and the oversight provided by the Director of the Defense Health Agency with respect to such contracts.

(b) MATTERS.—The study under subsection (a) shall include an assessment of the following:

(1) TRICARE MANAGED CARE SUPPORT CONTRACTS.—With respect to TRICARE managed care support contracts (including the TRICARE managed care support contract for which the Director of the Defense Health Agency published a request for proposals on April 15, 2021, commonly referred to as "T-5"), the process used in awarding such contracts.

(2) OTHER CONTRACTS.—With respect to each contract relating to the TRICARE program other than a contract specified in paragraph (1) entered into by the Director of the Defense Health Agency during the period beginning on October 1, 2017, and ending on September 30, 2022, where the value of such contract is greater than $500,000,000, the following:

(A) The total number of such contracts, disaggregated by fiscal year, contract type, type of product or service procured, and total expenditure under each such contract by fiscal year.

(B) The total number of bid protests filed with respect to such contracts, and the outcome of such protests.

(C) The total number of such contracts awarded through means other than full and open competition.

(3) DEFENSE HEALTH AGENCY CONTRACT OVERSIGHT.—With respect to the period beginning on October 1, 2017, and ending on September 30, 2022, the following:

(A) The staff of the Defense Health Agency responsible for performing oversight of the contracts specified in paragraphs (1) and (2), including the following:

(i) The number of such staff.

(ii) Any professional training requirements for such staff.

(iii) Any acquisition certifications or accreditations held by such staff.

(B) Any office or other element of the Defense Health Agency responsible for contract award, administration, or oversight with respect to the TRICARE program, including the organizational structure, responsibilities, authorities, and key roles of each such office or element.

(C) The process used by the Director of the Defense Health Agency for determining staffing needs and competencies relating to contract award, administration, or oversight with respect to the TRICARE program.

(c) INTERIM BRIEFING; REPORT.—

(1) INTERIM BRIEFING.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall provide to the Committees on Armed Services of the House of Rep-

resentatives and the Senate an interim briefing on the study under subsection (a).

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the results of the study under subsection (a).

SEC. 709. GAO STUDY ON COVERAGE OF MENTAL HEALTH SERVICES UNDER TRICARE PROGRAM AND RELATIONSHIP TO CERTAIN MENTAL HEALTH PARITY LAWS.

(a) STUDY AND REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study to describe—

(A) coverage of mental health services under the TRICARE program;

(B) any limits on such coverage that are not also imposed on health services other than mental health services under the TRICARE program; and

(C) the efforts of the Department of Defense to align coverage of mental health services under the TRICARE program with coverage requirements under mental health parity laws; and

(2) submit to the Secretary of Defense, the congressional defense committees, and (with respect to any findings concerning the Coast Guard when it is not operating as a service in the Department of the Navy), the Secretary of Homeland Security, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of such study.

(b) DEFINITIONS.—In this section:

(1) The term "mental health parity laws" means—

(A) section 2726 of the Public Health Service Act (42 U.S.C. 300gg–26);

(B) section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a);

(C) section 9812 of the Internal Revenue Code of 1986 (26 U.S.C. 9812); or

(D) any other Federal law that applies the requirements under any of the sections described in subparagraph (A), (B), or (C), or requirements that are substantially similar to those provided under any such section, as determined by the Comptroller General.

(2) The term "TRICARE program" has the meaning given such term in section 1072 of title 10, United States Code.

Subtitle B—Health Care Administration

SEC. 711. ACCOUNTABILITY FOR WOUNDED WARRIORS UNDERGOING DISABILITY EVALUATION.

(a) POLICY.—Not later than April 1, 2023, the Secretary of Defense, in consultation with the Secretaries concerned, shall establish a policy to ensure accountability for actions taken under the au-

thorities of the Defense Health Agency and the Armed Forces, respectively, concerning wounded, ill, and injured members of the Armed Forces during the integrated disability evaluation system process. Such policy shall include the following:

(1) A restatement of the requirement that, in accordance with section 1216(b) of title 10, United States Code, a determination of fitness for duty of a member of the Armed Forces under chapter 61 of title 10, United States Code, is the responsibility of the Secretary concerned.

(2) A description of the role of the Director of the Defense Health Agency in supporting the Secretaries concerned in carrying out determinations of fitness for duty as specified in paragraph (1).

(3) A description of how the medical evaluation board processes of the Armed Forces are integrated with the Defense Health Agency, including with respect to case management, appointments, and other relevant matters.

(4) A requirement that, in determining fitness for duty of a member of the Armed Forces under chapter 61 of title 10, United States Code, the Secretary concerned shall consider the results of any medical evaluation of the member provided under the authority of the Defense Health Agency pursuant to section 1073c of title 10, United States Code.

(5) A description of how the Director of the Defense Health Agency adheres to the medical evaluation processes of the Armed Forces, including an identification of each applicable regulation or policy to which the Director is required to so adhere.

(6) An assessment of the feasibility of affording various additional due process protections to members of the Armed Forces undergoing the medical evaluation board process.

(7) A restatement of the requirement that wounded, ill, and injured members of the Armed Forces may not be denied any due process protection afforded under applicable law or regulation of the Department of Defense or the Armed Forces.

(8) A description of the types of due process protections specified in paragraph (7), including an identification of each specific due process protection.

(b) CLARIFICATION OF RESPONSIBILITIES REGARDING MEDICAL EVALUATION BOARDS.—Section 1073c of title 10, United States Code, is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

"(h) RULE OF CONSTRUCTION REGARDING SECRETARIES CONCERNED AND MEDICAL EVALUATION BOARDS.—Nothing in this section shall be construed as transferring to the Director of the Defense Health Agency, or otherwise revoking, any authority or responsibility of the Secretary concerned under chapter 61 of this title with respect to a member of the armed forces (including with respect to the administration of morale and welfare and the determination of fitness for duty for the member) while the member is being considered by a medical evaluation board.".

(c) BRIEFING.—Not later than February 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the status of the implementation of subsections (a) and (b).

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the implementation of subsections (a) and (b), lessons learned as a result of such implementation, and the recommendations of the Secretary relating to the policy on wounded, ill, and injured members of the Armed Forces undergoing the integrated disability evaluation system process.

(e) SECRETARY CONCERNED DEFINED.—In this section, the term "Secretary concerned" has the meaning given that term in section 101 of title 10, United States Code.

SEC. 712. INCLUSION OF LEVEL THREE TRAUMA CARE CAPABILITIES IN REQUIREMENTS FOR MEDICAL CENTERS.

Section 1073d(b)(3) of title 10, United States Code, is amended by striking "or level two" and inserting ", level two, or level three".

SEC. 713. CENTERS OF EXCELLENCE FOR SPECIALTY CARE IN MILITARY HEALTH SYSTEM.

(a) CENTERS OF EXCELLENCE.—Section 1073d(b)(4) of title 10, United States Code, is amended to read as follows:

"(4)(A) The Secretary shall designate certain major medical centers as regional centers of excellence for the provision of specialty care services in the areas of specialty care described in subparagraph (D). A major medical center may be designated as a center of excellence under this subparagraph for more than one such area of specialty care.

"(B) The Secretary may designate certain medical centers as satellite centers of excellence for the provision of specialty care services for specific conditions, such as the following:

"(i) Post-traumatic stress.

"(ii) Traumatic brain injury.

"(iii) Such other conditions as the Secretary determines appropriate.

"(C) Centers of excellence designated under this paragraph shall serve the purposes of—

"(i) ensuring the military medical force readiness of the Department of Defense and the medical readiness of the armed forces;

"(ii) improving the quality of health care furnished by the Secretary to eligible beneficiaries; and

"(iii) improving health outcomes for eligible beneficiaries.

"(D) The areas of specialty care described in this subparagraph are as follows:

"(i) Oncology.

"(ii) Burn injuries and wound care.

"(iii) Rehabilitation medicine.

"(iv) Psychological health and traumatic brain injury.

"(v) Amputations and prosthetics.

"(vi) Neurosurgery.

"(vii) Orthopedic care.

"(viii) Substance abuse.

"(ix) Infectious diseases and preventive medicine.

"(x) Cardiothoracic surgery.

"(xi) Such other areas of specialty care as the Secretary determines appropriate.

"(E)(i) Centers of excellence designated under this paragraph shall be the primary source within the military health system for the receipt by eligible beneficiaries of specialty care.

"(ii) Eligible beneficiaries seeking a specialty care service through the military health system shall be referred to a center of excellence designated under subparagraph (A) for that area of specialty care or, if the specialty care service sought is unavailable at such center, to an appropriate specialty care provider in the private sector.

"(F) Not later than 90 days prior to the designation of a center of excellence under this paragraph, the Secretary shall notify the Committees on Armed Services of the House of Representatives and the Senate of such designation.

"(G) In this paragraph, the term 'eligible beneficiary' means any beneficiary under this chapter.".

(b) DEADLINE.—The Secretary of Defense shall designate certain major medical centers as regional centers of excellence in accordance with section 1073d(b)(4)(A) of title 10, United States Code, as added by subsection (a), by not later than one year after the date of the enactment of this Act.

(c) REPORT.—

(1) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that sets forth the plan of the Department of Defense to designate centers of excellence under section 1073d(b)(4) of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A list of the centers of excellence to be designated under such section 1073d(b)(4) and the locations of such centers.

(B) A description of the specialty care services to be provided at each such center and a staffing plan for each such center.

(C) A description of how each such center shall improve—

(i) the military medical force readiness of the Department and the medical readiness of the Armed Forces;

(ii) the quality of care received by eligible beneficiaries; and

(iii) the health outcomes of eligible beneficiaries.

(D) A comprehensive plan for the referral of eligible beneficiaries for specialty care services at centers of excellence designated under such section 1073d(b)(4) and appropriate specialty care providers in the private sector.

(E) A plan to assist eligible beneficiaries with travel and lodging, if necessary, in connection with the receipt of specialty care services at centers of excellence designated under such section 1073d(b)(4) or appropriate specialty care providers in the private sector.

(F) A plan to transfer specialty care providers of the Department to centers of excellence designated under such section 1073d(b)(4), in a number as determined by the Secretary to be required to provide specialty care services to eligible beneficiaries at such centers.

(G) A plan to monitor access to care, beneficiary satisfaction, experience of care, and clinical outcomes to understand better the impact of such centers on the health care of eligible beneficiaries.

(d) ELIGIBLE BENEFICIARY DEFINED.—In this section, the term "eligible beneficiary" means any beneficiary under chapter 55 of title 10, United States Code.

SEC. 714. MAINTENANCE OF CORE CASUALTY RECEIVING FACILITIES TO IMPROVE MEDICAL FORCE READINESS.

(a) IN GENERAL.—Section 1073d(b) of title 10, United States Code, as amended by section 713, is further amended by adding at the end the following new paragraph:

"(5)(A) The Secretary of Defense shall designate and maintain certain military medical treatment facilities as core casualty receiving facilities, to ensure the medical capability and capacity required to diagnose, treat, and rehabilitate large volumes of combat casualties and, as may be directed by the President or the Secretary, provide a medical response to events the President determines or declares as natural disasters, mass casualty events, or other national emergencies.

"(B) The Secretary shall ensure that the military medical treatment facilities selected for designation pursuant to subparagraph (A) are geographically located to facilitate the aeromedical evacuation of casualties from theaters of operations.

"(C) The Secretary—

"(i) shall ensure that the Secretaries of the military departments assign military personnel to core casualty receiving facilities designated under subparagraph (A) at not less than 90 percent of the staffing level required to maintain the operating bed capacity necessary to support operation planning requirements;

"(ii) may augment the staffing of military personnel at core casualty receiving facilities under subparagraph (A) with civilian employees of the Department of Defense to fulfil the staffing requirement under clause (i); and

"(iii) shall ensure that each core casualty receiving facility under subparagraph (A) is staffed with a civilian Chief Financial Officer and a civilian Chief Operating Officer with experience in the management of civilian hospital systems, for the purpose of ensuring continuity in the management of the facility.

"(D) In this paragraph:

"(i) The term 'core casualty receiving facility' means a Role 4 medical treatment facility that serves as a medical hub for the receipt and treatment of casualties, including civilian casualties, that may result from combat or from an event the President determines or declares as a natural disaster, mass casualty event, or other national emergency.

"(ii) The term 'Role 4 medical treatment facility' means a medical treatment facility that provides the full range of pre-

ventative, curative, acute, convalescent, restorative, and rehabilitative care.".

(b) TIMELINE FOR ESTABLISHMENT.—

(1) DESIGNATION.—Not later than October 1, 2024, the Secretary of Defense shall designate four military medical treatment facilities as core casualty receiving facilities under section 1073d(b)(5) of title 10, United States Code (as added by subsection (a)).

(2) OPERATIONAL.—Not later than October 1, 2025, the Secretary shall ensure that each such designated military medical treatment facility is fully staffed and operational as a core casualty receiving facility, in accordance with the requirements of such section 1073d(b)(5).

SEC. 715. CONGRESSIONAL NOTIFICATION REQUIREMENT TO MODIFY SCOPE OF SERVICES PROVIDED AT MILITARY MEDICAL TREATMENT FACILITIES.

Section 1073d of title 10, United States Code, as amended by section 714, is further amended by adding at the end the following new subsection:

"(f) NOTIFICATION REQUIRED TO MODIFY SCOPE OF SERVICES PROVIDED AT MILITARY MEDICAL TREATMENT FACILITIES.—(1) The Secretary of Defense may not modify the scope of medical care provided at a military medical treatment facility, or the beneficiary population served at the facility, unless—

"(A) the Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate a notification of the proposed modification in scope;

"(B) a period of 180 days has elapsed following the date on which the Secretary submits such notification; and

"(C) if the proposed modification in scope involves the termination or reduction of inpatient capabilities at a military medical treatment facility located outside the United States, the Secretary has provided to each member of the armed forces or covered beneficiary receiving services at such facility a transition plan for the continuity of health care for such member or covered beneficiary.

"(2) Each notification under paragraph (1) shall contain information demonstrating, with respect to the military medical treatment facility for which the modification in scope has been proposed, the extent to which the commander of the military installation at which the facility is located has been consulted regarding such modification, to ensure that the proposed modification in scope would have no impact on the operational plan for such installation.".

SEC. 716. IMPROVEMENTS TO PROCESSES TO REDUCE FINANCIAL HARM CAUSED TO CIVILIANS FOR CARE PROVIDED AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) CLARIFICATION OF FEE WAIVER PROCESS.—Section 1079b of title 10, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

"(b) WAIVER OF FEES.—The Director of the Defense Health Agency may issue a waiver for a fee that would otherwise be charged under the procedures implemented under subsection (a) to a civilian provided medical care who is not a covered beneficiary if the provision of such care enhances the knowledge, skills, and abilities of health

care providers, as determined by the Director of the Defense Health Agency."; and

(2) by redesignating subsection (c) as subsection (d).

(b) MODIFIED PAYMENT PLAN FOR CERTAIN CIVILIANS.—Such section is further amended—

(1) by inserting after subsection (b), as amended by subsection (a), the following:

"(c) MODIFIED PAYMENT PLAN FOR CERTAIN CIVILIANS.—(1)(A) If a civilian specified in subsection (a) is covered by a covered payer at the time care under this section is provided, the civilian shall only be responsible to pay the standard copays, coinsurance, deductibles, or nominal fees that are otherwise applicable under the covered payer plan.

"(B) Except with respect to the copays, coinsurance, deductibles, and nominal fees specified in subparagraph (A)—

"(i) the Secretary of Defense may bill only the covered payer for care provided to a civilian described in subparagraph (A); and

"(ii) payment received by the Secretary from the covered payer of a civilian for care provided under this section that is provided to the civilian shall be considered payment in full for such care.

"(2) If a civilian specified in subsection (a) does not meet the criteria under paragraph (1), is underinsured, or has a remaining balance and is at risk of financial harm, the Director of the Defense Health Agency shall reduce each fee that would otherwise be charged to the civilian under this section according to a sliding fee discount program, as prescribed by the Director of the Defense Health Agency.

"(3) If a civilian specified in subsection (a) does not meet the criteria under paragraph (1) or (2), the Director of the Defense Health Agency shall implement an additional catastrophic waiver to prevent severe financial harm.

"(4) The modified payment plan under this subsection may not be administered by a Federal agency other than the Department of Defense."; and

(2) by adding at the end the following new subsection:

"(e) DEFINITIONS.—In this section:

"(1) The term 'covered payer' means a third-party payer or other insurance, medical service, or health plan.

"(2) The terms 'third-party payer' and 'insurance, medical service, or health plan' have the meaning given those terms in section 1095(h) of this title.".

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall apply with respect to care provided on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 717. AUTHORITY TO CARRY OUT STUDIES AND DEMONSTRATION PROJECTS RELATING TO DELIVERY OF HEALTH AND MEDICAL CARE THROUGH USE OF OTHER TRANSACTION AUTHORITY.

(a) IN GENERAL.—Section 1092(b) of title 10, United States Code, is amended by inserting "or transactions (other than contracts, cooperative agreements, and grants)" after "contracts".

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on how the Secretary intends to use the authority to enter into transactions under section 1092(b) of title 10, United States Code, as amended by subsection (a).

SEC. 718. LICENSURE REQUIREMENT FOR CERTAIN HEALTH-CARE PROFESSIONALS PROVIDING SERVICES AS PART OF MISSION RELATING TO EMERGENCY, HUMANITARIAN, OR REFUGEE ASSISTANCE.

Section 1094(d)(2) of title 10, United States Code, is amended by inserting " contractor not covered under section 1091 of this title who is providing medical treatment as part of a mission relating to emergency, humanitarian, or refugee assistance," after "section 1091 of this title,".

SEC. 719. AUTHORIZATION OF PERMANENT PROGRAM TO IMPROVE OPIOID MANAGEMENT IN THE MILITARY HEALTH SYSTEM.

Section 716 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1090 note), is amended—

(1) in subsection (a)(1), by striking "Beginning not" and inserting "Except as provided in subsection (e), beginning not";

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection (e):

"(e) ALTERNATIVE INITIATIVE TO IMPROVE OPIOID MANAGEMENT.—As an alternative to the pilot program under this section, the Director of the Defense Health Agency, not later than January 1, 2023—

"(1) may implement a permanent program to improve opioid management for beneficiaries under the TRICARE program; and

"(2) if the Director decides to implement such a permanent program, shall submit to the Committees on Armed Services of the Senate and the House of Representatives the specifications of and reasons for implementing such program.".

SEC. 720. MODIFICATION OF REQUIREMENT TO TRANSFER RESEARCH AND DEVELOPMENT AND PUBLIC HEALTH FUNCTIONS TO DEFENSE HEALTH AGENCY.

(a) TEMPORARY RETENTION.—Notwithstanding section 1073c(e) of title 10, United States Code, at the discretion of the Secretary of Defense, a military department may retain, until not later than February 1, 2024, a covered function if the Secretary of Defense determines the covered function—

(1) addresses a need that is unique to the military department; and

(2) is in direct support of operating forces and necessary to execute strategies relating to national security and defense.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on any covered function that the Secretary has determined should be retained by a military department pursuant to subsection (a).

(2) ELEMENTS.—The briefing required by paragraph (1) shall address the following:

(A) A description of each covered function that the Secretary has determined should be retained by a military department pursuant to subsection (a).

(B) The rationale for each such determination.

(C) Recommendations for amendments to section 1073c of title 10, United States Code, to authorize the ongoing retention of covered functions by military departments.

(c) MODIFICATION TO NAMES OF PUBLIC HEALTH COMMANDS.—Section 1073c(e)(2)(B) of title 10, United States Code, is amended by striking "Army Public Health Command, the Navy–Marine Corps Public Health Command" and inserting "Army Public Health Center, the Navy–Marine Corps Public Health Center".

(d) COVERED FUNCTION DEFINED.—In this section, the term "covered function" means—

(1) a function relating to research and development that would otherwise be transferred to the Defense Health Agency Research and Development pursuant to section 1073c(e)(1) of title 10, United States Code; or

(2) a function relating to public health that would otherwise be transferred to the Defense Health Agency Public Health pursuant to section 1073c(e)(2) of such title.

SEC. 721. ACCESS TO CERTAIN DEPENDENT MEDICAL RECORDS BY REMARRIED FORMER SPOUSES.

(a) ACCESS.—The Secretary of Defense may authorize a remarried former spouse who is a custodial parent of a dependent child to retain electronic access to the privileged medical records of such dependent child, notwithstanding that the former spouse is no longer a dependent under section 1072(2) of title 10, United States Code.

(b) DEFINITIONS.—In this section:

(1) The term "dependent" has the meaning given that term in section 1072 of title 10, United States Code.

(2) The term "dependent child" means a dependent child of a remarried former spouse and a member or former member of a uniformed service.

(3) The term "remarried former spouse" means a remarried former spouse of a member or former member of a uniformed service.

SEC. 722. AUTHORITY FOR DEPARTMENT OF DEFENSE PROGRAM TO PROMOTE EARLY LITERACY AMONG CERTAIN YOUNG CHILDREN.

(a) AUTHORITY.—The Secretary of Defense may carry out a program to promote early literacy among young children in child development centers and libraries located on installations of the Department of Defense.

(b) ACTIVITIES.—Activities under the program under subsection (a) shall include the following:

(1) The provision of training on early literacy promotion to appropriate personnel of the Department.

(2) The purchase and distribution of age-appropriate books to covered caregivers assigned to or serving at an installation of the Department with a child development center or library at which the Secretary is carrying out the program.

(3) The dissemination to covered caregivers of education materials on early literacy.

(4) Such other activities as the Secretary determines appropriate.

(c) LOCATIONS.—In carrying out the program under subsection (a), the Secretary may conduct the activities under subsection (b) at any child development center or library located on an installation of the Department.

(d) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the extent to which the authority under subsection (a) is used, including—

(1) a description of any activities carried out under the program so authorized; and

(2) an evaluation of the potential expansion of such program to be included as a part of the pediatric primary care of young children and to be carried out in military medical treatment facilities.

(b) DEFINITIONS.—In this section:

(1) The term "covered caregiver" means a member of the Armed Forces who is a caregiver of a young child.

(2) The term "young child" means any child from birth to the age of five years old, inclusive.

SEC. 723. PLAN FOR ACCOUNTABLE CARE ORGANIZATION DEMONSTRATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Defense Health Agency, shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan for the conduct of the Accountable Care Organization demonstration, notice of which was published in the Federal Register on August 16, 2019 (84 Fed. Reg. 41974), (in this section referred to as the "Demonstration").

(b) ELEMENTS.—The plan under subsection (a) shall include, the following:

(1) A description of how the Demonstration shall be conducted to deliver improved health outcomes, improved quality of care, and lower costs under the TRICARE program.

(2) A description of the results for the TRICARE program that the Secretary plans to achieve through the Demonstration, with respect to the following outcome measures:

(A) Clinical performance.

(B) Utilization improvement.

(C) Beneficiary engagement.

(D) Membership growth and retention.

(E) Case management.

(F) Continuity of care.

(G) Use of telehealth.

(3) A description of how the Demonstration shall be conducted to shift financial risk from the Department of Defense to civilian health care providers.

(4) A description of how investment in the Demonstration shall serve as a bridge to future competitive demonstrations of the Department of Defense with accountable care organizations.

(5) A detailed description of the geographic locations at which the Secretary plans to conduct such future competitive demonstrations.

(6) A description of how a third-party administrator shall manage the administrative components of the Demonstration, including with respect to eligibility, enrollment, premium payment processes, submission of qualifying life events changes, and mailing address changes.

(c) TRICARE PROGRAM DEFINED.—In this section, the term "TRICARE program" has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 724. FEASIBILITY STUDY AND PLAN ON ESTABLISHING A MILITARY HEALTH SYSTEM MEDICAL LOGISTICS DIRECTORATE AND MILITARY HEALTH SYSTEM EDUCATION AND TRAINING DIRECTORATE.

(a) STUDY AND PLAN.—The Secretary of Defense, in consultation with the Secretaries of the military departments and the Joint Chiefs of Staff, shall—

(1) conduct a study on the feasibility of the establishment within the Defense Health Agency of two subordinate organizations, to be known as the Military Health System Medical Logistics Directorate and the Military Health System Education and Training Directorate, respectively; and

(2) develop a plan for such establishment.

(b) ELEMENTS.—The plan under subsection (a)(2) shall include the following:

(1) MILITARY HEALTH SYSTEM MEDICAL LOGISTICS DIRECTORATE.—With respect to the Military Health System Medical Logistics Directorate, the following:

(A) A description of the organizational structure of the Directorate (including any subordinate organizations), including the incorporation into the Directorate of existing organizations of the military departments that provide operational theater medical materiel support.

(B) A description of the resourcing by the Secretary of the executive leadership of the Directorate.

(C) A description of the geographic location, or multiple such locations, of the elements of the Directorate.

(D) A description of how the head of the medical research and development organization within the Defense Health Agency shall coordinate with the Directorate.

(E) A description of the ability of the Directorate to address the medical logistics requirements of the military departments, the combatant commands, and the Joint Staff.

(F) A description of any additional funding required to establish the Directorate.

(G) A description of any additional legislative authorities required to establish the Directorate, including any such authorities required for the leadership and direction of the Directorate.

(H) A description of any military department-specific capabilities, requirements, or best practices relating to medical logistics necessary to be considered prior to the establishment of the Directorate.

(I) Such other matters relating to the establishment, operations, or activities of the Directorate as the Secretary may determine appropriate.

(2) MILITARY HEALTH SYSTEM EDUCATION AND TRAINING DIRECTORATE.—With respect to the Military Health System Education and Training Directorate, the following:

(A) A description of the organizational structure of the Directorate (including any subordinate organizations), including the incorporation into the Directorate of existing organizations that provide relevant medical education and training, such as the following:

(i) The Uniformed Services University of the Health Sciences.

(ii) The College of Allied Health Sciences of the Uniformed Services University of the Health Sciences.

(iii) The Medical Education and Training Campus of the Department of Defense.

(iv) The medical education and training commands and organizations of the military departments.

(v) The medical training programs of the military departments affiliated with civilian academic institutions.

(B) A description of the resourcing by the Secretary of the executive leadership of the Directorate.

(C) A description of the geographic location, or multiple such locations, of the elements of the Directorate.

(D) A description of the ability of the Directorate to address the medical education and training requirements of the military departments.

(E) A description of any additional funding required for the establishment the Directorate.

(F) A description of any additional legislative authorities required for the establishment of the Directorate, including any such authorities required for the leadership and direction of the Directorate.

(G) Such other matters relating to the establishment, operations, or activities of the Directorate as the Secretary may determine appropriate.

(c) SUBMISSION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate—

(1) the results of the study under subsection (a)(1); and

(2) the plan under subsection (a)(2).

Subtitle C—Reports and Other Matters

SEC. 731. BRIEFING AND REPORT ON REDUCTION OR REALIGNMENT OF MILITARY MEDICAL MANNING AND MEDICAL BILLETS.

Section 731(a)(2)(A) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1796) is amended to read as follows:

"(A) BRIEFING; REPORT.—The Comptroller General of the United States shall—

"(i) not later than February 1, 2023, provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on preliminary observations regarding the analyses used to support any reduction or realignment of military medical manning, including any reduction or realignment of medical billets of the military departments; and

"(ii) not later than May 31, 2023, submit to the Committees on Armed Services of the House of Representatives and the Senate a report on such analyses.".

SEC. 732. INDEPENDENT ANALYSIS OF DEPARTMENT OF DEFENSE COMPREHENSIVE AUTISM CARE DEMONSTRATION PROGRAM.

Section 737 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1800) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by inserting "broadly" after "disorder"; and

(ii) by striking "demonstration project" and inserting "demonstration program";

(B) in subparagraph (B), by striking "demonstration project" and inserting "demonstration program";

(C) in subparagraph (C), by inserting "parental involvement in applied behavioral analysis treatment, and" after "including";

(D) in subparagraph (D), by striking "for an individual who has" and inserting ", including mental health outcomes, for individuals who have";

(E) in subparagraph (E), by inserting "since its inception" after "demonstration program";

(F) in subparagraph (F), by inserting "cost effectiveness, program effectiveness, and clinical" after "measure the";

(G) in subparagraph (G), by inserting "than in the general population" after "families";

(H) by redesignating subparagraph (H) as subparagraph (I); and

(I) by inserting after subparagraph (G) the following new subparagraph (H):

"(H) An analysis of whether the diagnosis and treatment of autism is higher among the children of military families than in the general population."; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking "nine" and inserting "31".

SEC. 733. CLARIFICATION OF MEMBERSHIP REQUIREMENTS AND COMPENSATION AUTHORITY FOR INDEPENDENT SUICIDE PREVENTION AND RESPONSE REVIEW COMMITTEE.

Section 738 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1801) is amended—

(1) in subsection (b)(3), by striking "none of whom may be" and all that follows through the closing period and inserting "none of whom may be—"

"(A) a member of an Armed Force; or

"(B) a civilian employee of the Department of Defense, unless the individual is a former member of an Armed Force.".

(2) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

(3) by inserting after subsection (e) the following new subsection (f):

"(f) COMPENSATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may compensate members of the committee established under subsection (a) for the work of such members for the committee.

"(2) EXCEPTION.—A member of the committee established under subsection (a) who is a civilian employee of the Department of Defense and a former member of an Armed Force may not receive compensation under paragraph (1).

"(3) TREATMENT OF COMPENSATION.—A member of the committee established under subsection (a) who receives compensation under paragraph (1) shall not be considered a civilian employee of the Department of Defense for purposes of subsection (b)(3)(B).".

SEC. 734. TERMINATION OF VETERANS' ADVISORY BOARD ON RADIATION DOSE RECONSTRUCTION.

Section 601 of the Veterans Benefit Act of 2003 (Public Law 108–183; 38 U.S.C. 1154 note) is amended—

(1) in subsection (b), by striking ", including the establishment of the advisory board required by subsection (c)"; and

(2) by striking subsection (c).

SEC. 735. BRAIN HEALTH INITIATIVE OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretaries concerned, shall establish a comprehensive initiative for brain health to be known as the "Warfighter Brain Health Initiative" (in this section referred to as the "Initiative") for the purpose of unifying efforts and programs across the Department of Defense to improve the cognitive performance and brain health of members of the Armed Forces.

(b) OBJECTIVES.—The objectives of the Initiative shall be the following:

(1) To enhance, maintain, and restore the cognitive performance of members of the Armed Forces through education, training, prevention, protection, monitoring, detection, diagnosis, treatment, and rehabilitation, including through the following activities:

(A) The establishment of a program to monitor cognitive brain health across the Department of Defense, with the

goal of detecting any need for cognitive enhancement or restoration resulting from potential brain exposures of members of Armed Forces, to mitigate possible evolution of injury or disease progression.

(B) The identification and dissemination of thresholds for blast pressure safety and associated emerging scientific evidence.

(C) The modification of high-risk training and operational activities to mitigate the negative effects of repetitive blast exposure.

(D) The identification of individuals who perform high-risk training or occupational activities, for purposes of increased monitoring of the brain health of such individuals.

(E) The development and operational fielding of non-invasive, portable, point-of-care medical devices, to inform the diagnosis and treatment of traumatic brain injury.

(F) The establishment of a standardized monitoring program that documents and analyzes blast exposures that may affect the brain health of members of the Armed Forces.

(G) The consideration of the findings and recommendations of the report of the National Academies of Science, Engineering, and Medicine titled "Traumatic Brain Injury: A Roadmap for Accelerating Progress" and published in 2022 (relating to the acceleration of progress in traumatic brain injury research and care), or any successor report, in relation to the activities of the Department relating to brain health, as applicable.

(2) To harmonize and prioritize the efforts of the Department of Defense into a single approach to brain health.

(c) ANNUAL BUDGET JUSTIFICATION DOCUMENTS.—In the budget justification materials submitted to Congress in support of the Department of Defense budget for each of fiscal years 2025 through 2029 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the Secretary of Defense shall include a budget justification display that includes all activities of the Department relating to the Initiative.

(d) PILOT PROGRAM RELATING TO MONITORING OF BLAST COVERAGE.—

(1) AUTHORITY.—The Director of the Defense Health Agency may conduct, as part of the Initiative, a pilot program under which the Director shall monitor blast overpressure exposure through the use of commercially available, off-the-shelf, wearable sensors, and document and evaluate data collected as a result of such monitoring.

(2) LOCATIONS.—Monitoring activities under a pilot program conducted pursuant to paragraph (1) shall be carried out in each training environment that the Director determines poses a risk for blast overpressure exposure.

(3) DOCUMENTATION AND SHARING OF DATA.—If the Director conducts a pilot program pursuant to paragraph (1), the Director shall—

(A) ensure that any data collected pursuant to such pilot program that is related to the health effects of the blast

overpressure exposure of a member of the Armed Forces who participated in the pilot program is documented and maintained by the Secretary of Defense in an electronic health record for the member; and

(B) to the extent practicable, and in accordance with applicable provisions of law relating to data privacy, make data collected pursuant to such pilot program available to other academic and medical researchers for the purpose of informing future research and treatment options.

(e) STRATEGY AND IMPLEMENTATION PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report setting forth a strategy and implementation plan of the Department of Defense to achieve the objectives of the Initiative under subsection (b).

(f) ANNUAL BRIEFINGS.—Not later than January 31, 2024, and annually thereafter until January 31, 2027, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a report on the Initiative that includes the following:

(1) A description of the activities taken under the Initiative and resources expended under the Initiative during the prior fiscal year.

(2) A summary of the progress made during the prior fiscal year with respect to the objectives of the Initiative under subsection (b).

(g) SECRETARY CONCERNED DEFINED.—In this section, the term "Secretary concerned" has the meaning given that term in section 101 of title 10, United States Code.

SEC. 736. ESTABLISHMENT OF PARTNERSHIP PROGRAM BETWEEN UNITED STATES AND UKRAINE FOR MILITARY TRAUMA CARE AND RESEARCH.

Not later than February 24, 2023, the Secretary of Defense shall seek to enter into a partnership with the appropriate counterpart from the Government of Ukraine for the establishment of a joint program on military trauma care and research. Such program shall consist of the following:

(1) The sharing of relevant lessons learned from the Russo-Ukraine War.

(2) The conduct of relevant joint conferences and exchanges with military medical professionals from Ukraine and the United States.

(3) Collaboration with the armed forces of Ukraine on matters relating to health policy, health administration, and medical supplies and equipment, including through knowledge exchanges.

(4) The conduct of joint research and development on the health effects of new and emerging weapons.

(5) The entrance into agreements with military medical schools of Ukraine for reciprocal education programs under which students at the Uniformed Services University of the Health Sciences receive specialized military medical instruction at the such military medical schools of Ukraine and military medical personnel of Ukraine receive specialized military med-

ical instruction at the Uniformed Services University of the Health Sciences, pursuant to section 2114(f) of title 10, United States Code.

(6) The provision of support to Ukraine for the purpose of facilitating the establishment in Ukraine of a program substantially similar to the Wounded Warrior Program in the United States.

(7) The provision of training to the armed forces of Ukraine in the following areas:

(A) Health matters relating to chemical, biological, radiological, nuclear and explosive weapons.

(B) Preventive medicine and infectious disease.

(C) Post traumatic stress disorder.

(D) Suicide prevention.

(8) The maintenance of a list of medical supplies and equipment needed.

(9) Such other elements as the Secretary of Defense may determine appropriate.

SEC. 737. IMPROVEMENTS RELATING TO BEHAVIORAL HEALTH CARE AVAILABLE UNDER MILITARY HEALTH SYSTEM.

(a) STUDY RELATING TO UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCE.—

(1) STUDY.—The Secretary of Defense shall conduct a study on the feasibility and advisability of the following:

(A) Establishing graduate degree-granting programs in counseling and social work at the Uniformed Services University of the Health Sciences.

(B) Expanding the clinical psychology graduate program of the Uniformed Services University of the Health Sciences.

(2) MATTERS.—The study under paragraph (1) shall include a description of—

(A) the process by which, as a condition of enrolling in a degree-granting program specified in such paragraph, a civilian student would be required to commit to post-award employment obligations; and

(B) the processes and consequences that would apply if such obligations are not met.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the findings of the study under paragraph (1).

(b) PILOT PROGRAM ON SCHOLARSHIP-FOR-SERVICE FOR CIVILIAN BEHAVIORAL HEALTH PROVIDERS.—

(1) PILOT PROGRAM.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall commence the conduct of a pilot program under which—

(A) the Secretary may provide—

(i) scholarships to cover tuition and related fees at an institution of higher education to an individual enrolled in a program of study leading to a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(ii) student loan repayment assistance to a credentialed behavioral health provider who has a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(B) in exchange for such assistance, the recipient shall commit to work as a covered civilian behavioral health provider in accordance with paragraph (2).

(2) POST-AWARD EMPLOYMENT OBLIGATIONS.—

(A) IN GENERAL.—Subject to subparagraph (B), as a condition of receiving assistance under paragraph (1), the recipient of such assistance shall enter into an agreement with the Secretary of Defense pursuant to which the recipient agrees to work on a full-time basis as a covered civilian behavioral health provider for a period of a duration that is at least equivalent to the period during which the recipient received assistance under such paragraph.

(B) OTHER TERMS AND CONDITIONS.—An agreement entered into pursuant to subparagraph (A) may include such other terms and conditions as the Secretary of Defense may determine necessary to protect the interests of the United States or otherwise appropriate for purposes of this section, including terms and conditions providing for limited exceptions from the post-award employment obligation specified in such subparagraph.

(3) REPAYMENT.—

(A) IN GENERAL.—An individual who receives assistance under paragraph (1) and does not complete the employment obligation required under the agreement entered into pursuant to paragraph (2) shall repay to the Secretary of Defense a prorated portion of the financial assistance received by the individual under paragraph (1).

(B) DETERMINATION OF AMOUNT.—The amount of any repayment required under subparagraph (A) shall be determined by the Secretary.

(4) DURATION.—The authority to carry out the pilot program under paragraph (1) shall terminate on the date that is 10 years after the date on which such pilot program commences.

(5) IMPLEMENTATION PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan for the implementation of this section.

(6) REPORTS.—

(A) IN GENERAL.—Not later than each of one year and five years after the commencement of the pilot program under paragraph (1), the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representative and the Senate a report on the pilot program.

(B) ELEMENTS.—Each report under subparagraph (A) shall include, with respect to the pilot program under subsection (1), the following:

(i) The number of students receiving scholarships under the pilot program.

(ii) The institutions of higher education at which such students are enrolled.

(iii) The total amount of financial assistance expended under the pilot program per academic year.

(iv) The average scholarship amount per student under the pilot program.

(v) The number of students hired as covered behavioral health providers pursuant to the pilot program.

(vi) Any recommendations for terminating the pilot program, extending the pilot program, or making the pilot program permanent.

(c) REPORT ON BEHAVIORAL HEALTH WORKFORCE.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an analysis of the behavioral health workforce under the direct care component of the military health system and submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the results of such analysis. Such report shall include, with respect to such workforce, the following:

(A) The number of positions authorized for military behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (2).

(B) The number of positions authorized for civilian behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (2).

(C) For each military department, the ratio of military behavioral health providers assigned to military medical treatment facilities compared to civilian behavioral health providers so assigned, disaggregated by the professions described in paragraph (2).

(D) For each military department, the number of military behavioral health providers authorized to be embedded within an operational unit, and the number of such positions filled, disaggregated by the professions described in paragraph (2).

(E) Data on the historical demand for behavioral health services by members of the Armed Forces.

(F) An estimate of the number of health care providers necessary to meet the demand by such members for behavioral health care services under the direct care component of the military health system, disaggregated by provider type.

(G) An identification of any shortfall between the estimated number under subparagraph (F) and the total number of positions for behavioral health providers filled within such workforce.

(H) Such other information as the Secretary may determine appropriate.

(2) PROVIDER TYPES.—The professions described in this paragraph are as follows:

(A) Clinical psychologists.

(B) Social workers.

(C) Counselors.

(D) Such other professions as the Secretary may determine appropriate.

(3) BEHAVIORAL HEALTH WORKFORCE AT REMOTE LOCATIONS.—In conducting the analysis of the behavioral health workforce under paragraph (1), the Secretary of Defense shall ensure such behavioral health workforce at remote locations (including Guam and Hawaii) and any shortfalls thereof, is taken into account.

(d) PLAN TO ADDRESS SHORTFALLS IN BEHAVIORAL HEALTH WORKFORCE.—Not later than one year after the date on which the report under subsection (c) is submitted, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan to address any shortfall of the behavioral health workforce identified under paragraph (1)(G) of such subsection. Such plan shall address the following:

(1) With respect to any such shortfall of military behavioral health providers (addressed separately with respect to such providers assigned to military medical treatment facilities and such providers assigned to be embedded within operational units), the recruitment, accession, retention, special pay and other aspects of compensation, workload, role of the Uniformed Services University of the Health Sciences and the Armed Forces Health Professions Scholarship Program under chapter 105 of title 10, United States Code, any additional authorities or resources necessary for the Secretary to increase the number of such providers, and such other considerations as the Secretary may consider appropriate.

(2) With respect to addressing any such shortfall of civilian behavioral health providers, the recruitment, hiring, retention, pay and benefits, workload, educational scholarship programs, any additional authorities or resources necessary for the Secretary to increase the number of such providers, and such other considerations as the Secretary may consider appropriate.

(3) A recommendation as to whether the number of military behavioral health providers in each military department should be increased, and if so, by how many.

(4) A plan to ensure that remote installations are prioritized for the assignment of military behavioral health providers.

(5) Updated access standards for behavioral health care under the military health system, taking into account—

(A) the duration of time between a patient receiving a referral for such care and the patient receiving individualized treatment (following an initial intake assessment) from a behavioral health provider; and

(B) the frequency of regular follow-up appointments subsequent to the first appointment at which a patient receives such individualized treatment.

(6) A plan to expand access to behavioral health care under the military health system using telehealth.

(e) DEFINITIONS.—In this section:

(1) The term "behavioral health" includes psychiatry, clinical psychology, social work, counseling, and related fields.

(2) The term "civilian behavioral health provider" means a behavioral health provider who is a civilian employee of the Department of Defense.

(3) The term "counselor" means an individual who holds—

(A) a master's or doctoral degree from an accredited graduate program in—

(i) marriage and family therapy; or

(ii) clinical mental health counseling; and

(B) a current license or certification from a State that grants the individual the authority to provide counseling services as an independent practitioner in the respective field of the individual.

(4) The term "covered civilian behavioral health provider" means a civilian behavioral health provider whose employment by the Secretary of Defense involves the provision of behavioral health services at a military medical treatment facility.

(5) The term "institution of higher education" has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(6) The term "military behavioral health provider" means a behavioral health provider who is a member of the Armed Forces.

(7) The term "military installation" has the meaning given that term in section 2801 of title 10, United States Code.

(8) The term "military medical treatment facility" means a facility specified in section 1073d of such title.

(9) The term "remote installation" means a military installation that the Secretary determines to be in a remote location.

(10) The term "State" means each of the several States, the District of Columbia, and each commonwealth, territory or possession of the United States.

SEC. 738. CERTIFICATION PROGRAM IN PROVISION OF MENTAL HEALTH SERVICES TO MEMBERS OF THE ARMED FORCES AND MILITARY FAMILIES.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the President of the Uniformed Services University of the Health Sciences, shall develop a curriculum and certification program to provide civilian mental health professionals and students in mental health-related disciplines with the specialized knowledge and skills necessary to address the unique mental health needs of members of the Armed Forces and military families.

(b) IMPLEMENTATION.—Not later than 90 days after completing the development of the curriculum and certification program under subsection (a), the Secretary of Defense shall implement such curriculum and certification program in the Uniformed Services University of the Health Sciences.

(c) AUTHORITY TO DISSEMINATE BEST PRACTICES.—The Secretary of Defense may disseminate best practices based on the curriculum and certification program developed and implemented under this section to other institutions of higher education, as such term is defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(d) TERMINATION.—The authority to carry out the curriculum and certification program under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(e) BRIEFING.—Not later than 180 days after the termination date specified in subsection (d), the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the results of the curriculum and certification program developed and implemented under this section.

SEC. 739. STANDARDIZATION OF POLICIES RELATING TO SERVICE IN ARMED FORCES BY INDIVIDUALS DIAGNOSED WITH HBV.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries concerned, shall—

(1) review regulations, establish policies, and issue guidance relating to service in the Armed Forces by individuals diagnosed with HBV, consistent with the health care standards and clinical guidelines of the Department of Defense; and

(2) identify areas where the regulations, policies, and guidance of the Department relating to individuals diagnosed with HBV (including with respect to enlistments, assignments, deployments, and retention standards) may be standardized across the Armed Forces.

(b) DEFINITIONS.—In this section:

(1) The term "HBV" means the Hepatitis B Virus.

(2) The term "Secretary concerned" has the meaning given that term in section 101 of title 10, United States Code.

SEC. 740. SUICIDE CLUSTER: STANDARDIZED DEFINITION FOR USE BY DEPARTMENT OF DEFENSE; CONGRESSIONAL NOTIFICATION.

(a) STANDARDIZATION OF DEFINITION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries concerned, shall develop, for use across the Armed Forces, a standardized definition for the term "suicide cluster".

(b) NOTIFICATION REQUIRED.—Beginning not later than one year after the date of the enactment of this Act, whenever the Secretary determines the occurrence of a suicide cluster (as that term is defined pursuant to subsection (a)) among members of the Armed Forces, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a notification of such determination.

(c) BRIEFING.—Not later than April 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the following:

(1) The methodology being used in the development of the definition under subsection (a).

(2) The progress made towards the development of the process for submitting required notifications under subsection (b).

(3) An estimated timeline for the implementation of this section.

(d) COORDINATION REQUIRED.—In developing the definition under subsection (a) and the process for submitting required notifications under subsection (b), the Secretary of Defense shall coordinate with the Secretaries concerned.

(e) SECRETARY CONCERNED DEFINED.—In this section, the term "Secretary concerned" has the meaning given that term in section 101 of title 10, United States Codes.

SEC. 741. LIMITATION ON REDUCTION OF MILITARY MEDICAL MANNING END STRENGTH: CERTIFICATION REQUIREMENT AND OTHER REFORMS.

(a) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), and in addition to the limitation under section 719 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1454), as most recently amended by section 731 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1795), during the five-year period beginning on the date of the enactment of this Act, neither the Secretary of Defense nor a Secretary concerned may reduce military medical end strength authorizations, and following such period, neither may reduce such authorizations unless the Secretary of Defense issues a waiver pursuant to paragraph (6).

(2) EXCEPTION.—The limitation under paragraph (1) shall not apply with respect to the following:

(A) Administrative billets of a military department that have remained unfilled since at least October 1, 2018.

(B) Billets identified as non-clinical in the budget of the President for fiscal year 2020 submitted to Congress pursuant to section 1105(a) of title 31, United States Code, except that the number of such billets may not exceed 1,700.

(C) Medical headquarters billets of the military departments not assigned to, or providing direct support to, operational commands.

(3) REPORT ON COMPOSITION OF MILITARY MEDICAL WORKFORCE REQUIREMENTS.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall conduct an assessment of current military medical manning requirements (taking into consideration factors including future operational planning, training, and beneficiary healthcare) and submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the findings of such assessment. Such assessment shall be informed by the following:

(A) The National Defense Strategy submitted under section 113(g) of title 10, United States Code.

(B) The National Military Strategy prepared under section 153(b) of such title.

(C) The campaign plans of the combatant commands.

(D) Theater strategies.

(E) The joint medical estimate under section 732 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1817).

(F) The plan of the Department of Defense on integrated medical operations, as updated pursuant to paragraph (1) of section 724(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1793; 10 U.S.C. 1096 note).

(G) The plan of the Department of Defense on global patient movement, as updated pursuant to paragraph (2) of such section 724(a).

(H) The biosurveillance program of the Department of Defense established pursuant to Department of Defense Directive 6420.02 (relating to biosurveillance).

(I) Requirements for graduate medical education.

(J) The report of the COVID–19 Military Health System Review Panel under section 731 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3698).

(K) The report of the Inspector General of the Department of Defense titled "Evaluation of Department of Defense Military Medical Treatment Facility Challenges During the Coronavirus Disease-2019 (COVID-19) Pandemic in Fiscal Year 2021 (DODIG-2022-081)" and published on April 5, 2022.

(L) Reports of the Comptroller General of the United States relating to military health system reforms undertaken on or after January, 1, 2017, including any such reports relating to military medical manning and force composition mix.

(M) Such other reports as may be determined appropriate by the Secretary of Defense.

(4) CERTIFICATION.—The Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a certification containing the following:

(A) A certification of the completion of a comprehensive review of military medical manning, including with respect to the medical corps (or other health- or medical-related component of a military department), designator, profession, occupation, and rating of medical personnel.

(B) A justification for any proposed increase, realignment, reduction, or other change to the specialty or occupational composition of military medical end strength authorizations, which may include compliance with a requirement or recommendation set forth in a strategy, plan, or other matter specified in paragraph (3).

(C) A certification that, in the case that any change to such specialty or occupational composition is required, a vacancy resulting from such change may not be filled with a position other than a health- or medical-related position until such time as there are no military medical billets remaining to fill the vacancy.

(D) A risk analysis associated with the potential realignment or reduction of any military medical end strength authorizations.

(E) An identification of any plans of the Department to backfill military medical personnel positions with civilian personnel.

(F) A plan to address persistent vacancies for civilian personnel in health- or medical-related positions, and a risk analysis associated with the hiring, onboarding, and

retention of such civilian personnel, taking into account provider shortfalls across the United States.

(G) A comprehensive plan to mitigate any risk identified pursuant to subparagraph (D) or (F), including with respect to funding necessary for such mitigation across fiscal years.

(5) PROCESS REQUIRED.—The Secretaries of the military departments, in coordination with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, shall develop and submit to the Committees on Armed Services of the House of Representatives and the Senate a process for the authorization of proposed modifications to the composition of the medical manning force mix across the military departments while maintaining compliance with the limitation under paragraph (1). Such process shall—

(A) take into consideration the funding required for any such proposed modification; and

(B) include distinct processes for proposed increases and proposed decreases, respectively, to the medical manning force mix of each military department.

(6) WAIVER.—

(A) IN GENERAL.—Following the conclusion of the five-year period specified in paragraph (1), the Secretary of Defense may waive the prohibition under such subsection if—

(i) the report requirement under paragraph (3), the certification requirement under paragraph (4), and the process requirement under paragraph (5) have been completed;

(ii) the Secretary determines that the waiver is necessary and in the interests of the national security of the United States; and

(iii) the waiver is issued in writing.

(B) NOTIFICATION TO CONGRESS.—Not later than five days after issuing a waiver under subparagraph (A), the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a notification of the waiver (including the text of the waiver and a justification for the waiver) and provide to such committees a briefing on the components of the waiver.

(b) TEMPORARY SUSPENSION OF IMPLEMENTATION OF PLAN FOR RESTRUCTURE OR REALIGNMENT OF MILITARY MEDICAL TREATMENT FACILITIES.—The Secretary of Defense may not implement the plan under section 703(d)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2199) until the later of the following:

(1) The date that is one year after the date of the enactment of this Act.

(2) The date on which the Secretary of Defense completes the following:

(A) A risk analysis for each military medical treatment facility to be realigned, restructured, or otherwise affected under the implementation plan under such section 703(d)(1), including an assessment of the capacity of the

TRICARE network of providers in the area of such military medical treatment facility to provide care to the TRICARE Prime beneficiaries that would otherwise be assigned to such military medical treatment facility.

(B) An identification of the process by which the assessment conducted under subsection (a)(3) and the certification required under subsection (a)(4) shall be linked to any restructuring or realignment of military medical treatment facilities.

(c) BRIEFINGS; FINAL REPORT.—

(1) INITIAL BRIEFING.—Not later than April 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on—

(A) the method by which the Secretary plans to meet the report requirement under subsection (a)(3), the certification requirement under subsection (a)(4), and the process requirement under subsection (a)(5); and

(B) the matters specified in subparagraphs (A) and (B) of subsection (b)(2).

(2) BRIEFING ON PROGRESS.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the progress made towards completion of the requirements specified in paragraph (1)(A).

(3) FINAL BRIEFING.—Not later than three years after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a final briefing on the completion of such requirements.

(4) FINAL REPORT.—Not later than three years after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a final report on the completion of such requirements. Such final report shall be in addition to the report, certification, and process submitted under paragraphs (3), (4), and (5) of subsection (a), respectively.

(d) DEFINITIONS.—In this section:

(1) The term "medical personnel" has the meaning given such term in section 115a(e) of title 10, United States Code.

(2) The term "Secretary concerned" has the meaning given that term in section 101(a) of such title.

(3) The term "theater strategy" means an overarching construct outlining the vision of a combatant commander for the integration and synchronization of military activities and operations with other national power instruments to achieve the strategic objectives of the United States.

SEC. 742. FEASIBILITY STUDY ON ESTABLISHMENT OF DEPARTMENT OF DEFENSE INTERNSHIP PROGRAMS RELATING TO CIVILIAN BEHAVIORAL HEALTH PROVIDERS.

(a) FEASIBILITY STUDY.—The Secretary of Defense shall conduct a study on the feasibility of establishing paid pre-doctoral and post-doctoral internship programs for the purpose of training clinical

psychologists to work as covered civilian behavioral health providers.

(b) ELEMENTS.—The feasibility study under subsection (a) shall assess, with respect to the potential internship programs specified in such subsection, the following:

(1) A model under which, as a condition of participating in such an internship program, the participant would enter into an agreement with the Secretary under which the participant agrees to work on a full-time basis as a covered civilian behavioral health provider for a period of a duration that is at least equivalent to the period of participation in such internship program.

(2) Methods by which the Secretary may address scenarios in which an individual who participates in such an internship program does not complete the employment obligation required under the agreement referred to in paragraph (1), including by requiring the individual to repay to the Secretary a prorated portion of the cost of administering such program (to be determined by the Secretary) with respect to such individual and of any payment received by the individual under such program.

(3) The methods by which the Secretary may adjust the workload and staffing of behavioral health providers in military medical treatment facilities to ensure sufficient capacity to supervise participants in such internship programs.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the findings of the feasibility study under subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term "behavioral health" includes psychiatry, clinical psychology, social work, counseling, and related fields.

(2) The term "behavioral health provider" includes the following:

(A) A licensed professional counselor.

(B) A licensed mental health counselor.

(C) A licensed clinical professional counselor.

(D) A licensed professional clinical counselor of mental health.

(E) A licensed clinical mental health counselor.

(F) A licensed mental health practitioner.

(3) The term "covered civilian behavioral health provider" means a civilian behavioral health provider whose employment by the Secretary of Defense involves the provision of behavioral health services at a military medical treatment facility.

(4) The term "civilian behavioral health provider" means a behavioral health provider who is a civilian employee of the Department of Defense.

(5) The term "military medical treatment facility" means a facility specified in section 1073d of title 10, United States Code.

SEC. 743. UPDATES TO PRIOR FEASIBILITY STUDIES ON ESTABLISHMENT OF NEW COMMAND ON DEFENSE HEALTH.

(a) UPDATES.—The Secretary of Defense shall update prior studies regarding the feasibility of establishing a new defense health com-

mand under which the Defense Health Agency would be a joint component. In conducting such updates, the Secretary shall consider for such new command each of the following potential structures:

(1) A unified combatant command.

(2) A specified combatant command.

(3) Any other command structure the Secretary determines is appropriate for consideration.

(b) MATTERS.—The updates under subsection (a) shall include, with respect to the new command specified in such subsection, the following:

(1) An assessment of the potential organizational structure of the new command sufficient for the new command to carry out the responsibilities described in subsection (c), including a description of the following:

(A) The potential reporting relationship between the commander of the new command, the Assistant Secretary of Defense for Health Affairs, and the Under Secretary of Defense for Personnel and Readiness.

(B) The potential relationship of the new command to the military departments, the combatant commands, and the Joint Staff.

(C) The potential responsibilities of the commander of the new command and how such responsibilities would differ from the responsibilities of the Director of the Defense Health Agency.

(D) The potential chain of command between such commander and the Secretary of Defense.

(E) The potential roles of the Surgeons General of the Army, Navy, and Air Force, with respect to such commander.

(F) Any organizations that support the Defense Health Agency, such as the medical departments and medical logistics organizations of each military department.

(G) The potential organizational structure of the new command, including any subordinate commands.

(H) The geographic location, or multiple such locations, of the headquarters of the new command and any subordinate commands.

(I) How the Defense Health Agency currently serves as a provider of optimally trained and clinically proficient health care professionals to support combatant commands.

(J) How the new command may further serve as a provider of optimally trained and clinically proficient health care professionals to support combatant commands.

(2) An assessment of any additional funding necessary to establish the new command.

(3) An assessment of any additional legislative authorities necessary to establish the new command, including with respect to the executive leadership and direction of the new command.

(4) An assessment of the required resourcing of the executive leadership of the new command.

(5) If the Secretary makes the determination to establish the new command, a timeline for such establishment.

(6) If the Secretary defers such determination pending further implementation of other organizational reforms to the military health system, a timeline for such future determination.

(7) Such other matters relating to the establishment, operations, or activities of the new command as the Secretary may determine appropriate.

(c) RESPONSIBILITIES DESCRIBED.—The responsibilities described in this subsection are as follows:

(1) The conduct of health operations among operational units of the Armed Forces.

(2) The administration of military medical treatment facilities.

(3) The administration of the TRICARE program.

(4) Serving as the element of the Armed Forces with the primary responsibility for the following:

(A) Medical treatment, advanced trauma management, emergency surgery, and resuscitative care.

(B) Emergency and specialty surgery, intensive care, medical specialty care, and related services.

(C) Preventive, acute, restorative, curative, rehabilitative, and convalescent care.

(5) Collaboration with medical facilities participating in the National Disaster Medical System established pursuant to section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11), the Veterans Health Administration, and such other Federal departments and agencies and nongovermental organizations as may be determined appropriate by the Secretary, including with respect to the care services specified in paragraph (4)(C).

(6) The conduct of existing research and education activities of the Department of Defense in the field of health sciences.

(7) The conduct of public health and global health activities not otherwise assigned to the Armed Forces.

(8) The administration of the Defense Health Program Account under section 1100 of title 10, United States Code.

(d) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the method by which the Secretary intends to update prior studies as required pursuant to subsection (a).

(e) FINAL BRIEFING; REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) provide to the Committees on Armed Services of the House of Representatives and the Senate a final briefing on the implementation of this section; and

(2) submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the updates to prior studies required pursuant to subsection (a), including each of the elements specified in subsection (b).

SEC. 744. CAPABILITY ASSESSMENT AND ACTION PLAN WITH RESPECT TO EFFECTS OF EXPOSURE TO OPEN BURN PITS AND OTHER ENVIRONMENTAL HAZARDS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct a capability assessment of potential improvements to activities of the Department of Defense to reduce the effects of environmental exposures with respect to members of the Armed Forces; and

(2) develop an action plan to implement such improvements assessed under paragraph (1) as the Secretary considers appropriate.

(b) ELEMENTS.—The capability assessment required by subsection (a)(1) shall include the following elements:

(1) With respect to the conduct of periodic health assessments, the following:

(A) An assessment of the feasibility and advisability of adding additional screening questions relating to environmental and occupational exposures to current health assessments of members of the Armed Forces conducted by the Secretary of Defense, including pre- and post-deployment assessments and pre-separation assessments.

(B) An assessment of the potential value and feasibility of regularly requiring spirometry or other pulmonary function testing pre- and post-deployment for all members, or selected members, of the Armed Forces.

(2) With respect to the conduct of outreach and education, the following:

(A) An evaluation of clinician training on the health effects of airborne hazards and how to document exposure information in health records maintained by the Department of Defense and the Department of Veterans Affairs.

(B) An assessment of the adequacy of current actions by the Secretary of Defense and the Secretary of Veterans Affairs to increase awareness among members of the Armed Forces and veterans of the purposes and uses of the Airborne Hazards and Open Burn Pit Registry and the effect of a potential requirement that individuals meeting applicable criteria be automatically enrolled in the registry unless such individuals opt out of enrollment.

(C) An assessment of operational plans for deployment with respect to the adequacy of educational activities for, and evaluations of, performance of command authorities, medical personnel, and members of the Armed Forces on deployment on anticipated environmental exposures and potential means to minimize and mitigate any adverse health effects of such exposures, including through the use of monitoring, personal protective equipment, and medical responses.

(D) An evaluation of potential means to improve the education of health care providers of the Department of Defense with respect to the diagnosis and treatment of health conditions associated with environmental exposures.

(3) With respect to the monitoring of exposure during deployment operations, the following:

(A) An evaluation of potential means to strengthen tactics, techniques, and procedures used in deployment operations to document—

(i) specific locations where members of the Armed Forces served;

(ii) environmental exposures in such locations; and

(iii) any munitions involved during such service in such locations.

(B) An assessment of potential improvements in the acquisition and use of wearable monitoring technology and remote sensing capabilities to record environmental exposures by geographic location.

(C) An analysis of the potential value and feasibility of maintaining a repository of frozen soil samples from each deployment location to be later tested as needed when concerns relating to environmental exposures are identified.

(4) With respect to the use of the Individual Longitudinal Exposure Record, the following:

(A) An assessment of feasibility and advisability of recording individual clinical diagnosis and treatment information in the Individual Longitudinal Exposure Record to be integrated with exposure data.

(B) An evaluation of—

(i) the progress toward making the Individual Longitudinal Exposure Record operationally capable and accessible to members of the Armed Forces and veterans by 2023; and

(ii) the integration of data from the Individual Longitudinal Exposure Record with the electronic health records of the Department of Defense and the Department of Veterans Affairs.

(C) An assessment of the feasibility and advisability of making such data accessible to the surviving family members of members of the Armed Forces and veterans.

(5) With respect to the conduct of research, the following:

(A) An assessment of the potential use of the Airborne Hazards and Open Burn Pit Registry for research on monitoring and identifying the health consequences of exposure to open burn pits.

(B) An analysis of options for increasing the amount and the relevance of additional research into the health effects of open burn pits and effective treatments for such health effects.

(C) An evaluation of potential research of biomarker monitoring to document environmental exposures during deployment or throughout the military career of a member of the Armed Forces.

(D) An analysis of potential organizational strengthening with respect to the management of research on environmental exposure hazards, including the establishment of a joint program executive office for such management.

(E) An assessment of the findings and recommendations of the 2020 report by the National Academies of Science, Engineering, and Medicine titled "Respiratory Health Effects of Airborne Hazards Exposures in the Southwest Asia Theater of Military Operations".

(6) An evaluation of such other matters as the Secretary of Defense determines appropriate to ensure a comprehensive review of activities relating to the effects of exposure to open burn pits and other environmental hazards.

(c) SUBMISSION OF PLAN AND BRIEFING.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) submit to the Committees on Armed Services of the House of Representatives and the Senate the action plan required by subsection (a)(2); and

(2) provide to such committees a briefing on the results of the capability assessment required by subsection (a)(1).

(d) DEFINITIONS.—In this section:

(1) The term "Airborne Hazards and Open Burn Pit Registry" means the registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(2) The term "environmental exposure" means an exposure to an open burn pit or other environmental hazard, as determined by the Secretary of Defense.

(3) The term "open burn pit" has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SEC. 745. KYLE MULLEN NAVY SEAL MEDICAL TRAINING REVIEW.

(a) REVIEW.—The Inspector General of the Department of Defense shall conduct a comprehensive review of the medical training for health care professionals furnishing medical care to individuals undergoing Navy Sea, Air, and Land (SEAL) training, the quality assurance mechanisms in place with respect to such care, and the efforts to mitigate health stress of individuals undergoing such training.

(b) ELEMENTS.—The review under subsection (a) shall include the following elements:

(1) A review of the policies for improved medical care of individuals undergoing Navy SEAL training and quality assurance with respect to such care.

(2) A review of sleep deprivation practices implemented with respect to Navy SEAL training, including an identification of when such practices were initially implemented and how frequently such practices are updated.

(3) An assessment of the policies and rules relating to the use of performance enhancing drugs by individuals undergoing Navy SEAL training.

(4) An assessment of the oversight of health care professionals (including enlisted and officer medical personnel, civilian employees of the Department of Defense, and contractors of the Department) with respect to the provision by such professionals of health care services to individuals undergoing Navy SEAL training.

(5) A review and assessment of deaths, occurring during the twenty-year period preceding the date of the review, of individuals who were undergoing Navy SEAL training at the time of death.

(6) A review of ongoing efforts and initiatives to ensure the safety of individuals undergoing Navy SEAL training and to prevent the occurrence of long-term injury, illness, and death among such individuals.

(7) An assessment of the role of nutrition in Navy SEAL training.

(c) INTERIM BRIEFING.—Not later than March 1, 2023, the Inspector General of the Department of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on how the Inspector General plans to conduct the review under subsection (a), including with respect to each element specified in subsection (b).

(d) FINAL REPORT.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a final report on the completion of the review under subsection (a), including recommendations of the Inspector General developed as a result of such review.

SEC. 746. REPORTS ON COMPOSITION OF MEDICAL PERSONNEL OF EACH MILITARY DEPARTMENT AND RELATED MATTERS.

(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for three years, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the composition of the medical personnel of each military department and related matters.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) With respect to each military department, the following:

(A) An identification of the number of medical personnel of the military department who are officers in a grade above O–6.

(B) An identification of the number of such medical personnel who are officers in a grade below O–7.

(C) A description of any plans of the Secretary to—

(i) reduce the total number of such medical personnel; or

(ii) eliminate any covered position for such medical personnel.

(D) A recommendation by the Secretary for the number of covered positions for such medical personnel that should be required for purposes of maximizing medical readiness (without regard to current statutory limitations, or potential future statutory limitations, on such number), presented as a total number for each military department and disaggregated by grade.

(2) An assessment of the grade for the position of the Medical Officer of the Marine Corps, including—

(A) a comparison of the effects of filling such position with an officer in the grade of O–6 versus an officer in the grade of O–7;

(B) an assessment of potential issues associated with the elimination of such position; and

(C) a description of any potential effects of such elimination with respect to medical readiness.

(3) An assessment of all covered positions for medical personnel of the military departments, including the following:

(A) The total number of authorizations for such covered positions, disaggregated by—

(i) whether the authorization is for a position in a reserve component; and

(ii) whether the position so authorized is filled or vacant.

(B) A description of any medical- or health-related specialty requirements for such covered positions.

(C) For each such covered position, an identification of the title and geographic location of, and a summary of the responsibility description for, the position.

(D) For each such covered position, an identification of the span of control of the position, including with respect to the highest grade at which each such position has been filled.

(E) An identification of any downgrading, upgrading, or other changes to such covered positions occurring during the 10-year period preceding the date of the report, and an assessment of whether any such changes have resulted in the transfer of responsibilities previously assigned to such a covered position to—

(i) a position in the Senior Executive Service or another executive personnel position; or

(ii) a position other than a covered position.

(F) A description of any officers in a grade above O–6 assigned to the Defense Health Agency, the Office of the Assistant Secretary of Defense for Health Affairs, the Joint Staff, or any other position within the military health system.

(G) A description of the process by which the positions specified in subparagraph (F) are validated against military requirements or similar billet justification processes.

(H) A side-by-side comparison demonstrating, across the military departments, the span of control and the responsibilities of covered positions for medical personnel of each military department.

(c) DISAGGREGATION OF CERTAIN DATA.—The data specified in subparagraphs (A) and (B) of subsection (b)(1) shall be presented as a total number and disaggregated by each medical component of the respective military department.

(d) DEFINITIONS.—In this section:

(1) The term "covered position" means a position for an officer in a grade above O–6.

(2) The term "officer" has the meanings given that term in section 101(b) of title 10, United States Code.

(3) The term "medical component" means—

(A) in the case of the Army, the Medical Corps, Dental Corps, Nurse Corps, Medical Service Corps, Veterinary Corps, and Army Medical Specialist Corps;

(B) in the case of the Air Force, members designated as medical officers, dental officers, Air Force nurses, medical service officers, and biomedical science officers; and

(C) in the case of the Navy, the Medical Corps, Dental Corps, Nurse Corps, and Medical Service Corps.

(4) The term "medical personnel" has the meaning given such term in section 115a(e) of title 10, United States Code.

(5) The term "military department" has the meaning given that term in section 101(a) of such title.

SEC. 747. REPORT ON EFFECTS OF LOW RECRUITMENT AND RETENTION ON OPERATIONAL TEMPO AND PHYSICAL AND MENTAL HEALTH OF MEMBERS OF THE ARMED FORCES.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the effects of low recruitment and retention on the Armed Forces.

(b) MATTERS.—The report under subsection (a) shall include an assessment of the following:

(1) The effect of low recruitment on the tempo for operational units during the previous five years, including with respect to deployed units and units in pre-deployment training.

(2) Whether the rate of operational tempo during the pervious five years has affected the retention of members of the Armed Forces, including with respect to deployed units and units in pre-deployment training.

(3) How the rate of operational tempo during the previous five years has affected the number of mental health visits of members of the Armed Forces serving in such units.

(4) How the rate of operational tempo during the pervious five years has affected the number of suicides occurring within such units.

(5) Whether the rate of operational tempo during the pervious five years has affected the number of musculoskeletal and related injuries incurred by members of the Armed Forces serving in such units.

(6) The type or types of military occupational specialties most affected by low recruitment.

(7) Lessons learned in the process of gathering data for the report under this section.

(8) Any policy or legislative recommendations to mitigate the effect of low recruitment on the operational tempo of the Armed Forces.

SEC. 748. GUIDANCE FOR ADDRESSING HEALTHY RELATIONSHIPS AND INTIMATE PARTNER VIOLENCE THROUGH TRICARE PROGRAM.

(a) GUIDANCE.—The Secretary of Defense shall disseminate guidance on the implementation through the TRICARE program of—

(1) education on healthy relationships and intimate partner violence; and

(2) protocols for—

(A) the routine assessment of intimate partner violence and sexual assault; and

(B) the promotion of, and strategies for, trauma-informed care plans.

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the implementation of this section.

SEC. 749. BRIEFING ON SUICIDE PREVENTION REFORMS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than March 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the following:

(1) The feasibility and advisability of implementing reforms related to suicide prevention among members of the Armed Forces as follows:

(A) Eliminating mental health history as a disqualifier for service in the Armed Forces, including by eliminating restrictions related to mental health history that are specific to military occupational specialties.

(B) Requiring comprehensive and in-person annual mental health assessments of members of the Armed Forces.

(C) Requiring behavioral health providers under the TRICARE program, including providers contracted through such program, to undergo evidence-based and suicide-specific training.

(D) Requiring leaders at all levels of the Armed Forces to be trained on the following:

(i) Total wellness.

(ii) Suicide warning signs and risk factors.

(iii) Evidence-based, suicide-specific interventions.

(iv) Effectively communicating with medical and behavioral health providers.

(v) Communicating with family members, including extended family members who are not co-located with a member of the Armed Forces, on support and access to resources for members of the Armed Forces and the dependents thereof.

(E) Requiring mandatory referral to Warriors in Transition programs, or other transitional programs, for members of the Armed Forces who are eligible for such programs.

(2) Recommendations for additional legislative actions necessary to further enhance or expand suicide prevention efforts of the Department of Defense.

(b) DEFINITIONS.—In this section—

(1) The term "TRICARE program" has the meaning given that term in section 1072 of title 10, United States Code.

(2) The term "Warriors in Transition program" has the meaning given that term in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1071 note).

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

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

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Subtitle A—Acquisition Policy and Management

SEC. 801. WRITING AWARD TO ENCOURAGE CURIOSITY AND PERSISTENCE IN OVERCOMING OBSTACLES IN ACQUISITION.

(a) IN GENERAL.—Chapter 87 of title 10, United States Code, is amended by inserting after section 1742 the following new section:

"§ 1743. Awards to recognize members of the acquisition workforce

"(a) ESTABLISHMENT.—The President of the Defense Acquisition University shall establish two programs to provide awards to recognize members of the acquisition workforce as follows:

"(1) An award of not more than $5,000 to such members who use an iterative writing process to document a first-hand account of using independent judgment to overcome an obstacle the member faced while working within the defense acquisition system (as defined in section 3001 of this title).

"(2) An award of not more than $5,000 to such members who make the best use of the flexibilities and authorities granted by the Federal Acquisition Regulation and Department of Defense Instruction 5000.02 (Operation of the Defense Acquisition System).

"(b) NUMBER OF AWARDS.—

"(1) IN GENERAL.—The President of the Defense Acquisition University may make not more than five awards under subsection (a)(1) and one award under subsection (a)(2) each year.

"(2) LIMITATION.—A member of the acquisition workforce may receive one award each year.

"(c) REQUIREMENTS FOR WRITING AWARD.—

"(1) SUBMISSION REQUIRED.—A member of the acquisition workforce desiring an award under subsection (a)(1) shall submit to the President of the Defense Acquisition University the first-hand account described in such subsection. Such first-hand account shall demonstrate—

"(A) an original and engaging idea documenting the use of independent judgment to overcome an obstacle the recipient faced while working within the defense acquisition system; and

"(B) the use of an iterative writing process, including evidence of—

"(i) critical thinking;

"(ii) incorporation of feedback from diverse perspectives; and

"(iii) editing to achieve plain writing (as defined in section 3 of the Plain Writing Act of 2010 (5 U.S.C. 301 note)).

"(2) WEBSITE.—The President of the Defense Acquisition University shall establish and maintain a website to serve as a repository for submissions made under paragraph (1). Such website shall allow for public comments and discussion.

"(d) REQUIREMENTS FOR FLEXIBILITY AWARD.—A member of the acquisition workforce desiring an award under subsection (a)(2) shall submit to the President of the Defense Acquisition University documentation that such member uses approaches to program management that emphasize innovation and local adaptation, including the use of—

"(1) simplified acquisition procedures;

"(2) inherent flexibilities within the Federal Acquisition Regulation;

"(3) commercial contracting approaches;

"(4) public-private partnership agreements and practices;

"(5) cost-sharing arrangements;

"(6) innovative contractor incentive practices; or

"(7) other innovative implementations of acquisition flexibilities.

"(e) FUNDING.—The Secretary of Defense shall use funds from the Defense Acquisition Workforce Development Account to carry out this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after section 1742 the following new item:

"1743. Awards to recognize members of the acquisition workforce.".

(c) CONFORMING AMENDMENT.—Section 834 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2285; 10 U.S.C. 1701a note) is repealed.

SEC. 802. TASK AND DELIVERY ORDER CONTRACTING FOR ARCHITECTURAL AND ENGINEERING SERVICES.

Section 3406 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(h) ARCHITECTURAL AND ENGINEERING SERVICES.—

"(1) QUALIFICATION-BASED SELECTIONS REQUIRED.—Task or delivery orders for architectural and engineering services issued under section 3403 or 3405 of this title shall be qualification-based selections executed in accordance with chapter 11 of title 40.

"(2) MULTIPLE AWARD CONTRACTS.—When issuing a task or delivery order for architectural and engineering services under a multiple award contract, the head of an agency may not routinely request additional information relating to qualifications from the contractor for such multiple award contract.".

SEC. 803. DATA REQUIREMENTS FOR COMMERCIAL PRODUCTS FOR MAJOR WEAPON SYSTEMS.

(a) AMENDMENTS RELATING TO SUBSYSTEMS OF MAJOR WEAPONS SYSTEMS.—Section 3455(b) of title 10, United States Code is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting "(1)" before "A subsystem of a major weapon system"; and

(3) by adding at the end the following new paragraph:

"(2)(A) For a subsystem proposed as commercial (as defined in section 103(1) of title 41) and that has not been previously determined commercial in accordance with section 3703(d) of this title, the offeror shall—

"(i) identify the comparable commercial product the offeror sells to the general public or nongovernmental entities that serves as the basis for the 'of a type' assertion;

"(ii) submit to the contracting officer a comparison necessary to serve as the basis of the 'of a type' assertion of the physical characteristics and functionality between the subsystem and the comparable commercial product identified under clause (i); and

"(iii) provide to the contracting officer the National Stock Number for both the comparable commercial product identified under clause (i), if one is assigned, and the subsystem, if one is assigned.

"(B) If the offeror does not sell a comparable commercial product to the general public or nongovernmental entities for purposes other than governmental purposes that can serve as the basis for an 'of a type' assertion with respect to the subsystem—

"(i) the offeror shall—

"(I) notify the contracting officer in writing that it does not so sell such a comparable commercial product; and

"(II) provide to the contracting officer a comparison necessary to serve as the basis of the 'of a type' assertion of the physical characteristics and functionality between the subsystem and the most comparable commercial product in the commercial marketplace, to the extent reasonably known by the offeror; and

"(ii) subparagraph (A) shall not apply with respect to the offeror for such subsystem.".

(b) AMENDMENT RELATING TO COMPONENTS AND SPARE PARTS.—Section 3455(c)(2) of such title is amended to read as follows:

"(2)(A) For a component or spare part proposed as commercial (as defined in section 103(1) of title 41) and that has not previously been determined commercial in accordance with section 3703(d) of this title, the offeror shall—

"(i) identify the comparable commercial product the offeror sells to the general public or nongovernmental entities that serves as the basis for the 'of a type' assertion;

"(ii) submit to the contracting officer a comparison necessary to serve as the basis of the 'of a type' assertion of the physical characteristics and functionality between the component or spare part and the comparable commercial product identified under clause (i); and

"(iii) provide to the contracting officer the National Stock Number for both the comparable commercial product identified under clause (i), if one is assigned, and the component or spare part, if one is assigned.

"(B) If the offeror does not sell a comparable commercial product to the general public or nongovernmental entities for purposes other than governmental purposes that can serve as the basis for an 'of a type' assertion with respect to the component or spare part—

"(i) the offeror shall—

"(I) notify the contracting officer in writing that it does not so sell such a comparable commercial product; and

"(II) provide to the contracting officer a comparison necessary to serve as the basis of the 'of a type' assertion of the physical characteristics and functionality between the component or spare part and the most comparable commercial product in the commercial marketplace, to the extent reasonably known by the offeror; and

"(ii) subparagraph (A) shall not apply with respect to the offeror for such component or spare part.".

(c) AMENDMENTS RELATING TO INFORMATION SUBMITTED.—Section 3455(d) of such title is amended—

(1) in the subsection heading, by inserting after "SUBMITTED" the following: "FOR PROCUREMENTS THAT ARE NOT COVERED BY THE EXCEPTIONS IN SECTION 3703(A)(1) OF THIS TITLE";

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "the contracting officer shall require the offeror to submit—" and inserting "the offeror shall, in accordance with paragraph (4), submit to the contracting officer or provide the contracting officer access to—";

(B) in subparagraph (A)—

(i) by inserting "a representative sample, as determined by the contracting officer, of the" before "prices paid"; and

(ii) by inserting ", and the terms and conditions of such sales" after "Government and commercial customers";

(C) in subparagraph (B), by striking "information on—" and all that follows and inserting the following: "a representative sample, as determined by the contracting officer, of the prices paid for the same or similar commercial products sold under different terms and conditions, and the terms and conditions of such sales; and"; and

(D) in subparagraph (C)—

(i) by inserting "only" before "if the contracting officer"; and

(ii) by inserting after "reasonableness of price" the following: "because either the comparable commercial products provided by the offeror are not a valid basis for a price analysis or the contracting officer determines the proposed price is not reasonable after evaluating sales data, and the contracting officer receives the approval described in paragraph (5)"; and

(3) by adding at the end the following new paragraphs:

"(4)(A) An offeror may redact data information submitted or made available under subparagraph (A) or (B) of paragraph (1) with respect to sales of an item acquired under this section only to the extent necessary to remove information individually identifying government customers, commercial customers purchasing such item for governmental purposes, and commercial customers purchasing such item for commercial, mixed, or unknown purposes.

"(B) Before an offeror may exercise the authority under subparagraph (A) with respect to a customer, the offeror shall certify in writing to the contracting officer whether the customer is a government customer, a commercial customer purchasing the item for governmental purpose, or a commercial customer purchasing the item for a commercial, mixed, or unknown purpose.

"(5) A contracting officer may not require an offeror to submit or make available information under paragraph (1)(C) without approval from a level above the contracting officer.

"(6) Nothing in this subsection shall relieve an offeror of other obligations under any other law or regulation to disclose and support the actual rationale of the offeror for the price proposed by the offeror to the Government for any good or service.".

(d) APPLICABILITY.—Section 3455 of such title is amended by adding at the end the following new subsection:

"(g) APPLICABILITY.—

"(1) IN GENERAL.—Subsections (b) and (c) shall apply only with respect to subsystems described in subsection (b) and components or spare parts described in subsection (c), respectively, that the Department of Defense acquires through—

"(A) a prime contract;

"(B) a modification to a prime contract; or

"(C) a subcontract described in paragraph (2).

"(2) SUBCONTRACT DESCRIBED.—A subcontract described in this paragraph is a subcontract through which the Department of Defense acquires a subsystem or component or spare part proposed as commercial (as defined in section 103(1) of title 41) under this section and that has not previously been determined commercial in accordance with section 3703(d).".

SEC. 804. REVISION OF AUTHORITY FOR PROCEDURES TO ALLOW RAPID ACQUISITION AND DEPLOYMENT OF CAPABILITIES NEEDED UNDER SPECIFIED HIGH-PRIORITY CIRCUMSTANCES.

(a) REVISION AND CODIFICATION OF RAPID ACQUISITION AUTHORITY.—Chapter 253 of part V of title 10, United States Code, is amended to read as follows:

"CHAPTER 253—RAPID ACQUISITION PROCEDURES

"Sec.
"3601. Procedures for urgent acquisition and deployment of capabilities needed in response to urgent operational needs or vital national security interest.

"§ 3601. Procedures for urgent acquisition and deployment of capabilities needed in response to urgent operational needs or vital national security interest

"(a) PROCEDURES.—

"(1) IN GENERAL.—The Secretary of Defense shall prescribe procedures for the urgent acquisition and deployment of capabilities needed in response to urgent operational needs. The capabilities for which such procedures may be used in response to an urgent operational need are those—

"(A) that, subject to such exceptions as the Secretary considers appropriate for purposes of this section—

"(i) can be fielded within a period of two to 24 months;

"(ii) do not require substantial development effort;

"(iii) are based on technologies that are proven and available; and

"(iv) can appropriately be acquired under fixed-price contracts; or

"(B) that can be developed or procured under a section 804 rapid acquisition pathway.

"(2) DEFINITION.—In this section, the term 'section 804 rapid acquisition pathway' means the rapid fielding acquisition pathway or the rapid prototyping acquisition pathway authorized under section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 3201 prec.).

"(b) MATTERS TO BE INCLUDED.—The procedures prescribed under subsection (a) shall include the following:

"(1) A process for streamlined communications between the Chairman of the Joint Chiefs of Staff, the acquisition community, and the research and development community, including—

"(A) a process for the commanders of the combatant commands and the Chairman of the Joint Chiefs of Staff to communicate their needs to the acquisition community and the research and development community; and

"(B) a process for the acquisition community and the research and development community to propose capabilities that meet the needs communicated by the combatant commands and the Chairman of the Joint Chiefs of Staff.

"(2) Procedures for demonstrating, rapidly acquiring, and deploying a capability proposed pursuant to paragraph (1)(B), including—

"(A) a process for demonstrating and evaluating for current operational purposes the performance of the capability;

"(B) a process for developing an acquisition and funding strategy for the deployment of the capability; and

"(C) a process for making deployment and utilization determinations based on information obtained pursuant to subparagraphs (A) and (B).

"(3) A process to determine the disposition of a capability, including termination (demilitarization or disposal), continued sustainment, or transition to a program of record.

"(4) Specific procedures in accordance with the guidance developed under section 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 3201 prec.).

"(c) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL NEEDS.—

"(1) DETERMINATION OF NEED FOR URGENT ACQUISITION AND DEPLOYMENT.—(A) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.

"(B) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that impacts an ongoing or anticipated contingency operation and that, if left unfulfilled, could potentially result in loss of life or critical mission failure, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.

"(C)(i) In the case of any cyber capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a deficiency that as the result of a cyber attack has resulted in critical mission failure, the loss of life, property destruction, or economic effects, or if left unfilled is likely to result in critical mission failure, the loss of life, property destruction, or economic effects, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed offensive or defensive cyber capability.

"(ii) In this subparagraph, the term 'cyber attack' means a deliberate action to alter, disrupt, deceive, degrade, or destroy computer systems or networks or the information or programs resident in or transiting these systems or networks.

"(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE.—(A)(i) Except as provided under clause (ii), whenever the Secretary of Defense makes a determination under subparagraph (A), (B), or (C) of paragraph (1) that a capability is urgently needed to eliminate a deficiency described in that subparagraph, the Secretary shall designate a senior official of the Department of Defense to ensure that the needed capability is acquired and deployed as quickly as possible, with a goal of awarding a contract for the acquisition of the capability within 15 days.

"(ii) Clause (i) does not apply to an acquisition initiated in the case of a determination by the Secretary of Defense that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway if the designated official for acquisitions using such pathway is a service acquisition executive.

"(B) Upon designation of a senior official under subparagraph (A) with respect to a needed capability, the Secretary shall authorize that senior official to waive any provision of law or regulation described in subsection (d) that such senior official determines in writing would unnecessarily impede the urgent acquisition and deployment of such capability. In a case in which such capability cannot be acquired without an extensive delay, the senior official shall require that an interim solution be implemented and deployed using the procedures developed under this section to minimize adverse consequences resulting from the urgent need.

"(3) USE OF FUNDS.—(A) Subject to subparagraph (C), in any fiscal year in which the Secretary of Defense makes a determination described in subparagraph (A), (B), or (C) of paragraph (1) with respect to a capability, or upon the Secretary making a determination that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway based on a compelling national security need, the Secretary may use any funds available to the Department of Defense to urgently acquire and deploy such capability or immediately initiate such project, respectively, if the determination includes a written finding that the use of such funds is necessary to address in a timely manner the deficiency documented or identified under such subparagraph (A), (B), or (C) or the compelling national security need identified for purposes of such section 804 pathway, respectively.

"(B) The authority provided by this section may only be used to acquire capability—

"(i) in the case of determinations by the Secretary under paragraph (1)(A), in an amount aggregating not more than $200,000,000 during any fiscal year;

"(ii) in the case of determinations by the Secretary under paragraph (1)(B), in an amount aggregating not more than $200,000,000 during any fiscal year;

"(iii) in the case of determinations by the Secretary under paragraph (1)(C), in an amount aggregating not more than $200,000,000 during any fiscal year; and

"(iv) in the case of a determination by the Secretary that funds are necessary to immediately initiate a project under

a section 804 rapid acquisition pathway, in an amount aggregating not more than $50,000,000 during any fiscal year.

"(C) In exercising the authority under this section—

"(i) none of the amounts appropriated for Operation and Maintenance may be used to carry out this section except for amounts appropriated for—

"(I) Operation and Maintenance, Defense-wide;

"(II) Operation and Maintenance, Army;

"(III) Operation and Maintenance, Navy;

"(IV) Operation and Maintenance, Marine Corps;

"(V) Operation and Maintenance, Air Force; or

"(VI) Operation and Maintenance, Space Force; and

"(ii) when funds are utilized for sustainment purposes, this authority may not be used for more than 2 years.

"(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of a determination by the Secretary of Defense under subparagraph (A) or (C) of paragraph (1), the Secretary shall notify the congressional defense committees of the determination within 15 days after the date of the determination.

"(B) In the case of a determination by the Secretary under paragraph (1)(B), the Secretary shall notify the congressional defense committees of the determination at least 10 days before the date on which the determination is effective.

"(C) In the case of a determination by the Secretary under paragraph (3)(A) that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, the Secretary shall notify the congressional defense committees of the determination within 10 days after the date of the use of such funds.

"(D) A notice under this paragraph shall include the following:

"(i) Identification of the capability to be acquired.

"(ii) The amount anticipated to be expended for the acquisition.

"(iii) The source of funds for the acquisition.

"(E) A notice under this paragraph shall fulfill any requirement to provide notification to Congress for a program (referred to as a 'new start program') that has not previously been specifically authorized by law or for which funds have not previously been appropriated.

"(F) A notice under this paragraph shall be provided in consultation with the Director of the Office of Management and Budget.

"(5) LIMITATION ON OFFICERS WITH AUTHORITY.—The authority to make determinations under subparagraph (A), (B), or (C) of paragraph (1) and under paragraph (3)(A) that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, to designate a senior official responsible under paragraph (3), and to provide notification to the congressional defense committees under paragraph (4) may be exercised only by the Secretary of Defense or the Deputy Secretary of Defense.

"(d) AUTHORITY TO WAIVE CERTAIN LAWS AND REGULATIONS.—

"(1) AUTHORITY.—Following a determination described in subsection (c)(1), the senior official designated in accordance with subsection (c)(2), with respect to that designation, may waive any provision of law or regulation addressing—

"(A) the establishment of a requirement or specification for the capability to be acquired;

"(B) the research, development, test, and evaluation of the capability to be acquired;

"(C) the production, fielding, and sustainment of the capability to be acquired; or

"(D) the solicitation, selection of sources, and award of the contracts for procurement of the capability to be acquired.

"(2) LIMITATIONS.—Nothing in this subsection authorizes the waiver of—

"(A) the requirements of this section;

"(B) any provision of law imposing civil or criminal penalties; or

"(C) any provision of law governing the proper expenditure of appropriated funds.

"(e) OPERATIONAL ASSESSMENTS.—

"(1) IN GENERAL.—The process prescribed under subsection (b)(2)(A) for demonstrating and evaluating for current operational purposes the performance of a capability proposed pursuant to subsection (b)(1)(B) shall include the following:

"(A) An operational assessment in accordance with procedures prescribed by the Director of Operational Test and Evaluation.

"(B) A requirement to provide information about any deficiency of the capability in meeting the original requirements for the capability (as stated in a statement of the urgent operational need or similar document) to the deployment decision-making authority.

"(2) LIMITATION.—The process prescribed under subsection (b)(2)(A) may not include a requirement for any deficiency of capability identified in the operational assessment to be the determining factor in deciding whether to deploy the capability.

"(3) DIRECTOR OF OPERATIONAL TEST AND EVALUATION ACCESS.—If a capability is deployed under the procedures prescribed pursuant to this section, or under any other authority, before operational test and evaluation of the capability is completed, the Director of Operational Test and Evaluation shall have access to operational records and data relevant to such capability in accordance with section 139(e)(3) of this title for the purpose of completing operational test and evaluation of the capability. Such access shall be provided in a time and manner determined by the Secretary of Defense consistent with requirements of operational security and other relevant operational requirements.".

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle A, and at the beginning of part V of subtitle A, of

title 10, United States Code, are each amended by striking the item relating to chapter 253 and inserting the following:

"253. Rapid Acquisition Procedures ..... 3601".

(c) CONFORMING REPEALS.—The following provisions of law are repealed:

(1) Section 804 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 3201 note prec.).

(2) Section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 3201 note prec.).

(d) ADDITIONAL CONFORMING AMENDMENTS.—

(1) Section 2216a(c) of title 10, United States Code, is amended by striking "section 804(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2302 note)" and inserting "Department of Defense Instruction 5000.81 (or any successor instruction), dated December 31, 2019, and titled 'Urgent Capability Acquisition'".

(2) Section 8074 of title VIII of the Department of Defense Appropriations Act, 2022 (division C of Public Law 117–103; 136 Stat. 193) is amended by striking "under section 806(c)(4) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note)" and inserting "under section 3601(c)(4) of title 10, United States Code,".

(3) Section 851(f) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C 3201 note prec.) is amended by striking "under section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note)" and inserting "under section 3601 of title 10, United States Code".

(4) Section 231(c)(1)(A) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 139 note) is amended by striking "section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note)" and inserting "section 3601 of title 10, United States Code".

SEC. 805. TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDERS.

(a) IN GENERAL.—Section 3862 of title 10, United States Code, is amended—

*(1) in the section heading, by striking "**: certification**";*

(2) by redesignating subsection (c) as subsection (d);

(3) by inserting after subsection (b) the following new subsection:

"(c) TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDERS.—The unilateral insertion of a covered clause into an existing Department of Defense contract, order, or other transaction by a contracting officer shall be treated as a change directed by the contracting officer pursuant to, and subject to, the Changes clause of the underlying contract, order, or other transaction."; and

(4) in subsection (d), as redesignated by paragraph (2)—

(A) in the subsection heading, by striking "DEFINITION" and inserting "DEFINITIONS";

(B) by striking "section, the term" and inserting the following: "section:

"(1) The term"; and

(C) by adding at the end the following new paragraphs:

"(2) The term 'Changes clause' means the clause described in part 52.243–4 of the Federal Acquisition Regulation or any successor regulation.

"(3) The term 'covered clause' means any clause implementing the requirements of an Executive order issued by the President.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 281 of title 10, United States Code, is amended by striking the item relating to section 3862 and inserting the following:

"3862. Requests for equitable adjustment or other relief.".

(c) CONFORMING REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to implement the requirements of section 3862 of title 10, United States Code, as amended by subsection (a).

(d) CONFORMING POLICY GUIDANCE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise applicable policy guidance on other transactions to implement the requirements of section 3862 of title 10, United States Code, as amended by subsection (a).

SEC. 806. LIFE CYCLE MANAGEMENT AND PRODUCT SUPPORT.

(a) IN GENERAL.—Section 4324(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), (5), (6), (7), and (8) as subparagraphs (A), (B), (C), (D), (E), (F), (G), and (J), respectively;

(2) by designating the matter preceding subparagraph (A), as so redesignated, as paragraph (1);

(3) in paragraph (1), as so designated—

(A) in the matter preceding subparagraph (A), as so redesignated—

(i) by inserting "IN GENERAL.—" before "Before granting"; and

(ii) by inserting "for which the milestone decision authority has received views from appropriate materiel, logistics, or fleet representatives" after "approved life cycle sustainment plan";

(B) by amending subparagraph (G), as so redesignated, to read as follows:

"(G) an intellectual property management plan for product support, including requirements for technical data, software, and modular open system approaches (as defined in section 4401 of this title);";

(C) by inserting after subparagraph (G), as so redesignated, the following new subparagraphs:

"(H) an estimate of the number of personnel needed to operate and maintain the covered system, including military personnel, Federal employees, contractors, and host nation support personnel (as applicable);

"(I) a description of opportunities for foreign military sales; and"; and

(4) by adding at the end of paragraph (1), as so designated, the following new paragraph:

"(2) SUBSEQUENT PHASES.—Before granting Milestone C approval (or the equivalent) for the covered system, the milestone decision authority shall ensure that the life cycle sustainment plan required by paragraph (1) for such covered system has been updated to include views received by the milestone decision authority from appropriate materiel, logistics, or fleet representatives.".

(b) MILESTONE C APPROVAL DEFINED.—Section 4324(d) of title 10, United States Code, is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following new paragraph:

"(7) MILESTONE C APPROVAL.—The term 'Milestone C approval' has the meaning given that term in section 4172(e)(8) of this title.".

SEC. 807. AMENDMENTS TO CONTRACTOR EMPLOYEE PROTECTIONS FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.

(a) DEFENSE CONTRACTS.—Section 4701 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(G), by striking "or subcontractor" and inserting ", subcontractor, grantee, subgrantee, or personal services contractor"; and

(B) in paragraph (3)(A), by striking "or subcontractor" and inserting ", subcontractor, grantee, subgrantee, or personal services contractor";

(2) in subsection (b)(1), by striking "contractor concerned" and inserting "contractor, subcontractor, grantee, subgrantee, or personal services contractor concerned";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "contractor concerned" and inserting "contractor, subcontractor, grantee, subgrantee, or personal services contractor concerned";

(ii) in subparagraph (A), by inserting ", subcontractor, grantee, subgrantee, or personal services contractor" after "contractor";

(iii) in subparagraph (B), by inserting ", subcontractor, grantee, subgrantee, or personal services contractor" after "contractor";

(iv) in subparagraph (C), by inserting ", subcontractor, grantee, subgrantee, or personal services contractor" after "contractor"; and

(v) by inserting at the end the following new subparagraph:

"(D) Consider disciplinary or corrective action against any official of the Department of Defense."; and

(B) in paragraph (2), by inserting ", subcontractor, grantee, subgrantee, or personal services contractor" after "contractor";

(4) in subsection (d), by striking "and subcontractors" and inserting ", subcontractors, grantees, subgrantees, or personal services contractors";

(5) in subsection (e)(2)—

(A) in the matter preceding subparagraph (A), by striking "or grantee of" and inserting "grantee, subgrantee, or personal services contractor of"; and

(B) in subparagraph (B), by striking "or grantee" and inserting "grantee, or subgrantee"; and

(6) in subsection (g)(5), by inserting "or grants" after "contracts".

(b) CIVILIAN CONTRACTS.—Section 4712 of title 41, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "or subgrantee" and inserting "subgrantee,";

(B) in paragraph (2), by striking "or subgrantee" and inserting "subgrantee, or personal services contractor"; and

(C) in paragraph (3), by striking "or subgrantee" and inserting "subgrantee, or personal services contractor";

(2) in subsection (b)(1), by striking "or subgrantee concerned" and inserting "subgrantee, or personal services contractor concerned";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "or subgrantee concerned" and inserting "subgrantee, or personal services contractor concerned";

(ii) in subparagraph (A), by striking "or subgrantee" and inserting "subgrantee, or personal services contractor";

(iii) in subparagraph (B), by striking "or subgrantee" and inserting "subgrantee, or personal services contractor";

(iv) in subparagraph (C), by striking "or subgrantee" and inserting "subgrantee, or personal services contractor"; and

(v) by inserting at the end the following new subparagraph:

"(D) Consider disciplinary or corrective action against any official of the executive agency, if appropriate."; and

(B) in paragraph (2), by striking "or subgrantee" and inserting "subgrantee, or personal services contractor";

(4) in subsection (d), by striking "and subgrantees" and inserting "subgrantees, and personal services contractors"; and

(5) in subsection (f), by striking "or subgrantee" each place it appears and inserting "subgrantee, or personal services contractor".

SEC. 808. USE OF FIXED-PRICE TYPE CONTRACTS FOR CERTAIN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—Section 818 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) is amended by adding at the end the following new subsection:

"(f) CONDITIONS WITH RESPECT TO CERTAIN LOW-RATE INITIAL PRODUCTION.—

"(1) IN GENERAL.—The number of low-rate initial production lots associated with a major defense acquisition program may not be more than one if—

"(A) the milestone decision authority authorizes the use of a fixed-price type contract at the time of a decision on Milestone B approval; and

"(B) the scope of the work of the fixed-price type contract includes both the development and low-rate initial production of items for such major defense acquisition program.

"(2) WAIVER.—The limitation in paragraph (1) may be waived by the applicable service acquisition executive or a designee of such executive if—

"(A) such waiver authority is not delegated to the level of the contracting officer; and

"(B) written notification of a granted waiver, including the associated rationale, is provided to the congressional defense committees not later than 30 days after issuance of the waiver.

"(3) DEFINITIONS.—In this subsection:

"(A) The term 'low-rate initial production' has the meaning given under section 4231 of title 10, United States Code.

"(B) The term 'milestone decision authority' has the meaning given in section 4211 of title 10, United States Code.

"(C) The term 'major defense acquisition program' has the meaning given in section 4201 of title 10, United States Code.

"(D) The term 'Milestone B approval' has the meaning given in section 4172(e) of title 10, United States Code.".

(b) MODIFICATION OF REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation and any applicable regulations regarding the use of fixed-price type contracts for a major defense acquisition program (as defined in section 4201 of title 10, United States Code) to carry out this section and the amendments made by this section.

SEC. 809. ACQUISITION REPORTING SYSTEM.

(a) IN GENERAL.—The Secretary of Defense shall institute a defense acquisition reporting system to replace the requirements of section 4351 of title 10, United States Code, as soon as practicable but not later than June 30, 2023.

(b) ELEMENTS.—The reporting system required under subsection (a) shall—

(1) produce the information necessary to carry out the actions specified in chapter 325 of title 10, United States Code;

(2) produce the information necessary to carry out the actions specified in sections 4217 and 4311 of the Atomic Energy Defense Act (50 U.S.C. 2537, 2577);

(3) incorporate—

(A) the lessons learned from the demonstration carried out under subsection (b) of section 805 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1816); and

(B) the plans required under subsection (c) of such section (Public Law 117–81; 135 Stat. 1817);

(4) provide the congressional defense committees and other designated Government entities with access to acquisition reporting that is updated on a not less than quarterly basis; and

(5) include such other information and functions as the Secretary of Defense determines appropriate to support the acquisition reporting needs of the Department of Defense.

(c) CONFORMING AMENDMENTS.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended—

(1) in section 4217(a)(2), by inserting "or any successor system," after "United States Code,"; and

(2) in section 4311(a)(2), by inserting "or any successor system," after "United States Code,".

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

SEC. 811. INCLUSION IN BUDGET JUSTIFICATION MATERIALS OF ENHANCED REPORTING ON PROPOSED CANCELLATIONS AND MODIFICATIONS TO MULTIYEAR CONTRACTS.

Section 239c(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph:

"(1) A detailed explanation of the rationale for the proposed cancellation or covered modification of the multiyear contract.".

SEC. 812. COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND RELATED EFFORTS.

(a) IN GENERAL.—Section 3072 of title 10, United States Code, is amended—

*(1) in the section heading, by striking "**initiatives**" and inserting "**efforts**";*

(2) by striking "initiatives" each place it appears and inserting "efforts";

(3) in subsection (a), by striking "through 2023" and inserting "through 2026"; and

(4) in subsection (c), in the subsection heading, by striking "INITIATIVES" and inserting "EFFORTS".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 203 of title 10, United States Code, is amended in the item relating to section 3072 by striking "initiatives" and inserting "efforts".

SEC. 813. EXTENSION OF DEFENSE MODERNIZATION ACCOUNT AUTHORITY.

Section 3136 of title 10, United States Code, is amended by striking subsection (j).

SEC. 814. CLARIFICATION TO FIXED-PRICE INCENTIVE CONTRACT REFERENCES.

(a) AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.—Section 3458(c)(2) of title 10, United States Code, is amended by striking "fixed-price incentive fee contracts" and inserting "fixed-price incentive contracts".

(b) CONTRACTOR INCENTIVES TO ACHIEVE SAVINGS AND IMPROVE MISSION PERFORMANCE.—Section 832 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1746 note) is amended by striking "fixed-price incentive fee contracts" and inserting "fixed-price incentive contracts".

SEC. 815. MODIFICATION OF REPORTING REQUIREMENT IN CONNECTION WITH REQUESTS FOR MULTIYEAR PROCUREMENT AUTHORITY FOR LARGE DEFENSE ACQUISITIONS.

Section 3501(i)(2) of title 10, United States Code, is amended—

(1) by striking "shall include" and all that follows through "(A) A report" and inserting "shall include in the request a report"; and

(2) by striking subparagraph (B).

SEC. 816. MODIFICATION OF PROVISION RELATING TO DETERMINATION OF CERTAIN ACTIVITIES WITH UNUSUALLY HAZARDOUS RISKS.

Section 1684 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in subsection (a), by striking "2022 and 2023" and inserting "2022 through 2024"; and

(2) in subsection (b), by striking "September 30, 2023" and inserting "September 30, 2024".

SEC. 817. MODIFICATION TO PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Section 848 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 4871 note) is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(2) by inserting after subsection (a) the following new subsection:

"(b) PROHIBITION ON CERTAIN CONTRACTS.—The Secretary of Defense may not enter into a contract (or extend or renew a contract) on or after October 1, 2024, with an entity that operates (as determined by the Secretary or the Secretary's designee) equipment from a covered unmanned aircraft system company in the performance of a Department of Defense contract.";

(3) in subsection (c) (as so redesignated), by striking "the restriction under subsection (a) if the operation or procurement" and inserting "any restrictions under subsection (a) or (b) if the operation, procurement, or contracting action";

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

(A) by inserting "(or the Secretary's designee)" after "The Secretary of Defense";

(B) by striking "the restriction" and all that follows through "basis" inserting "any restrictions under subsections (a) or (b)"; and

(C) by striking "operation or procurement" and inserting "operation, procurement, or contracting action"; and

(5) in subsection (e) (as so redesignated)—

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

"(1) COVERED FOREIGN COUNTRY.—The term 'covered foreign country' means any of the following:

"(A) the People's Republic of China.

"(B) The Russian Federation.

"(C) The Islamic Republic of Iran.

"(D) The Democratic People's Republic of Korea."; and

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

"(3) COVERED UNMANNED AIRCRAFT SYSTEM COMPANY.—The term 'covered unmanned aircraft system company' means any of the following:

"(A) Da-Jiang Innovations (or any subsidiary or affiliate of Da-Jiang Innovations).

"(B) Any entity that produces or provides unmanned aircraft systems and is included on Consolidated Screening List maintained by the International Trade Administration of the Department of Commerce.

"(C) Any entity that produces or provides unmanned aircraft systems and—

"(i) is domiciled in a covered foreign country; or

"(ii) is subject to unmitigated foreign ownership, control or influence by a covered foreign country, as determined by the Secretary of Defense unmitigated foreign ownership, control or influence in accordance with the National Industrial Security Program (or any successor to such program).".

(b) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue policy to—

(1) implement the requirements of section 848 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 4871 note), as amended by this section, including by establishing a due diligence process for the Department of Defense to make determinations required by subsection (b) of such section 848 (as amended by this section); and

(2) establish an appeal process for any offerors or awardees with which the Secretary has not entered into a contract or has not extended or renewed a contract pursuant to subsection (b) of such section 848 (as amended by this section).

SEC. 818. EXTENSION OF PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING PROCESSES.

Section 890 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), as most recently amended by section 1831(j)(7) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–238; 134 Stat. 4217), is further amended—

(1) in subsection (a)(2), by striking "of" before "chapter 271"; and

(2) in subsection (c), by striking "January 2, 2023" and inserting "January 2, 2024".

SEC. 819. EXTENSION OF PILOT PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR WEAPONS SYSTEMS CONTRACTORS.

Section 883 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 4292 note prec.) is amended—

(1) in subsection (a), by striking "six-year pilot program" and inserting "seven-year pilot program"; and

(2) in subsection (g), by striking "six years" and inserting "seven years".

SEC. 820. EXTENSION AND MODIFICATION OF NEVER CONTRACT WITH THE ENEMY.

Subtitle E of title VIII of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 4871 note prec.) is amended—

(1) in section 841—

(A) in subsection (i)(1)—

(i) in the matter preceding subparagraph (A), by striking "2016, 2017, and 2018" and inserting "2023, and annually thereafter"; and

(ii) by adding at the end the following new subparagraphs:

"(C) Specific examples where the authorities under this section can not be used to mitigate national security threats posed by vendors supporting Department operations because of the restriction on using such authorities only with respect to contingency operations.

"(D) A description of the policies ensuring that oversight of the use of the authorities in this section is effectively carried out by a single office in the Office of the Under Secretary of Defense for Acquisition and Sustainment."; and

(B) in subsection (n), by striking "December 31, 2023" and inserting "December 31, 2025"; and

(2) in section 842(b)(1), by striking "2016, 2017, and 2018" and inserting "2023, 2024, and 2025".

SEC. 821. REPEAL OF REQUIREMENT FOR INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE TO CONDUCT CERTAIN REVIEWS.

Section 847(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1701 note) is amended—

(1) by striking "REQUIREMENT.—" and all that follows through "Each request" and inserting "REQUIREMENT.—Each request"; and

(2) by striking paragraph (2).

SEC. 822. MODIFICATION OF CONTRACTS TO PROVIDE EXTRAORDINARY RELIEF DUE TO INFLATION IMPACTS.

(a) CONTRACT MODIFICATION AUTHORITY.—The first section of Public Law 85–804 (50 U.S.C. 1431) is amended—

(1) by striking "That the President" and inserting the following:

"SECTION 1. (a) That the President";

(2) by striking "an amount in excess of $50,000" and inserting "an amount in excess of $500,000";

(3) by striking "any amount in excess of $25,000,000" and inserting "an amount in excess of $150,000,000"; and

(4) by inserting after subsection (a) (as added by paragraph (1)) the following new subsections:

"(b) TEMPORARY AUTHORITY TO MODIFY CERTAIN CONTRACTS AND OPTIONS BASED ON THE IMPACTS OF INFLATION.—Only amounts specifically provided by an appropriations Act for the purposes detailed in subsections (c) and (d) of this section may be used by the Secretary of Defense to carry out such subsections.

"(c)(1) The Secretary of Defense, acting pursuant to a Presidential authorization under subsection (a) and in accordance with subsection (b)—

"(A) may, notwithstanding subsection (e) of section 2 of this Act (50 U.S.C. 1432(e)), make an amendment or modification to an eligible contract when, due solely to economic inflation, the cost to a prime contractor of performing such eligible contract is greater than the price of such eligible contract; and

"(B) may not request consideration from such prime contractor for such amendment or modification.

"(2) A prime contractor may submit to the Secretary of Defense a request for an amendment or modification to an eligible contract pursuant to subsection (a) when, due solely to economic inflation, the cost to a covered subcontractor of performing an eligible subcontract is greater than the price of such eligible subcontract. Such request shall include a certification that the prime contractor—

"(A) will remit to such covered subcontractor the difference, if any, between the original price of such eligible contract and the price of such eligible contract if the Secretary of Defense makes an amendment or modification pursuant to subsection (a); and

"(B) will not require such covered subcontractor to pay additional consideration or fees related to such amendment or modification.

"(3) If a prime contractor does not make the request described in paragraph (2), a covered subcontractor may submit to a contracting officer of the Department of Defense a request for an amendment or modification to an eligible subcontract when, due solely to economic inflation, the cost to such covered subcontractor of performing such eligible subcontract is greater than the price of such eligible subcontract.

"(d) Any adjustment or modification made pursuant to subsection (c) to an eligible contract or an eligible subcontract shall—

"(1) be contingent upon the continued performance, as applicable, of such eligible contract or such eligible subcontract; and

"(2) account only for the actual cost of performing such eligible contract or such eligible subcontract, but may account for indirect costs of performance, as the Secretary of Defense determines appropriate.

"(e) The authority under subsections (c) and (d) shall be effective during the period beginning on the date of the enactment of the Na-

tional Defense Authorization Act for Fiscal Year 2023 and ending on December 31, 2023.

"(f) In this section:

"(1) The term 'covered subcontractor' means a subcontractor who has entered into an eligible subcontract with a prime contractor.

"(2) The term 'eligible contract' means a contract awarded to a prime contractor by the Secretary of Defense pursuant to subsection (a).

"(3) The term 'eligible subcontract' means a subcontract made under an eligible contract to a covered subcontractor.".

(b) GUIDANCE.—Not later than 90 days after the date of the enactment of an Act providing appropriations to carry out section 1 of Public Law 85–804 (50 U.S.C. 1431) (as added by subsection (a)), the Under Secretary of Defense for Acquisition and Sustainment shall issue guidance implementing the authority under subsections (b) through (d) of section 1 of Public Law 85–804 (50 U.S.C. 1431) (as added by subsection (a)).

Subtitle C—Provisions Relating to Acquisition Workforce

SEC. 831. KEY EXPERIENCES AND ENHANCED PAY AUTHORITY FOR ACQUISITION WORKFORCE EXCELLENCE.

(a) PARTICIPATION IN THE PUBLIC-PRIVATE TALENT EXCHANGE PROGRAM.—

(1) IN GENERAL.—Section 1701a(b) of title 10, United States Code, is amended—

(A) in paragraph (9)(C), by striking "and" at the end;

(B) in paragraph (10), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(11) ensure the participation in the public-private talent exchange program established under section 1599g of this title of up to 250 members of the acquisition workforce in each fiscal year.".

(2) TECHNICAL AMENDMENT.—Section 1701a(b)(2) of title 10, United States Code, is further amended by striking "as defined" and all that follows through "this title" and inserting "as defined in section 3001 of this title".

(b) ENHANCED PAY AUTHORITY FOR POSITIONS IN DEPARTMENT OF DEFENSE FIELD ACTIVITIES AND DEFENSE AGENCIES.—Section 1701b(e)(2) of title 10, United States Code, is amended to read as follows:

"(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used at any one time with respect to—

"(A) more than five positions, in total, in Department of Defense Field Activities and Defense Agencies;

"(B) more than five positions in the Office of the Secretary of Defense; and

"(C) more than five positions in each military department.".

(c) REPORT ON PUBLIC-PRIVATE TALENT EXCHANGES.—Section 1599g of title 10, United States Code, is amended by adding at the end the following new subsection:

"(k) REPORT.—Each member of the acquisition workforce that participates in the program established under this section shall, upon completion of such participation, submit to the President of the Defense Acquisition University for inclusion in the report required under section 1746a(e) a description and evaluation of such participation.".

SEC. 832. DEFENSE ACQUISITION UNIVERSITY REFORMS.

(a) IN GENERAL.—Section 1746 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by amending paragraph (2) to read as follows:

"(2) The Secretary of Defense shall ensure the defense acquisition university structure includes relevant expert lecturers from extramural institutions (as defined in section 1746a(g) of this title), industry, or federally funded research and development centers to advance acquisition workforce competence regarding commercial business interests, acquisition process-related innovations, and other relevant leading practices of the private sector.";

(B) by striking paragraph (3); and

(C) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(2) in subsection (c), by striking "commercial training providers" and inserting "extramural institutions (as defined in section 1746a(g) of this title)"; and

(3) by adding at the end the following new subsection:

"(e) PRESIDENT APPOINTMENT.—(1) The Under Secretary of Defense for Acquisition and Sustainment shall appoint the President of the Defense Acquisition University.

"(2) When determining who to appoint under paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall, in consultation with the Under Secretary of Defense for Research and Engineering and the service acquisition executives, prioritize highly qualified candidates who demonstrate a combination of the following:

"(A) Leadership abilities.

"(B) Experience using leading practices to develop talent in the private sector.

"(C) Other qualifying factors, including experience with and an understanding of the defense acquisition system (as defined in section 3001 of this title), an understanding of emerging technologies and the defense applications of such technologies, experience partnering with States, national associations, and academia, and experience with learning technologies.

"(3) The term of the President of the Defense Acquisition University shall be not more than five years, unless the Under Secretary of Defense for Acquisition and Sustainment determines it necessary to extend the term for up to an additional five years. The preceding sentence does not apply to the President of the Defense Acquisition University serving on January 1, 2022.".

(b) IMPLEMENTATION REPORT.—Not later than March 1, 2023, the Secretary of Defense shall submit to the congressional defense com-

mittees a plan to modify the defense acquisition university structure to comply with section 1746(b)(2) of title 10, United States Code, as amended by subsection (a). Such plan shall establish a date of not later than March 1, 2026, for such modification to be completed.

SEC. 833. MODIFICATIONS TO DEFENSE CIVILIAN TRAINING CORPS.

Section 2200g of title 10, United States Code, is amended—

(1) by striking "For the purposes of" and all that follows through "establish and maintain" and inserting the following: "The Secretary of Defense, acting through the Under Secretary for Defense for Acquisition and Sustainment, shall establish and maintain";

(2) by designating the text of such section, as amended by paragraph (1), as subsection (a); and

(3) by adding at the end the following new subsections:

"(b) PURPOSE.—The purpose of the Defense Civilian Training Corps is to target critical skills gaps necessary to achieve the objectives of the national defense strategies required by section 113(g) of this title and the national security strategies required by section 108 of the National Security Act of 1947 (50 U.S.C. 3043) by preparing students selected for the Defense Civilian Training Corps for Department of Defense careers relating to acquisition, digital technologies, critical technologies, science, engineering, finance, and other civilian occupations determined by the Secretary of Defense.

"(c) USE OF RESOURCES AND PROGRAMS.—The Under Secretary of Defense for Acquisition and Sustainment may leverage the resources and programs of the acquisition research organization within a civilian college or university that is described under section 4142(a) of this title (commonly referred to as the 'Acquisition Innovation Research Center') to carry out the requirements of this chapter.".

SEC. 834. ACQUISITION WORKFORCE INCENTIVES RELATING TO TRAINING ON, AND AGREEMENTS WITH, CERTAIN START-UP BUSINESSES.

(a) TRAINING.—

(1) CURRICULA.—Not later than one year after the date of the enactment of this Act, the Director of the Acquisition Innovation Research Center shall make recommendations on one or more curricula for members of the acquisition workforce on financing and operations of start-up businesses, which may include the development of new curricula, the modification of existing curricula, or the adoption of curricula from another agency, academia, or the private sector.

(2) ELEMENTS.—Courses under curricula recommended under paragraph (1) shall be offered with varying course lengths and level of study.

(3) INCENTIVES.—The Secretary of Defense shall develop a program to offer incentives to a member of the acquisition workforce that completes a curriculum developed, modified, or adopted under paragraph (1).

(4) ADDITIONAL TRAINING MATERIALS.—In recommending curricula under paragraph (1), the Director of the Acquisition Innovation Research Center shall consider and incorporate appropriate training materials from university, college, trade-school, or private-sector curricula in business, law, or public policy.

(b) EXCHANGES.—

(1) IN GENERAL.—The Secretary of Defense shall establish a pilot program under which the Secretary shall, in accordance with section 1599g of title 10, United States Code, arrange for the temporary assignment of—

(A) one or more members of the acquisition workforce to a start-up business; or

(B) an employee of a start-up business to an office of the Department of Defense.

(2) PRIORITY.—The Secretary shall prioritize for participation in the pilot program described under paragraph (1)(A) members of the acquisition workforce who have completed a curriculum required under paragraph (1).

(3) TERMINATION.—The Secretary may not carry out the pilot program authorized by this subsection after the date that is three years after the date of the enactment of this Act.

(c) CONFERENCES.—The Secretary of Defense shall identify existing conferences sponsored by the Department of Defense that might be expanded to include opportunities for sharing knowledge and best practices on software acquisition issues. Such opportunities shall maximize participation between members of the acquisition workforce, employees of start-up businesses, and investors in start-up businesses.

(d) PILOT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to test the feasibility of innovative approaches to negotiating and establishing intellectual property and data rights in agreements with start-up businesses for the procurement of software and software-embedded systems.

(2) AUTHORITY.—To the maximum extent practicable, the Secretary shall—

(A) ensure that a member of the acquisition workforce who has completed a curriculum required under subsection (a) is able to exercise authority to apply an approach described in paragraph (1); and

(B) provide incentives to such member to exercise such authority.

(3) ELEMENTS.—An approach described in paragraph (1) shall include the following:

(A) Flexible and tailored requirements relating to the acquisition and licensing of intellectual property and data rights in the software and software-embedded systems to be acquired under the agreement.

(B) An identification and definition of the technical interoperability standards required for such software and software-embedded systems.

(C) Flexible mechanisms for access and delivery of code for such software, including documentation of the costs and benefits of each such mechanism.

(4) TERMINATION.—The Secretary may not carry out the pilot program authorized by this subsection after the date that is 5 years after the date of the enactment of this Act.

(e) DEFINITIONS.—In this section:

(1) The term "Acquisition Innovation Research Center" means the acquisition research organization within a civilian college or university that is described under section 4142(a) of title 10, United States Code.

(2) The term "acquisition workforce" has the meaning given in section 101 of title 10, United States Code.

(3) The term "start-up business" means a small business that has been in existence for 5 years or less.

SEC. 835. CURRICULA ON SOFTWARE ACQUISITIONS AND CYBERSECURITY SOFTWARE OR HARDWARE ACQUISITIONS FOR COVERED INDIVIDUALS.

(a) CURRICULA.—The President of the Defense Acquisition University, shall supplement existing training curricula related to software acquisitions and cybersecurity software or hardware acquisitions and offer such curricula to covered individuals to increase digital literacy related to such acquisitions by developing the ability of such covered individuals to use technology to identify, critically evaluate, and synthesize data and information related to such acquisitions.

(b) ELEMENTS.—Curricula developed pursuant to subsection (a) shall provide information on—

(1) cybersecurity, information technology systems, computer networks, cloud computing, artificial intelligence, machine learning, distributed ledger technologies, and quantum technologies;

(2) cybersecurity threats and capabilities;

(3) activities that encompass the full range of threat reduction, vulnerability reduction, deterrence, incident response, resiliency, and recovery policies and activities, including activities relating to computer network operations, information assurance, military missions, and intelligence missions to the extent such activities relate to the security and stability of cyberspace; and

(4) the industry best practices relating to software acquisitions and cybersecurity software or hardware acquisitions.

(c) PLAN.—Not later than 180 days after enactment of this Act, the Secretary of Defense, in consultation with the President of the Defense Acquisition University, shall submit to Congress a comprehensive plan to implement the curricula developed under subsection (a) that includes a comparison with similar existing training curricula. Such plan shall include a list of resources required for and costs associated with such implementation, including—

(1) curriculum development;

(2) hiring instructors to teach the curriculum;

(3) facilities; or

(4) website development.

(d) IMPLEMENTATION.—Not later than one year after the date on which the plan described in subsection (d) is submitted to the Committees on Armed Services of the Senate and House of Representatives, the President of the Defense Acquisition University shall offer the curricula developed under subsection (a) to covered individuals.

(e) REPORT.—Not later than one year after the date on which the plan described in subsection (d) is submitted to the Committees on Armed Services of the Senate and House of Representatives, the Secretary of Defense, in consultation with the President of the Defense

Acquisition University, shall submit to Congress a report assessing the costs and benefits of requiring all covered individuals to complete the curricula developed under subsection (a).

(f) COVERED INDIVIDUALS DEFINED.—In this section, the term "covered individuals" means an individual serving in a position designated under section 1721(b) of title 10, United States Code, who is regularly consulted for software acquisitions or cybersecurity software or hardware acquisitions.

SEC. 836. DEPARTMENT OF DEFENSE NATIONAL IMPERATIVE FOR INDUSTRIAL SKILLS PROGRAM.

(a) IN GENERAL.—The Secretary of Defense, acting through the Industrial Base Analysis and Sustainment program of the Department of Defense, shall evaluate and further develop workforce development training programs (as defined by the Secretary of Defense) for training the skilled industrial workers (as defined by the Secretary of Defense) that are needed in the defense industrial base through the National Imperative for Industrial Skills program of the Department of Defense (or a successor program).

(b) PRIORITIES.—In carrying out this section, the Secretary shall prioritize workforce development training programs that—

(1) are innovative, lab-based, or experientially-based;

(2) rapidly train skilled industrial workers for employment with entities in the defense industrial base faster than traditional workforce development training programs and at the scale needed to measurably reduce, as rapidly as possible, the shortages of skilled industrial workers in the defense industrial base, including modernization of required equipment and training curricula;

(3) recruit skilled industrial workers who are manufacturing workers from underrepresented communities;

(4) provide students and skilled industrial workers with the support needed to successfully participate in the defense industrial base;

(5) address the specific manufacturing requirements and skills that are unique to critical industrial sectors of the defense industrial base as defined by the Secretary of Defense, such as naval shipbuilding; and

(6) with respect to Federal workforce development training programs in existence on or before the date of the enactment of this Act—

(A) maximize the use of such Federal workforce development training programs; or

(B) expand on the activities of such Federal workforce development training programs.

Subtitle D—Provisions Relating to Software and Technology

SEC. 841. GUIDELINES AND RESOURCES ON THE ACQUISITION OR LICENSING OF INTELLECTUAL PROPERTY.

Section 3791 of title 10, United States Code, is amended—

(1) in the section heading, by striking "department of defense" and inserting "Department of Defense"; and

(2) by adding at the end the following new subsection:

"(c) GUIDELINES AND RESOURCES.—

"(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall develop guidelines and resources on the acquisition or licensing of intellectual property, including—

"(A) intellectual property strategies and other mechanisms supporting the use of modular open system approaches (as defined in section 4401(b) of this title);

"(B) evaluation and negotiation of intellectual property licenses in competitive and non-competitive awards;

"(C) models and best practices for specially negotiated licenses, including specially negotiated licenses described in section 3774(c) of this title; and

"(D) definitions, key terms, examples, and case studies that clarify differences between—

"(i) detailed manufacturing and process data;

"(ii) form, fit, and function data;

"(iii) data required for operations, maintenance, installation, and training;

"(iv) modular system interfaces (as defined in section 4401(b) of this title); and

"(v) technical data pertaining to an interface between an item or process and other items or processes necessary for the segregation of an item or process from, or the reintegration of that item or process (or a functionally equivalent item or process) with, other items or processes.

"(2) GUIDELINES AND RESOURCES LIMIT.—The guidelines and resources developed under paragraph (1) may not alter or affect any authority or duty under this section or section 1707 of this title.

"(3) REVIEW AND CONSULTATION.—In developing the guidelines and resources described in paragraph (1), the Secretary shall—

"(A) review the applicable statutory and regulatory history, including among the definitions and key terms in section 3771 of this title, to ensure consistency; and

"(B) regularly consult with appropriate government and industry persons and organizations.

"(4) TRAINING.—The Secretary of Defense shall ensure that the acquisition workforce receives training on the guidelines and resources developed under paragraph (1).".

SEC. 842. MODIFICATION OF AUTHORITY OF THE DEPARTMENT OF DEFENSE TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

Section 4022 of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by striking ", and any follow-on production contract or transaction that is awarded pursuant to subsection (f)," both places it appears;

(B) in subparagraph (A)(ii), by striking "; and" and inserting a semicolon;

(C) in subparagraph (B)(ii), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following new subparagraph:

"(C) may be exercised for a transaction for a follow-on production contract or transaction that is awarded pursuant to subsection (f) and expected to cost the Department of Defense in excess of $100,000,000 (including all options) only if a covered official—

"(i) determines in writing that—

"(I) the requirements of subsection (d) will be met; and

"(II) the use of the authority of this section is essential to meet critical national security objectives; and

"(ii) notifies the congressional defense committees in writing of the determinations required under clause (i) at the time such authority is exercised.";

(2) in subsection (e)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (4), respectively;

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following new paragraph:

"(1) The term 'covered official' means—

"(A) a service acquisition executive;

"(B) the Director of the Defense Advanced Research Projects Agency;

"(C) the Director of the Missile Defense Agency;

"(D) the Undersecretary of Defense for Acquisition and Sustainment; or

"(E) the Undersecretary of Defense for Research and Engineering."; and

(C) by inserting after paragraph (2), as so redesignated, the following new paragraph:

"(3) The term 'service acquisition executive' has the meaning given that term in section 101(a) of this title."; and

(3) in subsection (f)(2), in the matter preceding subparagraph (A), by striking "of section 2304 of this title," and inserting the following: "of chapter 221 of this title and even if explicit notification was not listed within the request for proposal for the transaction".

SEC. 843. OTHER TRANSACTION AUTHORITY CLARIFICATION.

Section 4022 of title 10, United States Code, as amended by section 842, is further amended—

(1) in subsection (a)(1), by striking "military personnel and the supporting" and inserting "personnel of the Department of Defense or improving";

(2) in subsection (e), by adding at the end the following new paragraph:

"(5) The term 'prototype project' includes a project that addresses—

"(A) a proof of concept, model, or process, including a business process;

"(B) reverse engineering to address obsolescence;

"(C) a pilot or novel application of commercial technologies for defense purposes;

"(D) agile development activity;

"(E) the creation, design, development, or demonstration of operational utility; or

"(F) any combination of subparagraphs (A) through (E).";

and

(3) by adding at the end the following new subsection:

"(i) PILOT AUTHORITY FOR USE OF OTHER TRANSACTIONS FOR INSTALLATION OR FACILITY PROTOTYPING.—

"(1) IN GENERAL.—The Secretary of Defense or the Secretary of a military department may establish a pilot program under which the Secretary may, under the authority of this section, carry out prototype projects that are directly relevant to enhancing the ability of the Department of Defense to prototype the design, development, or demonstration of new construction techniques or technologies to improve military installations or facilities (as such terms are defined in section 2801 of this title).

"(2) LIMITS.—In carrying out prototype projects under the pilot program established under paragraph (1)—

"(A) not more than two prototype projects may begin to be carried out per fiscal year under such pilot program; and

"(B) the aggregate value of all transactions entered into under such pilot program may not exceed $200,000,000.

"(3) SUNSET.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the authority to carry out prototype projects under the pilot program established under paragraph (1) shall terminate on September 30, 2025.

"(B) ONGOING PROJECT EXCEPTION.—Subparagraph (A) shall not apply with respect to prototype projects being carried out under the pilot program established under paragraph (1) on the date described in subparagraph (A).".

SEC. 844. PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 4025 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "that have" and inserting "that—"

"(1) have";

(B) by striking "Defense." and inserting "Defense; or"; and

(C) by adding at the end the following new paragraph:

"(2) demonstrate management practices that improve the schedule or performance, reduce the costs, or otherwise support the transition of technology into acquisition programs or operational use.";

(2) in subsection (b), by striking "of research results, technology developments, and prototypes";

(3) in subsection (d), by striking "to acquire, support, or stimulate basic, advanced and applied research, technology development, or prototype projects";

(4) in subsection (f), by striking "section 2304" and inserting "chapter 221"; and

(5) in subsection (g)(2)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (A) the following new subparagraphs:

"(B) if applicable, a summary of the management practice that contributed to an improvement to schedule or performance or a reduction in cost relating to the transition of technology;

"(C) an identification of any program executive officer (as defined in section 1737 of this title) responsible for implementation or oversight of research results, technology development, prototype development, or management practices (as applicable) for which an award was made under this section, and a brief summary of lessons learned by such program executive officer in carrying out such implementation or oversight;".

SEC. 845. CONGRESSIONAL NOTIFICATION FOR PILOT PROGRAM TO ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES.

Section 834 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1835; 10 U.S.C. 4061 note) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

"(f) CONGRESSIONAL NOTIFICATION.—The Secretary of Defense shall notify the congressional defense committees within 30 days after funding has been provided for a proposal selected for an award under the pilot program established under this section.".

SEC. 846. REPORT ON SOFTWARE DELIVERY TIMES.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter until December 31, 2028, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Chief Information Officer of the Department of Defense and the Chief Digital and Artificial Intelligence Officer, shall submit to the congressional defense committees a report on the following:

(1) A description of covered software delivered during the fiscal year preceding the date of the report that is being developed using iterative development, including a description of the capabilities delivered for operational use.

(2) For such covered software not developed using iterative development, an explanation for not using iterative development and a description of the development method used.

(3) For such covered software being developed using iterative development, the frequency with which capabilities of such covered software were delivered, disaggregated as follows:

(A) Covered software for which capabilities were delivered during period of less than three months.

(B) Covered software for which capabilities were delivered during period of more than three months and less than six months.

(C) Covered software for which capabilities were delivered during period of more than six months and less than nine months.

(D) Covered software for which capabilities were delivered during period of more than nine months and less than 12 months.

(4) With respect to covered software described in paragraph (3) for which capabilities of such covered software were not delivered in fewer than 12 months, an explanation of why such delivery was not possible.

(b) DEFINITIONS.—In this section:

(1) The term "Chief Digital and Artificial Intelligence Officer" means—

(A) the official designated as the Chief Digital and Artificial Intelligence Officer of the Department of Defense pursuant to the memorandum of the Secretary of Defense titled "Establishment of the Chief Digital and Artificial Intelligence Officer" dated December 8, 2021; or

(B) if there is no official designated as such Officer, the official within the Office of the Secretary of Defense with primary responsibility for digital and artificial intelligence matters.

(2) The term "covered software" means software that is being developed that—

(A) was acquired using a software acquisition pathway established under section 800 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92); or

(B) is a covered defense business system, as defined in section 2222(i) of title 10, United States Code.

(3) The term "iterative development" has the meaning given the term "agile or iterative development" in section 891 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 10 115–91; 131 Stat. 1509; 10 U.S.C. 1746 note).

Subtitle E—Industrial Base Matters

SEC. 851. MODIFICATION TO THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 4801(1) of title 10, United States Code, is amended by inserting "New Zealand," after "Australia,".

SEC. 852. MODIFICATION TO MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.

Section 4864 of title 10, United States Code, as amended by section 853, is further amended by adding at the end the following new subsection:

"(l) PERIODIC REVIEW.—

"(1) RECOMMENDATION.—Not later than November 1, 2024, and every five years thereafter, the Under Secretary of Defense for Acquisition and Sustainment shall review each item described in subsections (a) and (e) of this section and submit to the congressional defense committees, in writing, one of the following recommendations:

"(A) Recommend continued inclusion of the item under this section.

"(B) Recommend continued inclusion of the item under this section with modifications.

"(C) Recommend discontinuing inclusion of the item under this section.

"(2) ELEMENTS.—Each review required under paragraph (1) shall include, with respect to the five-year period preceding the date of submission of the written determination related to such a review, the following elements:

"(A) The criticality of the item reviewed to a military unit's mission accomplishment or other national security objectives.

"(B) The extent to which such item is fielded in current programs of record.

"(C) The number of such items to be procured by current programs of record.

"(D) The extent to which cost and pricing data for such item has been deemed fair and reasonable.

"(3) JUSTIFICATION.—The written determination required under paragraph (1) shall also include the findings of the applicable review conducted under such paragraph and any key justifications for the recommendation.".

SEC. 853. REQUIREMENTS FOR THE PROCUREMENT OF CERTAIN COMPONENTS FOR CERTAIN NAVAL VESSELS AND AUXILIARY SHIPS.

(a) REQUIREMENT THAT CERTAIN AUXILIARY SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—

(1) TECHNICAL AMENDMENT.—Section 4864 of title 10, United States Code, is amended by redesignating subsection (l) (relating to "Implementation of auxiliary ship component limitation") as subsection (k).

(2) COMPONENTS FOR AUXILIARY SHIPS.—Paragraph (4) of section 4864(a) of title 10, United States Code, is amended—

(A) in the subsection heading, by inserting "AND T–ARC" after "T–AO 205"; and

(B) by inserting "and T–ARC" after "T–AO 205".

(b) REGULATIONS.—Not later than June 1, 2023, the Secretary of Defense shall issue regulations for carrying out section 4864(j) of title 10, United States Code.

SEC. 854. MODIFICATIONS TO THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM.

(a) ADMINISTRATIVE AND OTHER LOGISTICAL COSTS.—Section 4961 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking "Director of the Defense Logistics Agency" and inserting "Secretary";

(2) in paragraph (1), by striking "three" and inserting "four"; and

(3) in paragraph (2)—

(A) in the matter preceding subparagraph (A) by striking "Director" and inserting "Secretary"; and

(B) in subparagraph (A), by inserting ", including meetings of an association recognized under section 4954(f)," after "meetings".

(b) COOPERATIVE AGREEMENTS.—Section 4954 of title 10, United States Code, is amended by adding at the end the following new subsections:

"(f) ASSOCIATION RECOGNITION AND DUTIES.—Eligible entities that provide procurement technical assistance pursuant to this

chapter may form an association to pursue matters of common concern. If more than a majority of such eligible entities are members of such an association, the Secretary shall—

"(1) recognize the existence and activities of such an association; and

"(2) jointly develop with such association a model cooperative agreement that may be used at the option of the Secretary and an eligible entity.".

(c) REGULATIONS.—Section 4953 of title 10, United States Code, is amended by inserting ", and shall consult with an association recognized under section 4954(f) regarding any revisions to such regulations" before the period at the end.

(d) FUNDING.—Section 4955(a)(1) of title 10, United States Code, is amended by striking "$1,000,000" and inserting "$1,500,000".

SEC. 855. CODIFICATION OF PROHIBITION ON CERTAIN PROCUREMENTS FROM THE XINJIANG UYGHUR AUTONOMOUS REGION.

(a) REPEAL.—Section 848 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4651 note prec.) is repealed.

(b) PROHIBITION ON CERTAIN PROCUREMENTS FROM THE XINJIANG UYGHUR AUTONOMOUS REGION.—Chapter 363 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 4661. Prohibition on certain procurements from the Xinjiang Uyghur Autonomous Region

"(a) PROHIBITION ON THE AVAILABILITY OF FUNDS FOR CERTAIN PROCUREMENTS FROM XUAR.—None of the funds authorized to be appropriated by a national defense authorization Act or any other Act, or otherwise made available for any fiscal year for the Department of Defense, may be obligated or expended to knowingly procure any products mined, produced, or manufactured wholly or in part by forced labor from XUAR or from an entity that has used labor from within or transferred from XUAR as part of a 'poverty alleviation' or 'pairing assistance' program.

"(b) DEFINITIONS.—In this section, the terms 'forced labor' and 'XUAR' have the meanings given, respectively, in section 2496 of this title.".

(c) CLERICAL AMENDMENT.—The table of contents for such chapter is amended by adding at the end the following new item:

"4661. Prohibition on certain procurements from the Xinjiang Uyghur Autonomous Region.".

(d) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue a policy to require that an offeror or awardee of a Department of Defense contract shall make a good faith effort to determine that forced labor from XUAR, as described in section 4661 of title 10, United States Code (as amended by subsection (b)), will not be used in the performance of such contract.

SEC. 856. CODIFICATION OF THE DEPARTMENT OF DEFENSE MENTOR–PROTEGE PROGRAM.

(a) IN GENERAL.—Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 4901 note prec.) is trans-

ferred to subchapter I of chapter 387 of title 10, United States Code, inserted after section 4901, and redesignated as section 4902.

(b) AMENDMENTS.—Section 4902 of title 10, United States Code, as so transferred and redesignated, is amended—

*(1) in the section heading, by striking "**MENTOR-PROTEGE PILOT**" and inserting "**DEPARTMENT OF DEFENSE MENTOR-PROTEGE**";*

(2) in the heading for subsection (a), by striking "PILOT";

(3) in subsections (a) and (c), by striking "pilot" each place it appears;

(4) in subsection (d)(1)(B)(iii)—

(A) in subclause (I), by striking "$100,000,000" and inserting "$25,000,000"; and

(B) in subclause (II), by striking "subsection (k)" and inserting "subsection (j)";

(5) in subsection (e)(2), by striking "two years" each place it appears and inserting "three years";

(6) in subsection (f)—

(A) in paragraph (1)(B), by inserting "manufacturing, test and evaluation," after "inventory control,"; and

(B) in paragraph (6)(B), by striking "pursuant to" and all that follows through the semicolon at the end and inserting "pursuant to chapter 388 of this title;";

(7) in subsection (g)(3)(C), by striking "subsection (k)" and inserting "subsection (j)";

(8) by striking subsections (j) and (n);

(9) by redesignating subsections (k) through (m) as subsections (j) through (l), respectively;

(10) by redesignating subsection (o) as subsection (n);

(11) in subsection (j), as so redesignated—

(A) by striking "pilot" each place it appears;

(B) by striking "by which mentor firms" and inserting "by which the parties"; and

(C) by striking "The Secretary shall publish" and all that follows through "270 days after the date of the enactment of this Act.";

(12) in paragraph (7)(B) of subsection (k), as so redesignated, by striking "pursuant to" and all that follows through "; or" and inserting "pursuant to chapter 388 of this title; or";

(13) in subsection (l), as so redesignated, by striking "subsection (l)" and inserting "subsection (k)";

(14) by inserting after subsection (l), as so redesignated, the following new subsection:

"(m) ANNUAL COLLECTION OF PERFORMANCE DATA.—The Director of the Office of Small Business Programs shall—

"(1) maintain outcome-based performance goals and annually collect data through an automated information system (if practicable) assessing such goals; and

"(2) conduct an independent review of the Mentor-Protege Program established under this section at least once every three years."; and

(15) by amending subsection (n), as so redesignated, to read as follows:

"(n) DEFINITIONS.—In this section:

"(1) The term 'affiliation', with respect to a relationship between a mentor firm and a protege firm, means a relationship described under section 121.103 of title 13, Code of Federal Regulations (or any successor regulation).

"(2) The term 'disadvantaged small business concern' means a firm that is not more than the size standard corresponding to its primary North American Industry Classification System code, is not owned or managed by individuals or entities that directly or indirectly have stock options or convertible securities in the mentor firm, and is—

"(A) a small business concern owned and controlled by socially and economically disadvantaged individuals;

"(B) a business entity owned and controlled by an Indian tribe as defined by section 8(a)(13) of the Small Business Act (15 U.S.C. 637(a)(13));

"(C) a business entity owned and controlled by a Native Hawaiian Organization as defined by section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15));

"(D) a qualified organization employing severely disabled individuals;

"(E) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D));

"(F) a small business concern owned and controlled by service–disabled veterans (as defined in section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)));

"(G) a qualified HUBZone small business concern (as defined in section 31(b) of the Small Business Act (15 U.S.C. 657a(b))); or

"(H) a small business concern that—

"(i) is a nontraditional defense contractor, as such term is defined in section 3014 of this title; or

"(ii) currently provides goods or services in the private sector that are critical to enhancing the capabilities of the defense supplier base and fulfilling key Department of Defense needs.

"(3) The term 'historically Black college and university' means any of the historically Black colleges and universities referred to in section 2323 of this title, as in effect on March 1, 2018.

"(4) The term 'minority institution of higher education' means an institution of higher education with a student body that reflects the composition specified in section 312(b)(3), (4), and (5) of the Higher Education Act of 1965 (20 U.S.C. 1058(b)(3), (4), and (5)).

"(5) The term 'qualified organization employing the severely disabled' means a business entity operated on a for-profit or nonprofit basis that—

"(A) uses rehabilitative engineering to provide employment opportunities for severely disabled individuals and integrates severely disabled individuals into its workforce;

"(B) employs severely disabled individuals at a rate that averages not less than 20 percent of its total workforce;

"(C) employs each severely disabled individual in its workforce generally on the basis of 40 hours per week; and

"(D) pays not less than the minimum wage prescribed pursuant to section 6 of the Fair Labor Standards Act (29 U.S.C. 206) to those employees who are severely disabled individuals.

"(6) The term 'severely disabled individual' means an individual who is blind (as defined in section 8501 of title 41) or a severely disabled individual (as defined in such section).

"(7) The term 'small business concern' has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

"(8) The term 'small business concern owned and controlled by socially and economically disadvantaged individuals' has the meaning given such term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

"(9) The term 'subcontracting participation goal', with respect to a Department of Defense contract, means a goal for the extent of the participation by disadvantaged small business concerns in the subcontracts awarded under such contract, as established pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)).".

(c) CLERICAL AMENDMENT.—The table of sections for subchapter I of chapter 387 of title 10, United States Code, is amended by adding at the end the following new item:

"4902. Department of Defense Mentor–Protege Program.".

(d) PROTEGE TECHNICAL REIMBURSEMENT PILOT PROGRAM.—

(1) IN GENERAL.—Not later than July 1, 2023, the Director of the Office of Small Business Programs of the Department of Defense (as appointed pursuant to section 144 of title 10, United States Code) shall establish a pilot program under which a protege firm may receive up to 25 percent of the reimbursement for which the mentor firm of such protege firm is eligible under the Mentor-Protege Program for a covered activity described in paragraph (2).

(2) ACTIVITY DESCRIBED.—A covered activity under this paragraph is an engineering, software development, or manufacturing customization that the protege firm implements in order to ensure that a technology developed by the protege firm will be ready for integration with a program or system of the Department of Defense.

(3) DEFINITIONS.—In this subsection:

(A) The terms "mentor firm", "protege firm" have the meanings given under section 4902 of title 10, United States Code, as amended by this section.

(B) The term "Mentor-Protege Program" means the Mentor-Protege Program established under section 4902 of title 10, United States Code, as amended by this section.

(4) TERMINATION.—The pilot program established under paragraph (1) shall terminate on the date that is five years after the date on which the pilot program is established.

(e) CONFORMING AMENDMENTS.—

(1) BUY INDIAN ACT.—Section 23(a)(2) of the Act of June 25, 1910 (commonly known as the "Buy Indian Act") (36 Stat. 861, 25 U.S.C. 47(a)(2)) is amended by striking "section 831(c) of the National Defense Authorization Act for Fiscal Year 1991 (10

U.S.C. 2302 note; Public Law 101–510)" and inserting "section 4902(c) of title 10, United States Code".

(2) SMALL BUSINESS ACT.—Section 8(d)(12) of the Small Business Act (15 U.S.C. 637(d)(12)) is amended—

(A) by striking "the pilot Mentor-Protege Program established pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2301 note)" and inserting "the Mentor-Protege Program established under section 4902 of title 10, United States Code,"; and

(B) by striking "subsection (g)" and inserting "subsection (f)".

(f) REGULATIONS.—Not later than December 31, 2023, the Secretary of Defense shall issue regulations for carrying out section 4902 of title 10, United States Code, as amended by this section.

(g) AGREEMENTS UNDER PILOT PROGRAM.—The amendments made by this section shall not apply with respect to any agreement entered into under the program as established under section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1607) before the date of the enactment of this Act.

SEC. 857. PROCUREMENT REQUIREMENTS RELATING TO RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS.

(a) DISCLOSURES CONCERNING RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS BY CONTRACTORS OF DEPARTMENT OF DEFENSE.—

(1) REQUIREMENT.—Beginning on the effective date of this subsection, the Secretary of Defense shall—

(A) require that any contractor that provides to the Department of Defense a system with a permanent magnet that contains rare earth elements or strategic and critical materials disclose, after undertaking a commercially reasonable inquiry and along with delivery of the system, the provenance of the magnet; and

(B) safeguard such disclosures in accordance with applicable classification level required by the associated programs.

(2) ELEMENTS.—A disclosure under paragraph (1) shall include an identification of the country or countries in which—

(A) any rare earth elements and strategic and critical materials used in the magnet were mined;

(B) such elements and minerals were refined into oxides;

(C) such elements and minerals were made into metals and alloys; and

(D) the magnet was sintered or bonded and magnetized.

(3) IMPLEMENTATION OF SUPPLY CHAIN TRACKING SYSTEM.—If a contractor cannot make the disclosure required by paragraph (1) with respect to a system described in that paragraph, the Secretary shall require the contractor to establish and implement a supply chain tracking system in order to make the disclosure to the fullest extent possible not later than 180 days after the contractor provides the system to the Department of Defense. The tracking system shall—

(A) include a description of the efforts taken by the contractor to date to make the disclosure required by paragraph (1);

(B) take into account the possible refusal of certain foreign entities to provide the contractor the information necessary to make the disclosure required by paragraph (1); and

(C) require the contractor to report to the Secretary the name, location, and other identifying information of any entities which refuse to provide the contractor with the information necessary to make the disclosure required by paragraph (1).

(4) WAIVERS.—

(A) IN GENERAL.—The Secretary may waive a requirement under paragraph (1) or (3) with respect to a system described in paragraph (1) for a period of not more than 180 days if the Secretary certifies to the Committees on Armed Services of the Senate and the House of Representatives that—

(i) the continued procurement of the system is necessary to meet the demands of a national emergency declared under section 201 of the National Emergencies Act (50 U.S.C. 1621); or

(ii) a contractor that cannot currently make the disclosure required by paragraph (1) is making significant efforts to comply with the requirements of that paragraph.

(B) WAIVER RENEWALS.—The Secretary may renew a waiver as many times as the Secretary considers appropriate, provided that the Secretary submits an updated certification to the committees.

(C) LIMITATION.—The Secretary may not delegate this waiver authority below the level of Assistant Secretary of Defense, a senior acquisition executive (as defined in section 101(a) of title 10, United States Code), or a command acquisition executive (as described in section 167(e)(4)(C) of title 10, United States Code) or equivalent.

(5) BRIEFING REQUIRED.—

(A) IN GENERAL.—Not later than 30 days after the submission of each report required by subsection (c)(3), the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes—

(i) a summary of the disclosures made under this subsection;

(ii) an assessment of the extent of reliance by the United States on foreign countries, and especially countries that are not allies of the United States, for rare earth elements and strategic and critical materials;

(iii) a determination with respect to which systems described in paragraph (1) are of the greatest concern for interruptions of supply chains with respect to rare earth elements and strategic and critical materials; and

(iv) any suggestions for legislation or funding that would mitigate security gaps in such supply chains.

(B) FORM.—To the extent practicable, each briefing required under subparagraph (A) shall be in an unclassified form, but may contain a classified annex.

(6) EFFECTIVE DATE.—The requirements described in this subsection shall take effect—

(A) not earlier than 30 months after the date of enactment of this Act; and

(B) after the Secretary of Defense certifies to the Committees on Armed Services of the Senate and the House of Representatives that the Department has established a process to ensure that the information collection requirements of this subsection present no national security risks, or that any such risks have been fully mitigated.

(b) EXPANSION OF RESTRICTIONS ON PROCUREMENT OF MILITARY AND DUAL-USE TECHNOLOGIES BY CHINESE MILITARY COMPANIES.—Section 1211 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 4651 note prec.) is amended—

*(1) in the section heading, by striking "**COMMUNIST CHINESE MILITARY COMPANIES**" and inserting "**CHINESE MILITARY COMPANIES**";*

(2) in subsection (a), by inserting after "military company" the following: ", any Chinese military company, any Non-SDN Chinese military-industrial complex company, or any other covered company";

(3) by amending subsection (b) to read as follows:

"(b) GOODS AND SERVICES COVERED.—

"(1) IN GENERAL.—For purposes of subsection (a), and except as provided in paragraph (2), the goods and services described in this subsection are goods and services—

"(A) on the munitions list of the International Traffic in Arms Regulations; or

"(B) on the Commerce Control List that—

"(i) are classified in the 600 series; or

"(ii) contain strategic and critical materials, rare earth elements, or energetic materials used to manufacture missiles or munitions.

"(2) EXCEPTIONS.—Goods and services described in this subsection do not include goods or services procured—

"(A) in connection with a visit by a vessel or an aircraft of the United States Armed Forces to the People's Republic of China;

"(B) for testing purposes; or

"(C) for purposes of gathering intelligence."; and

(4) in subsection (e)—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (1) and (2) as paragraphs (3) and (5), respectively;

(C) by inserting before paragraph (3), as redesignated by subparagraph (B), the following:

"(1) The term 'Chinese military company' has the meaning given that term by section 1260H(d)(1) of the William M. (Mac)

Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note).

"(2) The term 'Commerce Control List' means the list maintained by the Bureau of Industry and Security and set forth in Supplement No. 1 to part 774 of the Export Administration Regulations.";

(D) by inserting after paragraph (3), as so redesignated, the following:

"(4) The term 'Export Administration Regulations' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).''; and

(E) by adding at the end the following:

"(6) The term 'Non-SDN Chinese military-industrial complex company' means any entity on the Non-SDN Chinese Military-Industrial Complex Companies List—

"(A) established pursuant to Executive Order 13959 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance Communist Chinese military companies), as amended before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023; and

"(B) maintained by the Office of Foreign Assets Control of the Department of the Treasury.

"(7) The term 'other covered company' means a company that—

"(A) is owned or controlled by the government of the People's Republic of China; and

"(B) is certified by the Secretary of Defense to the congressional defense committees to be a company that must be covered by this section for national security reasons.

"(8) The term 'strategic and critical materials' means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).''; and

(5) by adding at the end the following new subsection:

"(f) EFFECTIVE DATE.—With respect to goods and services described in clause (ii) of subparagraph (b)(1)(B), the prohibition shall take effect 180 days after the date on which the Secretary of Defense certifies to the congressional defense committees that a sufficient number of commercially viable providers exist outside of the People's Republic of China that collectively can provide the Department of Defense with satisfactory quality and sufficient quantity of such goods or services as and when needed at United States market prices.''.

(c) REVIEW OF COMPLIANCE WITH CONTRACTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and periodically thereafter until the termination date specified in paragraph (5), the Comptroller General of the United States shall assess the extent of the efforts of the Secretary of Defense to comply with the requirements of—

(A) subsection (a);

(B) section 1211 of the National Defense Authorization Act for Fiscal Year 2006, as amended by subsection (b); and

(C) section 4872 of title 10, United States Code.

(2) BRIEFING REQUIRED.—

(A) IN GENERAL.—The Comptroller General shall periodically, until the termination date specified in paragraph (5), provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the results of the assessments conducted under paragraph (1) that includes an assessment of—

(i) the inclusion by the Department of Defense of necessary contracting clauses in relevant contracts to meet the requirements described in subparagraphs (A), (B), and (C) of paragraph (1); and

(ii) the efforts of the Department of Defense to assess the compliance of contractors with such clauses.

(B) FORM.—To the extent practicable, each briefing required under subparagraph (A) shall be in an unclassified form, but may contain a classified annex.

(3) REPORT REQUIRED.—

(A) IN GENERAL.—The Comptroller General shall, not less frequently than every 2 years until the termination date specified in paragraph (5), submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the assessments conducted under paragraph (1).

(B) FORM.—To the extent practicable, each report required under subparagraph (A) shall be in an unclassified form, but may contain a classified annex.

(4) REFERRAL.—If, in conducting an assessment under paragraph (1), the Comptroller General determines that a contractor has willfully or recklessly failed to comply with any of the requirements described in subparagraphs (A), (B), and (C) of paragraph (1), the Comptroller General may refer the matter, as appropriate, for further examination and possible enforcement actions.

(5) TERMINATION.—The requirements of this subsection shall terminate on the date that is 5 years after the date of the enactment of this Act.

(d) STRATEGIC AND CRITICAL MATERIALS DEFINED.—In this section, the term "strategic and critical materials" means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).

SEC. 858. ANALYSES OF CERTAIN ACTIVITIES FOR ACTION TO ADDRESS SOURCING AND INDUSTRIAL CAPACITY.

(a) ANALYSIS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials, shall review the items under subsection (c) to determine and develop appropriate actions, consistent with the policies, programs, and activities required under subpart I of part V of subtitle A of title 10, United States Code, chapter 83 of title 41, United States Code, and the De-

fense Production Act of 1950 (50 U.S.C. 4501 et seq.), including—

(A) restricting procurement, with appropriate waivers for cost, emergency requirements, and non-availability of suppliers, including restricting procurement to—

(i) suppliers in the United States;

(ii) suppliers in the national technology and industrial base (as defined in section 4801 of title 10, United States Code);

(iii) suppliers in other allied nations; or

(iv) other suppliers;

(B) increasing investment through use of research and development or procurement activities and acquisition authorities to—

(i) expand production capacity;

(ii) diversify sources of supply; or

(iii) promote alternative approaches for addressing military requirements;

(C) prohibiting procurement from selected sources or nations;

(D) taking a combination of actions described under subparagraphs (A), (B), and (C); or

(E) taking no action.

(2) CONSIDERATIONS.—The analyses conducted pursuant to paragraph (1) shall consider national security, economic, and treaty implications, as well as impacts on current and potential suppliers of goods and services.

(b) REPORTING ON ANALYSES, RECOMMENDATIONS, AND ACTIONS.—

(1) BRIEFING REQUIRED.—Not later than January 15, 2024, the Secretary of Defense shall submit to the congressional defense committees, in writing—

(A) a summary of the findings of the analyses undertaken for each item pursuant to subsection (a);

(B) relevant recommendations resulting from the analyses; and

(C) descriptions of specific activities undertaken as a result of the analyses, including schedule and resources allocated for any planned actions.

(2) REPORTING.—The Secretary of Defense shall include the analyses conducted under subsection (a), and any relevant recommendations and descriptions of activities resulting from such analyses, as appropriate, in each of the following during the 2024 calendar year:

(A) The annual report or quarterly briefings to Congress required under section 4814 of title 10, United States Code.

(B) The annual report on unfunded priorities of the national technology and industrial base required under section 4815 of such title.

(C) Department of Defense technology and industrial base policy guidance prescribed under section 4811(c) of such title.

(D) Activities to modernize acquisition processes to ensure the integrity of the industrial base pursuant to section 4819 of such title.

(E) Defense memoranda of understanding and related agreements considered in accordance with section 4851 of such title.

(F) Industrial base or acquisition policy changes.

(G) Legislative proposals for changes to relevant statutes which the Department shall consider, develop, and submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not less frequently than once per fiscal year.

(H) Other actions as the Secretary of Defense determines appropriate.

(c) LIST OF GOODS AND SERVICES FOR ANALYSES, RECOMMENDATIONS, AND ACTIONS.—The items described in this subsection are the following:

(1) Solar components for satellites.

(2) Satellite ground station service contracts.

(3) Naval vessel shafts and propulsion system components (including reduction gears and propellers).

(4) Infrastructure or equipment for a passenger boarding bridge at a military airport designated by the Secretary of Transportation under section 47118(a) of title 49, United States Code.

(5) Flags of the United States.

(6) Natural rubber from herbaceous plants for military applications.

(7) Alternative proteins as sustainable and secure food sources.

(8) Carbon fiber.

SEC. 859. DEMONSTRATION EXERCISE OF ENHANCED PLANNING FOR INDUSTRIAL MOBILIZATION AND SUPPLY CHAIN MANAGEMENT.

(a) DEMONSTRATION EXERCISE REQUIRED.—Not later than December 31, 2024, the Secretary of Defense shall conduct a demonstration exercise of industrial mobilization and supply chain management planning capabilities in support of one or more operational or contingency plan use cases, as selected in consultation with the Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense for Acquisition and Sustainment.

(b) ELEMENTS.—The demonstration exercise required under subsection (a) shall include the following elements:

(1) Use of a current program that is both fielded and still in production from each military department, Defense Agency, and Department of Defense Field Activity in order to model a notional plan for mobilization or supply chain management, as associated with the selected operational or contingency plans.

(2) The exercise of processes and authorities that support the Department of Defense for industrial mobilization in support of declared hostilities or other contingency operations.

(3) The identification of process improvements or gaps in resources, capabilities, or authorities that require remediation, in-

cluding those related to government or contractor production facilities, tooling, or workforce development.

(4) The implementation of analytical tools and processes to monitor and assess the health of the industrial base and to use near real-time data and visualization capabilities in making production and distribution decisions, with an emphasis on identifying, assessing, and demonstrating commercially available tools.

(5) The establishment and tracking of goals and metrics to support institutionalization of defense industrial base health assessment and planning.

(c) BRIEFING REQUIRED.—Not later than November 1, 2023, the Secretary shall provide to the congressional defense committees an interim briefing on the demonstration exercise required under subsection (a), including—

(1) an identification of the programs and use cases to be demonstrated;

(2) a description of methodology for executing the demonstration exercise, including analytical tools or metrics identified to support the process; and

(3) any preliminary findings.

(d) ASSESSMENT.—Not later than March 1, 2025, the Secretary shall submit to the congressional defense committees a report assessing the demonstration exercise required under subsection (a), including a description of—

(1) the programs and use cases considered in this demonstration exercise;

(2) the outcomes of the activities required under subsection (b);

(3) outcomes and conclusions;

(4) lessons learned; and

(5) any recommendations for legislative action that may be required as a result.

(e) DEFINITIONS.—In this section, the terms "military department", "Defense Agency", and "Defense Field Activity" have the meanings given those terms in section 101 of title 10, United States Code.

SEC. 860. RISK MANAGEMENT FOR DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAINS.

(a) RISK MANAGEMENT FOR ALL DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAINS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) develop and issue implementing guidance for risk management for Department of Defense supply chains for pharmaceutical materiel for the Department;

(2) identify, in coordination with the Secretary of Health and Human Services, supply chain information gaps regarding the Department's reliance on foreign suppliers of drugs, including active pharmaceutical ingredients and final drug products; and

(3) submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding—

(A) existing information streams, if any, that may be used to assess the reliance by the Department of Defense on high-risk foreign suppliers of drugs;

(B) vulnerabilities in the drug supply chains of the Department of Defense; and

(C) any recommendations to address—

(i) information gaps identified under paragraph (2); and

(ii) any risks related to such reliance on foreign suppliers.

(b) RISK MANAGEMENT FOR DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAIN.—The Director of the Defense Health Agency shall—

(1) not later than one year after the issuance of the guidance required under subsection (a)(1), develop and publish implementing guidance for risk management for the Department of Defense supply chain for pharmaceuticals; and

(2) establish a working group—

(A) to assess risks to the Department's pharmaceutical supply chain;

(B) to identify the pharmaceuticals most critical to beneficiary care at military treatment facilities; and

(C) to establish policies for allocating scarce pharmaceutical resources of the Department of Defense in case of a supply disruption.

SEC. 861. STRATEGY FOR INCREASING COMPETITIVE OPPORTUNITIES FOR CERTAIN CRITICAL TECHNOLOGIES.

(a) STRATEGY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive strategy to—

(1) increase competitive opportunities available for appropriate United States companies to transition critical technologies into major weapon systems and other programs of record; and

(2) enhance the integrity and diversity of the defense industrial base.

(b) ELEMENTS.—The strategy required under subsection (a) shall include the following:

(1) A description of methods to increase opportunities for appropriate United States companies to develop end items of critical technologies for major weapon systems, rapidly prototype such end items, and conduct activities that would support the transition of such end items into major weapon systems and programs of record, including—

(A) continuous experimentation or military utility assessments to improve such end items;

(B) evaluation of how to integrate existing commercial capabilities relating to such end items of appropriate United States companies or entities in the defense industrial base into major weapon systems and programs of record in the Department of Defense;

(C) efforts that improve the ability of appropriate United States companies or entities in the defense industrial base

to maintain, afford, or manufacture major weapon systems or components for such systems; and

(D) development of alternative supply sources for components of a major weapon system to ensure the availability of component parts and to support supply chain diversity.

(2) Processes to improve coordination by the military departments and other elements of the Department of Defense to carry out the strategy required by this section.

(c) DEFINITIONS.—In this section:

(1) The term "appropriate United States company" means—

(A) a nontraditional defense contractor, as defined in section 3014 of title 10, United States Code; or

(B) a prime contractor that has entered into a cooperative agreement with a nontraditional defense contractor with the express intent to pursue funding authorized by sections 4021 and 4022 of title 10, United States Code, in the development, testing, or prototyping of critical technologies.

(2) The term "major weapon system" has the meaning given in section 3455 of title 10, United States Code.

(3) The term "critical technology" means a technology identified as critical by the Secretary of Defense, which shall include the following:

(A) Biotechnology.
(B) Quantum science technology.
(C) Advanced materials.
(D) Artificial intelligence and machine learning.
(E) Microelectronics.
(F) Space technology.
(G) Advanced computing and software.
(H) Hypersonics.
(I) Integrated sensing and cybersecurity.
(J) Autonomous systems.
(K) Unmanned systems.
(L) Advanced sensing systems.
(M) Advanced communications systems.

SEC. 862. KEY ADVANCED SYSTEM DEVELOPMENT INDUSTRY DAYS.

(a) IN GENERAL.—Not later than March 1, 2023, and every 180 days thereafter, the each Secretary of a military department shall ensure that such military department conducts an outreach event to—

(1) collaborate with the private sector on present current and future opportunities with respect to key advanced system development areas;

(2) raise awareness within the private sector of—

(A) key advanced system development areas; and

(B) capability needs and existing and potential requirements related to the key advanced system development areas; and

(3) raise awareness within such military department of potential material solutions for capability needs and existing and potential requirements related to key advanced system development areas.

(b) RESPONSIBILITIES.—

(1) SERVICE CHIEFS.—For each event a military department conducts under subsection (a), the Service Chief concerned shall, for each key advanced system development area, perform the following:

(A) Identify related and potentially related existing, planned, or potential military requirements, including urgent and emergent operational needs.

(B) Identify and describe related and potentially related needs or gaps in the capabilities of the military department to carry out the missions of the military department, including warfighting and combat support capabilities.

(C) Identify and describe related and potentially related exercise, demonstration, or experimentation opportunities.

(2) ACQUISITION EXECUTIVES.—For each event a military department conducts under subsection (a), the service acquisition executive of the military department conducting the event shall, for each key advanced system development area, perform the following:

(A) Identify and describe related and potentially related existing, planned, or potential acquisition plans and strategies.

(B) Identify and describe related and potentially related existing, planned, or potential funding opportunities, including—

(i) broad agency announcements;

(ii) requests for information;

(iii) funding opportunity announcements;

(iv) special program announcements;

(v) requests for proposals;

(vi) requests for quotes;

(vii) special notices;

(viii) transactions pursuant to sections 4004, 4021, and 4022 of title 10, United States Code;

(ix) unsolicited proposals; and

(x) other funding opportunities as determined appropriate by the service acquisition executive.

(3) DELEGATION.—Each Service Chief concerned and each service acquisition executive may delegate the authority to carry out the tasks for which such individuals are responsible under this subsection.

(4) REVIEWS AND COORDINATION.—

(A) INDUSTRY DAY REVIEWS.—Promptly after an event conducted by a military department under subsection (a), the service acquisition executive of such military department shall—

(i) disseminate a written review of such event as broadly as practicable within the Department of Defense; and

(ii) make such review publicly available on a website of the military department.

(B) CONSOLIDATION.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall, periodically, jointly review and consolidate the reviews required by subparagraph (A) to identify trends, eliminate redundancy,

and enhance efficiency with respect to events conducted under subsection (a).

(c) FORM.—With respect to each event conducted under subsection (a), the Secretary concerned shall seek to maximize industry and government participation, while minimizing cost to the maximum extent practicable, by—

(1) holding the event at an unclassified security level to the extent practicable;

(2) making the event publicly accessible through teleconference or other virtual means; and

(3) making supporting materials for the event publicly available on a website.

(d) DEFINITIONS.—In this section:

(1) MILITARY DEPARTMENTS; SECRETARY CONCERNED; SERVICE ACQUISITION EXECUTIVE.—The terms "military departments", "Secretary concerned", and "service acquisition executive" have the meanings given such terms in section 101(a) of title 10, United States Code.

(2) KEY ADVANCED SYSTEM DEVELOPMENT AREA.—The term "key advanced system development area" means the following:

(A) For the Department of the Navy—

(i) unmanned surface vessels;

(ii) unmanned underwater vessels;

(iii) unmanned deployable mobile ocean systems;

(iv) unmanned deployable fixed ocean systems; and

(v) autonomous unmanned aircraft systems.

(B) For the Department of the Air Force, autonomous unmanned aircraft systems.

(C) For the Department of the Army, autonomous unmanned aircraft systems.

(3) SERVICE CHIEF.—The term "Service Chief concerned" means—

(A) the Chief of Staff of the Army, with respect to matters concerning the Department of the Army;

(B) the Chief of Naval Operations and the Commandant of the Marine Corps, with respect to matters concerning the Department of the Navy; and

(C) the Chief of Staff of the Air Force, with respect to matters concerning the Department of the Air Force.

Subtitle F—Small Business Matters

SEC. 871. CODIFICATION OF SMALL BUSINESS ADMINISTRATION SCORECARD.

(a) IN GENERAL.—Subsection (b) of section 868 of the National Defense Authorization Act for Fiscal Year 2016 (15 U.S.C. 644 note) is transferred to section 15 of the Small Business Act (15 U.S.C. 644), inserted after subsection (x), redesignated as subsection (y), and amended—

(1) by striking paragraphs (1), (6), and (7);

(2) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively;

(3) by redesignating paragraph (8) as paragraph (6);

(4) in paragraph (1) (as so redesignated), by striking "Beginning in" and all that follows through "to evaluate" and inserting "The Administrator shall use a scorecard to annually evaluate";

(5) in paragraph (2) (as so redesignated)—

(A) by striking "the Federal agency" each place it appears and inserting "a Federal agency or the Federal Government, as applicable,";

(B) in the matter preceding subparagraph (A)—

(i) by striking "developed under paragraph (1)"; and

(ii) by inserting "and Governmentwide" after "each Federal agency"; and

(C) in subparagraph (A), by striking "section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B))" and inserting "subsection (g)(1)(B)";

(6) in paragraph (3) (as so redesignated)—

(A) in subparagraph (A), by striking "paragraph (3)(A)" and inserting "paragraph (2)(A)"; and

(B) in subparagraph (B), by striking "paragraph (3)" and inserting "paragraph (2)";

(7) by inserting after paragraph (3) (as so redesignated) the following new paragraph:

"(4) ADDITIONAL REQUIREMENTS FOR SCORECARDS.—The scorecard shall include, for each Federal agency and Governmentwide, the following information with respect to prime contracts:

"(A) The number (expressed as a percentage) and total dollar amount of awards made to small business concerns owned and controlled by women through sole source contracts and competitions restricted to small business concerns owned and controlled by women under section 8(m).

"(B) The number (expressed as a percentage) and total dollar amount of awards made to small business concerns owned and controlled by qualified HUBZone small business concerns through sole source contracts and competitions restricted to qualified HUBZone small business concerns under section 31(c)(2).

"(C) The number (expressed as a percentage) and total dollar amount of awards made to small business concerns owned and controlled by service-disabled veterans through sole source contracts and competitions restricted to small business concerns owned and controlled by service-disabled veterans under section 36.

"(D) The number (expressed as a percentage) and total dollar amount of awards made to socially and economically disadvantaged small business concerns under section 8(a) through sole source contracts and competitions restricted to socially and economically disadvantaged small business concerns, disaggregated by awards made to such concerns that are owned and controlled by individuals and awards made to such concerns that are owned and controlled by an entity.";

(8) in paragraph (5), by striking "section 15(h)(2) of the Small Business Act (15 U.S.C. 644(h)(2))" and inserting "subsection (h)(2)"; and

(9) by amending paragraph (6) (as so redesignated) to read as follows:

"(6) SCORECARD DEFINED.—In this subsection, the term 'scorecard' means any summary using a rating system to evaluate the efforts of a Federal agency to meet goals established under subsection (g)(1)(B) that—

"(A) includes the measures described in paragraph (2); and

"(B) assigns a score to each Federal agency evaluated.".

(b) CONFORMING AMENDMENT.—Section 15(x)(2) of the Small Business Act (15 U.S.C. 644(x)(2)) is amended by striking "scorecard described in section 868(b) of the National Defense Authorization Act for Fiscal Year 2016 (15 U.S.C. 644 note)" and inserting "scorecard (as defined in subsection (y))".

SEC. 872. MODIFICATIONS TO THE SBIR AND STTR PROGRAMS.

(a) CORRECTION TO STTR DISCLOSURE REQUIREMENTS.—Section 9(g)(13)(D) of the Small Business Act (15 U.S.C. 638(g)(13)(D)) is amended by striking "of concern".

(b) DUE DILIGENCE PROGRAM.—

(1) IN GENERAL.—Until the date on which the Under Secretary of Defense for Research and Engineering makes the certification described in paragraph (2), in carrying out the due diligence program required under subsection (vv) of section 9 of the Small Business Act (15 U.S.C. 638), the Secretary of Defense and each Secretary of a military department shall perform the assessments required under such due diligence program—

(A) only with respect to small business concerns selected by the applicable Secretary as the presumptive recipient of an award described in such subsection (vv); and

(B) prior to notifying the small business concern that the small business concern has been selected to receive such an award.

(2) FULL IMPLEMENTATION.—On the date on which the Under Secretary of Defense for Research and Engineering certifies to the Committees on Armed Services of the Senate and the House of Representatives that an automated capability for performing the assessments required under the due diligence program required under subsection (vv) of section 9 of the Small Business Act (15 U.S.C. 638) with respect to all small business concerns seeking an award described in such subsection is operational, paragraph (1) of this subsection shall sunset.

SEC. 873. ACCESS TO DATA ON BUNDLED OR CONSOLIDATED CONTRACTS.

(a) IN GENERAL.—Section 15(p) of the Small Business Act (15 U.S.C. 644(p)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) BUNDLED OR CONSOLIDATED CONTRACT DEFINED.—In this subsection, the term 'bundled or consolidated contract' has the meaning given in subsection (s).";

(2) in paragraph (4)—

(A) in the paragraph heading, by striking "CONTRACT BUNDLING" and inserting "BUNDLED OR CONSOLIDATED CONTRACTS";

(B) in subparagraph (A), by striking "contract bundling" and inserting "bundled or consolidated contracts";

(C) in subparagraph (B)—

(i) in clause (i), by striking "bundled contracts" and inserting "bundled or consolidated contracts"; and

(ii) in clause (ii)—

(I) in the matter preceding subclause (I), by striking "bundled contracts" and inserting "bundled or consolidated contracts";

(II) in subclause (I), by striking "were bundled" and inserting "were included in bundled or consolidated contracts"; and

(III) in subclause (II)—

(aa) in the matter preceding item (aa), by striking "bundled contract" and inserting "bundled or consolidated contract";

(bb) in items (aa), (dd), and (ee) by inserting "or the consolidation of contract requirements (as applicable)" after "bundling of contract requirements" each place it appears;

(cc) in item (bb), by striking "bundling the contract requirements" and inserting "the bundling of contract requirements or the consolidation of contract requirements (as applicable)";

(dd) in item (cc), by striking "the bundled status of contract requirements" and inserting "contract requirements in a bundled or consolidated contract"; and

(ee) in item (ee), by striking "consolidated requirements" and inserting "contract"; and

(3) in paragraph (5)(B), by striking "provide, upon request" and all that follows through the period at the end and inserting the following: "provide to the Administrator data and information described in paragraphs (2) and (4).".

(b) TECHNICAL AMENDMENT.—Section 15(p)(2) of the Small Business Act (15 U.S.C. 644(p)) is amended—

(1) by striking "DATABASE" in the paragraph heading and all that follows through "Not later" and inserting "DATABASE.—Not later"; and

(2) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively.

SEC. 874. SMALL BUSINESS INTEGRATION WORKING GROUP.

(a) IN GENERAL.—Not later than 60 days after the enactment of this Act, the Secretary of Defense shall issue a charter to establish a small business integration working group that—

(1) ensures the integration and synchronization of the activities of the military departments and other components of the Department of Defense with respect to small business concerns; and

(2) convenes not fewer than four times per year.

(b) MEMBERSHIP.—The small business integration working group chartered under subsection (a) shall be comprised of representatives from each of the following organizations:

(1) The small business office of each military department.

(2) The Small Business Innovation Research Program and the Small Business Technology Transfer Program (as such terms are defined in section 9(e) of the Small Business Act (15 U.S.C. 638(e))) of each military department.

(3) The office of the Under Secretary of Defense for Acquisition and Sustainment.

(4) The office of the Under Secretary of Defense for Research and Engineering.

(5) Any other office the Secretary of Defense determines appropriate.

(c) BRIEFING REQUIRED.—Not later than March 1, 2023, the Secretary of Defense shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the establishment and activities of the small business integration working group chartered under subsection (a), the policies enacted by the small business integration working group to allow for the sharing of best practices for maximizing the contributions of small business concerns in the defense industrial base and in acquisitions by the Department of Defense, and practices for conducting oversight of the activities of the military departments and other components of the Department of Defense with respect to small business concerns.

(d) DEFINITIONS.—In this section:

(1) MILITARY DEPARTMENT.—The term "military department" has the meaning given such term in section 101(a) of title 10, United States Code.

(2) SMALL BUSINESS CONCERN.—The term "small business concern" has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 875. DEMONSTRATION OF COMMERCIAL DUE DILIGENCE FOR SMALL BUSINESS PROGRAMS.

(a) DEMONSTRATION REQUIRED.—Not later than December 31, 2027, the Secretary of Defense shall establish a program to carry out a demonstration of commercial due diligence tools, techniques, and processes in order to support small businesses in identifying attempts by malicious foreign actors to gain undue access to, or foreign ownership, control, or influence over—

(1) the small business; or

(2) any technology a small business is developing pursuant to a contract or other agreement with the Department of Defense.

(b) ELEMENTS.—The program required under subsection (a) shall include the following:

(1) The identification of one or more entities to be responsible for the commercial due diligence tools, techniques, and processes that are part of a demonstration under the program and a description of the interactions required between such entity, small businesses, and the government agencies that enforce such tools, techniques, and processes.

(2) An assessment of commercial due diligence tools, techniques, and processes already in use by each Office of Small Business Programs.

(3) The development of methods to analyze the commercial due diligence tools, techniques, and processes that are part of a demonstration under the program to—

(A) monitor and assess attempts described in subsection (a);

(B) provide information on such attempts to applicable small businesses; and

(C) allow small businesses that are subject to such attempts to provide information about such attempts to the Secretary of Defense.

(4) The development of training and resources for small businesses that can be shared directly with such businesses or through a procurement technical assistance program established under chapter 388 of title 10, United States Code.

(5) The implementation of performance measures to assess the effectiveness of such program.

(c) BRIEFING REQUIRED.—Not later than April 1, 2023, the Secretary of Defense shall provide to the congressional defense committees an interim briefing on the program required under subsection (a) that includes the following:

(1) An identification of any entity described in subsection (b)(1).

(2) A description of the methodology for executing any demonstrations under the program, including any analytical tools or metrics identified to support such a demonstration.

(3) A description of any identified instances of attempts described in subsection (a).

(4) An identification of improvements or gaps in resources, capabilities, or authorities, and other lessons learned from any demonstrations under the program.

(d) ASSESSMENT.—Not later than March 1, 2028, the Secretary shall submit to the congressional defense committees a report on the program required under subsection (a), including any identified instances of attempts described in such subsection, any lessons learned, and any recommendations for legislative action related to such program.

(e) DEFINITIONS.—In this section:

(1) The term "foreign ownership, control, or influence" has the meaning given in section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1505; 10 U.S.C. 4819 note).

(2) The term "Office of Small Business Programs" means—

(A) the Office of Small Business Programs of the Department of Defense established under section 144 of title 10, United States Code;

(B) the Office of Small Business Programs of the Department of the Army established under section 7024 of such title;

(C) the Office of Small Business Programs of the Department of the Navy established under section 8028 of such title; and

(D) the Office of Small Business Programs of the Department of the Air Force established under section 9024 of such title.

SEC. 876. DEVELOPMENT AND ASSESSMENT OF MISSION EFFECTIVENESS METRICS.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the service acquisition executives (as defined in section 101(a) of title 10, United States Code), shall conduct a study on the metrics necessary to assess the effectiveness of the SBIR and STTR programs of the Department of Defense in meeting the mission needs of the Department, including by developing metrics and collecting and assessing longitudinal data necessary for evaluation of those metrics.

(b) ELEMENTS.—The study required under subsection (a) shall include the following:

(1) An assessment of the measurable ways in which the SBIR and STTR programs of the Department of Defense support the mission needs of the Department.

(2) The development of recurring, quantifiable metrics for measuring the ability of the SBIR and STTR programs of the Department to deliver products and services that meet the mission needs of the Department.

(3) An evaluation of currently available data to support the assessment of the metrics described in paragraph (2), including the identification of areas where gaps in the availability of such data exist that may require collecting new data or modifying existing data.

(4) The identification of current means and methods available to the Department for collecting data in an automated fashion, including the identification of areas where gaps in the automated collection of data exist that may require new means for collecting or visualizing data.

(5) The development of an analysis and assessment methodology framework to make tradeoffs between the metrics described in paragraph (2) and existing commercialization benchmarks of the Department to enhance the decision-making of the Department regarding the benefits of the SBIR and STTR programs of the Department.

(c) BRIEFINGS.—

(1) INTERIM BRIEFING.—Not later than six months after the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing on the development of the metrics described in subsection (a) for the study required under such subsection.

(2) FINAL BRIEFING.—Not later than one year after the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing on the results of the study required under subsection (a).

Subtitle G—Other Matters

SEC. 881. TECHNICAL CORRECTION TO EFFECTIVE DATE OF THE TRANSFER OF CERTAIN TITLE 10 ACQUISITION PROVISIONS.

(a) IN GENERAL.—The amendments made by section 1701(e) and paragraphs (1) and (2) of section 802(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) shall be deemed to have taken effect immediately before the amendments made by section 1881 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4293).

(b) TREATMENT OF SECTION 4027 REQUIREMENTS.—An individual or entity to which the requirements under section 4027 of title 10, United States Code, were applicable during the period beginning on January 1, 2022, and ending on the date of the enactment of this Act pursuant to subsection (a) shall be deemed to have complied with such requirements during such period.

SEC. 882. SECURITY CLEARANCE BRIDGE PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence, shall conduct a pilot program to allow the Defense Counterintelligence and Security Agency to sponsor the personal security clearances of the employees of innovative technology companies that are performing a contract of the Department of Defense while the Government completes the adjudication of the facility clearance application of such a innovative technology company.

(b) ADDITIONAL REQUIREMENTS.—

(1) PERSONAL SECURITY CLEARANCE AUTHORITY.—

(A) IN GENERAL.—Under the pilot program, the Defense Counterintelligence and Security Agency may nominate and sponsor the personal security clearances of the employees of an innovative technology company.

(B) LIMITATION.—Under the pilot program, the Defense Counterintelligence and Security Agency may sponsor the personal security clearances of employees of not more than 75 innovative technology companies.

(2) ADJUDICATION OF THE FACILITY CLEARANCE APPLICATION.—Any adjudication of a facility clearance application of an innovative technology company described in subsection (a) shall include an assessment and mitigation of foreign ownership, control, or influence of the innovative technology company, as applicable.

(c) CLEARANCE TRANSFER.—

(1) IN GENERAL.—Not later than 30 days after an innovative technology company is granted facility clearance, the Defense Counterintelligence and Security Agency shall transfer any personal clearances of employees of the innovative technology company held by the Defense Counterintelligence and Security Agency under the pilot program back to the innovative technology company.

(2) DENIAL OF FACILITY CLEARANCE.—Not later than 10 days after an innovative technology company is denied facility clear-

ance, the Defense Counterintelligence and Security Agency shall release any personal clearances of employees of the innovative technology company held by the Defense Counterintelligence and Security Agency under the pilot program.

(d) PARTICIPANT SELECTION.—The Under Secretary of Defense for Research and Engineering, in consultation with the Under Secretary of Defense for Acquisition and Sustainment and the service acquisition executive of the military department concerned (as such terms are defined, respectively, in section 101 of title 10, United States Code), shall select innovative technology companies to participate in the pilot program.

(e) SUNSET.—The pilot program shall terminate on December 31, 2028.

(f) DEFINITIONS.—In this section:

(1) FACILITY CLEARANCE.—The term "facility clearance" has the meaning given the term "Facility Clearance" in section 95.5 of title 10, Code of Federal Regulations, or any successor regulation.

(2) FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE.—The term "foreign ownership, control, or influence" has the meaning given in section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1505; 10 U.S.C. 4819 note).

(3) INNOVATIVE TECHNOLOGY COMPANY.—The term "innovative technology company" means a nontraditional defense contractor (as defined in section 3014 of title 10, United States Code) that—

(A) provides goods or services related to—

(i) one or more of the 14 critical technology areas described in the memorandum by the Under Secretary of Defense for Research and Engineering issued on February 1, 2022, entitled "USD(R&E) Technology Vision for an Era of Competition"; or

(ii) information technology, software, or hardware that is unavailable from any other entity that possesses a facility clearance; and

(B) is selected by the Under Secretary of Defense for Research and Engineering under subsection (d) to participate in the pilot program.

(4) PERSONAL SECURITY CLEARANCE.—The term "personal security clearance" means the security clearance of an individual who has received approval from the Department of Defense to access classified information.

(5) PILOT PROGRAM.—The term "pilot program" means the pilot program established under subsection (a).

SEC. 883. EXISTING AGREEMENT LIMITS FOR OPERATION WARP SPEED.

The value of any modification to, or order made under, a contract or other agreement by the Department of Defense on or after March 1, 2020, to address the COVID–19 pandemic through vaccines and other therapeutic measures shall not be counted toward any limit established prior to March 1, 2020, on the total estimated amount of all projects to be issued under the contract or other agreement (except that the value of such modification or order shall count toward

meeting any guaranteed minimum value under the contract or other agreement).

SEC. 884. INCORPORATION OF CONTROLLED UNCLASSIFIED INFORMATION GUIDANCE INTO PROGRAM CLASSIFICATION GUIDES AND PROGRAM PROTECTION PLANS.

(a) UPDATES REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering, ensure that all program classification guides (for classified programs) and all program protection plans (for unclassified programs) include guidance for the proper marking for controlled unclassified information at their next regularly scheduled update.

(2) ELEMENTS.—Guidance under paragraph (1) shall include the following:

(A) A requirement to use document portion markings for controlled unclassified information.

(B) A process to ensure controlled unclassified information document portion markings are used properly and consistently.

(b) MONITORING OF PROGRESS.—In tracking the progress in carrying out subsection (a), the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering shall implement a process for monitoring progress that includes the following:

(1) Tracking of all program classification guides and program protection plans so they include document portion marking for controlled unclassified information, and the dates when controlled unclassified information guidance updates are completed.

(2) Updated training in order to ensure that all government and contractor personnel using the guides described in subsection (a)(1) receive instruction, as well as periodic spot checks, to ensure that training is sufficient and properly implemented to ensure consistent application of document portion marking guidance.

(3) A process for feedback to ensure that any identified gaps or lessons learned are incorporated into guidance and training instructions.

(c) REQUIRED COMPLETION.—The Secretary shall ensure that the updates required by subsection (a) are completed before January 1, 2029.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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

Sec. 901. Increase in authorized number of Assistant and Deputy Assistant Secretaries of Defense.
Sec. 902. Conforming amendments relating to repeal of position of Chief Management Officer.
Sec. 903. Limitation on use of funds pending demonstration of product to identify, task, and manage congressional reporting requirements.

Sec. 904. Limitation on use of funds pending compliance with requirements relating to alignment of Close Combat Lethality Task Force.

Subtitle B—Other Department of Defense Organization and Management Matters

Sec. 911. Updates to management reform framework.
Sec. 912. Briefing on changes to Unified Command Plan.
Sec. 913. Clarification of peacetime functions of the Navy.
Sec. 914. Responsibilities and functions relating to electromagnetic spectrum operations.
Sec. 915. Joint all domain command and control.
Sec. 916. Strategic management dashboard demonstration.
Sec. 917. Demonstration program for component content management systems.
Sec. 918. Report on potential transition of all members of the Space Force into a single component.

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

SEC. 901. INCREASE IN AUTHORIZED NUMBER OF ASSISTANT AND DEPUTY ASSISTANT SECRETARIES OF DEFENSE.

(a) ASSISTANT SECRETARY OF DEFENSE FOR CYBER POLICY.—Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(8) One of the Assistant Secretaries is the Assistant Secretary of Defense for Cyber Policy. The principal duty of the Assistant Secretary shall be the overall supervision of policy of the Department of Defense for cyber. The Assistant Secretary is the Principal Cyber Advisor described in section 392a(a) of this title.".

(b) INCREASE IN AUTHORIZED NUMBER OF ASSISTANT SECRETARIES OF DEFENSE.—

(1) INCREASE.—Section 138(a)(1) of title 10, United States Code, is amended by striking "15" and inserting "19".

(2) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by striking "Assistant Secretaries of Defense (14)." and inserting "Assistant Secretaries of Defense (19).".

(c) INCREASE IN AUTHORIZED NUMBER OF DEPUTY ASSISTANT SECRETARIES OF DEFENSE.—

(1) INCREASE.—Section 138 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) The number of Deputy Assistant Secretaries of Defense may not exceed 60.".

(2) CONFORMING REPEAL.—Section 908 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1514; 10 U.S.C. 138 note) is repealed.

(d) ADDITIONAL AMENDMENTS.—Section 138(b) of title 10, United States Code, is amended—

(1) in paragraph (2)(A)—

(A) in the second sentence in the matter preceding clause (i), by striking "He shall have as his principal duty" and inserting "The principal duty of the Assistant Secretary shall be"; and

(B) in clause (ii), by striking subclause (III);

(2) in paragraph (3), in the second sentence, by striking "He shall have as his principal duty" and inserting "The principal duty of the Assistant Secretary shall be";

(3) in paragraph (4)—

(A) in subparagraph (A), by striking the semicolon and inserting "; and";

(B) in subparagraph (B), by striking "; and" inserting a period; and

(C) by striking subparagraph (C); and

(4) in paragraph (6), by striking "shall—" and all that follows and inserting "shall advise the Under Secretary of Defense for Acquisition and Sustainment on industrial base policies.".

(e) EVALUATION AND REVIEW.—Section 1504 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2022) is amended—

(1) in subsection (a), by striking "Not later than 180 days after the date of the enactment of this Act" and inserting "Not later than April 1, 2023"; and

(2) in subsection (b)—

(A) in paragraph (13), by striking "and" at the end;

(B) by redesignating paragraph (14) as paragraph (17); and

(C) by inserting after paragraph (13) the following new paragraphs:

"(14) assess the need to retain or modify the relationships, authorities, roles, and responsibilities of the Principal Cyber Advisor described in section 392a(a) of title 10, United States Code;

"(15) assess the organizational construct of the Department of Defense and how authorities, roles, and responsibilities for matters relating to cyber activities are distributed among the Under Secretaries, Assistant Secretaries, and Deputy Assistant Secretaries of Defense and among civilian officials within the military departments with roles and responsibilities relating to cyber activities;

"(16) make recommendations for changes to statutes affecting the organizational construct of the Department of Defense to improve the oversight, management, and coordination of—

"(A) policies, programs, and strategies relating to cyber activities;

"(B) the execution of the authorities of the United States Cyber Command; and

"(C) other matters relating to cyber activities; and".

SEC. 902. CONFORMING AMENDMENTS RELATING TO REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER.

Section 2222 of title 10, United States Code, is amended—

(1) in subsection (c)(2), by striking "the Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, the Chief Information Officer, and the Chief Management Officer" and inserting "the Chief Information Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, and the Chief Information Officer";

(2) in subsection (e)—

(A) in paragraph (1), by striking "the Chief Management Officer" and inserting "the Chief Information Officer"; and

(B) in paragraph (6)—

(i) in subparagraph (A), in the matter preceding clause (i)—

(I) in the first sentence, by striking "The Chief Management Officer of the Department of Defense" and inserting "The Chief Information Officer of the Department of Defense, in coordination with the Chief Data and Artificial Intelligence Officer,"; and

(II) in the second sentence, by striking "the Chief Management Officer shall" and inserting "the Chief Information Officer shall"; and

(ii) in subparagraph (B), in the matter preceding clause (i), by striking "The Chief Management Officer" and inserting "The Chief Information Officer";

(3) in subsection (f)—

(A) in paragraph (1), in the second sentence, by striking "the Chief Management Officer and"; and

(B) in paragraph (2)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B), as redesignated by clause (i), the following new subparagraph (A):

"(A) The Chief Information Officers of the military departments, or their designees."; and

(iii) in subparagraph (C), as so redesignated, by adding at the end the following new clause:

"(iv) The Chief Data and Artificial Intelligence Officer of the Department of Defense.";

(4) in subsection (g)(2), by striking "the Chief Management Officer" each place it appears and inserting "the Chief Information Officer"; and

(5) in subsection (i)(5)(B), by striking "the Chief Management Officer" and inserting "the Chief Information Officer".

SEC. 903. LIMITATION ON USE OF FUNDS PENDING DEMONSTRATION OF PRODUCT TO IDENTIFY, TASK, AND MANAGE CONGRESSIONAL REPORTING REQUIREMENTS.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for operation and maintenance, Defense-wide, for the Office of the Secretary of Defense, not more than 90 percent may be obligated or expended until the Secretary of Defense demonstrates a minimum viable product—

(1) to optimize and modernize the process described in section 908(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 111 note) for identifying reports to Congress required by annual national defense authorization Acts, assigning responsibility for preparation of such reports, and managing the completion and delivery of such reports to Congress; and

(2) that includes capabilities to enable—

(A) direct access by the congressional defense committees to the follow-on system to that process using secure credentials;

(B) rapid automatic ingestion of data provided by those committees with respect to reports and briefings required to be submitted to Congress in a comma-separated value spreadsheet;

(C) sortable and exportable database views for tracking and research purposes;

(D) automated notification of relevant congressional staff and archival systems; and

(E) integration with Microsoft Office.

SEC. 904. LIMITATION ON USE OF FUNDS PENDING COMPLIANCE WITH REQUIREMENTS RELATING TO ALIGNMENT OF CLOSE COMBAT LETHALITY TASK FORCE.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for operation and maintenance, Defense-wide, for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Department of Defense complies with the requirements of section 911 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1878) (relating to alignment of the Close Combat Lethality Task Force).

Subtitle B—Other Department of Defense Organization and Management Matters

SEC. 911. UPDATES TO MANAGEMENT REFORM FRAMEWORK.

Section 125a of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking "2022" and inserting "2023"; and

(B) in paragraph (3), by inserting "the Director for Administration and Management of the Department of Defense," after "the Chief Information Officer of the Department of Defense,"; and

(2) in subsection (d)—

(A) by redesignating paragraph (6) as paragraph (9); and

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

"(6) Development and implementation of a uniform methodology for tracking and assessing cost savings and cost avoidance from reform initiatives.

"(7) Implementation of reform-focused research to improve management and administrative science.

"(8) Tracking and implementation of technological approaches to improve management decision-making, such as artificial intelligence tools.".

SEC. 912. BRIEFING ON CHANGES TO UNIFIED COMMAND PLAN.

Paragraph (2) of section 161(b) of title 10, United States Code, is amended to read as follows:

"(2) Except during time of hostilities or imminent threat of hostilities, the President shall—

"(A) not more than 60 days after establishing a new combatant command—

"(i) notify Congress of the establishment of such command; and

"(ii) provide to Congress a briefing on the establishment of such command; and

"(B) not more than 60 days after significantly revising the missions, responsibilities, or force structure of an existing combatant command—

"(i) notify Congress of such revisions; and

"(ii) provide to Congress a briefing on such revisions.".

SEC. 913. CLARIFICATION OF PEACETIME FUNCTIONS OF THE NAVY.

Section 8062(a) of title 10, United States Code, is amended—

(1) in the second sentence, by striking "primarily" and inserting "for the peacetime promotion of the national security interests and prosperity of the United States and"; and

(2) in the third sentence, by striking "for the effective prosecution of war" and inserting "for the duties described in the preceding sentence".

SEC. 914. RESPONSIBILITIES AND FUNCTIONS RELATING TO ELECTROMAGNETIC SPECTRUM OPERATIONS.

Section 1053(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 113 note) is amended—

(1) in the subsection heading, by striking "TRANSFER OF RESPONSIBILITIES AND FUNCTIONS RELATING TO ELECTROMAGNETIC SPECTRUM OPERATIONS" and inserting "REPORT ON APPROPRIATE ALIGNMENT OF RESPONSIBILITIES AND FUNCTIONS RELATING TO ELECTROMAGNETIC SPECTRUM OPERATIONS; EVALUATIONS";

(2) by striking paragraphs (1), (2), and (5);

(3) by inserting the following new paragraph (1):

"(1) REPORT REQUIRED.—

"(A) IN GENERAL.—Not later than March 31, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on the appropriate alignment of electromagnetic spectrum operations responsibilities and functions.

"(B) CONSIDERATIONS.—In developing the report required by subparagraph (A), the Secretary of Defense shall consider the following:

"(i) The appropriate role of each existing organization and element of the Department of Defense with responsibilities or functions relating to electromagnetic spectrum operations and the potential establishment of a new entity dedicated electromagnetic spectrum operations within one or more of those organizations or elements.

"(ii) Whether the organizational structure responsible for electromagnetic spectrum operations within the Department—

"(I) should be a unitary structure, in which a single organization or element is primarily responsible for all aspects of such operations; or

"(II) a hybrid structure, in which separate organizations or elements are responsible for different aspects of electromagnetic spectrum operations.

"(iii) The resources required to fulfill the specified responsibilities and functions."; and

(4) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

SEC. 915. JOINT ALL DOMAIN COMMAND AND CONTROL.

(a) DIRECTION AND CONTROL OF JOINT ALL DOMAIN COMMAND AND CONTROL.—The Deputy Secretary of Defense, in coordination with the Vice Chairman of the Joint Chiefs of Staff, shall oversee joint all domain command and control (commonly known as "JADC2") to ensure—

(1) close collaboration with the Joint Requirements Oversight Council, the combatant commands, and the military services regarding operational requirements and requirements satisfaction relating to joint all domain command and control; and

(2) objective assessments to the Deputy Secretary and Vice Chairman about the progress of the Department of Defense in achieving the objectives of joint all domain command and control.

(b) DEMONSTRATIONS AND FIELDING OF MISSION THREADS.—

(1) IN GENERAL.—The Deputy Secretary and Vice Chairman shall take the following actions in support of the objectives described in paragraph (2):

(A) In consultation with the Commander of the United States Indo-Pacific Command and the commanders of such other combatant commands as may be designated by the Deputy Secretary—

(i) identify a prioritized list of difficult mission-critical operational challenges specific to the area of operations of the designated commands;

(ii) design and recommend resourcing options, through the Office of Cost Analysis and Program Evaluation and the Management Action Group of the Deputy Secretary, a series of multi-domain, multi-service and multi-agency, multi-platform, and multisystem end-to-end integrated kinetic and non-kinetic mission threads, including necessary battle management functions, to solve the operational challenges identified in clause (i);

(iii) demonstrate the ability to execute the integrated mission threads identified in clause (ii) in realistic conditions on a repeatable basis, including the ability to achieve, through mission integration software, interoperability among effects chain components that do not conform to common interface standards, including the use of the System of Systems Technology Integration Tool Chain for Heterogeneous Electronic Systems (commonly known as "STITCHES") managed by the 350th Spectrum Warfare Wing of the Department of the Air Force; and

(iv) create a plan to deploy the mission threads to the area of operations of the United States Indo-Pacific

Command and such other combatant commands as may be designated by Deputy Secretary, and execute the mission threads at the scale and pace required to solve the identified operational challenges, including necessary logistics and sustainment capabilities.

(B) Designate organizations to serve as transition partners for integrated mission threads and ensure such integrated mission threads are maintained and exercised as operational capabilities in the United States Indo-Pacific Command and such other combatant commands as may be designated by Deputy Secretary.

(C) Designate organizations and elements of the Department of Defense as the Deputy Secretary determines appropriate to be responsible for—

(i) serving as mission managers for composing and demonstrating the integrated mission threads under the mission management pilot program established by section 871 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 191 note);

(ii) providing continuing support and sustainment for, and training and exercising of, the integrated mission threads under the operational command of the Commander of United States Indo-Pacific Command and such other combatant commands as may be designated by Deputy Secretary;

(iii) planning and executing experimentation and demonstrations with—

(I) Joint data integration approaches;

(II) mission integration capabilities, especially software; and

(III) Joint tactics, techniques, and procedures;

(iv) assisting in fielding mission integration software to encourage the development and employment of such software on a larger scale, especially at the designated combatant commands;

(v) assessing and integrating, as appropriate, the capabilities of Assault Breaker II, developed by the Defense Advanced Research Projects Agency, and related developmental efforts as those efforts transition to operational deployment; and

(vi) integrating joint all domain command and control mission threads and mission command and control, including in conflicts that arise with minimal warning, and exercising other joint all domain command and control capabilities and functions.

(D) Integrate the planning and demonstrations of the mission threads with—

(i) the Production, Exploitation, and Dissemination Center in the United States Indo-Pacific Command;

(ii) the Family of Integrated Targeting Cells; and

(iii) the tactical dissemination and information sharing systems for the Armed Forces and allies of the

United States, including the Mission Partner Environment and the Maven Smart System.

(2) OBJECTIVES DESCRIBED.—The objectives described in this paragraph are the following—

(A) to support the emphasis of the National Defense Strategy on adversary-specific deterrence postures;

(B) to support actions that can be taken within the period covered by the future-years defense program focused on—

(i) critical mission threads, such as kinetic kill chains and non-kinetic effects chains; and

(ii) integrated concepts of operation;

(C) to support demonstrations and experimentation; and

(D) to achieve the objectives of the Joint All Domain Command and Control Strategy and Implementation Plan approved by the Deputy Secretary of Defense.

(c) PERFORMANCE GOALS.—The Deputy Secretary, the Vice Chairman, and the commanders of such other combatant commands as may be designated by the Deputy Secretary shall seek to—

(1) beginning in the third quarter of fiscal year 2023, demonstrate new integrated mission threads on a regularly recurring basis multiple times each year; and

(2) include such demonstrations, as feasible, in the Rapid Defense Experimentation Reserve campaign of experimentation, Valiant Shield, Northern Edge, the Large Scale Global Exercise, the quarterly Scarlet Dragon exercises, the Global Information Dominance Experiments, and annual force exercises in the area of responsibility of the United States Indo-Pacific Command.

(d) DEFINITIONS.—In this section:

(1) The term "Deputy Secretary" means the Deputy Secretary of Defense.

(2) The term "Family of Integrated Targeting Cells" means the Maritime Targeting Cell-Afloat, the Maritime Targeting Cell-Expeditionary, the Tactical Intelligence Targeting Access Node, Tactical Operations Center Medium/Light, and other interoperable command and control nodes that are able to task the collection of, receive, process, and disseminate track and targeting information from many sensing systems in disconnected, denied, intermittent or limited bandwidth conditions.

(3) The term "joint all domain command and control" refers to the warfighting capabilities that support commander decision making at all echelons from campaigning to conflict, across all domains, and with partners, to deliver information advantage.

(4) The term "mission command" is the employment of military operations through decentralized execution based upon mission-type orders and the intent of commanders.

(5) The terms "mission thread", "kill chain", and "effects chain" have the meanings given those terms in the publication of the Office of the Under Secretary of Defense for Research and Engineering titled "Mission Engineering Guide" and dated November 2020.

(6) The term "Vice Chairman" means the Vice Chairman of the Joint Chiefs of Staff.

SEC. 916. STRATEGIC MANAGEMENT DASHBOARD DEMONSTRATION.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall conduct a demonstration of a strategic management dashboard to automate the data collection and data visualization of the primary management goals of the Department of Defense.

(b) ELEMENTS.—The Secretary of Defense shall ensure that the strategic management dashboard demonstrated under subsection (a) includes the following:

(1) The capability for real-time monitoring of the performance of the Department of Defense in meeting the management goals of the Department.

(2) An integrated analytics capability, including the ability to dynamically add or upgrade new capabilities when needed.

(3) Integration with the framework required by subsection (c) of section 125a of title 10, United States Code, for measuring the progress of the Department toward covered elements of reform (as defined in subsection (d) of that section).

(4) Incorporation of the elements of the strategic management plan required by section 904(d) of the National Defense Authorization Act of Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. note prec. 2201), as derived from automated data feeds from existing information systems and databases.

(5) Incorporation of the elements of the most recent annual performance plan of the Department required by section 1115(b) of title 31, United States Code, and the most recent update on performance of the Department required by section 1116 of that title.

(6) Use of artificial intelligence and machine learning tools to improve decision making and assessment relating to data analytics.

(7) Adoption of leading and lagging indicators for key strategic management goals.

(c) AUTHORITIES.—

(1) IN GENERAL.—In conducting the demonstration required by subsection (a), the Secretary of Defense may use the authorities described in paragraph (2), and such other authorities as the Secretary considers appropriate—

(A) to help accelerate the development of innovative technological or process approaches; and

(B) to attract new entrants to solve the data management and visualization challenges of the Department.

(2) AUTHORITIES DESCRIBED.—The authorities described in this paragraph are the authorities provided under the following provisions of law:

(A) Section 4025 of title 10, United States Code (relating to prizes for advanced technology achievements).

(B) Section 217 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2222 note) (relating to science and technology activities to support business systems information technology acquisition programs).

(C) Section 908 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 129a note) (relating to management innovation activities).

(d) USE OF BEST PRACTICES.—In conducting the demonstration required by subsection (a), the Secretary of Defense shall leverage commercial best practices in management and leading research in management and data science.

(e) STRATEGIC MANAGEMENT DASHBOARD DEFINED.—In this section, the term "strategic management dashboard" means a system for dynamically displaying management metrics, performance goals, and other information necessary for Department of Defense leadership to make strategic decisions related to the management of the Department using modern, commercial practices for data visualization and drawn from existing automated information systems available to the Department.

SEC. 917. DEMONSTRATION PROGRAM FOR COMPONENT CONTENT MANAGEMENT SYSTEMS.

(a) IN GENERAL.—Not later than July 1, 2023, the Chief Information Officer of the Department of Defense, in coordination with the official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061), shall complete a pilot program to demonstrate the application of component content management systems to a distinct set of data of the Department.

(b) SELECTION OF DATA SET.—In selecting a distinct set of data of the Department for purposes of the pilot program required by subsection (a), the Chief Information Officer shall consult with, at a minimum, the following:

(1) The Office of the Secretary of Defense, with respect to directives, instructions, and other regulatory documents of the Department.

(2) The Office of the Secretary of Defense and the Joint Staff, with respect to execution orders.

(3) The Office of the Under Secretary of Defense for Research and Engineering and the military departments, with respect to technical manuals.

(4) The Office of the Under Secretary of Defense for Acquisition and Sustainment, with respect to Contract Data Requirements List documents.

(c) AUTHORITY TO ENTER INTO CONTRACTS.—Subject to the availability of appropriations, the Secretary of Defense may enter into contracts or other agreements with public or private entities to conduct studies and demonstration projects under the pilot program required by subsection (a).

(c) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer shall provide to the congressional defense committees a briefing on plans to implement the pilot program required by subsection (a).

(d) COMPONENT CONTENT MANAGEMENT SYSTEM DEFINED.—In this section, the term "component content management system" means any content management system that enables the management of content at a component level instead of at the document level.

SEC. 918. REPORT ON POTENTIAL TRANSITION OF ALL MEMBERS OF THE SPACE FORCE INTO A SINGLE COMPONENT.

(a) REPORT REQUIRED.—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the proposal of the Air Force to transition the Space Force into a single component (in this section referred to as the Space Component)—

(1) that consists of all members of the Space Force, without regard to whether such a member is, under laws in effect at the time of the report, in the active or reserve component of the Space Force; and

(2) in which such members may transfer between duty statuses more freely than would otherwise be allowed under the laws in effect at the time of the report.

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

(1) A plan that describes any rules, regulations, policies, guidance, and statutory provisions that may be implemented to govern—

(A) the ability of a member of the Space Component to transfer between duty statuses, the number of members authorized to make such transfers, and the timing of such transfers;

(B) the retirement of members of the Space Component, including the determination of a member's eligibility for retirement and the calculation of the retirement benefits (including benefits under laws administered by the Secretary of Veterans Affairs) to which the member would be entitled based on a career consisting of service in duty statuses of the Space Component; and

(C) the composition and operation of promotion selection boards with respect to members of the Space Component, including the treatment of general officers by such boards.

(2) A comprehensive analysis of how such proposal may affect the ability of departments and agencies of the Federal Government (including departments and agencies outside the Department of Defense and the Department of Veterans Affairs) to accurately calculate the pay or determine the benefits, including health care benefits under chapter 55 of title 10, United States Code, to which a member or former member of the Space Component is entitled at any given time.

(3) Draft legislative text, prepared by the Office of Legislative Counsel within the Office of the General Counsel of the Department of Defense, that comprehensively sets forth all amendments and modifications to Federal statutes needed to effectively implement the proposal described in subsection (a), including—

(A) amendments and modifications to titles 10, 37, and 38, United States Code;

(B) amendments and modifications to Federal statutes outside of such titles; and

(C) an analysis of each provision of Federal statutory law that refers to the duty status of a member of an Armed

Force, or whether such member is in an active or reserve component, and, for each such provision—

(i) a written determination indicating whether such provision requires amendment or other modification to clarify its applicability to a member of the Space Component; and

(ii) if such an amendment or modification is required, draft legislative text for such amendment or modification.

(4) An assessment of the feasibility and advisability of—

(A) exempting the proposed Space Component from the existing "up or out" system of officer career advancement first established by the amendments to title 10, United States Code, made by the Defense Officer Personnel Management Act (Public Law 96–513; 94 Stat. 2835);

(B) combining active and reserve components in a new, single Space Component and whether a similar outcome could be achieved using the existing active and reserve component frameworks with modest statutory changes to allow reserve officers to serve on sustained active duty; and

(C) creating career flexibility for reserve members of the Space Component, including in shifting retirement points earned from one year to the next and allowing members of the Space Component to move back and forth between active and reserve status for prolonged periods of time across a career.

(5) An assessment of the implications of the proposed reorganization of the Space Force on the development of space as a warfighting domain in the profession of arms, particularly with respect to officer leadership, development, and stewardship of the profession.

(6) A determination of whether existing government ethics regulations are adequate to address potential conflicts of interest for Space Component officers who seek to move back and forth between sustained active duty and working for private sector organizations in the space industry as reserve officers in the Space Component.

(7) An analysis of the following:

(A) Whether the proposed Space Component framework is consistent with the joint service requirements of chapter 38 of title 10, United States Code.

(B) Budgetary implications of the establishment of the Space Component.

(C) The nature of the relationship with private industry and civilian employers that would be required and consistent with professional ethics to successfully implement the Space Component.

(D) The effect of establishing a Space Component on diversity and inclusion within the Space Force.

TITLE X—GENERAL PROVISIONS

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Sec. 1072. Briefing on financial oversight of certain educational institutions receiving Department of Defense funds.
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Sec. 1091. Integration of electronic warfare into Tier 1 and Tier 2 joint training exercises.
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Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the

Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2023 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $6,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. SENSE OF CONGRESS RELATING TO THE CORRECTIVE ACTION PLANS REVIEW PROCESS.

It is the sense of Congress that the Under Secretary of Defense (Comptroller) should—

(1) take appropriate steps to improve the corrective action plans review process, including by linking notices of findings and recommendations with the corrective action plans to address such notices; and

(2) update Department of Defense guidance to instruct the Department and its components to document root cause analysis when needed to address deficiencies auditors have identified.

SEC. 1003. ANNUAL REPORTS ON BUDGETARY EFFECTS OF INFLATION.

(a) ANNUAL REPORT.—Not later than 30 days after the date of the submission of the President's budget for a fiscal year under section 1105 of title 31, United States Code, the Secretary of Defense shall deliver to the congressional defense committees a report on observed and anticipated budgetary effects related to inflation, including—

(1) for each Department of Defense appropriation account—

(A) the amount appropriated for the fiscal year preceding the fiscal year during which the report is submitted, the amount appropriated for the fiscal year during which the report is submitted, and the amount requested for the fiscal year for which the budget is submitted;

(B) the relevant inflation index applied to each such account at the time of the budget submission for the fiscal

year preceding the fiscal year during which the report is submitted, the fiscal year during which the report is submitted, and the fiscal year for which the budget is submitted;

(C) the actual inflationary budgetary effects on each such account for the fiscal year preceding the fiscal year during which the report is submitted;

(D) the estimated inflationary budgetary effects for the fiscal year during which the report is submitted and the fiscal year for which the budget is submitted; and

(E) a calculation of estimated budgetary effects due to inflation using the estimated indices for the fiscal year during which the report is submitted compared to the estimated indices for the fiscal year for the budget is submitted.

(2) for the fiscal year preceding the fiscal year during which the report is submitted, the fiscal year during which the report is submitted, and the fiscal year for which the budget is submitted, a summary of any requests for equitable adjustment, exercising of economic price adjustment (hereinafter referred to as "EPA") clauses, or bilateral contract modifications to include an EPA, including the contract type and fiscal year and the type and amount of appropriated funds used for the contract;

(3) a summary of any methodological changes in Department of Defense cost estimation practices for inflationary budgetary effects for the fiscal year during which the report is submitted and the fiscal year for which the budget is submitted; and

(4) any other matters the Secretary determines appropriate.

(b) PERIODIC BRIEFING.—Not later than 60 days after the conclusion of the Department of Defense budget mid-year review, the Secretary of Defense shall provide the congressional defense committees with a briefing on—

(1) any changes in the observed or anticipated inflation indices included in the report required under subsection (a);

(2) any actions taken by the Department of Defense to respond to changes discussed in such report, with specific dollar value figures; and

(3) any requests for equitable adjustment received by the Department of Defense, economic price adjustment clauses exercised, or bilateral contract modifications to include an EPA made since the submission of the report required under subsection (a).

(c) TERMINATION.—The requirement to submit a report under subsection (a) and the requirement to provide a briefing under subsection (b) shall terminate on the date that is five years after the date of the enactment of this Act.

Subtitle B—Counterdrug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT A UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat.

2042), as most recently amended by section 1007 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1889), is further amended—

(1) in subsection (a)(1), by striking "2023" and inserting "2025"; and

(2) in subsection (c), by striking "2023" and inserting "2025"; and

(3) by adding at the end the following:

"(h) ANNUAL REPORT ON PLAN COLOMBIA.—Not later than 30 days after the end of each fiscal year from 2023 to 2025, the Secretary of Defense shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes the following:

"(1) An assessment of the threat to Colombia from narcotics trafficking and activities by organizations designated as foreign terrorist organizations under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

"(2) A description of the plan of the Government of Colombia for the unified campaign described in subsection (a).

"(3) A description of the activities supported using the authority provided by subsection (a).

"(4) An assessment of the effectiveness of the activities described in paragraph (3) in addressing the threat described in paragraph (1).".

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. MODIFICATION TO ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.

Section 231(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(J) For any class of battle force ship for which the procurement of the final ship of the class is proposed in the relevant future-years defense program submitted under section 221 of this title—

"(i) a description of the expected specific effects on the Navy shipbuilding industrial base of—

"(I) the termination of the production program for the ship and the transition to a new or modified production program, or

"(II) the termination of the production program for the ship without a new or modified production program to replace it; and

"(ii) in the case of any such production program for which a replacement production program is proposed, a detailed schedule for the replacement production program with planned decision points, solicitations, and contract awards.".

SEC. 1022. NAVY CONSULTATION WITH MARINE CORPS ON MAJOR DECISIONS DIRECTLY CONCERNING MARINE CORPS AMPHIBIOUS FORCE STRUCTURE AND CAPABILITY.

(a) IN GENERAL.—Section 8026 of title 10, United States Code, is amended by inserting "or amphibious force structure and capability" after "Marine Corps aviation".

(b) CLERICAL AMENDMENTS.—

*(1) SECTION HEADING.—The heading of such section is amended by inserting "**or amphibious force structure and capability**" after "**aviation**".*

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 803 of such title is amended by striking the item relating to section 8026 and inserting the following new item:

"8026. Consultation with Commandant of the Marine Corps on major decisions directly concerning Marine Corps aviation or amphibious force structure and capability.".

SEC. 1023. AMPHIBIOUS WARSHIP FORCE STRUCTURE.

Section 8062 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in the first sentence, by inserting "and not less than 31 operational amphibious warfare ships, of which not less than 10 shall be amphibious assault ships" before the period; and

(B) in the second sentence—

(i) by inserting "or amphibious warfare ship" before "includes"; and

(ii) by inserting "or amphibious warfare ship" before "that is temporarily unavailable"; and

(2) by adding at the end the following new subsection:

"(g) In this section, the term 'amphibious warfare ship' means a ship that is classified as an amphibious assault ship (general purpose) (LHA), an amphibious assault ship (multi-purpose) (LHD), an amphibious transport dock (LPD), or a dock landing ship (LSD).".

SEC. 1024. MODIFICATION TO LIMITATION ON DECOMMISSIONING OR INACTIVATING BATTLE FORCE SHIPS BEFORE END OF EXPECTED SERVICE LIFE.

(a) IN GENERAL.—Section 8678a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting "by not later than three days after the date on which the President submits the budget materials under section 1105(a) of title 31 for the fiscal year in which such waiver is sought" after "such ship"; and

(2) in paragraph (2), by striking "such certification was submitted" and inserting "the National Defense Authorization Act for such fiscal year is enacted".

(b) NO EFFECT ON CERTAIN SHIPS.—The amendments made by subsection (a) do not apply to a battle force ship (as such term is defined in section 8678a(e)(1) of title 10, United States Code) that is proposed to be decommissioned or inactivated during fiscal year 2023.

SEC. 1025. AMPHIBIOUS WARFARE SHIP ASSESSMENT AND REQUIREMENTS.

Section 8695 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) AMPHIBIOUS WARFARE SHIPS.—In preparing each assessment and requirement under subsection (a), the Commandant of the Marine Corps shall be specifically responsible for developing the requirements relating to amphibious warfare ships.".

SEC. 1026. BATTLE FORCE SHIP EMPLOYMENT, MAINTENANCE, AND MANNING BASELINE PLANS.

(a) IN GENERAL.—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 8696. Battle force ship employment, maintenance, and manning baseline plans

"(a) IN GENERAL.—Not later than 45 days after the date of the delivery of the first ship in a new class of battle force ships, the Secretary of the Navy shall submit to the congressional defense committees a report on the employment, maintenance, and manning baseline plans for the class, including a description of the following:

"(1) The sustainment and maintenance plans for the class that encompass the number of years the class is expected to be in service, including—

"(A) the allocation of maintenance tasks among organizational, intermediate, depot, or other activities;

"(B) the planned duration and interval of maintenance for all depot-level maintenance availabilities; and

"(C) the planned duration and interval of drydock maintenance periods.

"(2) Any contractually required integrated logistics support deliverables for the ship, including technical manuals, and an identification of—

"(A) the deliverables provided to the Government on or before the delivery date; and

"(B) the deliverables not provided to the Government on or before the delivery date and the expected dates those deliverables will be provided to the Government.

"(3) The planned maintenance system for the ship, including—

"(A) the elements of the system, including maintenance requirement cards, completed on or before the delivery date;

"(B) the elements of the system not completed on or before the delivery date and the expected completion date of those elements; and

"(C) the plans to complete planned maintenance from the delivery date until all elements of the system have been completed.

"(4) The coordinated shipboard allowance list for the class, including—

"(A) the items on the list onboard on or before the delivery date; and

"(B) the items on the list not onboard on or before the delivery date and the expected arrival date of those items.

"(5) The ship manpower document for the class, including—

"(A) the number of officers by grade and designator; and

"(B) the number of enlisted personnel by rate and rating.

"(6) The personnel billets authorized for the ship for the fiscal year in which the ship is delivered and each of the four fiscal years thereafter, including—

"(A) the number of officers by grade and designator; and

"(B) the number of enlisted personnel by rate and rating.

"(7) Programmed funding for manning and end strength on the ship for the fiscal year in which the ship is delivered and each of the four fiscal years thereafter, including—

"(A) the number of officers by grade and designator; and

"(B) the number of enlisted personnel by rate and rating.

"(8) Personnel assigned to the ship on the delivery date, including—

"(A) the number of officers by grade and designator; and

"(B) the number of enlisted personnel by rate and rating.

"(9) For each critical hull, mechanical, electrical, propulsion, and combat system of the class as so designated by the Senior Technical Authority pursuant to section 8669b(c)(2)(C) of this title, the following:

"(A) The Government-provided training available for personnel assigned to the ship at the time of delivery, including the nature, objectives, duration, and location of the training.

"(B) The contractor-provided training available for personnel assigned to the ship at the time of delivery, including the nature, objectives, duration, and location of the training.

"(C) Plans to adjust how the training described in subparagraphs (A) and (B) will be provided to personnel after delivery, including the nature and timeline of those adjustments.

"(10) The notional employment schedule of the ship for each month of the fiscal year in which the ship is delivered and each of the four fiscal years thereafter, including an identification of time spent in the following phases:

"(A) Basic.

"(B) Integrated or advanced.

"(C) Deployment.

"(D) Maintenance.

"(E) Sustainment.

"(b) NOTIFICATION REQUIRED.—Not less than 30 days before implementing a significant change to the baseline plans described in subsection (a) or any subsequent significant change, the Secretary of the Navy shall submit to the congressional defense committees written notification of the change, including for each such change the following:

"(1) An explanation of the change.

"(2) The desired outcome.

"(3) The rationale.

"(4) The duration.

"(5) The operational effects.

"(6) The budgetary effects, including—

"(A) for the year in which the change is made;

"(B) over the five years thereafter; and

"(C) over the expected service life of the relevant class of battle force ships.

"(7) The personnel effects, including—

"(A) for the year in which the change is made;

"(B) over the five years thereafter; and

"(C) over the expected service life of the relevant class of battle force ships.

"(8) The sustainment and maintenance effects, including—

"(A) for the year in which the change is made;

"(B) over the five years thereafter; and

"(C) over the expected service life of the relevant class of battle force ships.

"(c) TREATMENT OF CERTAIN SHIPS.—(1) For the purposes of this section, the Secretary of the Navy shall treat as the first ship in a new class of battle force ships the following:

"(A) U.S.S. John F. Kennedy (CVN–79).

"(B) U.S.S. Michael Monsoor (DDG–1001).

"(C) U.S.S. Jack H. Lucas (DDG–125).

"(2) For each ship described in paragraph (1), the Senior Technical Authority shall identify critical systems for the purposes of subsection (a)(9).

"(d) DEFINITIONS.—In this section:

"(1) The term 'battle force ship' means the following:

"(A) A commissioned United States Ship warship capable of contributing to combat operations.

"(B) A United States Naval Ship that contributes directly to Navy warfighting or support missions.

"(2) The term 'delivery' has the meaning provided for in section 8671 of this title.

"(3) The term 'Senior Technical Authority' has the meaning provided for in section 8669b of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 863 of such title is amended by adding at the end the following new item:

"8696. Battle force ship employment, maintenance, and manning baseline plans.".

SEC. 1027. WITHHOLDING OF CERTAIN INFORMATION ABOUT SUNKEN MILITARY CRAFTS.

Section 1406 of the Sunken Military Craft Act (title XIV of Public Law 108–375; 10 U.S.C. 113 note) is amended by adding at the end the following new subsection:

"(j) WITHHOLDING OF CERTAIN INFORMATION.—Pursuant to subparagraphs (A)(ii) and (B) of section 552(b)(3) of title 5 United States Code, the Secretary concerned may withhold from public disclosure information and data about the location or related artifacts of a sunken military craft under the jurisdiction of the Secretary, if such disclosure would increase the risk of the unauthorized disturbance of one or more sunken military craft.".

SEC. 1028. BUSINESS CASE ANALYSES ON DISPOSITION OF CERTAIN GOVERNMENT-OWNED DRY-DOCKS.

(a) AFDM-10.—Not later than June 1, 2023, the Secretary of the Navy shall submit to the congressional defense committees the results of a business case analysis for Auxiliary Floating Dock, Medium-10 (in this section referred to as "AFDM-10") that compares the following options:

(1) The continued use of AFDM-10, in the same location and under the same lease authorities in effect on the date of the enactment of this Act.

(2) The relocation of AFDM-10 to Naval Station Everett, including all infrastructure support requirement costs and anticipated operating costs.

(3) The relocation and use of AFDM-10 in alternate locations under the same lease authorities in effect on the date of the enactment of this Act, including all infrastructure support requirement costs and anticipated operating costs.

(4) The relocation and use of AFDM-10 in alternate locations under alternative lease authorities.

(5) The conveyance of AFDM-10 at a fair market rate to an appropriate non-Government entity with expertise in the nonnuclear ship repair industry.

(6) Such other options as the Secretary determines appropriate.

(b) GRAVING DOCK AT NAVAL BASE, SAN DIEGO.—Not later than June 1, 2023, the Secretary of the Navy shall submit to the congressional defense committees the results of a business case analysis for the Government-owned graving dock at Naval Base San Diego, California, that compares the following options:

(1) The continued use of such graving dock, in accordance with the utilization strategy described in the May 25, 2022 report to Congress entitled "Navy Dry Dock Strategy for Surface Ship Maintenance and Repair".

(2) Such other options as the Secretary determines appropriate.

(c) MATTERS FOR EVALUATION.—The business case analyses required under subsections (a) and (b) shall each include an evaluation of each of the following:

(1) The extent to which the Secretary plans to execute a consistent and balanced docking strategy that ensures the health of private sector maintenance and repair capability and capacity.

(2) Legal, regulatory, and other requirements applicable to each of the options considered under each such analysis, including environmental documentation, and the effect that such requirements are projected to have on the cost and schedule of such option.

(3) The extent to which the Secretary is considering adding dry dock capacity, including an analysis of the projected cost of adding such capacity and the potential effects of adding such capacity on private sector repair and maintenance facilities.

(4) The projected use by the Navy of Government and non-Government dry docks assets through fiscal year 2027.

(5) For each option considered under each such analysis, the projected implementation timeline and costs.

(6) For each option considered under each such analysis, the relative maintenance capacity and output.

SEC. 1029. PROHIBITION ON RETIREMENT OF CERTAIN NAVAL VESSELS.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act for fiscal year 2023 may be obligated or expended to retire, prepare to retire, or place in storage—

(1) any of the naval vessels referred to in subsection (b); or

(2) more than four Littoral Combat Ships.

(b) NAVAL VESSELS.—The naval vessels referred to in this subsection are the following:

(1) USS Vicksburg (CG 69).

(2) USS Germantown (LSD 42).

(3) USS Gunston Hall (LSD 44).

(4) USS Tortuga (LSD 46).

(5) USS Ashland (LSD 48).

(6) USNS Montford Point (T–ESD 1).

(7) USNS John Glenn (T–ESD 2).

(c) LITTORAL COMBAT SHIPS.—In the case of any Littoral Combat Ship that is retired, prepared to retire, or placed in storage using funds authorized to be appropriated by this Act for fiscal year 2023, the Secretary of Defense shall ensure that such vessel is evaluated for potential transfer to the military forces of a nation that is an ally or partner of the United States.

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1953), as most recently amended by section 1033 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is further amended by striking "December 31, 2022" and inserting "December 31, 2023".

SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1034(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1034 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is further amended by striking "December 31, 2022" and inserting "December 31, 2023".

SEC. 1033. MODIFICATION AND EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1032 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is further amended—

(1) by striking "December 31, 2022" and inserting "December 31, 2023";

(2) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(3) by inserting before paragraph (2), as so redesignated, the following new paragraph:

"(1) Afghanistan.".

SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1551), as most recently amended by section 1035 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1901), is further amended by striking "2022" and inserting "2023".

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. SUBMISSION OF NATIONAL DEFENSE STRATEGY IN CLASSIFIED AND UNCLASSIFIED FORM.

Section 113(g)(1)(D) of title 10, United States Code, is amended by striking "in classified form with an unclassified summary." and inserting "in both classified and unclassified form. The unclassified form may not be a summary of the classified document.".

SEC. 1042. DEPARTMENT OF DEFENSE SUPPORT FOR FUNERALS AND MEMORIAL EVENTS FOR MEMBERS AND FORMER MEMBERS OF CONGRESS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130 the following new section:

"§ 130a. Department of Defense support for funerals and memorial events for Members and former Members of Congress

"(a) SUPPORT FOR FUNERALS.—Subject to subsection (b), the Secretary of Defense may provide such support as the Secretary considers appropriate for a funeral or memorial event for a Member or former Member of Congress, including support with respect to transportation to and from such a funeral or memorial event, in accordance with this section.

"(b) REQUESTS FOR SUPPORT; SECRETARY DETERMINATION.—The Secretary may provide support under this section—

"(1) upon request from the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, or the Minority Leader of the Senate; or

"(2) if the Secretary determines such support is necessary to carry out duties or responsibilities of the Department of Defense.

"(c) USE OF FUNDS.—The Secretary may use funds authorized to be appropriated for operation and maintenance to provide support under this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130 the following new item:

"130a. Department of Defense support for funerals and memorial events for Members and former Members of Congress.".

SEC. 1043. MODIFICATION OF AUTHORITY FOR HUMANITARIAN DEMINING ASSISTANCE AND STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.

(a) LOCATION OF ASSISTANCE.—Section 407 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "carry out" and inserting "provide"; and

(ii) by striking "in a country" and inserting "to a country"; and

(B) in subparagraph (A), by striking "in which the activities are to be carried out" and inserting "to which the assistance is to be provided"; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking "in which" and inserting "to which"; and

(ii) by striking "carried out" and inserting "provided";

(B) in paragraph (2), by striking "carried out in" and inserting "provided to";

(C) in paragraph (3)—

(i) by striking "in which" and inserting "to which"; and

(ii) by striking "carried out" and inserting "provided"; and

(D) in paragraph (4), by striking "in carrying out such assistance in each such country" and inserting "in providing such assistance to each such country".

(b) EXPENSES.—Subsection (c) of such section 407 is amended—

(1) in paragraph (2), by adding at the end the following new subparagraph:

"(C) Travel, transportation, and subsistence expenses of foreign personnel to attend training provided by the Department of Defense under this section."; and

(2) by striking paragraph (3).

(c) REPORT.—Subsection (d) of such section 407, as amended by subsection (a)(2) of this section, is further amended in the matter preceding paragraph (1), by striking "include in the annual report under section 401 of this title a separate discussion of" and inserting "submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on".

SEC. 1044. MODIFICATION OF PROVISIONS RELATING TO ANOMALOUS HEALTH INCIDENTS.

(a) CROSS-FUNCTIONAL TEAM.—Section 910 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 111 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "and any other" and all that follows through "necessary; and" and inserting ", in-

cluding the causation, attribution, mitigation, identification, and treatment for such incidents;";

(B) in paragraph (2)—

(i) by inserting "and deconflict" after "integrate";

(ii) by striking "agency" and inserting "agencies"; and

(iii) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(3) any other efforts regarding such incidents that the Secretary considers appropriate."; and

(2) in subsection (e)(2), by striking "90 days" and all that follows through "of enactment" and inserting "March 1, 2023, and not less frequently than once every 180 days thereafter until March 1, 2026".

(b) ACCESS TO CERTAIN FACILITIES OF DEPARTMENT OF DEFENSE.—Section 732 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1797; 10 U.S.C. 1071 note) is amended—

*(1) in the section heading, by striking "**UNITED STATES GOVERNMENT EMPLOYEES AND THEIR FAMILY MEMBERS**" and inserting "**COVERED INDIVIDUALS**";*

(2) in subsection (a), by striking "employees of the United States Government and their family members who" and inserting "covered individuals whom";

(3) in subsection (c), by striking "employees from those agencies and their family members" and inserting "covered individuals";

(4) in subsection (d)—

(A) by striking "employees of the United States Government and their family members" and inserting "covered individuals"; and

(B) by striking "subject to an agreement by the employing agency and the consent of the employee" and inserting "subject to the consent of the covered individual and, if applicable, an agreement with the employing agency"; and

(5) by adding at the end the following new subsection:

"(e) COVERED INDIVIDUALS DEFINED.—In this section, the term 'covered individuals' means—

"(1) current and former employees of the United States Government and their family members; and

"(2) current and former members of the Armed Forces and their family members.".

SEC. 1045. SECURITY CLEARANCES FOR RECENTLY SEPARATED MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) IMPROVEMENTS.—

(1) IN GENERAL.—No later than September 30, 2023, the Secretary of Defense, in coordination with the Director of National Intelligence when acting as the Security Executive Agent, shall establish a process to—

(A) determine, on the date on which a covered individual separates from the Armed Forces or the Department of Defense (as the case may be), whether the covered individual

held an eligibility to access classified information or to occupy a sensitive position immediately prior to such separation and requires an eligibility of an equal or lower level for employment as a covered contractor, except as provided in subsection (b);

(B) ensure that the re-establishment of trust of a covered individual's eligibility to occupy a sensitive position takes place expeditiously, in accordance with applicable laws, Executive Orders, or Security Executive Agent policy; and

(C) ensure that any additional security processing required to re-establish trust to reinstate a covered individual's eligibility to access classified information or occupy a sensitive position takes place expeditiously.

(2) COAST GUARD.—In the case of a member of the Armed Forces who is a member of the Coast Guard, the Secretary of Defense shall carry out paragraph (1) in consultation with the Secretary of the Department in which the Coast Guard is operating.

(b) EXCEPTIONS.—

(1) IN GENERAL.—Subsection (a) shall not apply with respect to a covered individual—

(A) whose previously held security clearance is, or was as of the date of separation of the covered individual, under review as a result of one or more potentially disqualifying factors or conditions that have not been fully investigated or mitigated; or

(B) in the case of a member of the Armed Forces, who separated from the Armed Forces under other than honorable conditions.

(2) CLARIFICATION OF REVIEW EXCEPTION.—The exception specified in paragraph (1)(A) shall not apply with respect to a routine periodic reinvestigation or a continuous vetting investigation in which no potentially disqualifying factors or conditions have been found.

(c) DEFINITIONS.—In this section:

(1) The term "covered contractor" means an individual who is employed by an entity that carries out work under a contract with the Department of Defense or an element of the intelligence community.

(2) The term "covered individual" means a former member of the Armed Forces or a former civilian employee of the Department of Defense.

(3) The term "intelligence community" has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1046. INTEGRATED AND AUTHENTICATED ACCESS TO DEPARTMENT OF DEFENSE SYSTEMS FOR CERTAIN CONGRESSIONAL STAFF FOR OVERSIGHT PURPOSES.

(a) IN GENERAL.—The Secretary of Defense shall develop processes and procedures under which the Secretary shall issue access tokens to staff of the congressional defense committees to facilitate the performance of required congressional oversight activities. Such access tokens shall—

(1) provide designated and authenticated staff with access to designated Department of Defense information systems, including—

(A) the reporting system described in section 805(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) that will replace the Selected Acquisition Report requirements under section 4351 of title 10, United States Code; and

(B) the process referred to in section 908 of the William (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) that is used by the Department of Defense to identify reports to Congress required by annual national defense authorization Acts, assign responsibility for preparation of such reports, and manage the completion and delivery of such reports to Congress; and

(2) to the extent feasible, be integrated with the provision of Pentagon Facilities Alternative Credentials.

(b) IMPLEMENTATION.—The Secretary shall implement the processes and procedures developed under subsection (a) not later than 180 days after the date of the enactment of this Act.

(c) INTERIM BRIEFING.—Not later than 90 days after the date of the enactment of the Act, the Secretary of Defense shall provide to the congressional defense committees an interim briefing on the status of the processes and procedures required to be developed under subsection (a), including any updates to applicable policies, instructions, and guidance issued by the Department.

SEC. 1047. INTRODUCTION OF ENTITIES IN TRANSACTIONS CRITICAL TO NATIONAL SECURITY.

(a) IN GENERAL.—The Secretary of Defense may facilitate the introduction of entities for the purpose of discussing a covered transaction that the Secretary has determined is in the national security interests of the United States.

(b) COVERED TRANSACTION DEFINED.—The term "covered transaction" means a transaction that the Secretary has reason to believe would likely involve an entity affiliated with a strategic competitor unless an alternative transaction were to occur.

SEC. 1048. JOINT TRAINING PIPELINE BETWEEN UNITED STATES NAVY AND ROYAL AUSTRALIAN NAVY.

(a) EXCHANGE PROGRAM.—Beginning in 2023, the Secretary of Defense, in consultation with the Secretary of Energy, may carry out an exchange program for Australian submarine officers to implement one or more agreements entered into under the enhanced trilateral security partnership referred to as "AUKUS". Under such a program, to the extent consistent with one or more AUKUS agreements—

(1) a minimum of two Australian submarine officers may participate in the United States Navy officer training program for officers who are assigned to duty on nuclear powered submarines; and

(2) following the successful completion of all aspects of such training, such officers may be assigned to duty on an operational United States submarine.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide the congressional defense committees with a briefing on a notional exchange program for Australian submarine officers that includes initial, follow-on, and recurring training that could be provided to Australian submarine officers in order prepare such officers for command of nuclear-powered Australian submarines.

SEC. 1049. STANDARDIZATION OF SECTIONAL BARGE CONSTRUCTION FOR DEPARTMENT OF DEFENSE USE ON RIVERS AND INTERCOASTAL WATERWAYS.

With respect to the procurement of a sectional barge for the Department of Defense on or after December 31, 2023, the Secretary of Defense shall, to the extent practicable—

(1) ensure the solicitation for such sectional barge includes a requirement for a design that has been approved by the American Bureau of Shipping, using its rule set for building and classing steel vessels, for service on rivers and intercoastal waterways; or

(2) prioritize prime contractors that are in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) in awarding contracts pursuant to such procurement.

SEC. 1050. DEPARTMENT OF DEFENSE SUPPORT FOR RECENTLY ENACTED COMMISSIONS.

(a) ASSISTANCE FROM DEPARTMENT OF DEFENSE.—At the request of a covered commission, the Secretary of Defense may provide to the covered commission, on a reimbursable basis, such services, funds, facilities, staff, and other support services as necessary for the performance of the functions of the commission. Amounts provided to a covered commission pursuant to this section may be provided from amounts appropriated for the Department of Defense, as provided in advance in appropriations Acts.

(b) COVERED COMMISSION DEFINED.—In this section, the term "covered commission" means a commission established pursuant to any of the following sections of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81):

(1) Section 1004 (Commission on Planning, Programming, Budgeting, and Execution Reform).

(2) section 1091 (National Security Commission on Emerging Biotechnology).

(3) section 1094 (Afghanistan War Commission).

(4) section 1095 (Commission on the National Defense Strategy).

(5) section 1687 (Congressional Commission on the Strategic Posture of the United States).

Subtitle F—Studies and Reports

SEC. 1051. MODIFICATION OF ANNUAL REPORT ON UNFUNDED PRIORITIES.

Section 222a of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking "to be achieved" and inserting "outlined in the national defense strategy required under section 113(g) of this title and the National Military Strategy required under section 139(b) of this title to be advanced"; and

(ii) by adding at the end the following new subparagraph:

"(D) A detailed assessment of each specific risk that would be reduced in executing the national defense strategy required under section 113(g) of this title and the National Military Strategy required under section 139(b) of this title if such priority is funded (whether in whole or in part).";

and

(B) in paragraph (2)(A), by inserting "according to the amount of risk reduced" after "priority";

(2) by adding redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following new subsection (d):

"(d) PRIORITIZATION.—Not later than 10 days after the receipt of the all of the reports referred to in subsection (a), the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall submit to the congressional defense committees a report that prioritizes each specific unfunded priority across all unfunded priorities submitted by officers specified in (b) according to the risk reduced in executing the national defense strategy required under section 113(g) of this title and the National Military Strategy required under section 139(b) of this title.".

SEC. 1052. CONGRESSIONAL NOTIFICATION OF MILITARY INFORMATION SUPPORT OPERATIONS IN THE INFORMATION ENVIRONMENT.

(a) IN GENERAL.—Chapter 19 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 398. Military information support operations in information environment

"(a) CONGRESSIONAL NOTIFICATION REQUIREMENT.—(1) Not later than 48 hours after the execution of any new military information support operation plan (in this section referred to as a 'MISO plan') approved by the commander of a combatant command, or any change in scope of any existing MISO plan, including any underlying MISO supporting plan, the Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of such approval or execution of change in scope.

"(2) A notification under paragraph (1) with respect to a MISO plan shall include each of the following:

"(A) A description of the military information support operation program (in this section referred to as a 'MISO program') supported by the MISO plan.

"(B) A description of the objectives of the MISO plan.

"(C) A description of the intended target audience for military information support operation activities under the MISO plan.

"(D) A description of the tactics, techniques, and procedures to be used in executing the MISO plan.

"(E) A description of the personnel engaged in supporting or facilitating the operation.

"(F) The amount of funding anticipated to be obligated and expended to execute the MISO plan during the current and subsequent fiscal years.

"(G) The expected duration and desired outcome of the MISO plan.

"(H) Any other elements the Secretary determines appropriate.

"(3) To the maximum extent practicable, the Secretary shall ensure that the congressional defense committees are notified promptly of any unauthorized disclosure of a clandestine military support operation covered by this section. A notification under this subsection may be verbal or written, but in the event of a verbal notification, the Secretary shall provide a written notification by not later than 48 hours after the provision of the verbal notification.

"(b) ANNUAL REPORT.—Not later than 90 days after the last day of any fiscal year during which the Secretary conducts a MISO plan, the Secretary shall submit to the congressional defense committees a report on all such MISO plans conducted during such fiscal year. Such report shall include each of the following:

"(1) A list of each MISO program and the combatant command responsible for the program.

"(2) For each MISO plan—

"(A) a description of the plan and any supporting plans, including the objectives for the plan;

"(B) a description of the intended target audience for the activities carried out under the plan and the means of distribution; and

"(C) the cost of executing the plan.

"(c) PROHIBITION ON CLANDESTINE OPERATIONS DESIGNED TO INFLUENCE OPINIONS AND POLITICS IN UNITED STATES.—None of the funds authorized to be appropriated or otherwise made available for the Department of Defense for any fiscal year may be used to conduct a clandestine military information support operation that is designed to influence—

"(1) any political process taking place in the United States;

"(2) the opinions of United States persons;

"(3) United States policies; or

"(4) media produced by United States entities for United States persons.".

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

"398. Military information support operations in information environment.".

SEC. 1053. MODIFICATION AND CONTINUATION OF REPORTING REQUIREMENT RELATING TO HUMANITARIAN ASSISTANCE.

(a) MODIFICATION.—Section 2561(c)(3) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking "relief" and inserting "assistance"; and

(2) by striking subparagraphs (B) and (C) and inserting the following new subparagraphs:

"(B) A comprehensive list of humanitarian assistance efforts for which support was provided under this section,

disaggregated by foreign partner country, amount obligated, and purpose specified in subsection (b).

"(C) A description of the manner in which such efforts address—

"(i) the humanitarian needs of the foreign partner country; and

"(ii) Department of Defense objectives and broader United States national security objectives.

"(D) A description of any transfer of nonlethal excess supplies of the Department of Defense made available for humanitarian relief purposes under section 2557 of this title, including, for each such transfer—

"(i) the date of the transfer;

"(ii) the entity to which the transfer is made; and

"(iii) the quantity of items transferred.".

(b) CONTINUATION OF REPORTING REQUIREMENT.—

(1) IN GENERAL.—Section 1080(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does not apply to the report required to be submitted to Congress under section 2561(c) of title 10, United States Code.

(2) CONFORMING REPEAL.—Section 1061(c) of National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note) is amended by striking paragraph (48).

SEC. 1054. BRIEFING ON GLOBAL FORCE MANAGEMENT ALLOCATION PLAN.

Section 1074(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended by adding at the end the following new paragraph:

"(4) For each major modification to global force allocation made during the preceding fiscal year that deviated from the Global Force Management Allocation Plan for that fiscal year—

"(A) an analysis of the costs of such modification;

"(B) an assessment of the risks associated with such modification, including strategic risks, operational risks, and risks to readiness; and

"(C) a description of any strategic trade-offs associated with such modification.".

SEC. 1055. REPORT AND BUDGET DETAILS REGARDING OPERATION SPARTAN SHIELD.

Section 1225(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(1) in paragraph (6) by striking "; and" and inserting a semicolon;

(2) by redesignating paragraph (7) as paragraph (11); and

(3) by inserting after paragraph (6), the following new paragraphs:

"(7) a list of all countries in which Task Force Spartan operated during the prior fiscal year;

"(8) a description of activities conducted pursuant to the operation to build the military readiness of partner forces during the prior fiscal year, including—

"(A) training exercises;

"(B) joint exercises; and

"(C) bilateral or multilateral exchanges;

"(9) an assessment of the extent to which the activities described in paragraph (8) improved—

"(A) the military readiness of such partner forces;

"(B) the national security of the United States; and

"(C) the national security of allies and partners of the United States;

"(10) a description of criteria used to make the assessment required under paragraph (9); and".

SEC. 1056. ANNUAL REPORT ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.

(a) IN GENERAL.—Section 1057(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is amended—

(1) in paragraph (1), by striking "that were confirmed, or reasonably suspected, to have resulted in civilian casualties" and inserting "that resulted in civilian casualties that have been confirmed or are reasonably suspected to have occurred";

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting ", including, to the extent practicable, the closest town, city, or identifiable place" after "location";

(B) in subparagraph (D), by inserting before the period the following: ", including the specific justification or use of authority for each strike conducted";

(C) in subparagraph (E), by inserting before the period at the end the following: ", formulated as a range, if necessary, and including, to the extent practicable, information regarding the number of men, women, and children involved"; and

(D) by adding at the end the following new subparagraphs:

"(F) A summary of the determination of each completed civilian casualty assessment or investigation.

"(G) For each assessment or investigation of an incident that resulted in civilian casualties—

"(i) whether the Department conducted any witness interviews or site visits occurred, and if not, an explanation of why not; and

"(ii) whether information pertaining to the incident that was collected by one or more non-governmental entities was considered, if such information exists."; and

(3) by striking paragraph (4) and inserting the following new paragraph (4):

"(4) A description of any new or updated civilian harm policies and procedures implemented by the Department of Defense.".

(b) APPLICABILITY.—The amendments made by this section shall apply as follows:

(1) Except as provided in paragraph (2), the amendments made by this section shall apply with respect to a report submitted on or after May 1, 2024.

(2) The amendments made by subparagraphs (A) and (B) of subsection (a)(2) shall apply with respect to a report submitted after the date of the enactment of this Act.

SEC. 1057. EXTENSION OF CERTAIN REPORTING DEADLINES.

(a) COMMISSION ON PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION REFORM.—Section 1004(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1886) is amended—

(1) in paragraph (1), by striking "February 6, 2023" and inserting "August 6, 2023"; and

(2) in paragraph (2), by striking "September 1, 2023" and inserting "March 1, 2024".

(b) NATIONAL SECURITY COMMISSION ON EMERGING BIOTECHNOLOGY.—Section 1091(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1931) is amended—

(1) in paragraph (1), by striking "2 years after" and inserting "3 years after"; and

(2) in paragraph (2), by striking "1 year after" and inserting "2 years after".

(c) COMMISSION ON THE NATIONAL DEFENSE STRATEGY.—Section 1095(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1945) is amended—

(1) in paragraph (1), by striking "one year after" and inserting "two years after"; and

(2) in paragraph (2), by striking "180 days after" and inserting "one year after".

(d) CONGRESSIONAL COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.—Section 1687(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2128) is amended—

(1) in paragraph (1), by striking "December 31, 2022" and inserting "July 31, 2023"; and

(2) in paragraph (3), by striking "180 days after" and inserting "one year after".

SEC. 1058. EXTENSION AND MODIFICATION OF REPORTING REQUIREMENT REGARDING ENHANCEMENT OF INFORMATION SHARING AND COORDINATION OF MILITARY TRAINING BETWEEN DEPARTMENT OF HOMELAND SECURITY AND DEPARTMENT OF DEFENSE.

Section 1014(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) in paragraph (1)(B)(iv)—

(A) by striking "(iii)—" and inserting "(iii), the following:"; and

(B) by adding at the end the following new subclauses:

"(VIII) The methodology used for making cost estimates in the evaluation of a request for assistance.

"(IX) The extent to which the fulfillment of the request for assistance affected readiness of the Armed Forces, including members of the reserve components."; and

(2) in paragraph (3), by striking "December 31, 2023" and inserting "December 31, 2024".

SEC. 1059. CONTINUATION OF REQUIREMENT FOR ANNUAL REPORT ON NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT.

(a) IN GENERAL.—Section 1080(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does not apply to the report required to be submitted to Congress under section 10541 of title 10, United States Code.

(b) CONFORMING REPEAL.—Section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328); 130 Stat. 2402; 10 U.S.C. 111 note) is amended by striking paragraph (62).

SEC. 1060. MODIFICATION OF AUTHORITY OF SECRETARY OF DEFENSE TO TRANSFER EXCESS AIRCRAFT TO OTHER DEPARTMENTS OF THE FEDERAL GOVERNMENT AND AUTHORITY TO TRANSFER EXCESS AIRCRAFT TO STATES.

Section 1091 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2576 note) is amended—

*(1) in the section heading, by inserting "**AND TO STATES**" after "**FEDERAL GOVERNMENT**";*

(2) in subsection (a), in the first sentence, by striking "and the Secretary of Homeland Security for use by the Forest Service and the United States Coast Guard" and inserting "for use by the Forest Service, to the Secretary of Homeland Security for use by the United States Coast Guard, and to the Governor of a State";

(3) in subsection (b)—

(A) in paragraph (1), by striking "or the United States Coast Guard as a suitable platform to carry out their respective missions" and inserting ", the United States Coast Guard, or the Governor of a State, as the case may be, as a suitable platform to carry out wildfire suppression, search and rescue, or emergency operations pertaining to wildfires";

(B) in paragraph (3), by striking "; and" and inserting a semicolon;

(C) in paragraph (4), by striking the period at the end and inserting "; and"; and

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

"(5) in the case of aircraft to be transferred to the Governor of a State, acceptable for use by the State, as determined by the Governor.";

(4) by striking subsection (c);

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

(6) in subsection (c), as so redesignated—

(A) in paragraph (1)—

(i) by striking "up to seven"; and

(ii) by inserting "the Governor of a State or to" after "offered to"; and

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

"(2) EXPIRATION OF RIGHT OF REFUSAL.—A right of refusal afforded the Secretary of Agriculture or the Secretary of Homeland Security under paragraph (1) with regards to an aircraft shall expire upon official notice of such Secretary to the Secretary of Defense that such Secretary declines such aircraft.";

(7) in subsection (d), as so redesignated—

(A) in the matter preceding paragraph (1), by inserting "or to the Governor of a State" after "the Secretary of Agriculture";

(B) in paragraph (1), by striking "wildfire suppression purposes" and inserting "purposes of wildfire suppression, search and rescue, or emergency operations pertaining to wildfires"; and

(C) in paragraph (2)—

(i) by inserting ", search and rescue, emergency operations pertaining to wildfires," after "efforts"; and

(ii) by inserting "or Governor of the State, as the case may be," after "Secretary of Agriculture";

(8) in subsection (e), as so redesignated, by striking "or the Secretary of Homeland Security" and inserting ", the Secretary of Homeland Security, or the Governor of a State";

(9) in subsection (f), as so redesignated, by striking "and the Secretary of Homeland Security" and inserting ", the Secretary of Homeland Security, or the Governor of the State to which such aircraft is transferred using only State funds"; and

(10) by adding at the end the following new subsection:

"(g) REPORTING.—Not later than December 1, 2022, and annually thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on aircraft transferred, during the fiscal year preceding the date of such report, to—

"(1) the Secretary of Agriculture, the Secretary of Homeland Security, or the Governor of a State under this section;

"(2) the chief executive officer of a State under section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1318); or

"(3) the Secretary of the Air Force or the Secretary of Agriculture under section 1098 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 881).".

SEC. 1061. COMBATANT COMMAND RISK ASSESSMENT FOR AIRBORNE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE.

(a) IN GENERAL.—Not later than 90 days after the date on which the Secretary of Defense submits to Congress the materials in support of the budget for any fiscal year, or the date on which any of the military departments otherwise proposes to retire or otherwise divest any airborne intelligence, surveillance, and reconnaissance capabilities, the Vice Chairman of the Joint Chiefs of Staff, in coordination with the commanders of each of the geographic combatant commands, shall submit to the congressional defense committees a report containing an assessment of the level of operational risk to each such command posed by the proposed retirement or divestment with respect to the capability of the command to meet near-, mid-, and far-term contingency and steady-state requirements

against adversaries in support of the objectives of the national defense strategy under section 113(g) of title 10, United States Code.

(b) RISK ASSESSMENT.—In assessing levels of operational risk for the purposes of subsection (a), the Vice Chairman and the commanders of the geographic combatant commands shall use the military risk matrix of the Chairman of the Joint Chiefs of Staff, as described in CJCS Instruction 3401.01E, or any successor instruction.

(c) GEOGRAPHIC COMBATANT COMMAND.—In this section, the term "geographic combatant command" means any of the following:

(1) United States European Command.
(2) United States Indo-Pacific Command.
(3) United States Africa Command.
(4) United States Southern Command.
(5) United States Northern Command.
(6) United States Central Command.

(d) TERMINATION.—The requirement to submit a report under this section shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. 1062. STUDY ON MILITARY TRAINING ROUTES AND SPECIAL USE AIR SPACE NEAR WIND TURBINES.

(a) STUDY AND REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct a study to identify low-level military training routes and special use airspace that may be used by the Department of Defense to conduct realistic training over and near wind turbines.

(2) ELEMENTS.—As part of the study under paragraph (1), the federally funded research and development center that conducts the study shall—

(A) identify and define the requirements for military airspace that may be used for the training described in paragraph (1), taking into consideration—

(i) the operational and training needs of the Armed Forces; and

(ii) the threat environments of adversaries of the United States, including the People's Republic of China;

(B) identify possibilities for combining live, virtual, and constructive flight training near wind projects, both onshore and offshore;

(C) describe the airspace inventory required for low-level training proficiency given current and projected force structures;

(D) provide recommendations for redesigning and properly sizing special use air space and military training routes to combine live and synthetic training in a realistic environment;

(E) describe ongoing research and development programs being utilized to mitigate effects of wind turbines on low-level training routes; and

(F) identify current training routes affected by wind turbines, any previous training routes that are no longer in

use because of wind turbines, and any training routes projected to be lost due to wind turbines.

(3) CONSULTATION.—In carrying out paragraph (1), the Secretary of Defense shall consult with—

(A) the Under Secretary of Defense for Personnel and Readiness;

(B) the Department of Defense Policy Board on Federal Aviation; and

(C) the Federal Aviation Administration.

(4) SUBMITTAL TO DOD.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the federally funded research and development center that conducts the study under paragraph (1) shall submit to the Secretary of Defense a report on the results of the study.

(B) FORM.—The report under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(5) SUBMITTAL TO CONGRESS.—Not later than 60 days after the date on which the Secretary of Defense receives the report under paragraph (4), the Secretary shall submit to the appropriate congressional committees an unaltered copy of the report together with any comments the Secretary may have with respect to the report.

(b) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means the following:

(A) The congressional defense committees.

(B) The Committee on Transportation and Infrastructure of the House of Representatives.

(C) The Committee on Commerce, Science, and Transportation of the Senate.

(2) The term "affected by wind turbines" means a situation in which the presence of wind turbines in the area of a low-level military training route or special use airspace—

(A) prompted the Department of Defense to alter a testing and training mission or to reduce previously planned training activities; or

(B) prevented the Department from meeting testing and training requirements.

SEC. 1063. ANNUAL REPORTS ON SAFETY UPGRADES TO THE HIGH MOBILITY MULTIPURPOSE WHEELED VEHICLE FLEETS.

(a) ANNUAL REPORTS.—Not later than March 1, 2023, and annually thereafter until the date specified in subsection (c), the Secretaries of the Army, Navy, and Air Force shall each submit to the Committees on Armed Services of the Senate and House of Representatives a report on the installation of safety upgrades to the high mobility multipurpose wheeled vehicle fleets under the jurisdiction of the Secretary concerned, including anti-lock brakes, electronic stability control, and fuel tanks.

(b) MATTERS FOR INCLUSION.—Each report required under subsection (a) shall include, for the year covered by the report, each of the following:

(1) The total number of safety upgrades necessary for the high mobility multipurpose wheeled vehicle fleets under the jurisdiction of the Secretary concerned.

(2) The total cumulative number of such upgrades completed prior to the year covered by the report.

(3) A description of any such upgrades that were planned for the year covered by the report.

(4) A description of any such upgrades that were made during the year covered by the report and, if the number of such upgrades was less than the number of upgrades planned for such year, an explanation of the variance.

(5) If the total number of necessary upgrades has not been made, a description of the upgrades planned for each year subsequent to the year covered by the report.

(c) TERMINATION.—No report shall be required under this section after March 1, 2026.

SEC. 1064. DEPARTMENT OF DEFENSE DELAYS IN PROVIDING COMMENTS ON GOVERNMENT ACCOUNTABILITY OFFICE REPORTS.

(a) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and once every 180 days thereafter until the date that is 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the extent to which the Department of Defense provided comments and sensitivity and security reviews (for drafts tentatively identified as containing controlled unclassified information or classified information) in a timely manner and in accordance with the protocols of the Government Accountability Office during the 180-day period preceding the date of the submittal of the report.

(b) REQUIREMENTS FOR GAO REPORT.—Each report under subsection (a) shall include the following information for the period covered by the report:

(1) The number of draft Government Accountability Office reports for which the Government Accountability Office requested comments from the Department of Defense, including an identification of the reports for which a sensitivity or security review was requested (separated by reports potentially containing only controlled unclassified information and reports potentially containing classified information) and the reports for which such a review was not requested.

(2) The median and average number of days between the date of the request for Department of Defense comments and the receipt of such comments.

(3) The average number of days between the date of the request for a Department of Defense sensitivity or security review and the receipt of the results of such review.

(4) In the case of any such draft report for which the Department of Defense failed to provide such comments or review within 30 days of the request for such comments or review—

(A) the number of days between the date of the request and the receipt of such comments or review; and

(B) a unique identifier, for purposes of identifying the draft report.

(5) In the case of any such draft report for which the Government Accountability Office provided an extension to the Department of Defense—

(A) whether the Department provided the comments or review within the time period of the extension; and

(B) a unique identifier, for purposes of identifying the draft report.

(6) Any other information the Comptroller General determines appropriate.

(c) DOD RESPONSES.—Not later than 30 days after the Comptroller General submits a report under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a response to such report that includes each of the following:

(1) An identification of factors that contributed to any delays identified in the report with respect to Department of Defense comments and sensitivity or security reviews requested by the Government Accountability Office.

(2) A description of any actions the Department of Defense has taken or plans to take to address such factors.

(3) A description of any improvements the Department has made in the ability to track timeliness in providing such comments and sensitivity or security reviews.

(4) Any other information the Secretary determines relevant to the information contained in the report submitted by the Comptroller General.

SEC. 1065. JUSTIFICATION FOR TRANSFER OR ELIMINATION OF CERTAIN FLYING MISSIONS.

Prior to the relocation or elimination of any flying mission that involves 50 personnel or more assigned to a unit performing that mission, either with respect to an active or reserve component of a military department, the Secretary of Defense shall submit to the congressional defense committees a report describing the justification of the Secretary for the decision to relocate or eliminate such flying mission. Such report shall include each of the following:

(1) A description of how the decision supports the national defense strategy, the national military strategy, the North American Aerospace Defense Command strategy, and other relevant strategies.

(2) A specific analysis and metrics supporting such decision.

(3) An analysis and metrics to show that the elimination or relocation of the flying mission would not negatively affect broader mission sets, such as the homeland defense mission.

(4) A plan for how the Department of Defense intends to fulfill or continue to meet the mission requirements of the eliminated or relocated flying mission.

(5) An assessment of the effect of the elimination or relocation on the national defense strategy, the national military strategy, the North American Aerospace Defense Command strategy, and broader mission sets, such as the homeland defense mission.

(6) An analysis and metrics to show that the elimination or relocation of the flying mission and its secondary and tertiary impacts would not degrade capabilities and readiness of the Joint Force.

(7) An analysis and metrics to show that the elimination or relocation of the flying mission would not negatively affect the continental United States national airspace system.

SEC. 1066. REPORTS ON UNITED STATES MILITARY FORCE PRESENCE IN EUROPE.

(a) REPORT ON UNITED STATES MILITARY FORCE POSTURE AND RESOURCING REQUIREMENTS IN EUROPE.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the United States military force posture requirements for the United States European Command to support the following objectives:

(A) Implementation of the national defense strategy under section 113(g) of title 10, United States Code, with respect to the area of responsibility of the United States European Command.

(B) Fulfillment of the commitments of the United States to NATO operations, missions, and activities, as modified and agreed upon at the 2022 Madrid Summit.

(C) Reduction of the risk of executing the contingency plans of the Department of Defense.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) For the Army, the Navy, the Air Force, the Marine Corps, and the Space Force and for each warfighting domain, a description of the force structure and posture of assigned and allocated forces in Europe, including consideration of the balance of permanently stationed forces and forces rotating from the United States, to support the objectives described in paragraph (1).

(B) An assessment of the military training and all domain exercises to support such objectives, including—

(i) training and exercises on interoperability; and

(ii) joint activities with allies and partners.

(C) An assessment of logistics requirements, including personnel, equipment, supplies, pre-positioned storage, host country support and agreements, and maintenance needs, to support such objectives.

(D) An identification of required infrastructure, facilities, and military construction investments to support such objectives.

(E) A description of the requirements for United States European Command integrated air and missile defense throughout the area of responsibility of the United States European Command.

(F) An assessment of United States security cooperation activities and resources required to support such objectives.

(G) A detailed assessment of the resources necessary to address the elements described in subparagraphs (A) through (F), categorized by the budget accounts for—

(i) procurement;

(ii) research, development, test, and evaluation;

(iii) operation and maintenance;

(iv) military personnel; and

(v) military construction.

(H) The projected timeline to achieve fulfillment of each such element.

(I) Any other information the Secretary considers relevant.

(3) FORM.—The report required under paragraph (1) may be submitted in classified form, but, if so, it shall include an unclassified summary.

(b) QUARTERLY REPORTS ON EXPENDITURES FOR PLANNING AND DESIGN OF INFRASTRUCTURE TO SUPPORT PERMANENT UNITED STATES FORCE PRESENCE ON EUROPE'S EASTERN FLANK.—

(1) IN GENERAL.—The Commander of United States European Command shall submit to the congressional defense committees quarterly reports on the use of the funds described in paragraph (3) until the date on which all such funds are expended.

(2) CONTENTS.—Each report required under paragraph (1) shall include an expenditure plan for the establishment of infrastructure to support a permanent United States force presence in the covered region.

(3) FUNDS DESCRIBED.—The funds described in this paragraph are the amounts authorized to be appropriated or otherwise made available for fiscal year 2023 for—

(A) Operation and Maintenance, Air Force, for Advanced Planning for Infrastructure to Support Presence on NATO's Eastern Flank;

(B) Operation and Maintenance, Army, for Advanced Planning for Infrastructure to Support Presence on NATO's Eastern Flank; and

(C) Military Construction, Defense-wide, Planning & Design: EUCOM–Infrastructure to Support Presence on NATO's Eastern Flank.

(D) Military Construction, Defense-wide, Exercise-related Minor Construction: EUCOM.

(4) COVERED REGION.—In this subsection, the term "covered region" means Romania, Poland, Lithuania, Latvia, Estonia, Hungary, Bulgaria, the Czech Republic, and Slovakia.

SEC. 1067. REPORT ON DEPARTMENT OF DEFENSE PRACTICES REGARDING DISTINCTION BETWEEN COMBATANTS AND CIVILIANS IN UNITED STATES MILITARY OPERATIONS.

(a) REPORT.—The Civilian Protection Center of Excellence of the Department of Defense, as established under section 184 of title 10, United States Code, as added by section 1082 of this Act, shall seek to enter into an agreement with an appropriate federally funded research and development center to develop an independent report on Department of Defense practices regarding distinguishing between combatants and civilians in United States military operations.

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

(1) A description of how the Department of Defense has differentiated between combatants and civilians in both ground and air operations since 2001, including in Afghanistan, Iraq, Syria, Somalia, Libya, and Yemen, including—

(A) relevant policy and legal standards and how these standards were implemented in practice; and

(B) target engagement criteria.

(2) A description of how the Department of Defense has differentiated between combatants and civilians when assessing allegations of civilian casualties since 2001, including in Afghanistan, Iraq, Syria, Somalia, Libya, and Yemen, including—

(A) relevant policy and legal standards and the factual indicators these standards were applied to in assessing claims of civilian casualties; and

(B) any other matters the Secretary of Defense determines appropriate.

(c) SUBMISSION OF REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an unaltered copy of the federally funded research and development center assessment required under this section, together with the views of the Secretary on the assessment.

(d) DEFINITION OF UNITED STATES MILITARY OPERATION.—In this section, the term "United States military operations" includes any mission, strike, engagement, raid, or incident involving the United States Armed Forces.

SEC. 1068. REPORT ON STRATEGY AND IMPROVEMENT OF COMMUNITY ENGAGEMENT EFFORTS OF ARMED FORCES IN HAWAII.

(a) IN GENERAL.—In an effort to better meet the future force posture needs within the Indo-Pacific area of responsibility, the Commander of the United States Indo-Pacific Command, in collaboration with the Assistant Secretary of Defense for Energy, Installations, and Environment, installation commanders, and the relevant theater component commanders, shall—

(1) develop and implement a holistic strategy to—

(A) improve, standardize, and coordinate the engagement efforts of the military with the local community in Hawaii; and

(B) effectively communicate with such community for the purpose of enhancing readiness; and

(2) enhance coordinated community engagement efforts (as described in section 587 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81)) in Hawaii.

(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Commander shall submit to the congressional defense committees a report on the strategy and enhanced engagement efforts implemented pursuant to subsection (a). Such report shall include each of the following:

(1) The plan of the Commander for conducting education and training programs relating to consultation and engagement with the local and native Hawaiian community, including—

(A) a description of the outreach activities conducted during fiscal years 2023 and 2024; and

(B) a description of the extent to which members of the local and native Hawaiian community have been involved in development of curricula, tentative dates, locations, re-

quired attendees, and topics for the education and training programs.

(2) A list of all local and native Hawaiian community groups involved or expected to be consulted in the process of updating Department of Defense Instruction 4710.03 (or any successor document).

(3) Recommendations for improving Department of Defense Instruction 4710.03 to reflect best practices and provide continuity across the military departments with respect to the practices, policies, training, and personnel related to consultation with the local and native Hawaiian community.

(4) A timeline for issuing the next update or successor document to Department of Defense Instruction 4710.03.

(5) Recommendations for the enhancement and expansion of—

(A) Department of Defense education and training programs relating to consultation and engagement with the local and Native Hawaiian community; and

(B) outreach activities for all commands and installations in Hawaii.

(c) THEATER COMPONENT COMMANDER.—In this section, the term "theater component commander" has the meaning given such term in section 1513(8) of title 10, United States Code.

SEC. 1069. REPORT ON DEPARTMENT OF DEFENSE MILITARY CAPABILITIES IN THE CARIBBEAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Secretary of Homeland Security, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on United States military posture and capabilities in the Caribbean basin, particularly in and around Puerto Rico and the United States Virgin Islands.

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

(1) An assessment of United States military force posture and capabilities in the Caribbean basin.

(2) An assessment of the feasibility, desirability, and cost of increasing United States military posture and capabilities in the Caribbean basin to—

(A) enhance access and influence and provide forward-deployed capabilities to effectively implement the national defense strategy and support strategic competition with China and Russia;

(B) ensure, to the greatest extent possible, that United States Northern Command and United States Southern Command have the necessary assets to support the defense of the United States homeland;

(C) confront the threats posed by transnational criminal organizations and illicit trafficking in the Caribbean basin, including by supporting interagency partners in disrupting and degrading illicit trafficking into the United States;

(D) improve surveillance capabilities and maximize the effectiveness of counter-trafficking operations in the Caribbean region;

(E) ensure, to the greatest extent possible, that United States Northern Command and United States Southern Command have the assets necessary to detect, interdict, disrupt, or curtail illicit narcotics and weapons trafficking activities within their respective areas of operations in the Caribbean basin;

(F) respond to malign influences of foreign governments, particularly including non-market economies, in the Caribbean basin that harm United States national security and regional security interests in the Caribbean basin and in the Western Hemisphere; and

(G) strengthen the ability of the security sector of partner nations in the Caribbean basin to respond to, and become more resilient in the face of, major humanitarian or natural disasters, including to ensure critical infrastructure and ports can come back online rapidly following disasters.

(c) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form without any designation relating to dissemination control, but may include a classified annex.

SEC. 1070. QUARTERLY BRIEFINGS ON DEPARTMENT OF DEFENSE SUPPORT FOR CIVIL AUTHORITIES TO ADDRESS IMMIGRATION AT THE SOUTHWEST BORDER.

Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter through December 31, 2024, the Assistant Secretary of Defense for Homeland Defense or another Assistant Secretary of Defense, as appropriate, shall provide an unclassified briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, with a classified component, if necessary, regarding—

(1) Department of Defense planning to address current and anticipated border support mission requirements as part of the Department of Defense's annual planning, programming, budgeting, and execution process;

(2) any Department of Defense risk assessment with respect to the safety of Department of Defense personnel conducted in evaluating any request for assistance from the Department of Homeland Security during the quarter covered by the briefing;

(3) any Department of Defense efforts, or updates to existing efforts, to cooperate with Mexico with respect to border security;

(4) the type of support that is currently being provided by the Department of Defense along the southwest border of the United States;

(5) the effect of such efforts and support on National Guard readiness; and

(6) any recommendations of the Department of Defense regarding the modification of the support provided by the Department of Defense to the Department of Homeland Security at the southwest border.

SEC. 1071. ANNUAL REPORT ON PROCUREMENT OF EQUIPMENT BY STATE AND LOCAL GOVERNMENTS THROUGH THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Administrator of General Services, shall submit to the Committees on Armed Services of the Senate and House of Representatives

an annual report that includes current information on the purchase of equipment under the procedures established under section 281(a) of title 10, United States Code, and the recipients of such equipment.

(b) MATTERS FOR INCLUSION.—Each report under subsection (a) shall include the following for the year covered by the report:

(1) The catalog of equipment available for purchase under subsection (c) of section 281 of title 10, United States Code.

(2) For each purchase of equipment under the procedures established under subsection (a) of such section—

(A) the recipient State or unit of local government;

(B) the type of equipment;

(C) the cost of the equipment; and

(D) the administrative costs under subsection (b) of such section.

(3) Such other information the Secretary determines is necessary.

(c) TERMINATION.—The requirement to submit a report under subsection (a) shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. 1072. BRIEFING ON FINANCIAL OVERSIGHT OF CERTAIN EDUCATIONAL INSTITUTIONS RECEIVING DEPARTMENT OF DEFENSE FUNDS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the methods used to assess the eligibility of educational institutions for the receipt of payments under the payment method described in section 668.162(d) of title 34, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

SEC. 1073. REPORT ON EFFECTS OF CERTAIN ETHICS REQUIREMENTS ON DEPARTMENT OF DEFENSE HIRING, RETENTION, AND OPERATIONS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center under which the center shall conduct a study to assess whether the covered ethics requirements have had an effect on—

(A) the hiring or retention of personnel at the Department of Defense, particularly those persons with specialized experience or training; and

(B) the ability of the Department of Defense to detect, deter, prevent, and redress violations of the Standards of Ethical Conduct for Employees of the Executive Branch and applicable statutory and regulatory ethics requirements, including conflicts of interest, by Department of Defense personnel.

(2) ELEMENTS.—A study conducted pursuant to paragraph (1) shall include the following elements:

(A) An examination of how the covered ethics requirements are inconsistent or incongruent with ethics statutes, and any implementing regulations, that apply to all executive branch employees.

(B) An examination of the relative degrees of risk associated with the potential for violations of ethical standards at the Department of Defense and those associated with the potential for such violations at other Federal agencies, and an analysis of whether ethical standards that are applied exclusively to Department of Defense personnel are justified.

(C) An examination of how covered ethics requirements have affected, or are likely to affect, the hiring and retention of personnel, particularly those persons with specialized experience or training, at the Department of Defense in comparison to other Federal agencies that are not subject to such requirements. The examination shall account for any relevant differences between the Department of Defense and other Federal departments and agencies within the executive branch and shall use analytical methods to control for any variables that may affect the comparative results.

(D) An examination of how any confusion in the interpretation of the requirement referred to in paragraph (3)(B) may have affected, or is likely to affect—

(i) the hiring or retention of personnel, particularly those persons with specialized experience or training, at the Department of Defense; and

(ii) the ability of the Department of Defense to detect, deter, prevent, and redress violations of ethical standards, including conflicts of interest, by Department of Defense personnel.

(E) An examination of how the ethics requirements referred to in subparagraphs (B) and (C) of paragraph (3) may affect the ability of the Department of Defense to obtain expertise from industry and other groups in support of technology development, supply chain security, and other national security matters.

(F) An examination of whether the removal or alteration of any covered ethics requirement may adversely affect the ability of the Department of Defense to detect, deter, prevent, and redress violations of ethical standards, including conflicts of interest, by Department of Defense personnel.

(G) An examination of whether the removal or alteration of any covered ethics requirement may adversely affect the ability of the Department of Defense to negotiate and effectuate arms-length transactions.

(H) Any suggested changes to any covered ethics requirement to further the establishment and maintenance of ethical standards, while also supporting the ability of the Department of Defense to hire and retain personnel and obtain expertise from academia, think tanks, industry, and other groups to support national security.

(3) COVERED ETHICS REQUIREMENTS.—In this section, the term "covered ethics requirement" means each of the requirements under the following provisions of law:

(A) Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1701 note).

(B) Section 1045 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 971 note prec.).

(C) Section 1117 of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 971 note prec.).

(D) Section 988 of title 10, United States Code.

(b) REPORT.—

(1) IN GENERAL.—An agreement entered into under subsection (a) shall provide that the federally funded research and development center shall submit to the Secretary a report containing the results of the study conducted under the agreement by not later than one year after the date of the enactment of this Act.

(2) TRANSMITTAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall transmit a copy of the report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(3) SECRETARY OF DEFENSE EVALUATION.—The Secretary shall submit with the report transmitted pursuant to paragraph (2) an evaluation of each change suggested pursuant to subsection (a)(2)(H). The evaluation shall include—

(A) a determination of whether the Secretary concurs with each suggested change;

(B) an assessment of the potential effects of each suggested change on the ability of the Department of Defense to hire or retain personnel at the Department of Defense, particularly those persons with specialized experience or training;

(C) an assessment of the potential effects of each suggested change on the ability of the Department of Defense to detect, deter, prevent, or redress violations of ethical standards, including conflicts of interest; and

(D) any other information that the Secretary determines to be appropriate.

SEC. 1074. JOINT CONCEPT FOR COMPETING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop a Joint Concept for Competing.

(b) PURPOSES.—The purposes of the Joint Concept for Competing are to—

(1) define the roles and missions of the Department of Defense in long-term strategic competition with specific competitors;

(2) conceptualize the employment of joint forces capabilities to deter adversarial military action by strategic competitors;

(3) describe the manner in which the Department of Defense will use its forces, capabilities, posture, indications and warning systems, and authorities to protect United States national interests in the course of participating in long-term strategic competition, including through—

(A) departmental efforts to integrate Department of Defense roles and missions with other instruments of national power;

(B) security cooperation with partners and allies; and

(C) operations relating to long-term strategic competition, particularly below the threshold of traditional armed conflict;

(4) identify priority lines of effort and assign responsibility to relevant Armed Forces, combatant commands, and other elements of the Department of Defense for each specified line of effort in support of the Joint Concept for Competing; and

(5) provide means for integrating and continuously improving the ability of the Department to engage in long-term strategic competition.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for two years, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of the Joint Concept for Competing.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following elements:

(A) A detailed description of any actions taken by the Department of Defense relative to the purposes specified under subsection (b).

(B) An articulation of any new concepts or strategies necessary to support the Joint Concept for Competing.

(C) An articulation of any capabilities, resources, or authorities necessary to implement the Joint Concept for Competing.

(D) An explanation of the manner in which the Joint Concept for Competing relates to and integrates with the Joint Warfighting Concept.

(E) An explanation of the manner in which the Joint Concept for Competing synchronizes and integrates with efforts of other departments and agencies of the United States Government to address long-term strategic competition.

(F) Any other matters the Secretary of Defense determines relevant.

SEC. 1075. ANALYSIS OF FEASIBILITY AND ADVISABILITY OF RELOCATING MAJOR UNITS OF THE UNITED STATES ARMED FORCES TO CERTAIN EUROPEAN COUNTRIES.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility and advisability of relocating major units of the United States Armed Forces to a covered country. Such report shall include—

(1) a description of commitments made by a covered country to provide host nation support, including funding for construction and maintenance of Department of Defense facilities and other actions that might reduce costs to the Department of Defense associated with hosting major units of the Armed Forces in such covered country;

(2) an estimate of the expenses associated with the relocation of major units of the Armed Forces from current host nation locations, as well as a description of any benefits that would be

derived from colocating such units with existing United States or multinational forces at current host nation locations;

(3) a description of the extent to which positioning major units of the Armed Forces in covered countries would provide greater operational benefit than keeping such units in current locations, including an analysis of—

(A) the geographic significance of covered countries;

(B) any capabilities the host nation may offer, such as air defense or base security or terms under which the United States may use facilities on their territory; and

(C) an analysis of the risks associated with the relocation of such units to covered countries;

(4) a description of any engagements at the Under Secretary level or higher with an official of a covered country with respect to anticipated major unit movements in the area of responsibility of the United States European Command during the period covered by the future-years defense program most recently submitted to Congress pursuant to section 221 of title 10, United States Code, including—

(A) a description of the engagement with each covered country during the calendar year preceding the calendar during which the report is submitted;

(B) a description of any specific requirements identified in order to host a major unit; and

(C) in the case of a covered country has been determined to be unsuitable for hosting a major unit of the Armed Forces, a description of why it was determined unsuitable; and

(5) any other matter the Secretary determines is relevant.

(b) DEFINITIONS.—In this section:

(1) The term "covered country" means Romania, Poland, Lithuania, Latvia, Estonia, Hungary, Bulgaria, the Czech Republic, or Slovakia.

(2) The term "major unit" means an organizational unit composed of more than 500 military personnel.

SEC. 1076. REPORT ON EFFECTS OF STRATEGIC COMPETITOR NAVAL FACILITIES IN AFRICA.

(a) IN GENERAL.—Not later than May 15, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on the effects of current or planned covered naval facilities in Africa on the interests of the Department of Defense.

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

(1) An identification of—

(A) any location in Africa where a covered naval facility has been established; and

(B) any location in Africa where a covered naval facility is planned for construction.

(2) A detailed description of—

(A) any agreement entered into between China or Russia and a country or government in Africa providing for or enabling the establishment or operation of a covered naval facility in Africa; and

(B) any efforts by the Department of Defense to change force posture, deployments, or other activities in Africa as a result of current or planned covered naval facilities in Africa.

(3) An assessment of—

(A) the effect that each current covered naval facility has had on Department of Defense interests in and around Africa, including Department of Defense operational plans in the areas of responsibility of geographic combatant commands other than United States Africa Command;

(B) the effect that each planned covered naval facility is expected to have on Department of Defense interests in and around Africa, including Department of Defense operational plans in the areas of responsibility of geographic combatant commands other than United States Africa Command;

(C) the policy objectives of China and Russia in establishing current and future covered naval facilities at the locations identified under paragraph (1); and

(D) the specific military capabilities supported by each current or planned covered naval facility.

(c) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form without any designation relating to dissemination control, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term "Africa" means all countries in the area of operations of United States Africa Command and Egypt.

(2) The term "covered naval facility" means a naval facility owned, operated, or otherwise controlled by the People's Republic of China or the Russian Federation.

(3) The term "naval facility" means a naval base, civilian sea port with dual military uses, or other facility intended for the use of warships or other naval vessels for refueling, refitting, resupply, force projection, or other military purposes.

Subtitle G—Other Matters

SEC. 1081. TECHNICAL AND CONFORMING 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 subtitle A is amended by striking the item relating to the second chapter 19 (relating to cyber matters).

(2) Section 113 is amended—

(A) in subsection (l)(2)(F), by inserting a period after "inclusion in the armed forces"; and

(B) in subsection (m), by redesignating the second paragraph (8) as paragraph (9).

*(3) The section heading for section 2691 is amended by striking "**state**" and inserting "**State**".*

(4) Section 3014 is amended by striking "section 4002(a) or 4003" and inserting "section 4021(a) or 4022".

(5) Section 4423(e) is amended by striking "section 4003" and inserting "section 4022".

(6) Section 4831(a) is amended by striking "section 4002" and inserting "section 4021".

(7) Section 4833(c) is amended by striking "section 4002" and inserting "section 4021".

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—Effective as of December 27, 2021, and as if included therein as enacted, section 907(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended by striking "116–283" and inserting "115–232".

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020.—Effective as of December 20, 2019, and as if included therein as enacted, section 905(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 391 note) is amended by inserting a period at the end.

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—Effective as of December 26, 2013, and as if included therein as enacted, section 932(c)(2)(D) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is amended by striking "subsection (c)(3)" and inserting "paragraph (3)".

(e) AUTOMATIC EXECUTION OF CONFORMING CHANGES TO TABLES OF SECTIONS, TABLES OF CONTENTS, AND SIMILAR TABULAR ENTRIES IN DEFENSE LAWS.—

(1) ELIMINATION OF NEED FOR SEPARATE CONFORMING AMENDMENT.—Chapter 1 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 102. Effect of certain amendments on conforming changes to tables of sections, tables of contents, and similar tabular entries

"(a) AUTOMATIC EXECUTION OF CONFORMING CHANGES.—When an amendment to a covered defense law adds a section or larger organizational unit to the covered defense law, repeals or transfers a section or larger organizational unit in the covered defense law, or amends the designation or heading of a section or larger organizational unit in the covered defense law, that amendment also shall have the effect of amending any table of sections, table of contents, or similar tabular entries in the covered defense law to alter the table to conform to the changes made by the amendment.

"(b) EXCEPTIONS.—Subsection (a) shall not apply to an amendment described in such subsection when—

"(1) the amendment or a clerical amendment enacted at the same time expressly amends a table of sections, table of contents, or similar tabular entries in the covered defense law to alter the table to conform to the changes made by the amendment; or

"(2) the amendment otherwise expressly exempts itself from the operation of this section.

"(c) COVERED DEFENSE LAW.—In this section, the term 'covered defense law' means—

"(1) this title;

"(2) titles 32 and 37;

"(3) any national defense authorization Act that authorizes funds to be appropriated for a fiscal year to the Department of Defense; and

"(4) any other law designated in the text thereof as a covered defense law for purposes of application of this section.".

(2) CONFORMING AMENDMENT.—The heading of chapter 1 of title 10, United States Code, is amended to read as follows:

"CHAPTER 1—DEFINITIONS, RULES OF CONSTRUCTION, CROSS REFERENCES, AND RELATED MATTERS".

(3) APPLICATION OF AMENDMENT.—Section 102 of title 10, United States Code, as added by paragraph (1), shall apply to the amendments made by this section and other amendments made by this Act.

(f) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1082. DEPARTMENT OF DEFENSE CIVILIAN PROTECTION CENTER OF EXCELLENCE.

(a) CIVILIAN PROTECTION CENTER OF EXCELLENCE.—

(1) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 183a the following new section:

"§ 184. Civilian Protection Center of Excellence

"(a) ESTABLISHMENT.—The Secretary of Defense shall operate the Civilian Protection Center of Excellence. The purpose of the Center shall be to—

"(1) serve as the focal point for matters related to civilian casualties and other forms of civilian harm resulting from military operations involving the United States Armed Forces; and

"(2) institutionalize and advance knowledge, practices, and tools for preventing, mitigating, and responding to civilian harm.

"(b) PURPOSE.—The Center shall be used to—

"(1) develop standardized civilian-harm operational reporting and data management processes to improve data collection, sharing, and learning across the Department of Defense;

"(2) develop, recommend, and review guidance, and the implementation of guidance, on how the Department responds to civilian harm;

"(3) develop recommended guidance for addressing civilian harm across the full spectrum of armed conflict and for use in doctrine and operational plans;

"(4) recommend training and exercises for the prevention and investigation of civilian harm;

"(5) develop a repository of civilian casualty and civilian harm information;

"(6) capture lessons learned from assessments and investigations of civilian casualty incidents and supporting institutionalization of such lessons learned within policy, doctrine, training,

exercises, and tactics, techniques, and procedures of the Department of Defense;

"(7) support the coordination and synchronization of efforts across combatant commands, the Department of State, and other relevant United States Government departments and agencies to prevent, mitigate, and respond to incidents of civilian harm;

"(8) engage with nongovernmental organizations and civilian casualty experts; and

"(9) perform such other functions as the Secretary of Defense may specify.

"(c) ANNUAL REPORT.—The Secretary of Defense shall submit to the congressional defense committees, and make publicly available on an appropriate website of the Department, an annual report on the activities of the Center.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 183a the following new item:

"184. Civilian Protection Center of Excellence.".

(b) DEADLINE FOR ESTABLISHMENT.—The Civilian Protection Center of Excellence, as required under section 184 of title 10, United States Code, as added by subsection (a), shall be established by not later than 90 days after the date of the enactment of this Act.

(c) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the establishment of such Civilian Protection Center of Excellence.

SEC. 1083. RONALD V. DELLUMS MEMORIAL FELLOWSHIP IN STEM.

Section 4093(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3) In coordination with the efforts under paragraph (2), the Secretary of Defense shall additionally establish a program, which shall be known as the 'Ronald V. Dellums Memorial Fellowship in STEM', to provide financial assistance under this section to at least 30 students from communities that are underrepresented in the Department of Defense STEM workforce, not fewer of 50 percent of whom shall attend historically Black colleges and universities and minority-serving institutions. As part of such program, the Secretary shall establish an internship program that provides each student who is awarded a fellowship under this paragraph with an internship in an organization or element of the Department of Defense, and to the extent practicable, each such student shall be paired with a mid-level or a senior-level official of the relevant organization or element of the Department of Defense who shall serve as a mentor during the internship.".

SEC. 1084. AMENDMENT TO MEMORIAL FOR MEMBERS OF THE ARMED FORCES KILLED IN ATTACK ON HAMID KARZAI INTERNATIONAL AIRPORT.

Section 1087 of National Defense Authorization Act for Fiscal Year 2022 (40 U.S.C. 8903 note) is amended by striking "The Secretary of Defense may" and inserting "The Secretary of Defense shall, not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2023,".

SEC. 1085. PUBLIC AVAILABILITY OF COST OF CERTAIN MILITARY OPERATIONS.

Section 1090 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) by inserting "(a) PUBLICATION OF INFORMATION.—" before "The Secretary of Defense";

(2) by striking "of each of the wars in Afghanistan, Iraq, and Syria." and inserting "of any contingency operation conducted by the United States Armed Forces on or after September 18, 2001."; and

(3) by adding at the end the following new subsections:

"(b) DISPLAY OF INFORMATION.—The information required to be posted under subsection (a) shall, to the extent practicable—

"(1) be posted directly on the website of the Department of Defense, in an accessible and clear format;

"(2) include corresponding documentation as links or attachments; and

"(3) include, for each contingency operation, a list of countries where the contingency operation has taken place.

"(c) UPDATES.—The Secretary shall ensure that all the information required to be posted under subsection (a) is updated by not later than 90 days after the last day of each fiscal year.

"(d) CONTINGENCY OPERATION DEFINED.—In this section, the term 'contingency operation' has the meaning given such term in section 101(a)(13) of title 10, United States Code.".

SEC. 1086. COMBATING MILITARY RELIANCE ON RUSSIAN ENERGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) reliance on Russian energy poses a critical challenge for national security activities in the area of responsibility of the United States European Command; and

(2) in order to reduce the vulnerability of United States military facilities to disruptions caused by reliance on Russian energy, the Department of Defense should establish and implement plans to reduce reliance on Russian energy for all main operating bases in the area of responsibility of the United States European Command.

(b) ELIMINATING USE OF RUSSIAN ENERGY.—It shall be the goal of the Department of Defense to eliminate the use of Russian energy on each main operating base in the area of responsibility of the United States European Command by not later than five years after the date of the completion of an installation energy plan for such base, as required under this section.

(c) INSTALLATION ENERGY PLANS FOR MAIN OPERATING BASES.—

(1) IDENTIFICATION OF INSTALLATIONS.—Not later than June 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a list of main operating bases within the area of responsibility of the United States European Command ranked according to mission criticality and vulnerability to energy disruption.

(2) SUBMITTAL OF PLANS.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees—

(A) an installation energy plan for each main operating base on the list submitted under paragraph (1); and

(B) an assessment of the feasibility of reaching the goal for the elimination of the use of Russian energy pursuant to subsection (b) on that base, including—

(i) a description of the steps that would be required to meet such goal; and

(ii) an analysis of the effects such steps would have on the national security of the United States.

(d) CONTENT OF PLANS.—Each installation energy plan for a main operating base shall include each of the following with respect to that base:

(1) An assessment of the energy resilience requirements, resiliency gaps, and energy-related cybersecurity requirements of the base, including with respect to operational technology, control systems, and facilities-related control systems.

(2) An identification of investments in technology required to improve energy resilience, reduce demand, strengthen energy conservation, and support mission readiness.

(3) An identification of investments in infrastructure, including microgrids, required to strengthen energy resilience and mitigate risk due to grid disturbance.

(4) Recommendations related to opportunities for the use of renewable energy, clean energy, nuclear energy, and energy storage projects to reduce dependence on natural gas.

(5) An assessment of how the requirements and recommendations included pursuant to paragraphs (2) through (4) interact with the energy policies of the country where the base is located, both at present and into the future.

(e) IMPLEMENTATION OF PLANS.—

(1) DEADLINE FOR IMPLEMENTATION.—Not later than 30 days after the date on which the Secretary submits an installation energy plan for a base under subsection (c)(2), the Secretary shall—

(A) begin implementing the plan; and

(B) provide to the congressional defense committees a briefing on the contents of the plan and the strategy of the Secretary for implementing the mitigation measures identified in the plan.

(2) PRIORITIZATION OF CERTAIN PROJECTS.—In implementing an installation energy plan for a base under this section, the Secretary shall prioritize projects requested under section 2914 of title 10, United States Code, to mitigate assessed risks and improve energy resilience, energy security, and energy conservation at the base.

(3) NONAPPLICATION OF CERTAIN OTHER AUTHORITIES.—Subsection (d) of section 2914 of title 10, United States Code, shall not apply with respect to any project carried out pursuant to this section or pursuant to an installation energy plan for a base under this section.

(f) POLICY FOR FUTURE BASES.—The Secretary of Defense shall establish a policy to ensure that any new military base in the area of responsibility of the United States European Command is established in a manner that proactively includes the consideration of energy security, energy resilience, and mitigation of risk due to energy disruption.

(g) ANNUAL CONGRESSIONAL BRIEFINGS.—The Secretary of Defense shall provide to the congressional defense committees annual briefings on the installation energy plans required under this section. Such briefings shall include an identification of each of the following:

(1) The actions each main operating base is taking to implement the installation energy plan for that base.

(2) The progress that has been made toward reducing the reliance of United States bases on Russian energy.

(3) The steps being taken and planned across the future-years defense program to meet the goal of eliminating reliance on Russian energy.

SEC. 1087. ESTABLISHMENT OF JOINT FORCE HEADQUARTERS IN AREA OF OPERATIONS OF UNITED STATES INDO-PACIFIC COMMAND.

(a) ESTABLISHMENT.—Not later than October 1, 2024, the Secretary of Defense shall establish a joint force headquarters in the area of operations of United States Indo-Pacific Command, in accordance with the implementation plan required under subsection (b).

(b) IMPLEMENTATION PLAN AND ESTABLISHMENT OF JOINT FORCE HEADQUARTERS.—

(1) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an implementation plan for the establishment of a joint force headquarters in the area of operations of United States Indo-Pacific Command to serve as an operational command. Such plan shall include—

(A) the integration of joint all domain command and control effects chains and mission command and control, including in conflicts that arise with minimal warning;

(B) the integration of the capabilities of Assault Breaker II, developed by the Defense Advanced Research Projects Agency, and related developmental efforts as they transition to operational deployment;

(C) the exercise of other joint all domain command and control capabilities and functions; and

(D) such other missions and operational tasks as the Secretary determines appropriate.

(2) ELEMENTS.—The plan required by paragraph (1) shall include each of the following with respect to the joint force headquarters to be established:

(A) A description of the operational chain of command.

(B) An identification of the manning and resourcing required, relative to assigned missions, particularly the sources of personnel required.

(C) A description of the mission and lines of effort.

(D) A description of the relationship with existing entities in United States Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(E) An identification of supporting infrastructure required.

(F) Such other matters as the Secretary considers appropriate.

(c) SUPPORT FOR JOINT FORCE HEADQUARTERS.—The commander of the joint force headquarters established under this section shall be supported by the United States Indo-Pacific Command subordinate unified commands, subordinate component commands, standing joint task force, and the Armed Forces.

(d) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the establishment of the joint force headquarters required under subsection (a), and not less frequently than once each year thereafter until December 31, 2028, the Secretary of Defense shall submit to the congressional defense committees an annual report on the joint force headquarters established under this section.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A description of the mission and lines of effort of the joint force headquarters.

(B) An accounting of the personnel and other resources supporting the joint force headquarters, including support external to the headquarters.

(C) A description of the operational chain of command of the joint force headquarters.

(D) An assessment of the manning and resourcing of the joint force headquarters, relative to assigned missions.

(E) A description of the relationship with existing entities in Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(3) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1088. NATIONAL TABLETOP EXERCISE.

(a) REQUIREMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall conduct a tabletop exercise designed to assess the resiliency of United States domestic critical infrastructure supporting United States military requirements in the event of a military contingency involving Taiwan.

(b) ELEMENTS.—A tabletop exercise under this section shall be designed to evaluate the following elements:

(1) The resilience of domestic critical infrastructure and logistical chokepoints necessary for the United States Armed Forces to respond to a contingency involving Taiwan, including an assessment of the mobility of the United States Armed Forces in the event of attacks upon such infrastructure.

(2) Federal Government response options to ensure the viability of domestic critical infrastructure in the event of a military contingency involving Taiwan.

(3) The ability of the United States Armed Forces, with the armed forces of United States allies and partners, to resist any resort to force or other form of coercion by an aggressor in the event of a military contingency involving Taiwan, if domestic critical infrastructure is compromised.

(4) The importance of nonmilitary actions, including economic and financial measures, by the United States, with United States allies and partners, to deter and, if necessary, respond to a contingency involving Taiwan.

(c) CONSULTATION REQUIREMENT.—In carrying out this section, the Secretary shall consult with the heads of other appropriate Federal departments and agencies, as the Secretary determines appropriate.

(d) BRIEFING.—

(1) IN GENERAL.—Not later than 90 days after the date on which a tabletop exercise is conducted under this section, the Secretary shall provide to the appropriate congressional committees a briefing on the exercise.

(2) CONTENTS.—A briefing under paragraph (1) shall include—

(A) an assessment of the decision-making, capability, and response gaps observed in the tabletop exercise; and

(B) recommendations to improve the resiliency of, and reduce vulnerabilities in, the domestic critical infrastructure of the United States in the event of a military contingency involving Taiwan.

(e) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Oversight and Reform of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Homeland Security and Government Affairs of the Senate.

(2) The term "tabletop exercise" means an activity—

(A) in which key personnel assigned high-level roles and responsibilities are gathered to deliberate various simulated emergency or rapid response situations; and

(B) that is designed to be used to assess the adequacy of plans, policies, procedures, training, resources, and relationships or agreements that guide prevention of, response to, and recovery from a defined event.

SEC. 1089. PERSONNEL SUPPORTING THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.

(a) PLAN REQUIRED.—Not later than 30 days after the date of the completion of the manpower study required by the Joint Explanatory Statement accompanying the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), the Secretary of Defense shall submit to the congressional defense committees a plan for adequately staffing the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to fulfill the requirements of section 138(b)(2)(A)(i) of title 10, United States Code, for exercising authority, direction, and control of all special-operations peculiar administrative matters relating to the organization, training, and equipping of special operations forces.

(b) ADDITIONAL INFORMATION.—The Secretary shall ensure the plan required under subsection (a) is informed by the manpower study required by the Joint Explanatory Statement accompanying

the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(c) ELEMENTS.—The plan required under subsection (a) shall include the following elements:

(1) A validated number of personnel necessary to fulfill the responsibilities of the Secretariat for Special Operations outlined in section 139b of title 10, United States Code, and associated funding across the future-years defense program submitted to Congress under section 221 of title 10, United States Code.

(2) A hiring plan with milestones for gradually increasing the number of required personnel.

(3) A breakdown of the optimal mix of required military, civilian, and contractor personnel.

(4) An analysis of the feasibility and advisability of assigning a member of the Senior Executive Service to serve as the Deputy Director of the Secretariat for Special Operations.

(5) An identification of any anticipated funding shortfalls for personnel supporting the Secretariat for Special Operations across the future-years defense program submitted to Congress under section 221 of title 10, United States Code.

(6) Any other matters the Secretary determines relevant.

SEC. 1090. SENSE OF CONGRESS ON REDESIGNATION OF THE AFRICA CENTER FOR STRATEGIC STUDIES AS THE JAMES M. INHOFE CENTER FOR AFRICA STRATEGIC STUDIES.

It is the sense of Congress that—

(1) Senator James M. Inhofe—

(A) has, during his more than three decades of service in the United States Congress—

(i) demonstrated a profound commitment to strengthening United States-Africa relations; and

(ii) been one of the foremost leaders in Congress on matters related to United States-Africa relations;

(B) was a key advocate for the establishment of United States Africa Command; and

(C) has conducted 170 visits to countries in Africa; and

(2) as a recognition of Senator Inhofe's long history of engaging with, and advocating for, Africa, the Department of Defense Africa Center for Strategic Studies should be renamed the James M. Inhofe Center for Africa Strategic Studies.

SEC. 1091. INTEGRATION OF ELECTRONIC WARFARE INTO TIER 1 AND TIER 2 JOINT TRAINING EXERCISES.

(a) IN GENERAL.—During fiscal years 2023 through 2027, the Chairman of the Joint Chiefs of Staff shall require that offensive and defensive electronic warfare capabilities be integrated into Tier 1 and Tier 2 joint training exercises.

(b) REQUIREMENT TO INCLUDE OPPOSING FORCE.—The Chairman shall require exercises conducted under subsection (a) to include an opposing force design based on a current intelligence assessment of the electromagnetic order of battle and capabilities of an adversary.

(c) WAIVER.—The Chairman may waive the requirements under subsections (a) and (b) with respect to an exercise if the Chairman determines that—

(1) the exercise does not require—

(A) a demonstration of electronic warfare capabilities; or

(B) a militarily significant threat from electronic warfare attack; or

(2) the integration of offensive and defensive electronic warfare capabilities into the exercise is cost prohibitive or not technically feasible based on the overall goals of the exercise.

(d) BRIEFING REQUIRED.—Concurrent with the submission of the budget of the President to Congress pursuant to section 1105(a) of title 31, United States Code, for each of fiscal years 2023 through 2027, the Chairman shall provide to the congressional defense committees a briefing on exercises conducted under subsection (a) that includes—

(1) a description of such exercises planned and included in the budget submission for that fiscal year; and

(2) the results of each such exercise conducted in the preceding fiscal year, including—

(A) the extent to which offensive and defensive electronic warfare capabilities were integrated into the exercise;

(B) an evaluation and assessment of the exercise to determine the impact of the opposing force on the participants in the exercise, including—

(i) joint lessons learned;

(ii) high interest training issues; and

(iii) high interest training requirements; and

(C) whether offensive and defensive electronic warfare capabilities were part of an overall joint fires and, if so, a description of how such capabilities were incorporated into the joint fires.

(e) DEFINITIONS.—In this section:

(1) The term "electromagnetic order of battle" has the meaning given that term in Joint Publication 3-85 titled "Joint Electromagnetic Spectrum Operations", dated May 2020.

(2) The terms "high interest training issue", "high interest training requirement", "Tier 1", and "Tier 2" have the meanings given those terms in the Joint Training Manual for the Armed Forces of the United States (Document No. CJCSM 3500.03E), dated April 20, 2015.

(3) The term "joint fires" has the meaning given that term in the publication of the Joint Staff titled "Insights and Best Practices Focus Paper on Integration and Synchronization of Joint Fires", dated July 2018.

SEC. 1092. NATIONAL COMMISSION ON THE FUTURE OF THE NAVY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent commission in the legislative branch to be known as the "Commission on the Future of the Navy" (in this section referred to as the "Commission").

(2) DUTIES OF COMMISSION.—

(A) STUDY ON NAVAL FORCE STRUCTURE.—

(i) IN GENERAL.—The Commission shall undertake a comprehensive study of the structure of the Navy and policy assumptions related to the size and force mixture of the Navy, in order—

(I) to make recommendations on the size and force mixture of ships; and

(II) to make recommendations on the size and force mixture of naval aviation.

(ii) CONSIDERATIONS.—In undertaking the study required by this subsection, the Commission shall carry out each of the following:

(I) An evaluation and identification of a structure for the Navy that—

(aa) has the depth and scalability to meet current and anticipated requirements of the combatant commands;

(bb) assumes four different funding levels of: fiscal year 2023 appropriated plus inflation; fiscal year 2023 appropriated with 3–5 percent real growth; such as is necessary to build, man, maintain and modernize the fleet required by section 1025 of the National Defense Authorization Act for 2018 (Public Law 115–91); and notionally unconstrained to meet the needs of the National Defense Strategy including a particular focus on the areas of responsibility of United States Indo-Pacific Command and United States European Command;

(cc) ensures that the Navy has the capacity needed to support current and anticipated homeland defense and disaster assistance missions in the United States;

(dd) provides for sufficient numbers of members of the Navy to ensure a 115 percent manning level of all deployed ships and not less than a 90 percent manning level at any point in time;

(ee) provides a sustainable force generation model with the associated rotational presence, personnel, training, and maintenance assumptions;

(ff) identifies forward basing and stationing requirements; and

(gg) identifies potential strategic and operational risk tradeoffs and makes recommendations among readiness, efficiency, effectiveness, capability, and affordability.

(II) An evaluation and identification of combatant command demand and fleet size, including recommendations to support—

(aa) readiness;

(bb) training;

(cc) routine ship maintenance;

(dd) personnel;

(ee) forward presence;

(ff) depot level ship maintenance; and

(gg) fleet modernization.

(III) A detailed review of the cost of the recapitalization of the Nuclear Triad in the Department of Defense and its effect on the Navy's budget.

(IV) A review of Navy personnel policies and training to determine changes needed across all personnel activities to improve training effectiveness and force tactical readiness and reduce operational stress.

(B) STUDY ON SHIPBUILDING AND INNOVATION.—

(i) IN GENERAL.—The Commission shall conduct a study on shipbuilding, new construction, and repair shipyards, and opportunities to better integrate advanced technologies such as augmented reality and artificial intelligence in the fleet.

(ii) CONSIDERATIONS.—In conducting the study required under this subsection, the Commission shall consider the following:

(I) Recommendations for specific changes to the Navy's Shipyard Infrastructure Optimization Program, which may include legislative changes such as providing multi-year appropriations or expanded use of innovative technology.

(II) Recommendations for changes to the ship design and build program that could reduce technical and schedule risk, reduce cost, accelerate build timelines, and prioritize an incremental approach to introducing change.

(III) Recommendations for changes to the ship depot maintenance program in order to reduce overhaul timelines, integrate current technologies into ships, and reduce costs.

(3) POWERS OF COMMISSION.—

(A) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under this section.

(B) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out its duties under this section. Upon request of the Co-Chairs of the Commission, the head of such department or agency shall furnish such information to the Commission.

(C) USE OF POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(D) AUTHORITY TO ACCEPT GIFTS.—

(i) IN GENERAL.—The Commission may accept, use, and dispose of gifts or donations of services, goods, and property from non-Federal entities for the purposes of aiding and facilitating the work of the Commission. The authority under this paragraph does not extend to gifts of money.

(ii) DOCUMENTATION; CONFLICTS OF INTEREST.—The Commission shall document gifts accepted under the authority provided by clause (i) and shall avoid con-

flicts of interest or the appearance of conflicts of interest.

(iii) COMPLIANCE WITH CONGRESSIONAL ETHICS RULES.—Except as specifically provided in this section, a member of the Commission shall comply with rules set forth by the Select Committee on Ethics of the Senate and the Committee on Ethics of the House of Representatives governing employees of the Senate and the House of Representatives, respectively.

(4) REPORT REQUIRED.—Not later than July 1, 2024, the Commission shall submit to the Committees on Armed Services of the Senate and House of Representatives an unclassified report, with classified annexes if necessary, that includes the findings and conclusions of the Commission as a result of the studies required under this section, together with its recommendations for such legislative actions as the Commission considers appropriate in light of the results of the studies.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 8 members, of whom—

(A) one shall be appointed by the Speaker of the House of Representatives;

(B) one shall be appointed by the Minority Leader of the House of Representatives;

(C) one shall be appointed by the Majority Leader of the Senate;

(D) one shall be appointed by the Minority Leader of the Senate;

(E) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(F) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(G) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(H) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) CO-CHAIRS.—There shall be two Co-Chairs of the Commission. The Republican leadership of the Senate and House of Representatives shall jointly select one Co-Chair, and the Democratic leadership of the Senate and House of Representatives shall jointly select the other.

(3) APPOINTMENT DATE; NOTIFICATIONS.—

(A) Members shall be appointed to the commission under paragraph (1) by not later than 90 days after the date of enactment of this Act.

(B) Individuals making appointments under paragraph (1) shall provide notice of the appointments to the Secretary of Defense (in this section referred to as the "Secretary").

(4) QUALIFICATIONS AND EXPERTISE.—

(A) IN GENERAL.—In making appointments under this subsection, consideration shall be given to individuals with expertise in—

(i) United States naval policy and strategy;
(ii) naval forces capability;
(iii) naval nuclear propulsion and weapons;
(iv) naval force structure design, organization, and employment;
(v) Navy personnel matters;
(vi) Navy acquisition and sustainment;
(vii) Navy shipbuilding;
(viii) naval aviation aircraft procurement; and
(ix) Navy ship and aircraft depot maintenance.

(B) RESTRICTION ON APPOINTMENT.—Officers or employees of the Federal Government (other than experts or consultants the services of which are procured under section 3109 of title 5, United States Code) may not be appointed as members of the Commission.

(C) RESTRICTION ON MEMBERS OF CONGRESS.—Members of Congress may not serve on the Commission.

(5) PERIOD OF APPOINTMENT; VACANCIES; REMOVAL OF MEMBERS.—

(A) APPOINTMENT DURATION.—Members shall be appointed for the life of the Commission.

(B) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(C) REMOVAL OF MEMBERS.—A member may be removed from the Commission for cause by the individual serving in the position responsible for the original appointment of such member under subsection (b)(1), provided that notice has first been provided to such member of the cause for removal and voted and agreed upon by three quarters of the members serving. A vacancy created by the removal of a member under this subsection shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment was made.

(D) QUORUM.—.A majority of the members serving on the Commission shall constitute a quorum.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed as published in the Congressional Record, the Commission shall hold its initial meeting.

(c) PERSONNEL MATTERS.—

(1) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding the requirements of section 2105 of title 5, United States Code, including the required supervision under subsection (a)(3) of such section, members of the Commission shall be deemed to be Federal employees in the legislative branch subject to all the laws and policies applicable to legislative branch employees.

(2) OATH OF OFFICE.—Notwithstanding the provision of section 2903(b) of title 5, United States Code, an employee of an Executive Branch agency, otherwise authorized to administer oaths under section 2903 of title 5, United States Code, may administer the oath of office to Commissioners for the purpose of their service to the Commission.

(3) SECURITY CLEARANCES.—The appropriate Federal departments or agencies shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person may be provided with access to classified information under this Act without the appropriate security clearances.

(4) PAY FOR MEMBERS.—Each member of the Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation additional to that received for their services as officers or employees of the United States.

(5) STAFF.—

(A) EXECUTIVE DIRECTOR.—The Co-Chairs of the Commission may appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161 of title 5, United States Code.

(B) COMMISSION STAFF.—The Executive Director may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161 of title 5, United States Code.

(C) DETAILEES AUTHORIZED.—On a reimbursable or non-reimbursable basis, the heads of departments and agencies of the Federal Government may provide, and the Commission may accept personnel detailed from such departments and agencies, including active-duty military personnel.

(D) TRAVEL EXPENSES.—The members and staff of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(d) SUPPORT.—

(1) ASSISTANCE FROM DEPARTMENT OF DEFENSE.—

(A) IN GENERAL.—Of the amounts authorized to be appropriated for the Department of Defense for support of the Commission, the Secretary may make transfers to the Commission for commission expenses, including compensation of commission members, officers, and employees, and provision of other such services, funds, facilities, and other support services as necessary for the performance of the Commission's functions. Funds made available to support and provide assistance to the Commission may be used for payment of compensation of members, officers, and employees of the Commission without transfer under this subparagraph. Amounts transferred under this subparagraph shall remain available until expended. Transfer authority provided by this subparagraph is in addition to any other

transfer authority provided by law. Section 2215 of title 10, United States Code, shall not apply to a transfer of funds under this subparagraph.

(B) TREASURY ACCOUNT AUTHORIZED.—The Secretary of the Treasury may establish an account or accounts for the Commission from which any amounts transferred under this clause may be used for activities of the Commission.

(2) LIAISON.—The Secretary shall designate at least one officer or employee of the Department of Defense to serve as a liaison officer between the Department and the Commission.

(3) ADDITIONAL SUPPORT.—To the extent that funds are available for such purpose, or on a reimbursable basis, the Secretary may, at the request of the Co-Chairs of the Commission—

(A) enter into contracts for the acquisition of administrative supplies and equipment for use by the Commission; and

(B) make available the services of a Federal funded research and development center or an independent, nongovernmental organization, described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(4) PRELIMINARY ADMINISTRATIVE SUPPORT AUTHORIZED.—Upon the appointment of the Co-Chairs under subsection (b), the Secretary may provide administrative support authorized under this section necessary to facilitate the standing up of the Commission.

(e) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the submission of the report required under subsection (a).

SEC. 1093. DYNAMIC AIRSPACE PILOT PROGRAM.

(a) PILOT PROGRAM.—

(1) PILOT PROGRAM REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Defense, shall establish a pilot program for the purpose of developing, testing, and assessing dynamic scheduling and management of special activity airspace in order to accommodate emerging military testing and training requirements, including—

(A) special activity airspace for use by the Department of Defense for emerging military testing and training requirements of infrequent or limited durations; and

(B) streamlining the process for the Department of Defense to request the designation of special activity airspace for activities described in subparagraph (A).

(2) DEVELOPMENT, TEST, AND ASSESSMENT OF DYNAMIC AIRSPACE.—Under the pilot program established under paragraph (1), the Administrator and the Secretary shall jointly test not less than two use cases concerning temporary or permanent special activity airspace established by the Federal Aviation Administration for use by the Department of Defense that develop, test, and assess—

(A) the availability of such airspace on an infrequent or limited duration necessary to accommodate the Department

of Defense's emerging military testing and training requirements; and

(B) whether the processes for the Department of Defense to request special activity airspace for infrequent or limited duration military testing and training events meet Department of Defense testing and training requirements.

(b) REQUIREMENTS.—The pilot program established by subsection (a) shall not interfere with—

(1) the public's right of transit consistent with national security;

(2) the use of airspace necessary to ensure the safety of aircraft within the National Airspace System;

(3) the use of airspace necessary to ensure the efficient use of the National Airspace System; and

(4) Department of Defense use of special activity airspace that is established through means other than the pilot program established by subsection (a).

(c) REPORT BY THE ADMINISTRATOR.—

(1) IN GENERAL.—Not later than two years after the date of the establishment of the pilot program under subsection (a)(1), the Administrator shall submit to the appropriate committees of Congress a report on the interim findings of the Administrator with respect to the pilot program.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include an analysis of the following:

(A) How the pilot program established under subsection (a)(1) affected policies on establishing and scheduling special activity airspace with an emphasis on the impact of allocation and utilization policies to other nonparticipating aviation users of the National Airspace System.

(B) Whether the streamlined processes for dynamic scheduling and management of special activity airspace involved in the pilot program established under subsection (a)(1) contributed to—

(i) the public's right of transit consistent with national security;

(ii) the use of airspace necessary to ensure the safety of aircraft within the National Airspace System; and

(iii) the use of airspace necessary to ensure the efficient use of the National Airspace System.

(d) REPORT BY THE SECRETARY OF DEFENSE.—Not later than two years after the date of the establishment of the pilot program under subsection (a)(1), the Secretary shall submit to the appropriate committees of Congress a report on the interim findings of the Secretary with respect to the pilot program. Such report shall include an analysis of how the pilot program affected military testing and training.

(e) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, the

Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) The term "special activity airspace" means the following airspace with defined dimensions within the National Airspace System wherein limitations may be imposed upon aircraft operations:

(A) Restricted areas.

(B) Military operations areas.

(C) Air traffic control assigned airspace.

(D) Warning areas.

(3) The term "use cases" means a compendium of airspace utilization data collected from the development, testing, and assessment conducted under subsection (a)(1), and other test points or metrics as agreed to by the Administrator and the Secretary, within a specific geographic region as determined by the Administrator and Secretary.

(f) DURATION.—The pilot program under subsection (a)(1) shall continue for not more than three years after the date on which it is established.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Restricted reporting option for Department of Defense civilian employees choosing to report experiencing adult sexual assault.
Sec. 1102. Modification and extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
Sec. 1103. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
Sec. 1104. Standardized credentials for law enforcement officers of the Department of Defense.
Sec. 1105. Temporary extension of authority to provide security for former Department of Defense officials.
Sec. 1106. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.
Sec. 1107. Flexible workplace programs.
Sec. 1108. Eligibility of Department of Defense employees in time-limited appointments to compete for permanent appointments.
Sec. 1109. Modification to personnel management authority to attract experts in science and engineering.
Sec. 1110. Modification and extension of pilot program on dynamic shaping of the workforce to improve the technical skills and expertise at certain department of defense laboratories.
Sec. 1111. Modification of temporary expansion of authority for noncompetitive appointments of military spouses by federal agencies.
Sec. 1112. Modification to pilot program for the temporary assignment of cyber and information technology personnel to private sector organizations.

SEC. 1101. RESTRICTED REPORTING OPTION FOR DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES CHOOSING TO REPORT EXPERIENCING ADULT SEXUAL ASSAULT.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1599j. Restricted reports of incidents of adult sexual assault

"(a) RESTRICTED REPORTS.—The Secretary of Defense may provide a civilian employee of the Department of Defense an opportunity to

submit to an individual described in subsection (d) a restricted report of an alleged incident of adult sexual assault for the purpose of assisting the employee in obtaining information and access to authorized victim support services provided by the Department.

"(b) RESTRICTIONS ON DISCLOSURES AND INITIATING INVESTIGATIONS.—Unless the Secretary determines that a disclosure is necessary to prevent or mitigate a serious and imminent safety threat to the employee submitting the report or to another person, a restricted report submitted pursuant to subsection (a) shall not—

"(1) be disclosed to the supervisor of the employee or any other management official; or

"(2) cause the initiation of a Federal civil or criminal investigation.

"(c) DUTIES UNDER OTHER LAWS.—The receipt of a restricted report submitted under subsection (a) shall not be construed as imputing actual or constructive knowledge of an alleged incident of sexual assault to the Department of Defense for any purpose.

"(d) INDIVIDUALS AUTHORIZED TO RECEIVE RESTRICTED REPORTS.—An individual described in this subsection is an individual who performs victim advocate duties under a program for one or more of the following purposes (or any other program designated by the Secretary):

"(1) Sexual assault prevention and response.

"(2) Victim advocacy.

"(3) Equal employment opportunity.

"(4) Workplace violence prevention and response.

"(5) Employee assistance.

"(6) Family advocacy.

"(e) DEFINITIONS.—In this section:

"(1) CIVILIAN EMPLOYEE.—The term 'civilian employee' has the meaning given the term 'employee' in section 2105 of title 5.

"(2) SEXUAL ASSAULT.—The term 'sexual assault' has the meaning given that term in section 920 of this title (article 120 of the Uniform Code of Military Justice), and includes penetrative offenses and sexual contact offenses.".

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

"1599j. Restricted reports of incidents of adult sexual assault.".

SEC. 1102. MODIFICATION AND EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1112 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1953), is further amended—

(1) by striking "that is in the area of responsibility" and all that follows through "United States Africa Command," and

(2) by striking "through 2022" and inserting "through 2023".

SEC. 1103. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1114 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1954), is further amended by striking "2023" and inserting "2024".

SEC. 1104. STANDARDIZED CREDENTIALS FOR LAW ENFORCEMENT OFFICERS OF THE DEPARTMENT OF DEFENSE.

(a) STANDARDIZED CREDENTIALS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that—

(1) the Secretary of each military department develops standardized credentials for Defense law enforcement officers under their respective authority;

(2) the Secretary of each military department issues such credential to each such officer at no cost to such officer; and

(3) any Department of Defense common access card issued to such an officer clearly identifies the officer as a Defense law enforcement officer.

(b) DEFENSE LAW ENFORCEMENT OFFICER DEFINED.—In this section, the term "Defense law enforcement officer" means a member of the Armed Forces or civilian employee of the Department of Defense who—

(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law;

(2) has statutory powers of arrest or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice); and

(3) is authorized by the Department to carry a firearm.

SEC. 1105. TEMPORARY EXTENSION OF AUTHORITY TO PROVIDE SECURITY FOR FORMER DEPARTMENT OF DEFENSE OFFICIALS.

During the period beginning on the date of enactment of this Act and ending on January 1, 2024, subsection (b) of section 714 of title 10, United States Code, shall be applied—

(1) in paragraph (1)(A), by substituting "a serious and credible threat" for "an imminent and credible threat";

(2) in paragraph (2)(B), by substituting "three years" for "two years"; and

(3) in paragraph (6)(A), by substituting—

(A) "congressional leadership and the congressional defense committees" for "the congressional defense committees"; and

(B) by substituting "the justification for such determination, scope of the protection, and the anticipated cost and duration of such protection" for "the justification for such determination".

SEC. 1106. ENHANCED PAY AUTHORITY FOR CERTAIN RESEARCH AND TECHNOLOGY POSITIONS IN SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

(a) IN GENERAL.—Chapter 303 of title 10, United States Code, is amended by inserting after section 4093 the following new section:

"§ 4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories

"(a) IN GENERAL.—The Secretary of Defense may carry out a program using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the military departments in attracting and retaining high quality acquisition and technology experts in positions responsible for managing and performing complex, high-cost research and technology development efforts in the science and technology reinvention laboratories of the Department of Defense.

"(b) APPROVAL REQUIRED.—The program may be carried out in a military department only with the approval of the service acquisition executive of the military department concerned.

"(c) POSITIONS.—The positions described in this subsection are positions in the science and technology reinvention laboratories of the Department of Defense that—

"(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

"(2) are critical to the successful accomplishment of an important research or technology development mission.

"(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

"(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the service acquisition executive concerned.

"(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of the military department concerned.

"(e) LIMITATIONS.—

"(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

"(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in each military department at any one time, unless the Under Secretary of Defense for Research and Engineering, in concurrence with the Secretaries of the military departments concerned, authorizes the transfer of positions from one military department to another.

"(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having a term of less than five years.

"(f) SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE DEFINED.—In this section, the term 'science and technology reinvention laboratories of the Department

of Defense' means the laboratories designated as science and technology reinvention laboratories by section 4121(b) of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of such title is amended by inserting after the item relating to section 4093 the following new item:

"4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.".

(c) APPLICATION.—This section shall take effect immediately after section 881 of this Act.

SEC. 1107. FLEXIBLE WORKPLACE PROGRAMS.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate guidance to the military departments to promote consistency in policies relating to flexible workplace programs. Such guidance shall address at a minimum the conditions under which an employee is allowed to perform all or a portion of assigned duties—

(1) at a telecommuting center established pursuant to statute; or

(2) through the use of flexible workplace services agreements.

SEC. 1108. ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.

Section 3304 of title 5, United States Code, is amended by adding at the end the following:

"(g) ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.—

"(1) DEFINITIONS.—In this subsection—

"(A) the term 'Department' means the Department of Defense; and

"(B) the term 'time-limited appointment' means a temporary or term appointment in the competitive service.

"(2) ELIGIBILITY.—Notwithstanding any other provision of this chapter or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, an employee of the Department serving under a time-limited appointment is eligible to compete for a permanent appointment in the competitive service when the Department is accepting applications from individuals within its own workforce, or from individuals outside its own workforce, under merit promotion procedures, if—

"(A) the employee was appointed initially under open, competitive examination under subchapter I of this chapter to the time-limited appointment;

"(B) the employee has served under 1 or more time-limited appointments within the Department for a period or periods totaling more than 2 years without a break of 2 or more years; and

"(C) the employee's performance has been at an acceptable level of performance throughout the period or periods referred to in subparagraph (B).

"(3) CAREER-CONDITIONAL STATUS; COMPETITIVE STATUS.—An individual appointed to a permanent position under this section—

"(A) becomes a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

"(B) acquires competitive status upon appointment.

"(4) FORMER EMPLOYEES.—If the Department is accepting applications as described in paragraph (2), a former employee of the Department who served under a time-limited appointment and who otherwise meets the requirements of this section shall be eligible to compete for a permanent position in the competitive service under this section if—

"(A) the employee applies for a position covered by this section not later than 2 years after the most recent date of separation; and

"(B) the employee's most recent separation was for reasons other than misconduct or performance.

"(5) REGULATIONS.—The Office of Personnel Management shall prescribe regulations necessary for the administration of this subsection.".

SEC. 1109. MODIFICATION TO PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092 of title 10, united states code, is amended—

(1) in subsection (a)(8), in the second sentence, by striking "December 31, 2025" and inserting "December 31, 2030";

(2) in subsection (b)—

(A) in paragraph (1)(H)—

(i) by striking "10 positions" and inserting "15 positions"; and

(ii) by striking "3 such positions" and inserting "5 such positions"; and

(B) in paragraph (2)(A)—

(i) in the matter preceding clause (i), by striking "paragraph (1)(B)" and inserting "subparagraphs (B) and (H) of paragraph (1)";

(ii) in clause (i)—

(I) by striking "to any of" and inserting "to any of the"; and

(II) by inserting "and any of the 5 positions designated by the Director of the Space Development Agency" after "Projects Agency"; and

(iii) in clause (ii), by striking "the Director" and inserting "the Director of the Defense Advanced Research Projects Agency or the Director of the Space Development Agency"; and

(3) in subsection (c)(2), by inserting "the Space Development Agency," after "Intelligence Center,".

SEC. 1110. MODIFICATION AND EXTENSION OF PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXPERTISE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) REPEAL OF OBSOLETE PROVISION.—Section 1109(b)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is amended by striking subparagraph (D).

(b) EXTENSION OF AUTHORITY.—Section 1109(d)(1) of such Act is amended by striking "December 31, 2023" and inserting "December 31, 2027".

SEC. 1111. MODIFICATION OF TEMPORARY EXPANSION OF AUTHORITY FOR NONCOMPETITIVE APPOINTMENTS OF MILITARY SPOUSES BY FEDERAL AGENCIES.

(a) EXTENSION OF SUNSET.—Subsection (e) of section 573 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 5 U.S.C. 3330d note) is amended, in the matter preceding paragraph (1), by striking "the date that is 5 years after the date of the enactment of this Act" and inserting "December 31, 2028".

(b) REPEAL OF OPM LIMITATION AND REPORTS.—Subsection (d) of such section is repealed.

SEC. 1112. MODIFICATION TO PILOT PROGRAM FOR THE TEMPORARY ASSIGNMENT OF CYBER AND INFORMATION TECHNOLOGY PERSONNEL TO PRIVATE SECTOR ORGANIZATIONS.

Section 1110(d) of the National Defense Authorization Act for Fiscal Year 2010 (5 U.S.C. 3702 note; Public Law 111–84) is amended by striking "September 30, 2022" and inserting "December 31, 2026".

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security.
Sec. 1202. Modifications to Reports on Security Cooperation.
Sec. 1203. Modification of authority for participation in multinational centers of excellence.
Sec. 1204. Modification of existing authorities to provide for an Irregular Warfare Center and a Regional Defense Fellowship Program.
Sec. 1205. Modification to authority to provide support for conduct of operations.
Sec. 1206. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
Sec. 1207. Modification and extension of authority to support border security operations of certain foreign countries.
Sec. 1208. Security cooperation programs with foreign partners to advance women, peace, and security.
Sec. 1209. Review of implementation of prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights.
Sec. 1210. Independent assessment of United States efforts to train, advise, assist, and equip the military forces of Somalia.
Sec. 1211. Security cooperation activities at Counter-UAS University.
Sec. 1212. Defense Operational Resilience International Cooperation Pilot Program.

Subtitle B—Matters Relating to Afghanistan and Pakistan

Sec. 1221. Extension of authority for certain payments to redress injury and loss.
Sec. 1222. Additional matters for inclusion in reports on oversight in Afghanistan.
Sec. 1223. Prohibition on transporting currency to the Taliban and the Islamic Emirate of Afghanistan.

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

Sec. 1231. Modification of annual report on the military capabilities of Iran and related activities.
Sec. 1232. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.
Sec. 1233. Extension of authority to provide assistance to vetted Syrian groups and individuals.
Sec. 1234. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.
Sec. 1235. Prohibition on transfers to Iran.
Sec. 1236. Report on Islamic Revolutionary Guard Corps-affiliated operatives abroad.
Sec. 1237. Assessment of support to Iraqi Security Forces and Kurdish Peshmerga Forces to counter air and missile threats.
Sec. 1238. Interagency strategy to disrupt and dismantle narcotics production and trafficking and affiliated networks linked to the regime of Bashar al-Assad in Syria.
Sec. 1239. Prohibition on transfers to Badr Organization.
Sec. 1240. Report on United Nations arms embargo on Iran.

Subtitle D—Matters Relating to Russia

Sec. 1241. Modification and extension of Ukraine Security Assistance Initiative.
Sec. 1242. Extension of limitation on military cooperation between the United States and Russia.
Sec. 1243. Modification to annual report on military and security developments involving the Russian Federation.
Sec. 1244. Temporary authorizations related to Ukraine and other matters.
Sec. 1245. Prohibition on availability of funds relating to sovereignty of the Russian Federation over internationally recognized territory of Ukraine.
Sec. 1246. Report on Department of Defense plan for the provision of short and medium-term security assistance to Ukraine.
Sec. 1247. Oversight of United States assistance to Ukraine.

Subtitle E—Matters Relating to the Indo-Pacific Region

Sec. 1251. Modification to annual report on military and security developments involving the People's Republic of China.
Sec. 1252. Modification of Indo-Pacific Maritime Security Initiative to authorize use of funds for the Coast Guard.
Sec. 1253. Modification of prohibition on participation of the People's Republic of China in rim of the Pacific (RIMPAC) naval exercises to include cessation of genocide by China.
Sec. 1254. Extension and modification of Pacific Deterrence Initiative.
Sec. 1255. Extension of authority to transfer funds for Bien Hoa dioxin cleanup.
Sec. 1256. Enhanced indications and warning for deterrence and dissuasion.
Sec. 1257. Prohibition on use of funds to support entertainment projects with ties to the Government of the People's Republic of China.
Sec. 1258. Reporting on institutions of higher education domiciled in the People's Republic of China that provide support to the People's Liberation Army.
Sec. 1259. Review of port and port-related infrastructure purchases and investments made by the Government of the People's Republic of China and entities directed or backed by the Government of the People's Republic of China.
Sec. 1260. Enhancing major defense partnership with India.
Sec. 1261. Pilot program to develop young civilian defense leaders in the Indo-Pacific region.
Sec. 1262. Report on bilateral agreements supporting United States military posture in the Indo-Pacific region.
Sec. 1263. Statement of policy on Taiwan.
Sec. 1264. Sense of congress on joint exercises with Taiwan.

Sec. 1265. Sense of Congress on defense alliances and partnerships in the Indo-Pacific region.

Subtitle F—Other Matters

Sec. 1271. North Atlantic Treaty Organization Special Operations Headquarters.
Sec. 1272. Sense of Congress on NATO and United States defense posture in Europe.
Sec. 1273. Report on Fifth Fleet capabilities upgrades.
Sec. 1274. Report on use of social media by foreign terrorist organizations.
Sec. 1275. Report and feasibility study on collaboration to meet shared national security interests in East Africa.
Sec. 1276. Assessment of challenges to implementation of the partnership among Australia, the United Kingdom, and the United States.
Sec. 1277. Modification and extension of United States-Israel cooperation to counter unmanned aerial systems.
Sec. 1278. Sense of Congress and briefing on multinational force and observers.
Sec. 1279. Briefing on Department of Defense program to protect United States students against foreign agents.

Subtitle A—Assistance and Training

SEC. 1201. PAYMENT OF PERSONNEL EXPENSES NECESSARY FOR PARTICIPATION IN TRAINING PROGRAM CONDUCTED BY COLOMBIA UNDER THE UNITED STATES-COLOMBIA ACTION PLAN FOR REGIONAL SECURITY.

(a) IN GENERAL.—Subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following:

"§ 335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security

"(a) AUTHORITY.—The Secretary of Defense may pay the expendable training supplies, travel, subsistence, and similar personnel expenses of, and special compensation for, the following that the Secretary considers necessary for participation in the training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security:

"(1) Defense personnel of friendly foreign governments.

"(2) With the concurrence of the Secretary of State, other personnel of friendly foreign governments and nongovernmental personnel.

"(b) LIMITATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the authority provided in subsection (a) may only be used for the payment of such expenses of, and special compensation for, such personnel from developing countries.

"(2) EXCEPTION.— The Secretary may authorize the payment of such expenses of, and special compensation for, such personnel from a country other than a developing country if the Secretary determines that such payment is—

"(A) necessary to respond to extraordinary circumstances; and

"(B) in the national security interest of the United States.".

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new item:

"335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security.".

SEC. 1202. MODIFICATIONS TO REPORTS ON SECURITY COOPERATION.

(a) SUPPORT TO FRIENDLY FOREIGN COUNTRIES FOR CONDUCT OPERATIONS.—Section 331(d)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph:

"(E) A description of each entity with which the applicable friendly foreign country is engaged in hostilities and whether each such entity is covered by an authorization for the use of military force.".

(b) DEFENSE INSTITUTION CAPACITY BUILDING.—Section 332(b)(2) of title 10, United States Code, is amended—

(1) by striking "quarter" each place it appears; and

(2) by striking "Each fiscal year" and inserting "Not later than February 1 of each year".

(c) AUTHORITY TO BUILD CAPACITY OF FOREIGN FORCES.—Section 333(f) of title 10, United States Code, is amended—

(1) in the heading, by striking "QUARTERLY" and inserting "SEMI-ANNUAL";

(2) in the matter preceding paragraph (1)—

(A) by striking "a quarterly" and inserting "a semi-annual"; and

(B) by striking "calendar quarter" and inserting "180 days".

(d) ANNUAL REPORT ON SECURITY COOPERATION ACTIVITIES.—Section 386 of title 10, United States Code, is amended to read as follows:

"§ 386. Annual report

"(a) ANNUAL REPORT REQUIRED.—Not later than March 31 of each year, the Secretary of Defense shall submit to the appropriate congressional committees a report that sets forth, on a country-by-country basis, an overview of security cooperation activities carried out by the Department of Defense during the fiscal year in which such report is submitted, using the authorities specified in subsection (b).

"(b) ELEMENTS OF REPORT.—Each report required under subsection (a) shall include, with respect to each country and for the entirety of the period covered by such report, the following:

"(1) A narrative summary that provides—

"(A) a brief overview of the primary security cooperation objectives for the activities encompassed by the report; and

"(B) a description of how such activities advance the theater security cooperation strategy of the relevant geographic combatant command.

"(2) A table that includes an aggregated amount with respect to each of the following:

"(A) With respect to amounts made available for section 332(a) of this title, the Department of Defense cost to provide any Department personnel as advisors to a ministry of defense.

"(B) With respect to amounts made available for section 332(b) of this title, the Department of Defense incremental execution costs to conduct activities under such section.

"(C) With respect to section 333 of this title, the value of all programs for which notice is required by such section.

"(D) With respect to section 335 of this title, the total Department of Defense costs to fund expenses to attend training provided by the Government of Colombia that began during the period of the report.

"(E) With respect to amounts made available for section 341 of this title, the Department of Defense manpower and travel costs to conduct bi-lateral state partnership program engagements with the partner country.

"(F) With respect to amounts made available for section 342 of this title, the Department of Defense-funded, foreign-partner travel costs to attend a regional center activity that began during the period of the report.

"(G) With respect to amounts made available for section 345 of this title, the estimated Department of Defense execution cost to complete all training that began during the period of the report.

"(H) With respect to amounts made available for section 2561 of this title, the planned execution cost of completing humanitarian assistance activities for the partner country that were approved for the period of the report.

"(3) A table that includes aggregated totals for each of the following:

"(A) Pursuant to section 311 of this title, the number of personnel from a partner country assigned to a Department of Defense organization.

"(B) Pursuant to section 332(a) of this title, the number of Department of Defense personnel assigned as advisors to a ministry of defense.

"(C) Pursuant to section 332(b) of this title, the number of activities conducted by the Department of Defense.

"(D) The number of new programs carried out during the period of the report that required notice under section 333 of this title.

"(E) With respect to section 335 of this title, the number of partner country officials who participated in training provided by the Government of Colombia that began during the period of the report.

"(F) With respect to section 341 of this title, the number of Department of Defense bilateral state partnership program engagements with the partner country that began during the period of the report.

"(G) With respect to section 342 of this title, the number of partner country officials who participated in regional center activity that began during the period of the report.

"(H) Pursuant to the authorities under sections 343, 345, 348, 349, 350 and 352 of this title, the total number of partner country personnel who began training during the period of the report.

"(I) Pursuant to section 347 of this title, the number of cadets from the partner country that were enrolled in the Service Academies during the period of the report.

"(J) Pursuant to amounts made available to carry out section 2561 of this title, the number of new humanitarian assistance projects funded through the Overseas Humanitarian Disaster and Civic Aid account that were approved during the period of the required report.

"(4) A table that includes the following:

"(A) For each person from the partner country assigned to a Department of Defense organization pursuant to section 311 of this title—

"(i) whether the person is a member of the armed forces or a civilian;

"(ii) the rank of the person (if applicable); and

"(iii) the component of the Department of Defense and location to which such person is assigned.

"(B) With respect to each civilian employee of the Department of Defense or member of the armed forces that was assigned, pursuant to section 332(a) of this title, as an advisor to a ministry of defense during the period of the report, a description of the object of the Department of Defense for such support and the name of the ministry or regional organization to which the employee or member was assigned.

"(C) With respect to each activity commenced under section 332(b) of this title during the period of the report—

"(i) the name of the supported ministry or regional organization;

"(ii) the component of the Department of Defense that conducted the activity;

"(iii) the duration of the activity; and

"(iv) a description of the objective of the activity.

"(D) For each program that required notice to Congress under section 333 of this title during the period of the report—

"(i) the units of the national security forces of the foreign country to which assistance was provided;

"(ii) the type of operation capability assisted;

"(iii) a description of the nature of the assistance being provided; and

"(iv) the estimated cost included in the notice provided for such assistance.

"(E) With respect to each Government of Colombia training activity which included Department of Defense funded participants under section 335 of this title that commenced during the period of the report—

"(i) the units of the defense personnel of the friendly foreign country to which the Department of Defense funded assistance was provided;

"(ii) the units of the Government of Colombia that conducted the training activity;

"(iii) the duration of the training activity provided by the Government of Colombia;

"(iv) a description of the objective of the training activity provided by the Government of Colombia.

"(F) With respect to each activity commenced under section 341 of this title during the period of the report—

"(i) a description of the activity;

"(ii) the duration of the activity;

"(iii) the number of participating members of the National Guard; and

"(iv) the number of participating personnel of foreign country.

"(G) With respect to each activity of a Regional Center for Security Studies commenced under section 342 of this title during the period of the report—

"(i) a description of the activity;

"(ii) the name of the Regional Center that sponsored the activity;

"(iii) the location and duration of the training; and

"(iv) the number of officials from the foreign country who participated the activity.

"(H) With respect to each training event that commenced under sections 343, 345, 348, 349, 350, or 352 of this title during the period of the report—

"(i) a description of the training;

"(ii) the location and duration of the training; and

"(iii) the number of personnel of the foreign country trained.

"(I) With respect to each new project approved under section 2561 of this title during the period of the report and funded through the Overseas Humanitarian Disaster and Civic Aid account—

"(i) the title of the project;

"(ii) a description of the assistance to be provided; and

"(iii) the anticipated costs to provide such assistance.".

(e) APPLICABILITY OF AMENDMENT TO ANNUAL REPORT REQUIREMENTS.—With respect to a report that was required to be submitted under section 386 of title 10, United States Code, prior to the date of the enactment of this Act, that has not been submitted as of such date and relates to a year preceding fiscal year 2023, such a report may be submitted in accordance with—

(1) the requirements of such section 386 as amended by subsection (d); or

(2) the requirements of such section 386 as in effect on the day before the date of the enactment of this Act.

SEC. 1203. MODIFICATION OF AUTHORITY FOR PARTICIPATION IN MULTINATIONAL CENTERS OF EXCELLENCE.

Section 344(f) of title 10, United States Code, is amended—

(1) in paragraph (1)(D), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(3) the International Special Training Centre, established in 1979 and located in Pfullendorf, Germany.".

SEC. 1204. MODIFICATION OF EXISTING AUTHORITIES TO PROVIDE FOR AN IRREGULAR WARFARE CENTER AND A REGIONAL DEFENSE FELLOWSHIP PROGRAM.

(a) IN GENERAL.—Section 345 of title 10, United States Code, is amended—

*(1) by amending the section heading to read as follows: "**Irregular Warfare Center and Regional Defense Fellowship Program**";*

(2) in subsection (a)—

(A) in the subsection heading, by striking "PROGRAM AUTHORIZED" and inserting "AUTHORITIES";

(B) by amending paragraph (1) to read as follows:

"(1) IN GENERAL.—The Secretary of Defense may—

"(A) operate and administer a Center for Strategic Studies in Irregular Warfare, to be known as the 'Irregular Warfare Center', in accordance with the requirements described in subsection (c); and

"(B) carry out a program, to be known as the 'Regional Defense Fellowship Program', to provide for the education and training of foreign personnel described in paragraph (2) at military or civilian educational institutions, the Irregular Warfare Center, regional centers, conferences, seminars, or other training programs conducted for purposes of regional defense in connection with irregular warfare or combating terrorism.";

(C) by striking paragraphs (2) and (3); and

(D) by inserting after paragraph (1) (as amended) the following:

"(2) COVERED COSTS.—The Secretary may pay the following costs associated with exercising the authorities under this section:

"(A) Costs of travel, subsistence, and similar personnel expenses of, and special compensation for—

"(i) defense personnel of friendly foreign governments to attend activities of the Irregular Warfare Center or attend the Regional Defense Fellowship Program;

"(ii) with the concurrence of the Secretary of State, other personnel of friendly foreign governments and non-governmental personnel to attend activities of the Irregular Warfare Center or attend the Regional Defense Fellowship Program; and

"(iii) foreign personnel and United States Government personnel necessary for the administration and execution of the authorities under this section.

"(B) Costs associated with the administration and operation of the Irregular Warfare Center, including costs associated with—

"(i) research, communication, the exchange of ideas, curriculum development and review, and training of military and civilian participants of the United States and other countries, as the Secretary considers necessary; and

"(ii) maintaining an international network of irregular warfare policymakers and practitioners to achieve the objectives of the Department of Defense and the Department of State.

"(C) Costs associated with strategic engagement with alumni of the Regional Defense Fellowship Program to address Department of Defense objectives and planning on irregular warfare and combating terrorism topics.";

(3) in subsection (b)—

(A) in the subsection heading, by striking "REGULATIONS" and inserting "REGULATIONS FOR REGIONAL DEFENSE FELLOWSHIP PROGRAM"; and

(B) in paragraph (1), by striking "The program authorized by subsection (a)" and inserting "The authorities granted to the Secretary of Defense under subsection (a)(1)(B)";

(4) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(5) by inserting after subsection (b) the following:

"(c) IRREGULAR WARFARE CENTER.—

"(1) MISSION.—The mission of the Irregular Warfare Center shall be to serve as a central mechanism for developing the irregular warfare knowledge of the Department of Defense and advancing the understanding of irregular warfare concepts and doctrine, in collaboration with key partners and allies, by—

"(A) coordinating and aligning Department education curricula, standards, and objectives related to irregular warfare;

"(B) facilitating research on irregular warfare, strategic competition, and the role of the Department in supporting interagency activities relating to irregular warfare;

"(C) engaging and coordinating with Federal departments and agencies and with academia, nongovernmental organizations, civil society, and international partners to discuss and coordinate efforts on security challenges in irregular warfare;

"(D) developing curriculum and conducting training and education of military and civilian participants of the United States and other countries, as determined by the Secretary of Defense; and

"(E) serving as a coordinating body and central repository for irregular warfare resources, including educational activities and programs, and lessons learned across components of the Department.

"(2) EMPLOYMENT AND COMPENSATION OF FACULTY.—With respect to the Irregular Warfare Center—

"(A) the Secretary of Defense may, subject to the availability of appropriations, employ a Director, a Deputy Director, and such civilians as professors, instructors, and lecturers, as the Secretary considers necessary; and

"(B) compensation of individuals employed under this section shall be as prescribed by the Secretary.

"(3) PARTNERSHIP WITH INSTITUTION OF HIGHER EDUCATION.—

"(A) IN GENERAL.—In operating the Irregular Warfare Center, to promote integration throughout the United States Government and civil society across the full spectrum of irregular warfare competition and conflict challenges, the Secretary of Defense may partner with an institution of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

"(B) TYPES OF PARTNERSHIPS.—The Secretary may establish a partnership under subparagraph (A) by—

"(i) entering into an intergovernmental support agreement pursuant to section 2679 of this title; or

"(ii) entering into a contract or cooperative agreement or awarding a grant through the Defense Security Cooperation University.

"(C) DETERMINATION REQUIRED.—The Secretary of Defense shall make a determination with respect to the desirability of partnering with an institution of higher education in a Government-owned, contractor-operated partnership, such as the partnership structure used by the Department of Defense for University Affiliated Research Centers, for meeting the mission requirements of the Irregular Warfare Center.

"(4) ROLES AND RESPONSIBILITIES.—The Secretary of Defense shall prescribe guidance for the roles and responsibilities of the relevant components of the Department of Defense in the administration, operation, and oversight of the Irregular Warfare Center, which shall include the roles and responsibilities of the following:

"(A) The Under Secretary of Defense for Policy and the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict in policy oversight and governance structure of the Center.

"(B) The Director of the Defense Security Cooperation Agency, as the Executive Agent in support of the operation of the Center.

"(C) Any other official of the Department of Defense, as determined by the Secretary.";

(6) in subsection (d) (as redesignated), by striking "subsection (a)" each place it appears and inserting "subsection (a)(1)(B)";

(7) in subsection (e) (as redesignated)—

(A) in paragraph (3), by striking "subsection (a)" and inserting "subsection (a)(1)(B)"; and

(B) by adding at the end the following:

"(6) A discussion of how the training from the previous year incorporated lessons learned from ongoing conflicts."; and

(8) by inserting after subsection (e) (as redesignated) the following:

"(f) ANNUAL REVIEW OF IRREGULAR WARFARE CENTER.—Not later than December 1, 2024, and annually thereafter, the Secretary of Defense—

"(1) shall conduct a review of the structure and activities of the Irregular Warfare Center to determine whether such structure and activities are appropriately aligned with the strategic priorities of the Department of Defense and the applicable combatant commands; and

"(2) may, after an annual review under paragraph (1), revise the relevant structure and activities so as to more appropriately align such structure and activities with the strategic priorities and combatant commands.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of title 10, United States Code, is amended by striking the item relating to section 345 and inserting the following:

"345. Irregular Warfare Center and Regional Defense Fellowship Program.".

(c) REPEAL OF TREATMENT AS REGIONAL CENTER FOR SECURITY STUDIES.—Section 1299L(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4012; 10 U.S.C. 342 note) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(d) SENSE OF CONGRESS.—It is the sense of Congress that a Center for Security Studies in Irregular Warfare established under section 345 of title 10, United States Code, as amended by subsection (a), should be known as the "John S. McCain III Center for Security Studies in Irregular Warfare".

(e) PLAN FOR IRREGULAR WARFARE CENTER.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a plan for establishing the structure, operations, and administration of the Irregular Warfare Center described in section 345(a)(1) of title 10, United States Code, as amended by subsection (a)(2)(B).

(2) ELEMENTS.—The plan required by paragraph (1) shall include—

(A) a timeline and milestones for the establishment of the Irregular Warfare Center; and

(B) steps to enter into partnerships and resource agreements with academic institutions of the Department of Defense or other academic institutions, including any agreement for hosting or operating the Irregular Warfare Center.

SEC. 1205. MODIFICATION TO AUTHORITY TO PROVIDE SUPPORT FOR CONDUCT OF OPERATIONS.

Notwithstanding subsection (g)(1) of section 331 of title 10, United States Code, the aggregate value of all logistic support, supplies, and services provided under paragraphs (1), (4), and (5) of sub-

section (c) of such section 331 in each of fiscal years 2023 and 2024 may not exceed $950,000,000.

SEC. 1206. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

Section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended—

(1) in subsection (a), by striking "for the period beginning on October 1, 2021, and ending on December 31, 2022" and inserting "for the period beginning on October 1, 2022, and ending on December 31, 2023"; and

(2) in subsection (d)—

(A) by striking "during the period beginning on October 1, 2021, and ending on December 31, 2022" and inserting "during the period beginning on October 1, 2022, and ending on December 31, 2023"; and

(B) by striking "$60,000,000" and inserting "$30,000,000".

SEC. 1207. MODIFICATION AND EXTENSION OF AUTHORITY TO SUPPORT BORDER SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.

(a) MODIFICATION.—Subsection (e) of section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1056; 22 U.S.C. 2151 note) is amended by striking paragraph (4).

(b) EXTENSION.—Subsection (h) of such section is amended by striking "December 31, 2023" and inserting "December 31, 2025".

SEC. 1208. SECURITY COOPERATION PROGRAMS WITH FOREIGN PARTNERS TO ADVANCE WOMEN, PEACE, AND SECURITY.

(a) IN GENERAL.—During fiscal years 2023 through 2025, the Secretary of Defense, in coordination with the Secretary of State, may conduct or support security cooperation programs and activities involving the national military forces or national-level security forces of a foreign country, or other covered personnel, to advise, train, and educate such forces or personnel with respect to—

(1) the recruitment, employment, development, retention, promotion, and meaningful participation in decisionmaking of women;

(2) sexual harassment, sexual assault, domestic abuse, and other forms of violence that disproportionately impact women;

(3) the requirements of women, including providing appropriate equipment and facilities; and

(4) the implementation of activities described in this subsection, including the integration of such activities into security-sector policy, planning, exercises, and training, as appropriate.

(b) ANNUAL REPORT.—Not later than 90 days after the end of each of fiscal years 2023 through 2025, the Secretary of Defense shall submit to the congressional defense committees a report detailing the assistance provided under this section and specifying the recipients of such assistance.

(c) OTHER COVERED PERSONNEL DEFINED.—In this section, the term "other covered personnel" means personnel of the ministry of

defense or other governmental entity carrying out similar functions of a foreign country.

SEC. 1209. REVIEW OF IMPLEMENTATION OF PROHIBITION ON USE OF FUNDS FOR ASSISTANCE TO UNITS OF FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the promotion of human rights is a critical element of Department of Defense security cooperation programs and activities that advance United States national security interests and values.

(b) REVIEW.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the commanders of the geographic combatant commands, shall initiate a review of the policies, guidance, and processes for Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) ELEMENTS.—The review required by paragraph (1) shall include an assessment of the following:

(A) The standards and procedures by which the Secretary, before making a decision to provide assistance to a unit of a foreign security force under section 362 of title 10, United States Code, gives full consideration to credible information that the unit has committed a gross violation of human rights, including credible information available to the Department of State relating to human rights violations by such unit.

(B) The roles and responsibilities of Department of Defense components in implementing such section, including the Under Secretary of Defense for Policy, the Deputy Assistant Secretary of Defense for Global Partnerships, the geographic combatant commands, and the Office of the General Counsel, and whether such components are adequately funded, resourced, and manned to carry out their respective roles and responsibilities.

(C) The standards and procedures by which the Secretary implements the exception under subsection (b) of such section based on a determination that all necessary corrective steps have been taken.

(D) The standards and procedures by which the Secretary exercises the waiver authority under subsection (c) of such section based on a determination that a waiver is required by extraordinary circumstances.

(E) The policies, standards, and processes for the remediation of units of foreign security forces described in such section and resumption of assistance consistent with such section, and the effectiveness of such remediation process.

(F) The process by which the Secretary determines whether a unit of a foreign security force designated to receive training, equipment, or other assistance under such section is new or fundamentally different from its predecessor for which there was determined to be credible information that the unit had committed a gross violation of human rights.

(c) REPORTS.—

(1) FINDINGS OF REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings of the review conducted under subsection (b) that includes any recommendations or corrective actions necessary with respect to the policies, guidance, and processes for Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) REMEDIATION PROCESS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through fiscal year 2025, the Secretary shall submit to the appropriate committees of Congress a report on the remediation process under section 362 of title 10, United States Code, and resumption of assistance consistent with such section.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An identification of the units of foreign security forces that currently have been determined under section 362 of title 10, United States Code, to be ineligible to receive Department of Defense training, equipment, or other assistance.

(ii) With respect to each unit identified under clause (i), the date on which such determination was made.

(iii) The number of requests submitted by geographic combatant commands for review by a remediation review panel with respect to resumption of assistance to a unit of a foreign security force that has been denied assistance under such section, disaggregated by geographic combatant command.

(iv) For the preceding reporting period, the number of—

(I) remediation review panels convened; and

(II) cases resolved.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term "appropriate committees of Congress" means—

(i) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(ii) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1210. INDEPENDENT ASSESSMENT OF UNITED STATES EFFORTS TO TRAIN, ADVISE, ASSIST, AND EQUIP THE MILITARY FORCES OF SOMALIA.

(a) IN GENERAL.—The Secretary of Defense shall provide for an independent assessment of Department of Defense efforts to train, advise, assist, and equip the military forces of Somalia.

(b) CONDUCT OF ASSESSMENT.—To conduct the assessment required by subsection (a), the Secretary shall select—

(1) a federally funded research and development center; or

(2) an independent, nongovernmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.

(c) ELEMENTS.—The assessment required by subsection (a) shall include an assessment of the following:

(1) The evolution of United States approaches to training, advising, assisting, and equipping the military forces of Somalia.

(2) The extent to which—

(A) the Department has an established plan, with objectives and milestones, for the effort to train, advise, assist, and equip such forces;

(B) advisory efforts are meeting objectives, including whether and the manner in which—

(i) advisors track the operational effectiveness of such forces; and

(ii) any such data informs future training and advisory efforts;

(C) the Department sufficiently engages, collaborates, and deconflicts with—

(i) other Federal departments and agencies that conduct assistance and advisory engagements with such forces; and

(ii) international and multilateral entities that conduct assistance and advisory engagements with such forces; and

(D) the Department has established and enforced a policy, processes, and procedures for accountability relating to equipment provided by the United States to such forces.

(3) Factors that have hindered, or may in the future hinder, the development of professional, sustainable, and capable such forces.

(4) With respect to the effort to train, advise, assist, and equip such forces, the extent to which the December 2020 decision to reduce and reposition outside Somalia the majority of the members of the United States Armed Forces assigned to carry out the effort has impacted the effectiveness of the effort.

(d) REPORT.—Not later than December 31, 2023, the entity selected to conduct the assessment required by subsection (a) shall submit to the Secretary and the congressional defense committees a report containing the findings of the assessment.

(e) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2023 and available for operation and maintenance for Defense-wide activities, up to $1,000,000 shall be made available for the assessment required by subsection (a).

SEC. 1211. SECURITY COOPERATION ACTIVITIES AT COUNTER-UAS UNIVERSITY.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on how the Department of Defense intends to bolster security cooperation activities with allies and partners at the C-UAS University, including an identification of any shortfalls

in resourcing or gaps in authorities that could inhibit these security cooperation efforts.

SEC. 1212. DEFENSE OPERATIONAL RESILIENCE INTERNATIONAL COOPERATION PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense, in consultation with the Secretary of State and in coordination with the commanders of the geographic combatant commands, may establish a pilot program, to be known as the "Defense Operational Resilience International Cooperation Pilot Program" (in this section referred to as the "pilot program") to support engagement with military forces of partner countries on defense-related environmental and operational energy issues in support of the theater campaign plans of the geographic combatant commands.

(b) DURATION.—The Secretary of Defense may carry out the pilot program during the period beginning on the date of the enactment of this Act and ending on December 31, 2025.

(c) LIMITATIONS.—

(1) PURPOSES.—The pilot program shall be limited to the following purposes:

(A) To build military-to-military relationships in support of the efforts of the Department of Defense to engage in long-term strategic competition.

(B) To sustain the mission capability and forward posture of the Armed Forces of the United States.

(C) To enhance the capability, capacity, and resilience of the military forces of partner countries.

(2) PROHIBITED ASSISTANCE.—The Secretary may not use the pilot program to provide assistance that is in violation of section 362 of title 10, United States Code, or otherwise prohibited by law.

(3) SECURITY COOPERATION.—The Secretary shall plan and prioritize assistance, training, and exercises with partner countries pursuant to the pilot program in a manner that is consistent with applicable guidance relating to security cooperation program and activities of the Department of Defense.

(d) FUNDING.—Of amounts authorized to be appropriated by this Act for each of fiscal years 2023 through 2025 and available for operation and maintenance, the Secretary may make available $10,000,000 to support the pilot program, which shall be allocated in accordance with the priorities of the commanders of the geographic combatant commands.

(e) ANNUAL REPORT.—

(1) IN GENERAL.—With respect to each year the Secretary carries out the pilot program, the Secretary shall submit to the congressional defense committees a report on obligations and expenditures made to carry out the pilot program during the fiscal year that precedes the year during which each such report is submitted.

(2) DEADLINE.—The Secretary shall submit each such report not later than March 1 of each year during which the Secretary has authority to carry out the pilot program.

(3) ELEMENTS.—Each such report shall include the following:

(A) An accounting of each obligation and expenditure made to carry out the pilot program, disaggregated, where

applicable, by partner country and military force of a partner country.

(B) An explanation of the manner in which each such obligation or expenditure—

(i) supports the national defense of the United States; and

(ii) is in accordance with limitations described in subsection (c).

(C) Any other matter the Secretary determines to be relevant.

(f) TEMPORARY CESSATION OF AUTHORIZATION.—No funds authorized to be appropriated or otherwise made available for any of fiscal years 2023 through 2025 for the Department of Defense may be made available for the "Defense Environmental International Cooperation Program". During the period specified in subsection (b), all activities and functions of the "Defense Environmental International Cooperation Program" may only be carried out under the pilot program.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1221. EXTENSION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

Section 1213(a) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended by striking "December 31, 2023" and inserting "December 31, 2033".

SEC. 1222. ADDITIONAL MATTERS FOR INCLUSION IN REPORTS ON OVERSIGHT IN AFGHANISTAN.

Section 1069(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1912) is amended—

(1) by redesignating paragraphs (9) through (16) as paragraphs (14) through (21), respectively;

(2) by inserting after paragraph (8) the following new paragraphs:

"(9) An assessment of the status of—

"(A) defense intelligence assets dedicated to Afghanistan and used by the Department of Defense, including the types and amounts of intelligence, surveillance, and reconnaissance coverage over Afghanistan during the period covered by the report; and

"(B) the ability of the United States to detect emerging threats emanating from Afghanistan against the United States, its allies, and its partners.

"(10) An assessment of local or indigenous counterterrorism partners of the Department of Defense.

"(11) An assessment of risks to the mission and risks to United States military personnel involved in over-the-horizon counterterrorism operations.

"(12) An update on Department of Defense efforts to secure new basing or access agreements with countries in Central Asia.

"(13) An update on the policy guidance for counterterrorism operations of the Department of Defense in Afghanistan."; and

(3) in paragraph (18), as so redesignated, by striking "Afganistan" and inserting "Afghanistan".

SEC. 1223. PROHIBITION ON TRANSPORTING CURRENCY TO THE TALIBAN AND THE ISLAMIC EMIRATE OF AFGHANISTAN.

None of the amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be made available for the operation of any aircraft of the Department of Defense to transport currency or other items of value to the Taliban, the Islamic Emirate of Afghanistan, or any subsidiary, agent, or instrumentality of either the Taliban or the Islamic Emirate of Afghanistan.

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

SEC. 1231. MODIFICATION OF ANNUAL REPORT ON THE MILITARY CAPABILITIES OF IRAN AND RELATED ACTIVITIES.

Section 1245(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) is amended—

(1) in subparagraph (B), by striking "and regional militant groups" and all that follows and inserting ", regional militant groups, and Iranian-linked proxy groups, in particular those forces as having been assessed as to be willing to carry out terrorist operations on behalf of Iran or in response to a military attack by another country on Iran;";

(2) by redesignating subparagraphs (C) through (G) as subparagraphs (E) through (I), respectively;

(3) by inserting after subparagraph (B) the following:

"(C) the types and amount of support to be assessed under subparagraph (B) shall include support provided to Lebanese Hezbollah, Hamas, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, Asa'ib ahl al-Haq, Harakat Hezbollah al-Nujaba, Kata'ib Sayyid al-Shuhada, Kata'ib al-Imam Ali, Kata'ib Hezbollah, the Badr Organization, the Fatemiyoun, the Zainabiyoun, and Ansar Allah (also known as the 'Houthis');

"(D) the threat from Special Groups in Iraq, including Kata'ib Hezbollah and Asa'ib Ahl al-Haq, to United States and coalition forces located in Iraq and Syria;"; and

(4) in subparagraph (I), as redesignated, by striking the period at the end and inserting "; and"; and

(5) by adding at the end the following:

"(J) all formal or informal agreements involving a strategic military or security partnership with the Russian Federation, the People's Republic of China, or any proxies of either such country.".

SEC. 1232. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) SOURCE OF FUNDS.—Subsection (d) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 114–92; 129 Stat. 1045; 10 U.S.C. 113 note) is amended by striking "fiscal year 2022" and inserting "fiscal year 2023".

(b) LIMITATION ON AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Office of the Secretary of the Air Force for travel expenses, not more than 90 percent may be obligated or expended until the date on which a staffing plan for the Office of Security Cooperation in Iraq is implemented.

(c) WAIVER.—The Secretary of Defense may waive the restriction on the obligation or expenditure of funds imposed by subsection (b) if the Secretary of Defense determines that implementation of such a staffing plan is not feasible and submits to the congressional defense committees, at the time the waiver is invoked, a notification of the waiver that includes a justification detailing the reasons for which such a plan cannot be implemented.

SEC. 1233. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.

(a) EXTENSION.—Subsection (a) of section 1209 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended, in the matter preceding paragraph (1), by striking "December 31, 2022" and inserting "December 31, 2023".

(b) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (l)(3)(D) of such section is amended by striking "December 31, 2022" and inserting "December 31, 2023".

SEC. 1234. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—Subsection (a) of section 1236 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558) is amended, in the matter preceding paragraph (1), by striking "December 31, 2022" and inserting "December 31, 2023".

(b) FUNDING.—Subsection (g) of such section is amended—

(1) by striking "fiscal year 2022" and inserting "fiscal year 2023"; and

(2) by striking "$345,000,000" and inserting "$358,000,000".

(c) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (o)(5) of such section is amended by striking "December 31, 2022" and inserting "December 31, 2023".

SEC. 1235. PROHIBITION ON TRANSFERS TO IRAN.

None of the amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be made available to transfer or facilitate a transfer of pallets of currency, currency, or other items of value to the Government of Iran, any subsidiary of such Government, or any agent or instrumentality of Iran.

SEC. 1236. REPORT ON ISLAMIC REVOLUTIONARY GUARD CORPS-AFFILIATED OPERATIVES ABROAD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report that includes a detailed description of—

(1) all Islamic Revolutionary Guard Corps-affiliated operatives serving in diplomatic and consular posts abroad; and

(2) the ways in which the Department of State and the Department of Defense are working with partner countries to inform them of the threat posed by Islamic Revolutionary Guard Corps-affiliated officials serving in diplomatic and consular roles in third party countries.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1237. ASSESSMENT OF SUPPORT TO IRAQI SECURITY FORCES AND KURDISH PESHMERGA FORCES TO COUNTER AIR AND MISSILE THREATS.

(a) IN GENERAL.—Not later than April 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on support to Iraqi Security Forces and Kurdish Peshmerga Forces to counter air and missile threats.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) An assessment of the threat from missiles, rockets, and unmanned aerial systems (UAS) to United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(2) An assessment of the current state of air defense capabilities of United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(3) Identification of perceived gaps in air defense capabilities of United States and coalition armed forces and the implications for the security of such forces in Iraq, including the Iraqi Kurdistan Region.

(4) Recommendations for training or equipment needed to overcome the assessed air defense deficiencies of United States and coalition armed forces in Iraq, including the Iraqi Kurdistan Region.

(5) An assessment of the current state of the air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(6) An assessment of the perceived gaps in air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(7) An assessment of recommended training and equipment and available level of equipment to maximize air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(8) Such other matters as the Secretary considers appropriate.

SEC. 1238. INTERAGENCY STRATEGY TO DISRUPT AND DISMANTLE NARCOTICS PRODUCTION AND TRAFFICKING AND AFFILIATED NETWORKS LINKED TO THE REGIME OF BASHAR AL-ASSAD IN SYRIA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Captagon trade linked to the regime of Bashar al-Assad in Syria is a transnational security threat; and

(2) the United States should develop and implement an interagency strategy to deny, degrade, and dismantle Assad-linked narcotics production and trafficking networks.

(b) DEFINED TERM.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on the Judiciary of the Senate;

(4) the Committee on Foreign Relations of the Senate;

(5) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(6) the Select Committee on Intelligence of the Senate;

(7) the Committee on Armed Services of the House of Representatives;

(8) the Committee on Appropriations of the House of Representatives;

(9) the Committee on the Judiciary of the House of Representatives;

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

(11) the Committee on Financial Services of the House of Representatives; and

(12) the Permanent Select Committee on Intelligence of the House of Representatives.

(c) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, the Secretary of the Treasury, the Administrator of the Drug Enforcement Administration, the Director of National Intelligence, the Director of the Office of National Drug Control Policy, and the heads of other appropriate Federal agencies, shall provide a written strategy (with a classified annex, if necessary), to the appropriate congressional committees for disrupting and dismantling narcotics production and trafficking and affiliated networks linked to the regime of Bashar al-Assad in Syria.

(2) CONTENTS.—The strategy required under paragraph (1) shall include—

(A) a detailed plan for—

(i) targeting, disrupting and degrading networks that directly and indirectly support the narcotics infrastructure of the Assad regime, particularly through diplomatic and intelligence support to law enforcement investigations; and

(ii) building counter-narcotics capacity to partner countries through assistance and training to law enforcement services in countries (other than Syria) that

are receiving or transiting large quantities of Captagon;

(B)(i) the identification of the countries that are receiving or transiting large shipments of Captagon;

(ii) an assessment of the counter-narcotics capacity of such countries to interdict or disrupt the smuggling of Captagon; and

(iii) an assessment of current United States assistance and training programs to build such capacity in such countries;

(C) the use of sanctions, including sanctions authorized under section the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note; title LXXIV of division F of Public Law 116–92), and associated actions to target individuals and entities directly or indirectly associated with the narcotics infrastructure of the Assad regime;

(D) the use of global diplomatic engagements associated with the economic pressure campaign against the Assad regime to target its narcotics infrastructure;

(E) leveraging multilateral institutions and cooperation with international partners to disrupt the narcotics infrastructure of the Assad regime; and

(F) mobilizing a public communications campaign to increase awareness of the extent of the connection of the Assad regime to the illicit narcotics trade.

SEC. 1239. PROHIBITION ON TRANSFERS TO BADR ORGANIZATION.

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

SEC. 1240. REPORT ON UNITED NATIONS ARMS EMBARGO ON IRAN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives an unclassified report, which may include a classified annex, that includes—

(1) a detailed assessment of whether and how Iranian arms proliferation, particularly drone proliferation, has increased following the expiration of the United Nations arms embargo on Iran in October 2020; and

(2) a description of the measures that the Departments of State and Defense are taking to constrain Iran's ability to supply, sell, or transfer, directly or indirectly, arms or related materiel, including spare parts, to include Iranian proliferation of drones.

Subtitle D—Matters Relating to Russia

SEC. 1241. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (a) of section 1250 of the National Defense Authorization Act for Fiscal Year

2016 (Public Law 114–92; 129 Stat. 1608) is amended to read as follows:

"(a) AUTHORITY TO PROVIDE ASSISTANCE.—

"(1) IN GENERAL.—Amounts available for a fiscal year under subsection (f) shall be available to the Secretary of Defense, with the concurrence of the Secretary of State, to provide, for the purposes described in paragraph (2), appropriate security assistance and intelligence support, including training, equipment, and logistics support, supplies and services, salaries and stipends, and sustainment, to—

"(A) the military and national security forces of Ukraine; and

"(B) other forces or groups recognized by, and under the authority of, the Government of Ukraine, including governmental entities within Ukraine that are engaged in resisting Russian aggression.

"(2) PURPOSES DESCRIBED.—The purposes described in this paragraph are as follows:

"(A) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

"(B) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

"(C) To support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists.".

(b) APPROPRIATE SECURITY ASSISTANCE AND INTELLIGENCE SUPPORT.—Subsection (b) of such section is amended in paragraph (4) to read as follows:

"(4) Manned and unmanned aerial capabilities, including tactical surveillance systems and fixed and rotary-wing aircraft, such as attack, strike, airlift, and surveillance aircraft.".

(c) AVAILABILITY OF FUNDS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking "funds available for fiscal year 2022 pursuant to subsection (f)(7)" and inserting "funds available for fiscal year 2023 pursuant to subsection (f)(8)";

(2) in paragraph (3), by striking "fiscal year 2022" and inserting "fiscal year 2023";

(3) by striking paragraph (5); and

(4) by adding at the end the following:

"(6) WAIVER OF CERTIFICATION REQUIREMENT.—The Secretary of Defense, with the concurrence of the Secretary of the State, may waive the certification requirement in paragraph (2) if the Secretary submits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a written certification, not later than 5 days after exercising the waiver, that doing so is in the national interest of the United States due to exigent circumstances caused by the Russian invasion of Ukraine.".

(d) UNITED STATES INVENTORY AND OTHER SOURCES.—Subsection (d) of such section is amended—

(1) in paragraph (1), by inserting ", and to recover or dispose of such weapons or other defense articles, or to make available such weapons or articles to ally and partner governments to replenish comparable stocks which ally or partner governments have provided to the Government of Ukraine," after "and defense services"; and

(2) by adding at the end the following:

"(3) CONGRESSIONAL NOTIFICATION.—Not later than 10 days before providing replenishment to an ally or partner government pursuant to paragraph (1), the Secretary of Defense shall transmit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification containing the following:

"(A) An identification of the recipient foreign country.

"(B) A detailed description of the articles to be provided, including the dollar value, origin, and capabilities associated with the articles.

"(C) A detailed description of the articles provided to Ukraine to be replenished, including the dollar value, origin, and capabilities associated with the articles.

"(D) The impact on United States stocks and readiness of transferring the articles.

"(E) An assessment of any security, intellectual property, or end use monitoring issues associated with transferring the articles.".

(e) FUNDING.—Subsection (f) of such section is amended by adding at the end the following:

"(8) For fiscal year 2023, $800,000,000.".

(f) TERMINATION OF AUTHORITY.—Subsection (h) of such section is amended by striking "December 31, 2023" and inserting "December 31, 2024".

(g) WAIVER OF CERTIFICATION REQUIREMENT.—Such section is amended—

(1) by redesignating the second subsection (g) as subsection (i); and

(2) by adding at the end the following:

"(j) EXPEDITED NOTIFICATION REQUIREMENT.—Not later than 15 days before providing assistance or support under subsection (a), or as far in advance as is practicable if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United States, the Secretary shall transmit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification containing a detailed description of the assistance or support to be provided, including—

"(1) the objectives of such assistance or support;

"(2) the budget for such assistance or support; and

"(3) the expected or estimated timeline for delivery of such assistance or support.".

SEC. 1242. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND RUSSIA.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488), is amended by striking "2021, or 2022" and inserting "2021, 2022, 2023, 2024, 2025, 2026, or 2027".

SEC. 1243. MODIFICATION TO ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

Section 1234 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3936) is amended—

(1) in subsection (b)—

(A) by redesignating paragraph (24) as paragraph (26); and

(B) by inserting after paragraph (23) the following:

"(24) The impacts of United States sanctions on improvements to the Russian military and its proxies, including an assessment of the impacts of the maintenance or revocation of such sanctions.

"(25) A detailed description of—

"(A) how Russian private military companies are being utilized to advance the political, economic, and military interests of the Russian Federation;

"(B) the direct or indirect threats Russian private military companies present to United States security interests; and

"(C) how sanctions that are currently in place to impede or deter Russian private military companies from continuing their malign activities have impacted the Russian private military companies' behavior."; and

(2) in subsection (e)—

(A) in paragraph (1), by inserting ", the Permanent Select Committee on Intelligence," after "the Committee on Armed Services"; and

(B) in paragraph (2), by inserting ", the Select Committee on Intelligence," after "the Committee on Armed Services".

SEC. 1244. TEMPORARY AUTHORIZATIONS RELATED TO UKRAINE AND OTHER MATTERS.

(a) TEMPORARY AUTHORIZATIONS FOR COVERED AGREEMENTS RELATED TO UKRAINE.—

(1) COVERED AGREEMENT DEFINED.—In this subsection, the term "covered agreement" includes a contract, subcontract, transaction, or modification of a contract, subcontract, or transaction awarded by the Department of Defense—

(A) to build the stocks of critical munitions and other defense articles of the Department;

(B) to provide materiel and related services to foreign allies and partners that have provided support to the Government of Ukraine; and

(C) to provide materiel and related services to the Government of Ukraine.

(2) PUBLIC INTEREST.—

(A) IN GENERAL.—A covered agreement may be presumed to be in the public interest for purposes of meeting the re-

quirements of subsection (a)(7) of section 3204 of title 10, United States Code.

(B) PROCEDURES.—Notwithstanding the provisions of subsection (a)(7) of section 3204 of title 10, United States Code, with respect to a covered agreement—

(i) the head of an agency may delegate the authority under that subsection to an officer or employee who—

(I) in the case of an officer or employee who is a member of the Armed Forces, is serving in a grade at or above brigadier general or rear admiral (lower half); or

(II) in the case of a civilian officer or employee, is serving in a position with a grade under the General Schedule (or any other schedule for civilian officers or employees) that is comparable to or higher than the grade of brigadier general or rear admiral (lower half); and

(ii) not later than 7 days before using the applicable procedures under section 3204 of title 10, United States Code, the head of an agency, or a designee of the head of an agency, shall submit to the congressional defense committees a written notification of the use of such procedures.

(C) DOCUMENTATION.—Consistent with paragraph (4)(C) of subsection (e) of section 3204 of title 10, United States Code, the documentation otherwise required by paragraph (1) of such subsection is not required in the case of a covered agreement.

(3) PROCUREMENT AUTHORITIES.—The special emergency procurement authorities provided under subsections (b) and (c) of section 1903 of title 41, United States Code, may be used by the Department of Defense for a covered agreement.

(4) UNDEFINITIZED CONTRACTUAL ACTIONS.—The head of an agency may waive the provisions of subsections (a) and (c) of section 3372 of title 10, United States Code, for a covered agreement.

(5) TECHNICAL DATA PACKAGES FOR LARGE-CALIBER CANNON.—The requirements of section 7542 of title 10, United States Code, do not apply to the transfer of technical data to an international partner for the production of large-caliber cannons produced for—

(A) the replacement of defense articles from stocks of the Department of Defense provided to the Government of Ukraine or to foreign countries that have provided support to Ukraine at the request of the United States, or

(B) contracts awarded by the Department of Defense to provide materiel directly to the Government of Ukraine.

(6) TEMPORARY EXEMPTION FROM CERTIFIED COST AND PRICING DATA REQUIREMENTS.—

(A) IN GENERAL.—At the Federal Government's discretion, the requirements under section 3702 of title 10, United States Code, shall not apply to a covered agreement awarded on a fixed-price incentive firm target basis, where target price equals ceiling price, and the Government underrun

share ratio is a minimum of 60 percent with a cap for the negotiated profit dollars of 15 percent of target cost.

(B) USE OF EXEMPTION.—The following shall apply to an exemption under subparagraph (A):

(i) Awarded profit dollars shall be fixed, but the contractor may ultimately realize a profit rate of higher than 15 percent by underrunning target costs.

(ii) The target prices negotiated by the Federal Government shall not exceed the most recent negotiated prices for the same items while allowing for appropriate adjustments, including those for quantity differences or relevant, applicable economic indices.

(C) APPLICATION.—An exemption under subparagraph (A) shall apply to subcontracts under prime contracts that are exempt under this paragraph.

(7) TERMINATION OF TEMPORARY AUTHORIZATIONS.—The provisions of this subsection shall terminate on September 30, 2024.

(b) MODIFICATION OF COOPERATIVE LOGISTIC SUPPORT AGREEMENTS: NATO COUNTRIES.—Section 2350d of title 10, United States Code, is amended—

*(1) in the section heading, by striking "**logistic support**" and inserting "**acquisition and logistics support**";*

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "logistics support" and inserting "acquisition and logistics support"; and

(ii) in subparagraph (B), by striking "logistic support" and inserting "acquisition and logistics support"; and

(B) in paragraph (2)(B), by striking "logistics support" and inserting "armaments and logistics support"; and

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "Partnership Agreement" and inserting "Partnership Agreement or Arrangement";

(B) in paragraph (1)—

(i) by striking "supply and acquisition of logistics support in Europe for requirements" and inserting "supply, services, support, and acquisition, including armaments for requirements"; and

(ii) by striking "supply and acquisition are appropriate" and inserting "supply, services, support, and acquisition are appropriate"; and

(C) in paragraph (2), by striking "logistics support" each place it appears and inserting "acquisition and logistics support".

(c) MULTIYEAR PROCUREMENT AUTHORITY FOR CERTAIN MUNITIONS.—

(1) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to the provisions of section 3501 of title 10, United States Code, set forth in paragraph (3), the head of an agency may enter into

one or more multiyear contracts, beginning in fiscal year 2023, for the procurement of up to—

(A) 864,000 XM1128, XM1113, M107, and M795 (155mm rounds);

(B) 12,000 AGM–179 Joint Air-to-Ground Missiles (JAGM);

(C) 700 M142 High Mobility Artillery Rocket Systems (HIMARS);

(D) 1,700 MGM–140 Army Tactical Missile Systems (ATACMS);

(E) 2,600 Harpoons;

(F) 1,250 Naval Strike Missiles;

(G) 106,000 Guided Multiple Launch Rocket Systems (GMLRS);

(H) 3,850 PATRIOT Advanced Capability–3 (PAC–3) Missile Segment Enhancement (MSE);

(I) 5,600 FIM–92 Stinger;

(J) 28,300 FGM–148 Javelin;

(K) 5,100 AIM–120 Advanced Medium-Range Air-to-Air Missile (AMRAAM);

(L) 2,250,000 Modular Artillery Charge System (MACS);

(M) 12,050 155m Excalibur M982A1;

(N) 950 Long Range Anti-Ship Missiles (LRASM);

(O) 3,100 Joint Air-to-Surface Standoff Missiles (JASSM);

(P) 1,500 Standard Missle–6 Missiles (SM–6); and

(Q) 5,100 Sidewinder Missiles (AIM–9X).

(2) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.—The systems authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering such programs.

(3) LIMITED APPLICABILITY OF OTHER LAW.—In applying section 3501 of title 10, United States Code, to paragraph (1), only the following provisions of that section shall apply:

(A) Subsection (f).

(B) Subsection (g), in which the term "contract described in subsection (a)" shall mean a contract awarded pursuant to the authority of this subsection.

(C) Subsection (i)(1).

(D) Subsection (l)(3).

(4) AUTHORITY FOR ADVANCE PROCUREMENT.—To the extent and in such amounts as specifically provided in advance in appropriations Acts for the purposes described in paragraph (1), the head of an agency may enter into one or more contracts for advance procurement associated with a program for which authorization to enter into a contract is provided under paragraph (1) and for systems and subsystems associated with such program in economic order quantities when cost savings are achievable.

(5) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2023 is subject to the

availability of appropriations for that purpose for such later fiscal year.

(d) DEFINITION.—In this section, the term "head of an agency" means—

(1) the Secretary of Defense;

(2) the Secretary of the Army;

(3) the Secretary of the Navy; or

(4) the Secretary of the Air Force.

SEC. 1245. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER INTERNATIONALLY RECOGNIZED TERRITORY OF UKRAINE.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over territory internationally recognized to be the sovereign territory of Ukraine, including Crimea and the territory Russia claims to have annexed in Kherson Oblast, Zaporizhzia Oblast, Donetsk Oblast, and Luhansk Oblast.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the prohibition under subsection (a) if the Secretary of Defense—

(1) determines that the waiver is in the national security interest of the United States; and

(2) on the date on which the waiver is invoked, submits a notification of the waiver and a justification of the reason for seeking the waiver to—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1246. REPORT ON DEPARTMENT OF DEFENSE PLAN FOR THE PROVISION OF SHORT AND MEDIUM-TERM SECURITY ASSISTANCE TO UKRAINE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the heads of other relevant Federal agencies, shall submit to the congressional defense committees a report outlining in detail the plan of the Department of Defense for the provision of security assistance to the armed forces of Ukraine.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) primary focus areas for the provision of security assistance to the armed forces of Ukraine by the Department of Defense, including priority capabilities, the funding streams used, and a plan to fulfill training, maintenance, and sustainment requirements associated with such assistance—

(A) over the next 3 to 6 months; and

(B) over the next 12 to 24 months; and

(2) any other matters the Secretary determines appropriate.

SEC. 1247. OVERSIGHT OF UNITED STATES ASSISTANCE TO UKRAINE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) continued assistance to Ukraine as it fights against the unjust and unprovoked attack by Russia is of critical importance to United States national security interests, and oversight and transparency for such assistance is essential to ensure effective and sustained support;

(2) the executive branch has established the interagency Ukraine Oversight Working Group, which focuses on conducting comprehensive oversight, and issued the interagency U.S. Plan to Counter Illicit Diversion of Certain Advanced Conventional Weapons in Eastern Europe, a whole-of-government effort to advance accountability and end-use monitoring of weapons provided in response to the Ukraine crisis, and continued attention and regular briefings to relevant congressional oversight committees on such efforts is imperative;

(3) each United States department and agency providing or facilitating assistance to Ukraine should continue to implement and institutionalize appropriate transparency, accountability, and end-use monitoring measures, including exploring creative approaches to overcoming the challenges associated with delivering assistance during an active armed conflict, as is detailed in the interagency Plan to Counter Illicit Diversion;

(4) Inspectors General must continue to carry out comprehensive oversight and conduct reviews, audits, investigations, and inspections of United States support and activities carried out in response to Russia's further invasion of Ukraine, and provide regular briefings to the appropriate congressional committees on their findings;

(5) the United States and its allies and partners should continue to support Ukrainian anti-corruption institutions and e-platforms, including the National Agency for Corruption Prevention, the National Anti-Corruption Bureau of Ukraine, and the Specialized Anti-Corruption Prosecutor's Office, in their work to ensure effective assistance delivery and prevent incidents of waste, fraud, and abuse; and

(6) Ukrainian authorities should also continue to establish new transparency, accountability, and end-use monitoring initiatives both independently and in partnership with relevant United States departments and agencies and other international partners, and the United States should continue to work with counterparts in Ukraine and other countries supporting their efforts to further mutual efforts to strengthen and institutionalize accountability measures and mechanisms.

(b) REPORT.—

(1) IN GENERAL.—Not later than April 1, 2023, the Inspector General of the Department of Defense, in conjunction with the Inspector General of the Department of State and the Inspector General of the United States Agency for International Development and in consultation with other Inspectors General as appropriate, shall submit to the appropriate congressional committees a report on the oversight framework established with respect to United States assistance to Ukraine.

(2) MATTERS TO BE INCLUDED.—The report required by this subsection shall include the following:

(A) The framework the relevant Inspectors General are currently using or plan to adopt to oversee assistance to Ukraine in the immediate and longer term, including an identification of the United States departments and agencies providing or facilitating such assistance.

(B) Whether there are any gaps in oversight over the activities and funds for assistance to Ukraine.

(C) An assessment of any failures by United States, bilateral, or multilateral organizations to work with such Inspectors General in a timely and transparent manner.

(D) A description of the footprint in Europe of such Inspectors General for purposes of oversight of assistance to Ukraine, including presence and access in Ukraine.

(E) To the extent practicable and appropriate, a description of any known incidents of the misuse of assistance to Ukraine, including incidents of waste, fraud, abuse, diversion, or corruption.

(F) Any lessons learned from the manner in which oversight over assistance to Ukraine has been conducted.

(G) Any findings or recommendations with respect to assistance to Ukraine.

(c) DEFINITION.—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

Subtitle E—Matters Relating to the Indo-Pacific Region

SEC. 1251. MODIFICATION TO ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended as follows:

(1) In paragraph (5)—

(A) in subparagraph (A), by inserting "special operations," after "theater-level commands,"; and

(B) in subparagraph (B), by striking "A summary" and inserting "a summary".

(2) In paragraph (7)(B)—

(A) in clause (ii), by striking "and" at the end;

(B) in clause (iii), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(iv) the Middle East.".

(3) In paragraph (8), by adding at the end the following:

"(F) Special operations capabilities.".

SEC. 1252. MODIFICATION OF INDO-PACIFIC MARITIME SECURITY INITIATIVE TO AUTHORIZE USE OF FUNDS FOR THE COAST GUARD.

Section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended by striking subsection (f) and inserting the following new subsection (f):

"(f) AVAILABILITY OF FUNDS FOR COAST GUARD PERSONNEL AND CAPABILITIES.—The Secretary of Defense may use funds made available under this section to facilitate the participation of Coast Guard personnel in, and the use of Coast Guard capabilities for, training, exercises, and other activities with foreign countries under this section.".

SEC. 1253. MODIFICATION OF PROHIBITION ON PARTICIPATION OF THE PEOPLE'S REPUBLIC OF CHINA IN RIM OF THE PACIFIC (RIMPAC) NAVAL EXERCISES TO INCLUDE CESSATION OF GENOCIDE BY CHINA.

Section 1259(a)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 321 note) is amended—

(1) in subparagraph (B), by striking "and" at the end;

(2) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(D) ceased committing genocide in China, as articulated in the Department of State's Country Report on Human Rights Practices released on April 12, 2022, and engaged in a credible justice and accountability process for all victims of such genocide.".

SEC. 1254. EXTENSION AND MODIFICATION OF PACIFIC DETERRENCE INITIATIVE.

(a) EXTENSION.—Subsection (c) of section 1251 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) is amended—

(1) by striking "the National Defense Authorization Act for Fiscal Year 2022" and inserting "the National Defense Authorization Act for Fiscal Year 2023"; and

(2) by striking "fiscal year 2022" and inserting "fiscal year 2023".

(b) REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION AND STUDY ON COMPETITIVE STRATEGIES.—Subsection (d)(1) of such section is amended—

(1) in subparagraph (A), by striking "fiscal years 2023 and 2024" and inserting "fiscal years 2024 and 2025"; and

(2) in subparagraph (B)—

(A) in clause (v), by striking "security cooperation activities or resources" and inserting "security cooperation authorities, activities, or resources";

(B) in clause (vi)(I)(aa)—

(i) in subitem (AA), by striking "to modernize and strengthen the" and inserting "to improve the posture and"; and

(ii) in subitem (FF)—

(I) by striking "to improve" and inserting "to modernize and improve"; and

(II) by striking the semicolon at the end and inserting "; and"; and

(C) by adding at the end the following new clause:

"(vii) A budget display, prepared with the assistance of the Under Secretary of Defense (Comptroller), that compares the independent assessment of the Commander of the United States Indo-Pacific Command with the amounts contained in the budget display for the applicable fiscal year under subsection (f).".

SEC. 1255. EXTENSION OF AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.

Section 1253(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3955) is amended by striking "fiscal year 2022" and inserting "fiscal year 2023".

SEC. 1256. ENHANCED INDICATIONS AND WARNING FOR DETERRENCE AND DISSUASION.

(a) ESTABLISHMENT OF PROGRAM FOR ENHANCED INDICATIONS AND WARNING.—

(1) AUTHORITY.—The Director of the Defense Intelligence Agency may establish a program to increase warning time of potential aggression by adversary nation states, focusing especially on the United States Indo-Pacific Command and United States European Command areas of operations.

(2) DESIGNATION.—If the Director establishes the program under paragraph (1), the program shall be known as the "Program for Enhanced Indications and Warning" (in this section referred to as the "Program").

(3) PURPOSE.—The purpose of the Program that may be established under paragraph (1) is to gain increased warning time to provide time for the Department of Defense to mount deterrence and dissuasion actions to persuade adversaries to refrain from aggression, including through potential revelations or demonstrations of capabilities and actions to create doubt in the minds of adversary leaders regarding the prospects for military success.

(b) HEAD OF PROGRAM.—

(1) APPOINTMENT.—If the Director establishes the Program, the Director shall appoint a defense intelligence officer to serve as the mission manager for the Program.

(2) DESIGNATION.—The mission manager for the Program shall be known as the "Program Manager for Enhanced Indications and Warning" (in this section referred to as the "Program Manager").

(c) SOURCES OF INFORMATION AND ANALYSIS.—If the Director establishes the Program, the Program Manager shall ensure that the Program makes use of all available sources of information, from public, commercial, and classified sources across the intelligence community and the Department of Defense, and advanced analytics, including artificial intelligence, to establish a system capable of discerning deviations from normal patterns of behavior and activity that may indicate preparations for military actions.

(d) INTEGRATION WITH OTHER PROGRAMS.—

(1) SUPPORT.—If the Director establishes the Program, the Program shall be supported, as appropriate, by the Chief Digital and Artificial Intelligence Officer, the Maven project, by capabilities sponsored by the Office of the Under Secretary of Defense for Intelligence and Security, and programs already underway within the Defense Intelligence Agency.

(2) AGREEMENTS.—If the Director establishes the Program, the Director shall seek to engage in agreements to integrate information and capabilities from other components of the intelligence community to facilitate the purpose of the Program.

(e) BRIEFINGS.—If the Director establishes the Program, not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter through 2027, the Program Manager shall provide the appropriate committees of Congress a briefing on the status of the activities of the Program.

(f) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the congressional defense committees; and

(B) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(2) The term "intelligence community" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1257. PROHIBITION ON USE OF FUNDS TO SUPPORT ENTERTAINMENT PROJECTS WITH TIES TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act may be used to knowingly provide active and direct support to any film, television, or other entertainment project if the Secretary of Defense has demonstrable evidence that the project has complied or is likely to comply with a demand from the Government of the People's Republic of China or the Chinese Communist Party, or an entity under the direction of the People's Republic of China or the Chinese Communist Party, to censor the content of the project in a material manner to advance the national interest of the People's Republic of China.

(b) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) if the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a written certification that such a waiver is in the national interest of the United States.

(c) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue a policy that describes how the Department of Defense will review requests to provide active or direct support to any film, television, or other entertainment project. The policy shall include ways to assess Chinese influence or potential influence over the content of a film, television, or other entertainment project, actions the Department can take to prevent Chinese censorship of a project, and criteria the Department shall use when evaluating requests to support a project.

(d) LIMITATION.—Of the amounts authorized to be appropriated by this Act for the official travel expenses of the Office of the Secretary of Defense, not more than 95 percent may be obligated or ex-

pended until the policy required by subsection (c) is released and transmitted to the congressional defense committees.

SEC. 1258. REPORTING ON INSTITUTIONS OF HIGHER EDUCATION DOMICILED IN THE PEOPLE'S REPUBLIC OF CHINA THAT PROVIDE SUPPORT TO THE PEOPLE'S LIBERATION ARMY.

(a) DETERMINATION.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence, shall identify each entity that is an institution of higher education domiciled in the People's Republic of China that provides material support to the People's Liberation Army.

(2) FACTORS.—In making a determination under paragraph (1) with respect to an entity, the Secretary shall consider the following factors:

(A) Material support to the implementation of the military-civil fusion strategy of China.

(B) Material relationship with the Chinese State Administration for Science, Technology, and Industry for the National Defense.

(D) Funding received from any organization subordinate to the Central Military Commission of the Chinese Communist Party.

(E) Supporting or enabling relationship with any security, defense, or police forces within the Government of China or the Chinese Communist Party.

(F) Any other factor the Secretary determines is appropriate.

(b) REPORT.—Not later than September 30, 2023, the Secretary shall submit to the appropriate congressional committees a list of each entity identified pursuant to subsection (a) in unclassified form, with a classified annex, if necessary.

(c) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "People's Liberation Army" means the land, naval, and air military services, the People's Armed Police, the Strategic Support Force, the Rocket Force, and any other related security element within the Government of China or the Chinese Communist Party that the Secretary determines is appropriate.

SEC. 1259. REVIEW OF PORT AND PORT-RELATED INFRASTRUCTURE PURCHASES AND INVESTMENTS MADE BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND ENTITIES DIRECTED OR BACKED BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Secretary of State, in coordination with the Director of National Intelligence, the Secretary of Defense, and the head of any other agency the Secretary of State considers necessary, shall conduct a review of port and port-related infrastructure pur-

chases and investments critical to the interests and national security of the United States made by—

(1) the Government of the People's Republic of China;

(2) entities directed or backed by the Government of the People's Republic of China; and

(3) entities with beneficial owners that include the Government of the People's Republic of China or a private company controlled by the Government of the People's Republic of China.

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

(1) A list of port and port-related infrastructure purchases and investments described in that subsection, prioritized in order of the purchases or investments that pose the greatest threat to United States economic, defense, and foreign policy interests.

(2) An analysis of the effects the consolidation of such investments, or the assertion of control by the Government of the People's Republic of China over entities described in paragraph (2) or (3) of that subsection, would have on Department of State and Department of Defense contingency plans.

(3) A description of the integration into ports of technologies developed and produced by the Government of the People's Republic of China or entities described in paragraphs (2) or (3) of that subsection, and the data and cyber security risks posed by such integration.

(4) A description of past and planned efforts by the Secretary of State and the Secretary of Defense, with the support of the Director of National Intelligence, to address such purchases, investments, and consolidation of investments or assertion of control.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—In conducting the review required by subsection (a), the Secretary of State may coordinate with the head of any other Federal agency, as the Secretary considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a).

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

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) PORT.—The term "port" means—

(A) any port—

(i) on the navigable waters of the United States; or

(ii) that is considered by the Secretary of State to be critical to United States interests; and

(B) any harbor, marine terminal, or other shoreside facility used principally for the movement of goods on inland waters that the Secretary of State considers critical to United States interests.

(3) PORT-RELATED INFRASTRUCTURE.—The term "port-related infrastructure" includes—

(A) crane equipment;

(B) logistics, information, and communications systems; and

(C) any other infrastructure the Secretary of State considers appropriate.

SEC. 1260. ENHANCING MAJOR DEFENSE PARTNERSHIP WITH INDIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall direct appropriate personnel within the Department of Defense to seek to engage appropriate counterparts within the Ministry of Defence of India for the purpose of expanding cooperation on emerging technologies, readiness, and logistics.

(b) TOPICS.—At a minimum, the personnel described in subsection (a) shall seek to engage their counterparts in the Ministry of Defense of India on the following topics:

(1) Intelligence collection capabilities.

(2) Unmanned aerial vehicles.

(3) Fourth and fifth generation aircraft.

(4) Depot-level maintenance.

(5) Joint research and development.

(6) Fifth generation wireless communication and Open Radio Access Network technologies.

(7) Defensive cyber capabilities.

(8) Cold-weather capabilities.

(9) Critical and emerging technologies.

(10) Any other matters the Secretary considers relevant.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the appropriate committees of Congress that includes—

(1) an assessment of the feasibility and advisability of expanding cooperation with the Ministry of Defence of India on the topics described in subsection (b);

(2) a description of other opportunities to expand cooperation with the Ministry of Defence of India on topics other than the topics described in such subsection;

(3) a description of any challenges, including agreements, authorities, and resourcing, that need to be addressed so as to expand cooperation with the Ministry of Defence of India on the topics described in such subsection;

(4) an articulation of security considerations to ensure the protection of research and development, intellectual property, and United States-provided equipment from being stolen or exploited by adversaries;

(5) an identification of opportunities for academia and private industry to participate in expanded cooperation with the Ministry of Defence of India;

(6) a discussion of opportunities and challenges related to reducing India's reliance on Russian-built weapons and defense systems; and

(7) any other matter the Secretary considers relevant.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1261. PILOT PROGRAM TO DEVELOP YOUNG CIVILIAN DEFENSE LEADERS IN THE INDO-PACIFIC REGION.

(a) IN GENERAL.—The Secretary of Defense may establish, using existing authorities of the Department of Defense, a pilot program to enhance engagement of the Department with young civilian defense and security leaders in the Indo-Pacific region.

(b) PURPOSES.—The activities of the pilot program under subsection (a) shall include training of, and engagement with, young civilian leaders from foreign partner ministries of defense and other appropriate ministries with a national defense mission in the Indo-Pacific region for purposes of—

(1) enhancing bilateral and multilateral cooperation between—

(A) civilian leaders in the Department; and

(B) civilian leaders in foreign partner ministries of defense; and

(2) building the capacity of young civilian leaders in foreign partner ministries of defense to promote civilian control of the military, respect for human rights, and adherence to the law of armed conflict.

(c) PRIORITY.—In carrying out the pilot program under subsection (a), the Secretary of Defense shall prioritize engagement with civilian defense leaders from foreign partner ministries of defense who are 40 years of age or younger.

(d) BRIEFINGS.—

(1) DESIGN OF PILOT PROGRAM.—Not later than June 1, 2023, the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate committees of Congress on the design of the pilot program under subsection (a).

(2) PROGRESS BRIEFING.—Not later than December 31, 2023, and annually thereafter until the date on which the pilot program terminates under subsection (e), the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate committees of Congress on the pilot program that includes—

(A) a description of the activities conducted and the results of such activities;

(B) an identification of existing authorities used to carry out the pilot program;

(C) any recommendations related to new authorities or modifications to existing authorities necessary to more effectively achieve the objectives of the pilot program; and

(D) any other matter the Secretary of Defense considers relevant.

(e) TERMINATION.—The pilot program under subsection (a) shall terminate on December 31, 2026.

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1262. REPORT ON BILATERAL AGREEMENTS SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the adequacy of existing bilateral defense and security agreements between the United States and foreign governments that support the existing and planned military posture of the United States in the Indo-Pacific region.

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

(1) An accounting of existing bilateral defense and security agreements that support the military posture of the United States in the Indo-Pacific region, by country and type.

(2) An articulation of the need for new bilateral defense and security agreements, by country and type, to support a more distributed United States military posture in the Indo-Pacific region, as outlined by the Global Force Posture Review, including agreements necessary—

(A) to establish new cooperative security locations, forward operating locations, and other locations in support of distributed operations; and

(B) to enable exercises and a more rotational force presence.

(3) A description of the relative priority of the agreements articulated under paragraph (2).

(4) Any specific request, financial or otherwise, made by a foreign government or a Federal agency other than the Department of Defense that complicates the completion of such agreements.

(5) A description of Department activities planned for the current and subsequent fiscal year that are intended to contribute to the completion of such agreements.

(6) A description of the manner in which the necessity for such agreements is communicated to, and coordinated with, the Secretary of State.

(7) Any other matter the Secretary of Defense considers relevant.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1263. STATEMENT OF POLICY ON TAIWAN.

(a) STATEMENT OF POLICY.—Consistent with the Taiwan Relations Act (22 U.S.C. 3301 et. seq.), it shall be the policy of the United States to maintain the capacity of the United States to resist a fait accompli that would jeopardize the security of the people on Taiwan.

(b) FAIT ACCOMPLI DEFINED.—In this section, the term "fait accompli" refers to the resort to force by the People's Republic of China to invade and seize control of Taiwan before the United States can respond effectively.

SEC. 1264. SENSE OF CONGRESS ON JOINT EXERCISES WITH TAIWAN.

It is the sense of Congress that—

(1) joint military exercises with Taiwan are an important component of improving military readiness;

(2) the Commander of United States Indo-Pacific Command possesses the authority to carry out such joint military exercises, including those that—

(A) involve multiple warfare domains and exercise secure communications between the forces of the United States, Taiwan, and other foreign partners;

(B) incorporate the participation of multiple combatant and subordinate unified commands; and

(C) present complex military challenges, including the multi-domain capabilities of a capable adversary;

(3) the United States should seek to use existing authorities more effectively to improve the readiness of the military forces of the United States and Taiwan; and

(4) the naval forces of Taiwan should be invited to participate in the Rim of the Pacific exercise, as appropriate, conducted in 2024.

SEC. 1265. SENSE OF CONGRESS ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.

It is the sense of Congress that the Secretary of Defense should continue efforts that strengthen United States defense alliances and partnerships in the Indo-Pacific region so as to further the comparative advantage of the United States in strategic competition with the People's Republic of China, including by—

(1) enhancing cooperation with Japan, consistent with the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington, January 19, 1960, including by developing advanced military capabilities, fostering interoperability across all domains, and improving sharing of information and intelligence;

(2) reinforcing the United States alliance with the Republic of Korea, including by maintaining the presence of approximately 28,500 members of the United States Armed Forces deployed to the country and affirming the United States commitment to ex-

tended deterrence using the full range of United States defense capabilities, consistent with the Mutual Defense Treaty Between the United States and the Republic of Korea, signed at Washington, October 1, 1953, in support of the shared objective of a peaceful and stable Korean Peninsula;

(3) fostering bilateral and multilateral cooperation with Australia, consistent with the Security Treaty Between Australia, New Zealand, and the United States of America, signed at San Francisco, September 1, 1951, and through the partnership among Australia, the United Kingdom, and the United States (commonly known as "AUKUS")—

(A) to advance shared security objectives;

(B) to accelerate the fielding of advanced military capabilities; and

(C) to build the capacity of emerging partners;

(4) advancing United States alliances with the Philippines and Thailand and United States partnerships with other partners in the Association of Southeast Asian Nations to enhance maritime domain awareness, promote sovereignty and territorial integrity, leverage technology and promote innovation, and support an open, inclusive, and rules-based regional architecture;

(5) broadening United States engagement with India, including through the Quadrilateral Security Dialogue—

(A) to advance the shared objective of a free and open Indo-Pacific region through bilateral and multilateral engagements and participation in military exercises, expanded defense trade, and collaboration on humanitarian aid and disaster response; and

(B) to enable greater cooperation on maritime security and the threat of global pandemics, including COVID–19;

(6) strengthening the United States partnership with Taiwan, consistent with the Three Communiques, the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), and the Six Assurances, with the goal of improving Taiwan's defensive military capabilities and promoting peaceful cross-strait relations;

(7) reinforcing the status of the Republic of Singapore as a Major Security Cooperation Partner of the United States and continuing to strengthen defense and security cooperation between the military forces of the Republic of Singapore and the Armed Forces of the United States, including through participation in combined exercises and training;

(8) engaging with the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and other Pacific Island countries, with the goal of strengthening regional security and addressing issues of mutual concern, including protecting fisheries from illegal, unreported, and unregulated fishing;

(9) collaborating with Canada, the United Kingdom, France, and other members of the European Union and the North Atlantic Treaty Organization to build connectivity and advance a shared vision for the region that is principled, long-term, and anchored in democratic resilience; and

(10) investing in enhanced military posture and capabilities in the area of responsibility of the United States Indo-Pacific Command, identified by the Department of Defense as its priority theater, and strengthening cooperation in bilateral relationships, multilateral partnerships, and other international fora to uphold global security and shared principles, with the goal of ensuring the maintenance of a free and open Indo-Pacific region.

Subtitle F—Other Matters

SEC. 1271. NORTH ATLANTIC TREATY ORGANIZATION SPECIAL OPERATIONS HEADQUARTERS.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section 2350r:

"§ 2350r. North Atlantic Treaty Organization Special Operations Headquarters

"(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for each fiscal year for operation and maintenance for the Army, the Secretary of Defense is authorized to use up to $50,000,000, to be derived from amounts made available for support of North Atlantic Treaty Organization (referred to in this section as 'NATO') operations, for each such fiscal year for the purposes set forth in subsection (b).

"(b) PURPOSES.—The Secretary shall provide funds for the NATO Special Operations Headquarters—

"(1) to improve coordination and cooperation between the special operations forces of NATO countries and countries approved by the North Atlantic Council as NATO partners;

"(2) to facilitate joint operations by the special operations forces of NATO countries and such NATO partners;

"(3) to support special operations forces peculiar command, control, and communications capabilities;

"(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

"(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of a multinational education and training program.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new item:

"2350r. North Atlantic Treaty Organization Special Operations Headquarters.".

(c) REPEAL.—Section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541) is repealed.

SEC. 1272. SENSE OF CONGRESS ON NATO AND UNITED STATES DEFENSE POSTURE IN EUROPE.

It is the sense of Congress as follows:

(1) The Russian Federation's further invasion of Ukraine poses a grave threat to United States security and interests

around the globe and to the rules-based international order, including the North Atlantic Treaty Organization (NATO).

(2) The Russian Federation has demonstrated a complete disregard for the safety of civilians during its unlawful and unprovoked invasion of Ukraine, which has involved indiscriminate bombing of civilian areas and executions of noncombatants.

(3) The United States stands with the people of Ukraine and condemns the heinous acts committed by the Russian Federation against them, and Congress strongly supports continued assistance to Ukraine to sustain its ability to repel Russian invasion forces and continue to retake its sovereign territory.

(4) NATO remains the strongest and most successful military alliance in the world, founded on a commitment by its members to uphold the principles of democracy, individual liberty, and the rule of law. The NATO alliance has grown more robust and more united in response to Russia's 2022 further invasion of Ukraine, as allies have enhanced their deterrence and defense posture, and continued to send military aid to bolster Ukraine's defenses.

(5) The United States—

(A) strongly supports the path of Sweden and Finland toward NATO membership, as evidenced by the overwhelming bipartisan Senate vote providing advice and consent to the ratification of the Protocols of the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden;

(B) urges all NATO allies who have not ratified their accession to do so as soon as possible;

(C) reaffirms its ironclad commitment to NATO as the foundation of transatlantic security and to upholding its obligations under the North Atlantic Treaty, including Article 5; and

(D) encourages NATO members to move swiftly to meet their commitments made at the June 2022 NATO Summit to expand NATO's multinational battle groups and enhance military posture on NATO's eastern flank, and to urgently continue progress on meeting their Wales Pledge commitments, capability targets, contributions to NATO missions and operations, and resilience commitments.

(6) America's European allies and partners have—

(A) made significant contributions to Ukraine's defense against the Russian invasion, including critical military, economic, and humanitarian aid, sanctions, and export controls, to erode Russia's ability to sustain its aggression; and

(B) welcomed millions of Ukrainian refugees forced to flee their homeland.

(7) The United States must continue to work with these allies and partners to sustain this support, to collectively reconstitute weapons stocks, and to maintain unified resolve to reduce threats to critical infrastructure ranging from Russia's weaponization of energy to China's predatory investments in transportation and telecommunications infrastructure.

(8) The United States should develop and implement a long-term plan to adapt United States posture in Europe to the altered threat environment. The elevated United States posture currently in Europe is crucial in the current threat environment, and the United States posture changes announced during the June 2022 NATO Summit are important steps, including the establishment of the first permanently stationed headquarters in Poland, the commitment to maintain a rotational brigade combat team and headquarters in Romania, enhanced rotations to the Baltic countries, and the forward-stationing of two additional destroyers in Rota, Spain.

(9) European Deterrence Initiative (EDI) investments have proven crucial to United States and NATO abilities to rapidly reinforce the European theater leading up to and during Russia's further invasion of Ukraine. The United States should continue robust investments through EDI, including further enhancing United States posture in Europe and maintaining a committed schedule of exercises with allies.

(10) The Black Sea is critical to United States interests and to the security of NATO in the region, given Russia's unprovoked and unjustified war in Ukraine and Russia's attempts to directly intimidate, coerce, and otherwise influence countries in this region. These allies' and partners' security will have major consequences for broader European security and collective efforts to enhance Black Sea countries' defense and resilience capabilities are essential. In addition, the United States and NATO should consider adopting robust intergovernmental and interagency strategies for the Black Sea, to facilitate further collaboration among all countries in the region.

(11) Estonia, Latvia, and Lithuania play a critical role in strategic efforts to continue to deter Russia.

(12) The United States should continue to pursue efforts consistent with the comprehensive, multilateral Baltic Defense Assessment conducted by the Department of Defense. Robust support to accomplish United States strategic objectives, including by providing continued assistance to the Baltic countries through security cooperation, including cooperation referred to as the Baltic Security Initiative pursuant to sections 332 and 333 of title 10, United States Code, should continue to be prioritized in the years to come. Specifically, such assistance should include the continuation of—

(A) enhancements to critical capabilities that will strengthen Baltic security as well as strengthen NATO's deterrence and defense posture, including integrated air and missile defense, maritime domain awareness, long-range precision fires, and command and control;

(B) efforts to enhance interoperability among Estonia, Latvia, and Lithuania and with NATO;

(C) infrastructure and other host-country support improvements that will enhance United States and allied military mobility across the region;

(D) efforts to improve resilience to hybrid and cyber threats in Estonia, Latvia, and Lithuania; and

(E) support for planning and budgeting efforts of Estonia, Latvia, and Lithuania that are regionally synchronized.

(13) It is in the United States interest to support efforts to enhance security and stability in the Western Balkans. The United States should continue its efforts to work with Western Balkans allies and partners to build interoperability and support institutional reforms. The United States should also support those countries' efforts to resist disinformation campaigns, predatory investments, and other means by which Russia and China may seek to influence this region.

(14) The United States should continue to work closely with European allies and partners to counter growing malign activities by the People's Republic of China across Europe, in the Indo-Pacific, and beyond.

SEC. 1273. REPORT ON FIFTH FLEET CAPABILITIES UPGRADES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) capabilities upgrades necessary to enable the Fifth Fleet to address emerging threats in its area of responsibility; and

(2) any costs associated with such upgrades.

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

(1) An assessment of seaborne threats posed by Iran, and groups linked to Iran, to the military forces of United States allies and partners operating in the waters in and around the broader Middle East.

(2) A description of any capabilities upgrades necessary to enable the Fifth Fleet to address such threats.

(3) An estimate of the costs associated with any such upgrades.

(4) A description of any United States plan to deepen cooperation with other member countries of the Combined Maritime Forces at the strategic, policy, and functional levels for the purpose of addressing such threats, including by—

(A) enhancing coordination on defense planning;

(B) improving intelligence sharing; and

(C) deepening maritime interoperability.

(c) BROADER MIDDLE EAST DEFINED.—In this section, the term "broader Middle East" means—

(1) the land around the southern and eastern shores of the Mediterranean Sea;

(2) the Arabian Peninsula;

(3) Iran; and

(4) North Africa.

SEC. 1274. REPORT ON USE OF SOCIAL MEDIA BY FOREIGN TERRORIST ORGANIZATIONS.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of State and the Secretary of Defense, shall submit to the appropriate congressional committees a report on—

(1) the use of online social media platforms by entities designated as foreign terrorist organizations by the Secretary of State for recruitment, fundraising, and the dissemination of information; and

(2) the threat posed to the national security of the United States by the online radicalization of terrorists and violent extremists with ties to foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorist activities.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

SEC. 1275. REPORT AND FEASIBILITY STUDY ON COLLABORATION TO MEET SHARED NATIONAL SECURITY INTERESTS IN EAST AFRICA.

(a) REPORT ON FOREIGN ASSISTANCE AND OTHER ACTIVITIES IN SOMALILAND.—

(1) DEFINED TERM.—In this subsection, the term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(2) REPORT.—

(A) IN GENERAL.—Not later than September 30, 2023, and annually thereafter until the date that is 5 years after the date of the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report that, with respect to the most recently concluded 12-month period—

(i) describes assistance provided by the Department of State and the United States Agency for International Development to Somaliland, including—

(I) the value of such assistance (in United States dollars);

(II) the source from which such assistance was funded;

(III) the names of the programs through which such assistance was administered;

(IV) the implementing partners through which such assistance was provided;

(V) the sponsoring bureau of the Department of State or the United States Agency for International Development; and

(VI) if the assistance broadly targeted the Federal Republic of Somalia, the portion of such assistance that was—

(aa) explicitly intended to support Somaliland; and

(bb) ultimately employed in Somaliland;

(ii) details the staffing and responsibilities of the Department of State and the United States Agency for International Development supporting foreign assistance, diplomatic engagement, and security initiatives in Somaliland, including the location of such personnel (duty station) and their corresponding bureau;

(iii) provides—

(I) a detailed account of travel to Somaliland by employees of the Department of State and the United States Agency for International Development, if any, including the position, duty station, and trip purpose for each such trip; or

(II) the justification for not traveling to Somaliland if no such personnel traveled during the reporting period; and

(iv) if the Department of State has provided training to security forces of the Federal Member States (FMS), and Somaliland, including—

(I) where such training has occurred;

(II) the extent to which FMS and Somaliland security forces have demonstrated the ability to absorb previous training; and

(III) the ability of FMS and Somaliland security forces to maintain and appropriately utilize such training, as applicable.

(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex.

(b) FEASIBILITY STUDY.—

(1) DEFINED TERM.—In this subsection, the term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) FEASIBILITY STUDY.—The Secretary of State, in consultation with the Secretary of Defense, shall conduct a feasibility study that—

(A) determines whether opportunities exist for greater collaboration in the pursuit of United States national security interests in the Horn of Africa, the Gulf of Aden, and the Indo-Pacific region with the Federal Government of Somalia and Somaliland; and

(B) identifies the practicability and advisability of improving the professionalization and capacity of security sector actors within the Federal Member States (FMS) and Somaliland.

(3) REPORT TO CONGRESS.—Not later than June 15, 2023, the Secretary of State, in consultation with the Secretary of Defense and the heads of other relevant Federal departments and agencies, shall submit a classified report to the appropriate congres-

sional committees that contains the results of the feasibility study required under paragraph (2).

(c) RULE OF CONSTRUCTION.—Nothing in this Act, including the reporting requirement under subsection (a) and the conduct of the feasibility study under subsection (b), may be construed to convey United States recognition of Somalia's FMS or Somaliland as an independent entity.

SEC. 1276. ASSESSMENT OF CHALLENGES TO IMPLEMENTATION OF THE PARTNERSHIP AMONG AUSTRALIA, THE UNITED KINGDOM, AND THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center for the conduct of an independent assessment of resourcing, policy, and process challenges to implementing the partnership among Australia, the United Kingdom, and United States (commonly known as the "AUKUS partnership") announced on September 21, 2021.

(b) MATTERS TO BE CONSIDERED.—In conducting the assessment required by subsection (a), the federally funded research and development center shall consider the following with respect to each of Australia, the United Kingdom, and the United States:

(1) Potential resourcing and personnel shortfalls.

(2) Information sharing, including foreign disclosure policy and processes.

(3) Statutory, regulatory, and other policies and processes.

(4) Intellectual property, including patents.

(5) Export controls, including technology transfer and protection.

(6) Security protocols and practices, including personnel, operational, physical, facility, cybersecurity, counterintelligence, marking and classifying information, and handling and transmission of classified material.

(7) Industrial base implications specifically including options to expand the United States submarine and nuclear power industrial base to meet United States and Australia requirements.

(8) Alternatives that would significantly accelerate Australia's national security, including—

(A) interim submarine options to include leasing or conveyance of legacy United States submarines for Australia's use; or

(B) the conveyance of B-21 bombers.

(9) Any other matter the Secretary considers appropriate.

(c) RECOMMENDATIONS.—The federally funded research and development center selected to conduct the assessment under this section shall include, as part of such assessment, recommendations for improvements to resourcing, policy, and process challenges to implementing the AUKUS partnership.

(d) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2024, the Secretary shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that includes an unaltered copy of such assessment, together with the views of the Secretary on the assessment and on

the recommendations included in the assessment pursuant to subsection (c).

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

SEC. 1277. MODIFICATION AND EXTENSION OF UNITED STATES-ISRAEL COOPERATION TO COUNTER UNMANNED AERIAL SYSTEMS.

(a) AUTHORITY TO ESTABLISH CAPABILITIES TO COUNTER UNMANNED AERIAL SYSTEMS.—Subsection (a)(1) of section 1278 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1702; 22 U.S.C. 8606 note) is amended in the first sentence by inserting after "to establish capabilities for countering unmanned aerial systems" the following ", including directed energy capabilities,".

(b) SUPPORT IN CONNECTION WITH THE PROGRAM.—Subsection (b) of such section is amended—

(1) in paragraph (3)(B), by inserting at the end before the period the following: ", including directed energy capabilities"; and

(2) in paragraph (4), by striking "$25,000,000" and inserting "$40,000,000".

(c) SUNSET.—Subsection (f) of such section is amended by striking "December 31, 2024" and inserting "December 31, 2026".

SEC. 1278. SENSE OF CONGRESS AND BRIEFING ON MULTINATIONAL FORCE AND OBSERVERS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Multinational Force and Observers has helped strengthen stability and kept the peace in Sinai Peninsula; and

(2) the United States should continue to maintain its strong support for the Multinational Force and Observers.

(b) BRIEFING.—Not later than 60 days before the implementation of any plan to move a Multinational Force and Observer site, the Secretary of Defense shall brief the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate on the resulting impacts of such plan on existing security arrangements between Israel and Egypt.

SEC. 1279. BRIEFING ON DEPARTMENT OF DEFENSE PROGRAM TO PROTECT UNITED STATES STUDENTS AGAINST FOREIGN AGENTS.

Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the program described in section 1277 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), including an assessment on whether the program is beneficial to students interning, working part time, or in a program that will result in employment post-graduation with Department of Defense components and contractors.

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—National Defense Stockpile

Sec. 1411. Reform of the Strategic and Critical Materials Stock Piling Act.
Sec. 1412. Modification of acquisition authority under Strategic and Critical Materials Stock Piling Act.
Sec. 1413. Briefings on shortfalls in National Defense Stockpile.
Sec. 1414. Authority to acquire materials for the National Defense Stockpile.
Sec. 1415. Department of Defense readiness to support prolonged conflict.

Subtitle C—Other Matters

Sec. 1421. 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. 1422. Authorization of appropriations for Armed Forces Retirement Home.

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise pro-

vided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. REFORM OF THE STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) REPEAL OF STRATEGIC MATERIALS PROTECTION BOARD.—Section 187 of title 10, United States Code, is repealed.

(b) STRATEGIC AND CRITICAL MATERIALS BOARD OF DIRECTORS.—Section 10 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-1) is amended to read as follows:

"SEC. 10. STRATEGIC AND CRITICAL MATERIALS BOARD OF DIRECTORS.

"(a) ESTABLISHMENT.—There is established a Strategic and Critical Materials Board of Directors (in this Act referred to as the 'Board').

"(b) MEMBERS.—The Board shall be composed, at a minimum, of the following:

"(1) The Assistant Secretary of Defense for Industrial Base Policy, who shall serve as chairman of the Board.

"(2) One designee of each of the Secretary of Commerce, the Secretary of State, the Secretary of Energy, and the Secretary of the Interior.

"(3) One designee of each of the Chairman and Ranking Member of the Readiness Subcommittee of the House Committee on Armed Services.

"(4) One designee of each of the Chairman and Ranking Member of the Readiness Subcommittee of the Senate Committee on Armed Services.

"(5) Four designees of the chairman of the Board, who shall have expertise relating to military affairs, defense procurement, production of strategic and critical materials, finance, or any other disciplines deemed necessary by the chairman to conduct the business of the Board.

"(c) DUTIES OF THE BOARD.—In addition to other matters assigned to it by the chairman, the Board shall conduct the following, without power of delegation:

"(1) Adopt by-laws that ensure sufficient oversight, governance, and effectiveness of the National Defense Stockpile program.

"(2) Elect or remove Board members.

"(3) Advise the National Defense Stockpile Manager.

"(4) Establish performance metrics and conduct an annual performance review of the National Defense Stockpile Manager.

"(5) Set compensation for the National Defense Stockpile Manager.

"(6) Review and approve the annual budget of the National Defense Stockpile program and conduct appropriate reviews of annual financial statements.

"(7) Re-allocate budget resources within the annual budget of the National Defense Stockpile program.

"(8) Review and approve the Annual Materials and Operations Plan required by section 11(a)(2) of this Act, including a review of the projected domestic and foreign economic effects of proposed actions to be taken under the Annual Materials and Operations Plan.

"(9) Complete and submit the annual Board Report, in accordance with section 11(b)(2) of this Act.

"(10) Recommend to the Secretary of Defense—

"(A) a strategy to ensure a secure supply of materials designated as critical to national security; and

"(B) such other strategies as the Board considers appropriate to strengthen the industrial base with respect to materials critical to national security.

"(d) BOARD MEETINGS.—The Board shall meet as determined necessary by the chairman but not less frequently than once every year to fulfill the duties described in subsection (c).

"(e) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

"(f) DEFINITIONS.—In this section:

"(1) MATERIALS CRITICAL TO NATIONAL SECURITY.—The term 'materials critical to national security' means materials—

"(A) upon which the production or sustainment of military equipment is dependent; and

"(B) the supply of which could be restricted by actions or events outside the control of the Government of the United States.

"(2) MILITARY EQUIPMENT.—The term 'military equipment' means equipment used directly by the Armed Forces to carry out military operations.

"(3) SECURE SUPPLY.—The term 'secure supply', with respect to a material, means the availability of a source or sources for the material, including the full supply chain for the material and components containing the material.".

(c) REPORTS.—Section 11 of such Act (50 U.S.C. 98h-2) is amended to read as follows:

"SEC. 11. REPORTS.

"(a) REPORTS TO THE BOARD.—The National Defense Stockpile Manager shall submit to the Board the following:

"(1) Not later than 40 calendar days after the last day of each of the first three fiscal quarters in each fiscal year, unaudited financial statements and a Manager's Discussion and Analysis for the immediately preceding fiscal quarter.

"(2) Not later than 60 calendar days after the conclusion of the fourth quarter of each fiscal year—

"(A) audited financial statements and a Manager's Discussion and Analysis for the immediately preceding fiscal year; and

"(B) an Annual Materials and Operations Plan for the forthcoming year.

"(b) REPORTS TO CONGRESS.—

"(1) REPORTS BY NATIONAL DEFENSE STOCKPILE MANAGE.—Not later than 90 days after the conclusion of the fourth quarter of each fiscal year, the National Defense Stockpile Manager shall submit to the congressional defense committees (as defined in section 101(a) of title 10, United States Code) a report that shall include—

"(A) information with respect to foreign and domestic purchases of materials for the stockpile during the preceding fiscal year;

"(B) information with respect to the acquisition and disposal of materials under this Act by barter, during such fiscal year;

"(C) information with respect to the activities by the National Defense Stockpile Manager to encourage the conservation, substitution, and development of strategic and critical materials;

"(D) information with respect to the research and development activities conducted under section 8 of this Act;

"(E) audited annual financial statements for the Strategic and Critical Materials Fund;

"(F) other pertinent information on the administration of this Act as will enable the Congress to evaluate the effectiveness of the program;

"(G) details of all planned expenditures from the Strategic and Critical Materials Fund over the Future Years' Defense Program and anticipated receipts from proposed disposals of stockpile materials; and

"(H) the report required by paragraph (2).

"(2) REPORT BY THE BOARD.—The Board shall prepare a written report to accompany the report required by paragraph (1) which shall include—

"(A) the activities of the Board to carry out the duties listed in section 10(c) of this Act; and

"(B) the most recent Annual Materials and Operations Plan submitted under subsection (a)(2)(B).".

(d) CONFORMING AMENDMENTS.—

(1) STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.—The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) is amended—

(A) in section 5(a)(2)—

(i) by striking "certain stockpile transactions" and all that follows through "submitted the President proposes"; and

(ii) by striking "any such transaction" and inserting the following: "any stockpile transactions proposed in the Annual Materials and Operations Plan for such fiscal year after the Board submits the report under section 11(b)(2) containing such plan"; and

(B) in section 15—

(i) in subsection (c)(1), by striking "annual materials plan" and inserting "Annual Materials and Operations Plan"; and

(ii) in subsection (e)—

(I) by inserting ", acting through the National Defense Stockpile Manager," after "The President"; and

(II) by striking "section 11(a)" and inserting "section 11(b)(1)".

(2) TITLE 10.—Title 10 of the United States Code is amended—

(A) in section 4863(g), by striking "Strategic Materials Protection Board pursuant to section 187 of this title" and inserting "Strategic and Critical Materials Board of Directors pursuant to section 10 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-1)"; and

(B) in section 4872(c)(3)(B), by striking " Strategic Materials Protection Board pursuant to section 187 of this title" and inserting "Strategic and Critical Materials Board of Directors pursuant to section 10 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-1)".

SEC. 1412. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) IN GENERAL.—Section 5 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting "under the authority of paragraph (3) of this section or" after "Except for acquisitions made"; and

(ii) in the second sentence, by striking "for such acquisition" and inserting "for any acquisition of materials under this Act"; and

(B) by adding at the end the following:

"(3) Using funds appropriated for acquisition of materials under this Act, the National Defense Stockpile Manager may acquire materials determined to be strategic and critical under section 3(a) without regard to the requirement of the first sentence of paragraph (1) if the Stockpile Manager determines there is a shortfall of such materials in the stockpile."; and

(2) in subsection (c), by striking "to carry out the purposes for which appropriated for a period of two fiscal years, if so provided in appropriation Acts" and inserting "until expended, unless otherwise provided in appropriations Acts".

(b) INCREASE IN QUANTITIES OF MATERIALS TO BE STOCKPILED.—Section 3(c)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(c)(2)) is amended—

(1) by amending the first sentence to read as follows: "The President shall notify Congress in writing of any increase proposed to be made in the quantity of any material to be stockpiled that involves the acquisition of additional materials for the stockpile.";

(2) in the second sentence, by striking "the change after the end of the 45-day period" and inserting "the increase after the end of the 30-day period"; and

(3) in the third sentence, by striking "change" and inserting "increase".

SEC. 1413. BRIEFINGS ON SHORTFALLS IN NATIONAL DEFENSE STOCKPILE.

Section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5) is amended by adding at the end the following new subsection:

"(f)(1) Not later than March 1 each year, the National Defense Stockpile Manager shall provide to the congressional defense committees a briefing on strategic and critical materials that—

"(A) are determined to be in shortfall in the most recent report on stockpile requirements submitted under subsection (a); and

"(B) the acquisition or disposal of which is included in the Annual Materials and Operations Plan for the operation of the stockpile during the next fiscal year submitted under section 11(b).

"(2) Each briefing required by paragraph (1) shall include—

"(A) a description of each material described in that paragraph, including the objective to be achieved if funding is provided, in whole or in part, for the acquisition of the material to remedy the shortfall;

"(B) an estimate of additional amounts required to provide such funding, if any; and

"(C) an assessment of the supply chain for each such material, including any assessment of any relevant risk in any such supply chain.".

SEC. 1414. AUTHORITY TO ACQUIRE MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) ACQUISITION AUTHORITY.—Of the funds appropriated into the National Defense Stockpile Transaction Fund pursuant to the authorization of appropriations under subsection (c), the National Defense Stockpile Manager may use up to $1,003,500,000 for acquisition of the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(1) Neodymium oxide, praseodymium oxide, and neodymium iron boron (NdFeB) magnet block.

(2) Titanium.

(3) Energetic materials.

(4) Iso-molded graphite.

(5) Grain-oriented electric steel.

(6) Tire cord steel.

(7) Cadmium zinc telluride.

(8) Any additional materials identified as stockpile requirements in the most recent report submitted to Congress under section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5).

(b) FISCAL YEAR LIMITATION.—The authority under subsection (a) is available for purchases during fiscal years 2023 through 2032.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the National Defense Stockpile Transaction Fund $1,003,500,000 for the acquisition of strategic and critical materials under section 6(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e(a)).

(d) COMPLIANCE WITH STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.—Any acquisition using funds appropriated pursuant to the authorization of appropriations under subsection (c) shall be carried out in accordance with the provisions of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.).

SEC. 1415. DEPARTMENT OF DEFENSE READINESS TO SUPPORT PROLONGED CONFLICT.

(a) STUDIES REQUIRED.—

(1) IN GENERAL.—For each report required by section 14(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-5(a)), the National Defense Stockpile Manager shall—

(A) conduct a study on the strategic materials required by the Department of Defense to sustain combat operations for not less than one year against the pacing threat identified in the National Defense Strategy; and

(B) not later than January 15, 2024, submit to the congressional defense committees a report on such study in a classified form with an unclassified summary.

(2) ENERGY STORAGE AND ELECTRONIC COMPONENTS.—

(A) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall conduct a study of the energy storage and electronic components necessary to sustain combat operations for not less than one year against the pacing threat identified in the National Defense Strategy.

(B) REPORT.——

(i) IN GENERAL.—Not later than January 15, 2024, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report on the study required under subparagraph (A).

(ii) FORM.—The report required by clause (i) shall be submitted in an unclassified form but may contain a classified annex.

(iii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A description of the specific number and type of energy storage and electronic components that the Department of Defense requires for the manufacture of munitions, combat support items, and weapon systems to sustain combat operations.

(II) A description of the specific number and type of energy storage and electronic components that the Department of Defense requires to replenish or replace munitions, combat support items, and weapon systems that are lost or expended during the execution and sustainment of the relevant operational plan.

(III) A description of supply chain vulnerabilities during the sustainment and execution period, such

as sole sources of supply, war damage, and shipping interdiction.

(IV) A description of supply chain vulnerabilities prior to the sustainment and execution period and the replenishment and replacement period, such as reliance on sole sources of supply, geographic proximity to strategic competitors, and diminishing manufacturing sources.

(V) An identification of alternative sources of supply for energy and electronics components that are domestic or are from allies or partners of the United States.

(VI) An assessment of the technical and economic feasibility of the preparedness and response programs of the Department of Defense, such as the National Defense Stockpile, the Warstopper program, war reserves and pre-positioned stocks, contract options, or other methods to mitigate postulated shortfalls to Department of Defense requirements.

(VII) Any other such elements deemed appropriate by the Under Secretary of Defense for Acquisition and Sustainment.

(C) ENERGY STORAGE AND ELECTRONIC COMPONENT DEFINED.—In this paragraph, the term "energy storage and electronic component" includes—

(i) an item that operates by controlling the flow of electrons or other electrically charged particles in circuits, using interconnections of electrical devices such as resistors, inductors, capacitors, diodes, switches, transistors, or integrated circuits; and

(ii) battery cells, battery modules, battery packs, and other related components related to batteries.

(b) ACQUISITION PRIORITY.—Consistent with the authority in section 5 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d) and subject to the availability of appropriations, the National Defense Stockpile Manager shall acquire the highest priority strategic and critical materials identified in the report submitted under subsection (a)(1).

(c) STRATEGIC AND CRITICAL MATERIALS DEFINED.—In this section, the term "strategic and critical materials" has the meaning given such term in section 12 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-3).

Subtitle C—Other Matters

SEC. 1421. 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.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 1405 and available for the Defense Health Program for operation and maintenance, $168,000,000 may be transferred by the Secretary of Defense to the Joint Depart-

ment of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1422. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2023 from the Armed Forces Retirement Home Trust Fund the sum of $152,360,000 of which—

(1) $75,360,000 is for operation, maintenance, construction and renovation; and

(2) $77,000,000 is for major construction.

TITLE XV—CYBER AND INFORMATION OPERATIONS MATTERS

Subtitle A—Cyber Matters

Sec. 1501. Improvements to Principal Cyber Advisors.
Sec. 1502. Annual reports on support by military departments for United States Cyber Command.
Sec. 1503. Modification of office of primary responsibility for strategic cybersecurity program.
Sec. 1504. Tailored cyberspace operations organizations.
Sec. 1505. Establishment of support center for consortium of universities that advise Secretary of Defense on cybersecurity matters.
Sec. 1506. Alignment of Department of Defense cyber international strategy with National Defense Strategy and Department of Defense Cyber Strategy.
Sec. 1507. Enhancement of cyberspace training and security cooperation.
Sec. 1508. Military Cybersecurity Cooperation with Hashemite Kingdom of Jordan.
Sec. 1509. Management and oversight of Joint Cyber Warfighting Architecture.
Sec. 1510. Integrated non-kinetic force development.
Sec. 1511. Protection of critical infrastructure.
Sec. 1512. Budget display for cryptographic modernization activities for certain systems of the Department of Defense.
Sec. 1513. Establishing projects for data management, artificial intelligence, and digital solutions.
Sec. 1514. Operational testing for commercial cybersecurity capabilities.

Subtitle B—Information Operations

Sec. 1521. Requirement to notify Chief of Mission of military operation in the information environment.
Sec. 1522. Assessment and optimization of Department of Defense information and influence operations conducted through cyberspace.
Sec. 1523. Joint information operations course.

Sec. 1524. Limitation on availability of certain funds until submission of joint lexicon for terms related to information operations.
Sec. 1525. Limitation on availability of funds pending submittal of information operations strategy and posture review.
Sec. 1526. Limitation on availability of certain funds until submission of assessments relating to cybersecurity of the defense industrial base.

Subtitle C—Personnel

Sec. 1531. Cyber operations-peculiar awards.
Sec. 1532. Establishment of Cyber Operations Designator and rating for the Navy.
Sec. 1533. Total force generation for the Cyberspace Operations Forces.
Sec. 1534. Correcting cyber mission force readiness shortfalls.
Sec. 1535. Department of Defense Cyber and Digital Service Academy.
Sec. 1536. Report on recommendations from Navy Civilian Career Path study.
Sec. 1537. Study to determine optimal strategy for structuring and manning elements of Joint Force Headquarters–Cyber Organizations, Joint Mission Operations Centers, and Cyber Operations-Integrated Planning Elements.
Sec. 1538. Manning review of Space Force cyber squadrons.
Sec. 1539. Independent review of posture and staffing levels of Office of the Chief Information Officer.
Sec. 1540. Independent assessment of Civilian Cybersecurity Reserve for Department of Defense.
Sec. 1541. Comprehensive review of Cyber Excepted Service.

Subtitle D—Reports and Other Matters

Sec. 1551. Pilot program for sharing cyber capabilities and related information with foreign operational partners.
Sec. 1552. Demonstration program for cyber and information technology budget data analytics.
Sec. 1553. Plan for commercial cloud test and evaluation.
Sec. 1554. Roadmap and implementation plan for cyber adoption of artificial intelligence.
Sec. 1555. Review of Department of Defense implementation of recommendations from Defense Science Board cyber report.
Sec. 1556. Annual briefing on relationship between National Security Agency and United States Cyber Command.
Sec. 1557. Review of definitions associated with Cyberspace Operations Forces.
Sec. 1558. Annual assessments and reports on assignment of certain budget control responsibility to Commander of United States Cyber Command.
Sec. 1559. Assessments of weapons systems vulnerabilities to radio-frequency enabled cyber attacks.
Sec. 1560. Briefing on Department of Defense plan to deter and counter adversaries in the information environment.

Subtitle A—Cyber Matters

SEC. 1501. IMPROVEMENTS TO PRINCIPAL CYBER ADVISORS.

(a) CERTIFICATION AUTHORITY FOR CYBERSPACE OPERATIONS.—Subsection (c) of section 932 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is amended by adding at the end the following:

"(4) BUDGET REVIEW.—(A) The Secretary of Defense, acting through the Under Secretary of Defense (Comptroller), shall require the Secretaries of the military departments and the heads of the Defense agencies with responsibilities associated with any activity specified in paragraph (2) to transmit the proposed budget for such activities for a fiscal year and for the period covered by the future-years defense program submitted to Congress under section 221 of this title for that fiscal year to the Principal Cyber Advisor for review under subparagraph (B) be-

fore submitting the proposed budget to the Under Secretary of Defense (Comptroller).

"(B) The Principal Cyber Advisor shall review each proposed budget transmitted under subparagraph (A) and, not later than January 31 of the year preceding the fiscal year for which the budget is proposed, shall submit to the Secretary of Defense a report containing the comments of the Principal Cyber Advisor with respect to all such proposed budgets, together with the certification of the Principal Cyber Advisor regarding whether each proposed budget is adequate.

"(C) Not later than March 31 of each year, the Secretary of Defense shall submit to Congress a report specifying each proposed budget that the Principal Cyber Advisor did not certify to be adequate. The report of the Secretary shall include the following matters:

"(i) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address the inadequacy of the proposed budgets specified in the report.

"(ii) Any additional comments that the Secretary considers appropriate regarding the inadequacy of the proposed budgets.".

(b) CODIFICATION OF PRINCIPAL CYBER ADVISORS.—

(1) TITLE 10.—Chapter 19 of title 10, United States Code, is amended by inserting after section 392 the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 392a. Principal Cyber Advisors".

(2) PRINCIPAL CYBER ADVISOR TO SECRETARY OF DEFENSE.—Subsection (c) of section 932 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note), as amended by subsection (a), is—

(A) transferred to section 392a of title 10, United States Code, as added by paragraph (1);

(B) redesignated as subsection (a);

(C) amended by striking paragraph (1) and inserting the following:

"(1) ESTABLISHMENT.—There is a Principal Cyber Advisor in the Department of Defense."; and

(D) amended in the subsection heading by inserting "TO SECRETARY OF DEFENSE" after "ADVISOR".

(3) DEPUTY CYBER ADVISOR.—Section 905 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 391 note) is—

(A) transferred to chapter 19 of title 10, United States Code, designated as subsection (b) of section 392a, as added by paragraph (1), and amended by redesignating each subordinate provision and the margins thereof accordingly; and

(B) amended—

(i) by striking "this subsection" each place it appears and inserting "this paragraph"; and

(ii) by striking "subsection (a)" each place it appears and inserting "paragraph (1)".

(4) PRINCIPAL CYBER ADVISORS TO SECRETARIES OF MILITARY DEPARTMENTS.—Section 1657 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 391 note) is—

(A) transferred to chapter 19 of title 10, United States Code, designated as subsection (c) of section 392a, as added by paragraph (1), and amended by redesignating each subordinate provision and the margins thereof accordingly; and

(B) amended—

(i) by striking "subparagraph (B)" and inserting "clause (ii)";

(ii) by striking "paragraph (1)" each place it appears and inserting "subparagraph (A)";

(iii) by striking "paragraph (2)" each place it appears and inserting "subparagraph (B)";

(iv) by striking "subsection (a)(1)" and inserting "paragraph (1)(A)";

(v) by striking "subsection (a)" each place it appears and inserting "paragraph (1)";

(vi) by striking "subsection (b)" each place it appears and inserting "paragraph (2)"; and

(vii) by striking paragraph (6) (as redesignated pursuant to subparagraph (A)).

(c) CONFORMING AMENDMENTS.—

(1) TITLE 10.—Section 167b(d)(2)(A) of title 10, United States Code, is amended by inserting "to the Secretary of Defense under section 392a(a) of this title" after "Principal Cyber Advisor".

(2) FY22 NDAA.—Section 1528(e)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2224 note) is amended by striking "section 1657(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 391 note)" and inserting "section 392a(c)(4) of title 10, United States Code".

(3) FY17 NDAA.—Section 1643(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2224 note) is amended by striking "The Principal Cyber Advisor, acting through the cross-functional team established by section 932(c)(3) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note)" and inserting "The Principal Cyber Advisor to the Secretary of Defense, acting through the cross-functional team under section 392a(a)(3) of title 10, United States Code,".

SEC. 1502. ANNUAL REPORTS ON SUPPORT BY MILITARY DEPARTMENTS FOR UNITED STATES CYBER COMMAND.

(a) ANNUAL REPORTS.—Chapter 19 of title 10, United States Code, is amended by inserting after section 391 the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 391a. Annual reports on support by military departments for United States Cyber Command

"(a) REPORTS.—Not later than 15 days after the date on which the Secretary of Defense submits to Congress the defense budget materials (as defined in section 239 of this title) for a fiscal year, the Commander of the United States Cyber Command shall submit to the congressional defense committees a report containing the following:

"(1) An evaluation of whether each military department is meeting the requirements established by the Commander and validated by the Office of the Secretary of Defense, and is effectively implementing the plan required by section 1534 of the National Defense Authorization Act for Fiscal Year 2023, and the requirements established pursuant to section 1533 of such Act.

"(2) For each military department evaluated under paragraph (1)—

"(A) a certification that the military department is meeting such requirements; or

"(B) a detailed explanation regarding how the military department is not meeting such requirements.

"(b) ELEMENTS OF EVALUATION.—Each evaluation under subsection (a)(1) shall include, with respect to the military department being evaluated, the following:

"(1) The adequacy of the policies, procedures, and execution of manning, training, and equipping personnel for employment within the Cyber Mission Force.

"(2) The sufficiency and robustness of training curricula for personnel to be assigned to either the Cyber Mission Force or units within the cyberspace operations forces, and the compliance by the military department with training standards.

"(3) The adequacy of the policies and procedures relating to the assignment and assignment length of members of the Army, Navy, Air Force, Marine Corps, or Space Force to the Cyber Mission Force.

"(4) The efficacy of the military department in filling key work roles within the Cyber Mission Force, including the proper force mix of civilian, military, and contractor personnel, and the means necessary to meet requirements established by the Commander and validated by the Secretary of Defense.

"(5) The adequacy of the investment to advance cyber-peculiar science and technology, particularly with respect to capability development for the Cyber Mission Force.

"(6) The sufficiency of the policies, procedures, and investments relating to the establishment and management of military occupational specialty, designator, rating, or Air Force specialty code for personnel responsible for cyberspace operations, including an assessment of the effectiveness of the combination of policies determining availability and retention of sufficient numbers of proficient personnel in key work roles, including length of service commitment, the use of bonuses and special pays, alternative compensation mechanisms, and consecutive tours in preferred assignments.

"(7) In coordination with the Principal Cyber Advisor of the Department of Defense, an evaluation of the use by the military department of the shared lexicon of the Department of Defense specific to cyberspace activities.

"(8) The readiness of personnel serving in the Cyber Mission Force and the cyberspace operations forces to accomplish assigned missions.

"(9) The adequacy of actions taken during the period of evaluation by the military department to respond to findings from any previous years' evaluations.

"(10) Any other element determined relevant by the Commander.".

(b) FIRST REPORT.—The Commander of the United States Cyber Command shall submit to the congressional defense committees the first report under section 391a of title 10, United States Code, as added by subsection (a), as soon as practicable after the date of the submission of the defense budget materials for fiscal year 2024.

SEC. 1503. MODIFICATION OF OFFICE OF PRIMARY RESPONSIBILITY FOR STRATEGIC CYBERSECURITY PROGRAM.

Paragraph (2) of section 1640(c) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2224 note) is amended to read as follows:

"(2) OFFICE OF PRIMARY RESPONSIBILITY.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023, the Secretary of Defense shall designate a principal staff assistant from within the Office of the Secretary of Defense whose office shall serve as the office of primary responsibility for the Program, providing policy, direction, and oversight regarding the execution of the responsibilities of the program manager described in paragraph (5).".

SEC. 1504. TAILORED CYBERSPACE OPERATIONS ORGANIZATIONS.

Section 1723 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 394 note) is amended by adding at the end the following new subsections:

"(e) IMPLEMENTATION.—Not later than May 1, 2023, the Commanding Officer of Navy Cyber Warfare Development Group shall submit to the congressional defense committees an independent review of the study under subsection (a). The review shall include, at a minimum, evaluations of—

"(1) the value of the study to the Navy Cyber Warfare Development Group and to the Navy;

"(2) any recommendations not considered or included as part of the study;

"(3) the implementation of subsection (b); and

"(4) other matters as determined by the Commanding Officer.

"(f) UPDATE TO CONGRESS.—Not later than July 1, 2023, the Secretaries of the military departments and the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall provide to the congressional defense committees a briefing on activities taken during the period following the date of the briefing provided under subsection (d), including an examination of establishing Tai-

lored Cyberspace Operations Organizations and use of the authority provided pursuant to subsection (c).

"(g) AIR FORCE ACTIONS.—Not later than July 1, 2023, the Secretary of the Air Force shall submit to the congressional defense committees a review of the activities of the Navy Cyber Warfare Development Group, including with respect to the authorities of the Group. The review shall include the following:

"(1) An assessment of whether such authorities shall be conferred on the 90th Cyberspace Operations Squadron of the Air Force.

"(2) A consideration of whether the 90th Cyberspace Operations Squadron should be designated a controlled tour, as defined by the Secretary.".

SEC. 1505. ESTABLISHMENT OF SUPPORT CENTER FOR CONSORTIUM OF UNIVERSITIES THAT ADVISE SECRETARY OF DEFENSE ON CYBERSECURITY MATTERS.

Section 1659 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 391 note) is amended by adding at the end the following new subsection:

"(f) SUPPORT CENTER.—

"(1) ESTABLISHMENT.—The Secretary shall establish a center to provide support to the consortium established under subsection (a).

"(2) COMPOSITION.—

"(A) REQUIREMENT.—The center established under paragraph (1) shall be composed of one or two universities, as the Secretary considers appropriate, that—

"(i) have been designated as centers of academic excellence by the Director of the National Security Agency or the Secretary of Homeland Security; and

"(ii) are eligible for access to classified information.

"(B) PUBLICATION.—The Secretary shall publish in the Federal Register the process for selection of universities to serve as the center established under paragraph (1).

"(3) FUNCTIONS.—The functions of the center established under paragraph (1) are as follows:

"(A) To promote the consortium established under subsection (a).

"(B) To distribute on behalf of the Department requests for information or assistance to members of the consortium.

"(C) To collect and assemble responses from requests distributed under subparagraph (B).

"(D) To provide additional administrative support for the consortium.".

SEC. 1506. ALIGNMENT OF DEPARTMENT OF DEFENSE CYBER INTERNATIONAL STRATEGY WITH NATIONAL DEFENSE STRATEGY AND DEPARTMENT OF DEFENSE CYBER STRATEGY.

(a) ALIGNMENT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Policy and in coordination with the commanders of the combatant commands and the Director of the Joint Staff, shall undertake efforts to align the cybersecurity cooperation enterprise of the Department of Defense and the cyberspace operational partnerships of the Department with—

(1) the national defense strategy published in 2022 pursuant to section 113(g) of title 10, United States Code;

(2) the Cyber Strategy of the Department published during fiscal year 2023; and

(3) the current International Cyberspace Security Cooperation Guidance of the Department, as of the date of the enactment of this Act.

(b) ELEMENTS.—The alignment efforts under subsection (a) shall include the following efforts within the Department of Defense:

(1) Efforts to build the internal capacity of the Department to support international strategy policy engagements with allies and partners of the United States.

(2) Efforts to coordinate and align cyberspace operations with foreign partners of the United States, including alignment between hunt-forward missions and other cyber international strategy activities conducted by the Department, including identification of processes, working groups, and methods to facilitate coordination between geographic combatant commands and the United States Cyber Command.

(3) Efforts to deliberately cultivate operational and intelligence-sharing partnerships with key allies and partners of the United States to advance the cyberspace operations objectives of the Department.

(4) Efforts to identify key allied and partner networks, infrastructure, and systems that the Joint Force will rely upon for warfighting and to—

(A) support the cybersecurity and cyber defense of those networks, infrastructure, and systems;

(B) build partner capacity to actively defend those networks, infrastructure, and systems;

(C) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems, such as when identified through hunt-forward operations; and

(D) leverage the commercial and military cybersecurity technology and services of the United States to harden and defend those networks, infrastructure, and systems.

(5) Efforts to secure the environments and networks of mission partners of the United States used to hold intelligence and information originated by the United States.

(6) Prioritization schemas, funding requirements, and efficacy metrics to drive cyberspace security investments in the tools, technologies, and capacity-building efforts that will have the greatest positive impact on the resilience and ability of the Department to execute its operational plans and achieve integrated deterrence.

(c) ORGANIZATION.—The Under Secretary of Defense for Policy shall lead efforts to implement this section. In doing so, the Under Secretary shall consult with the Secretary of State, the National Cyber Director, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the Federal Bureau of Investigation, to align plans and programs as appropriate.

(d) ANNUAL BRIEFINGS.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once

each fiscal year until September 30, 2025, the Under Secretary of Defense for Policy shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the implementation of this section.

(2) CONTENTS.—Each briefing under paragraph (1) shall include the following:

(A) An overview of efforts undertaken pursuant to this section.

(B) An accounting of all the security cooperation activities of the Department germane to cyberspace and changes made pursuant to implementation of this section.

(C) A detailed schedule with target milestones and required expenditures for all planned activities related to the efforts described in subsection (b).

(D) Interim and final metrics for building the cyberspace security cooperation enterprise of the Department.

(E) Identification of such additional funding, authorities, and policies, as the Under Secretary determines may be required.

(F) Such recommendations as the Under Secretary may have for legislative action to improve the effectiveness of cyberspace security cooperation of the Department with foreign partners and allies.

(e) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter until January 1, 2025, the Under Secretary of Defense for Policy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report summarizing the cyber international strategy activities of the Department, including within the cybersecurity cooperation enterprise of the Department and the cyber operational partnerships of the Department.

SEC. 1507. ENHANCEMENT OF CYBERSPACE TRAINING AND SECURITY COOPERATION.

(a) ENHANCED TRAINING.—

(1) REQUIREMENT.—The Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Policy, in coordination with the Commander of United States Cyber Command, the Director of the Defense Security Cooperation Agency, and the Director of the Defense Intelligence Agency, shall develop enhanced guidance for and implement training on cyberspace security cooperation at the Defense Security Cooperation University and the Joint Military Attaché School.

(2) TIMING.—The Under Secretaries shall develop the enhanced guidance and implement the training under paragraph (1)—

(A) by not later than one year after the date of the enactment of this Act with respect to the Joint Military Attaché School; and

(B) by not later than September 30, 2025, with respect to the Defense Security Cooperation University.

(3) ELEMENTS.—The Under Secretaries shall ensure that the training on cyberspace security cooperation under paragraph (1)—

(A) is tailored to the trainees' anticipated embassy role and functions; and

(B) provides familiarity with—

(i) the different purposes of cyberspace engagements with partners and allies of the United States, including threat awareness, cybersecurity, mission assurance, and operations;

(ii) the types of cyberspace security cooperation programs and activities available for partners and allies of the United States, including bilateral and multilateral cyberspace engagements, information and intelligence sharing, training, and exercises;

(iii) the United States Cyber Command cyberspace operations with partners, including an overview of the Hunt Forward mission and process;

(iv) the roles and responsibilities of the United States Cyber Command, the geographic combatant commands, and the Defense Security Cooperation Agency for cybersecurity cooperation within the Department of Defense; and

(v) such other matters as the Under Secretaries, in coordination with the Commander of United States Cyber Command, consider appropriate.

(4) REQUIREMENTS.—The baseline familiarization training developed under subsection (a) shall be a required element for all participants in the Defense Security Cooperation University, the Attaché Training Program, and the Attaché Staff Training Program of the Joint Military Attaché School.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Policy, in coordination with the Commander of the United States Cyber Command, the Director of the Defense Security Cooperation Agency, and the Director of the Defense Intelligence Agency, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the requirements and considerations to implement enhanced training and coordination to advance cyberspace security cooperation with foreign partners. The study may consider such areas as the following:

(1) Sufficiency of the training provided in the Defense Security Cooperation University and the Joint Military Attaché School.

(2) Additional training requirements, familiarization requirements, or both such requirements necessary for officers assigned to particular locations or positions.

(3) Areas for increased cooperation.

(4) A plan for completing the activities required by subsection (a).

(5) Additional resources required to complete such activities.

(c) BRIEFING.—Not later than 30 days after the date on which the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Policy submit the report under subsection (b), the Under Secretaries, in coordination with the Commander of the United States Cyber Command, the Director of the

Defense Security Cooperation Agency, and the Director of the Defense Intelligence Agency, shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the findings from the report on enhancing training and coordination to advance cyberspace security cooperation described in such subsection. Such briefing shall include a discussion on the enhanced training meeting the elements under subsection (a)(3) and a plan for future updates and sustainment of such training.

SEC. 1508. MILITARY CYBERSECURITY COOPERATION WITH HASHEMITE KINGDOM OF JORDAN.

(a) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Policy, in concurrence with the Secretary of State and in coordination with the Commander of the United States Cyber Command and the Commander of the United States Central Command, shall seek to engage the Ministry of Defense of the Hashemite Kingdom of Jordan for the purpose of expanding cooperation of military cybersecurity activities.

(b) COOPERATION EFFORTS.—In expanding the cooperation of military cybersecurity activities between the Department of Defense and the Ministry of Defense of the Hashemite Kingdom of Jordan under subsection (a), the Secretary of Defense may carry out the following efforts:

(1) Bilateral cybersecurity training activities and exercises.

(2) Efforts to—

(A) actively defend military networks, infrastructure, and systems;

(B) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems; and

(C) leverage United States commercial and military cybersecurity technology and services to harden and defend those networks, infrastructure, and systems.

(3) Establishment of a regional cybersecurity center.

(c) BRIEFINGS.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall provide to the appropriate congressional committees a briefing on the implementation of this section.

(2) CONTENTS.—The briefing under paragraph (1) shall include the following:

(A) An overview of efforts undertaken pursuant to this section.

(B) A description of the feasibility and advisability of expanding the cooperation of military cybersecurity activities between the Department of Defense and the Ministry of Defense of the Hashemite Kingdom of Jordan.

(C) Identification of any challenges and resources that need to be addressed so as to expand such cooperation.

(D) Any other matter the Secretary determines relevant.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1509. MANAGEMENT AND OVERSIGHT OF JOINT CYBER WARFIGHTING ARCHITECTURE.

(a) ESTABLISHMENT OF OFFICES.—

(1) REQUIREMENT.—The Secretary of Defense, in consultation with the Commander of the United States Cyber Command, shall establish within the United States Cyber Command—

(A) a program executive office; and

(B) one or more subordinate program management offices under the program executive office.

(2) RESPONSIBILITIES.—The offices established pursuant to paragraph (1) shall—

(A) oversee, manage, and execute the Joint Cyber Warfighting Architecture;

(B) oversee, manage, and execute the programs designated, or to be designated, as part of the Joint Cyber Warfighting Architecture;

(C) conduct mission engineering, architecting, and design of the Joint Cyber Warfighting Architecture system of systems, and any successor effort;

(D) maintain a validated Joint Cyber Warfighting Architecture system of systems mission architecture, updated regularly to inform the current and future constituent programs of the Joint Cyber Warfighting Architecture, and the continuous delivery pipelines of such programs;

(E) ensure that the Joint Cyber Warfighting Architecture component solution architectures align with and support the Joint Cyber Warfighting Architecture system of systems mission architecture;

(F) support integration of mission-specific capabilities, including mission-specific data, analytics, defensive tools, offensive tools, and intelligence systems, acquired through non-Joint Cyber Warfighting Architecture programs; and

(G) carry out any other responsibilities determined appropriate by the Secretary of Defense, including the acquisition of cyber operations capabilities beyond the Joint Cyber Warfighting Architecture.

(3) APPORTIONMENT OF RESPONSIBILITIES.—The Commander shall apportion the responsibilities under paragraph (2) across the offices established pursuant to paragraph (1).

(4) AUTHORITY.—The Secretary shall ensure that the offices established pursuant to paragraph (1) are empowered with the authority necessary to compel and enforce compliance with decisions and directives issued pursuant to the responsibilities under paragraph (2).

(b) ARCHITECTURE COMPONENTS.—The Commander shall serve as the sole sponsor and requirements manager for the Joint Cyber Warfighting Architecture and the constituent programs of such architecture, as determined by the Commander.

(c) ORGANIZATION OF PROGRAM EXECUTIVE OFFICE.—

(1) HEAD.—

(A) REPORTING.—The head of the program executive office established under subsection (a)(1)(A) shall report to

the Command Acquisition Executive of the United States Cyber Command.

(B) ADDITIONAL OVERSIGHT.—In addition to the oversight of the head of the program executive office provided by the Command Acquisition Executive under subparagraph (A), the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, and the Principal Cyber Advisor of the Department of Defense shall provide oversight of the head.

(2) RESPONSIBILITIES.—The head of the program executive office shall—

(A) exercise central technical authority for the Joint Cyber Warfighting Architecture;

(B) manage and provide oversight of the implementation and integration of the Architecture; and

(C) provide direction to subordinate program offices, as determined appropriate by the Commander.

(d) PERSONNEL.—

(1) NECESSARY POSITIONS.—The Commander of the United States Cyber Command shall ensure that the program executive office or any subordinate program management office established pursuant to subsection (a)(1) includes in the staff of the respective office a chief architect, a systems engineer, and a chief talent officer to—

(A) develop a mission-driven Joint Cyber Warfighting Architecture optimized for execution of missions of the United States Cyber Command;

(B) ensure the office is properly and effectively staffed; and

(C) advise the head of the office with respect to the execution of—

(i) the central technical authority for the Joint Cyber Warfighting Architecture;

(ii) the management of the implementation and integration of the Joint Cyber Warfighting Architecture; and

(iii) technical direction provided to subordinates responsible for individual Joint Cyber Warfighting Architecture programs.

(2) STAFFING.—

(A) IN GENERAL.—The Secretary of Defense, in coordination with the Commander of the United States Cyber Command, shall ensure that the offices established pursuant to subsection (a)(1) are appropriately staffed with expert talent, including from the following organizations, as appropriate:

(i) The headquarters staff of the United States Cyber Command, the Cyber National Mission Force, the Joint Force Headquarters-Cyber, and the Cyber Mission Force.

(ii) The Capabilities Directorate of the National Security Agency.

(iii) The military departments.

(iv) The Cyber Capabilities Support Office of the Air Force.

(v) The Defense Advanced Research Projects Agency.

(vi) The Strategic Capabilities Office.

(vii) Research laboratories of the military departments.

(viii) The Defense Information Systems Agency.

(B) TECHNICAL TALENT.—In addition to the requirement under subparagraph (A), to support the permanent staffing of the offices established pursuant to subsection (a)(1), the Commander of the United States Cyber Command shall ensure that the offices deliberately hire and use technical talent resident in the defense industrial base, commercial technology industry, federally funded research and development centers, university affiliated research centers, and the rest of the Federal Government.

(e) BUDGET EXECUTION CONTROL.—The Secretary shall provide to the United States Cyber Command the resources necessary to support the program executive office established under subsection (a)(1)(A) and the Commander of the United States Cyber Command shall exercise budget execution control over component programs of the Joint Cyber Warfighting Architecture that are subject to the responsibilities assigned to the Commander by section 1507 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 167b note).

(f) CONSTELLATION PROGRAM.—The Director of the Defense Advanced Research Projects Agency and the head of the program executive office established under subsection (a)(1)(A) shall plan and carry out the Constellation program by entering into transactions under section 4021 of title 10, United States Code. In carrying out the preceding sentence, the Secretary shall establish an effective framework and pipeline system for maturing cyber operations-relevant technologies developed by the Agency, integrating the technologies into Joint Cyber Warfighting Architecture capabilities, and transitioning the technologies into operational use by the United States Cyber Command.

(g) TRANSITION.—The Secretary of Defense, in coordination with the Commander of the United States Cyber Command, shall transition responsibilities for the management and execution of Joint Cyber Warfighting Architecture programs from the military departments to the offices established pursuant to subsection (a)(1) by the earlier of the following:

(1) The date on which—

(A) the offices are appropriately staffed and resourced; and

(B) the Commander determines that the transition is appropriate.

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

(h) REVIEW.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment and the Commander of the United States Cyber Command, in coordination with the Under Secretary of Defense for Research and Engineering, the Principal Cyber Advisor of the Depart-

ment of Defense, the Secretaries of the military departments, the Director of the Defense Advanced Research Projects Agency, and the Director of the National Security Agency, shall submit to the congressional defense committees an integrated review of the Joint Cyber Warfighting Architecture and all other capabilities required for the execution of the missions of the United States Cyber Command to determine the following:

(1) The extent to which capabilities of the United States Cyber Command and the National Security Agency should be joint, mutually available, integrated, or interoperable.

(2) Whether each of the Joint Cyber Warfighting Architecture capabilities has been effectively designed and architected to enable each of the missions of the United States Cyber Command.

(3) How the Joint Cyber Warfighting Architecture will support defense of the Department of Defense Information Network and its relation to existing datasets, sensors, tools, firewalls, and capabilities deployed at each echelon of the Department of Defense Information Network.

(4) What data, capabilities, and technologies external to the current Joint Cyber Warfighting Architecture programs, as of the date of the review, should be acquired as part of the Joint Cyber Warfighting Architecture and under the control of the offices established pursuant to subsection (a)(1).

(5) What mission-specific data, capabilities, and technologies external to the current Joint Cyber Warfighting Architecture programs should integrate with or be interoperable with the Joint Cyber Warfighting Architecture system of systems.

(6) The organization and staffing of such offices, including—

(A) whether the program executive office should be responsible for overseeing the acquisition of the cyber operations capabilities of the United States Cyber Command generally or the Joint Cyber Warfighting Architecture specifically;

(B) what subordinate program management offices should be established under the program executive office;

(C) whether the Joint Cyber Warfighting Architecture programs should be consolidated within a single program management office; and

(D) which personnel should be appointed to such offices pursuant to subsection (d)(1).

(7) The timeline for the execution of the transition under subsection (g).

(8) The acquisition strategy of the Department for procuring the Joint Cyber Warfighting Architecture and related capabilities, including relevant enterprise strategic initiatives and contracting strategies.

(9) The responsibilities of the United States Cyber Command J2, J3, J5, J6, J8, and J9 in acquiring, authorizing, and managing cyber capabilities.

(10) The physical locations of the offices established pursuant to subsection (a)(1).

(i) BRIEFING REQUIRED.—Not later than 540 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment and the Commander of the United

States Cyber Command shall jointly provide to the congressional defense committees a briefing on the status of the implementation of this section.

(j) REPEAL.—Section 1645 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 4571 note prec.) is repealed.

(k) JOINT CYBER WARFIGHTING ARCHITECTURE DEFINED.—In this section, the term "Joint Cyber Warfighting Architecture" means the range of joint cyber warfighting systems and capabilities that support the full spectrum of military cyber operations, as designated by the Commander of the United States Cyber Command, and includes any such successor effort.

SEC. 1510. INTEGRATED NON-KINETIC FORCE DEVELOPMENT.

(a) FORCE DEVELOPMENT.—

(1) IN GENERAL.—The Secretary of Defense shall establish forces, capabilities, and information support to enable the delivery of non-kinetic effects that provide increased survivability and effectiveness of military forces within a defense planning scenario.

(2) FORCE PLANNING.—To support the development of the forces, capabilities, and information support under paragraph (1), the Secretary shall establish a force planning activity to identify and define the relevant forces, capabilities, and information support required to develop and deliver non-kinetic effects within a defense planning scenario. The Secretary shall ensure that the force planning activity identifies—

(A) desired operational effects within such scenario;

(B) the gaps that limit the ability to access important targets, the development of capabilities, the conduct of mission planning, and the execution of operations to deliver such effects;

(C) the collection systems, analytic expertise and capacity, analytic tools and processes, foreign materiel, and product lines required to support development and delivery of such effects;

(D) the forces required to deliver such effects, including associated doctrine, training, expertise, organization, authorities, and command and control arrangements; and

(E) the cyber, electronic warfare, sensing, and communications capabilities, and delivery platforms and mechanisms, required to achieve such effects and the extent to which such capabilities, platforms, and mechanisms should be integrated with each other.

(3) INITIAL ORGANIZATION STRUCTURE.—During an initial period of not less than 24 months, the Under Secretary of Defense for Research and Engineering shall organize the force planning activity established under paragraph (2). The Under Secretary shall designate a planning official from the Office of the Under Secretary for Research and Engineering to lead development and execution of the force planning activity, in coordination with staff designated by the Director of the Joint Staff of the Joint Chiefs of Staff. The designated planning official shall select a lead technical director. After such initial period, the Sec-

retary may re-assign the force planning activity to another organization under different leadership.

(4) PLAN FOR FOLLOW-ON ACTIVITIES.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a plan for follow-on activities regarding the delivery of non-kinetic effects described in paragraph (1). The Secretary shall ensure the plan—

(A) includes the identification of dedicated resources to be controlled by the designated planning official described in paragraph (3) and an approach under which the planning official apportions such resources across the Department of Defense to establish, augment, and accelerate new and ongoing activities described in paragraph (1) and subsections (b), (c), and (d); and

(B) identifies—

(i) a dedicated program element for non-kinetic force development;

(ii) the suitability of the mission management authorities established through the pilot program under section 871 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 191 note);

(iii) the utility of using joint capability technology demonstrations to drive prototyping, experimentation, and technical integration of non-kinetic capabilities;

(iv) how the Rapid Defense Experimentation Reserve might drive prototyping, experimentation, and technical integration of non-kinetic capabilities; and

(v) alignment with other experimentation activities with the appropriate combatant commands.

(5) IMPLEMENTATION.—During the initial period specified in paragraph (3), the designated planning official described in such paragraph shall report directly to the Deputy Secretary of Defense, to whom the official shall provide updates and recommendations not less frequently than quarterly. The Secretary shall ensure that the force planning activity established under paragraph (2) is supported by representatives from the military services, relevant combatant commands, the Strategic Capabilities Office, the Defense Advanced Research Projects Agency, and other elements within the Department of Defense, as appropriate.

(b) FORCES.—In order to generate the forces identified in subsection (a)(2)(D), the Secretary of Defense shall—

(1) through the Secretaries of the military departments and the heads of other Department of Defense components, as appropriate, establish appropriate forces and accompanying doctrine, training, and tradecraft;

(2) acting through the Vice Chairman of the Joint Chiefs of Staff, serving as the Chairman of the Joint Requirements Oversight Council, ensure that appropriate requirements exist to guide the development and fielding of forces and means to deliver non-kinetic effects within a defense planning scenario;

(3) through the Under Secretary of Defense for Policy, in coordination with the Chairman of the Joint Chiefs of Staff and the combatant commands, establish appropriate command and control structures and relationships governing such forces; and

(4) determine the appropriate responsibilities of—

(A) Cyber Mission Force of the United States Cyber Command;

(B) cyber, electronic warfare, and space forces provided to other combatant commands; and

(C) other operational entities within the Department of Defense in delivering non-kinetic effects.

(c) CAPABILITIES.—In order to develop the capabilities identified in subsection (a)(2)(E), the Secretary of Defense, acting through the Director of the Defense Advanced Research Projects Agency, the Director of the Strategic Capabilities Office, the Secretaries of the military departments, and the heads of other elements of the Department of Defense, shall develop the capabilities required for the delivery of non-kinetic effects within a defense planning scenario.

(d) POLICY.—The Secretary of Defense, acting through the Under Secretary of Defense for Policy and in coordination with the Chairman of the Joint Chiefs of Staff, shall develop policy governing the delivery of non-kinetic effects within a defense planning scenario.

(e) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the status of the implementation of this section.

(f) NON-KINETIC EFFECTS DEFINED.—In this section, the term "non-kinetic effects" means effects achieved through radio-frequency transmission of integrated cyber and electronic warfare techniques and other related and supporting technical measures.

SEC. 1511. PROTECTION OF CRITICAL INFRASTRUCTURE.

(a) IN GENERAL.—In the event that the President determines that there is an active, systematic, and ongoing campaign of attacks in cyberspace by a foreign power against the Government or the critical infrastructure of the United States, the President may authorize the Secretary of Defense, acting through the Commander of the United States Cyber Command, to conduct military cyber activities or operations pursuant to section 394 of title 10, United States Code, in foreign cyberspace to deter, safeguard, or defend against such attacks.

(b) AFFIRMATION OF SCOPE OF CYBER ACTIVITIES OR OPERATIONS.—Congress affirms that the cyber activities or operations referred to in subsection (a), when appropriately authorized, shall be conducted consistent with section 394 of title 10, United States Code.

(c) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this section, the term "critical infrastructure" has the meaning given that term in subsection (e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

SEC. 1512. BUDGET DISPLAY FOR CRYPTOGRAPHIC MODERNIZATION ACTIVITIES FOR CERTAIN SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) DISPLAY REQUIRED.—Beginning with fiscal year 2024, and for each fiscal year thereafter, the Secretary of Defense shall include with the budget justification materials submitted to Congress in

support of the budget of the Department of Defense for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a consolidated cryptographic modernization budget justification display for each Department of Defense system or asset that is protected by cryptography and subject to certification by the National Security Agency (in this section, referred to as "covered items").

(b) ELEMENTS.—Each display included under subsection (a) for a fiscal year shall include the following:

(1) CRYPTOGRAPHIC MODERNIZATION ACTIVITIES.—(A) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 142 note), the cryptographic modernization for each covered item is pending, in progress, complete, or, pursuant to paragraph (2) of such section, extended.

(B) The funding required for the covered fiscal year and for each subsequent fiscal year of the Future Years Defense Program to complete the pending or in progress cryptographic modernization by the required replacement date of each covered item.

(C)(i) A description of deviations between the funding annually required to complete the modernization prior to the required replacement date and the funding requested and planned within the Future Years Defense Program.

(ii) An explanation—

(I) justifying the deviations; and

(II) of whether or how any delays resulting from a deviation shall be overcome to meet the required replacement date.

(D) A description of operational or security risks resulting from each deviation from the modernization schedule required to meet replacement dates, including a current intelligence assessment of adversary progress on exploiting the covered item.

(E) For any covered item that remains in service past its required replacement date, a description of the number of times the covered item has been extended and the circumstances attending each such extension.

(2) MITIGATION ACTIVITIES FOR COVERED ITEMS.—(A) Whether activities to mitigate the risks associated with projected failure to replace a covered item by the required replacement date are planned, in progress, or complete.

(B) The funding required for the covered fiscal year and for each subsequent fiscal year for required mitigation activities to complete any planned, pending, or in progress mitigation activities for a covered item.

(C) A description of the activities planned in the covered fiscal year and each subsequent fiscal year to complete mitigation activities and an explanation of the efficacy of the mitigations.

(c) FORM.—The display required by subsection (a) shall be included in unclassified form, but may include a classified annex.

SEC. 1513. ESTABLISHING PROJECTS FOR DATA MANAGEMENT, ARTIFICIAL INTELLIGENCE, AND DIGITAL SOLUTIONS.

(a) ESTABLISHMENT OF PRIORITY PROJECTS.—The Deputy Secretary of Defense shall—

(1) establish priority enterprise projects for data management, artificial intelligence, and digital solutions for both business efficiency and warfighting capabilities intended to accelerate decision advantage; and

(2) assign responsibilities for execution and funding of the projects established under paragraph (1).

(b) ACTIONS REQUIRED.—To ensure implementation of the priority projects of the Deputy Secretary of Defense under subsection (a), and to instill data science and technology as a core discipline in the Department of Defense, the Deputy Secretary shall—

(1) hold the heads of components accountable for—

(A) making their component's data available for use pursuant to the memorandum of the Deputy Secretary of Defense dated May 5, 2021, and titled "Creating Data Advantage", in accordance with plans developed and approved by the head of the component and the Deputy Secretary;

(B) developing, implementing, and reporting measurable actions to acquire, preserve, and grow the population of government and contractor personnel with expertise in data management, artificial intelligence, and digital solutions;

(C) making their components use data management practices, analytics processes, enterprise cloud computing environments, and operational test environments that are made available and specifically approved by the head of the component and the Deputy Secretary;

(D) identifying and reporting on an annual basis for Deputy Secretary approval those ongoing programs and activities and new initiatives within their components to which the component head determines should be applied advanced analytics, digital technology, and artificial intelligence; and

(E) developing and implementing cybersecurity and artificial intelligence security solutions, including preventative and mitigative technical solutions, red team assessments, to protect artificial intelligence systems, data, development processes, and applications from adversary actions;

(2) require the Chief Digital and Artificial Intelligence Officer, in coordination with the heads of components, to develop and report on an actionable plan for the Deputy Secretary to reform the technologies, policies, and processes used to support accreditation and authority to operate decisions to enable rapid deployment into operational environments of newly developed government, contractor, and commercial data management, artificial intelligence, and digital solutions software;

(3) require the Under Secretary of Defense for Personnel and Readiness, in coordination with the Chief Digital and Artificial Intelligence Officer and heads of components to define and establish career paths, work roles, and occupational specialties for civilian and military personnel in the fields of data manage-

ment, artificial intelligence, and digital solutions for the Deputy Secretary's approval; and

(4) establish a Departmental management reform goal for adoption and integration artificial intelligence or machine learning into business and warfighting processes, including the tracking of metrics, milestones, and initiatives to measure the progress of the Department in meeting that goal.

(c) BRIEFINGS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until December 31, 2025, the Deputy Secretary shall provide to the congressional defense committees a briefing on directives issued by the Deputy Secretary to implement the requirements of this section and the status of implementation actions.

(d) COMPONENT DEFINED.—In this section, the term "component" means a military department, a combatant command, or a Defense Agency of the Department of Defense.

SEC. 1514. OPERATIONAL TESTING FOR COMMERCIAL CYBERSECURITY CAPABILITIES.

(a) DEVELOPMENT AND SUBMISSION OF PLANS.—Not later than February 1, 2024, the Chief Information Officer of the Department of Defense and the Chief Information Officers of the military departments shall develop and submit plans described in subsection (b) to the Director of Operational Test and Evaluation who may approve the implementation of the plans pursuant to subsection (c).

(b) PLANS DESCRIBED.—The plans described in this subsection are plans that—

(1) ensure covered cybersecurity capabilities are appropriately tested, evaluated, and proven operationally effective, suitable, and survivable prior to operation on a Department of Defense network; and

(2) specify how test results will be expeditiously provided to the Director of Operational Test and Evaluation.

(c) ASSESSMENT.—In reviewing the plans submitted under subsection (a), the Director of Operational Test and Evaluation shall conduct an assessment that includes consideration of the following:

(1) Threat-realistic operational testing, including representative environments, variation of operational conditions, and inclusion of a realistic opposing force.

(2) The use of Department of Defense cyber red teams, as well as any enabling contract language required to permit threat-representative red team assessments.

(3) Collaboration with the personnel using the commercial cybersecurity capability regarding the results of the testing to improve operators' ability to recognize and defend against cyberattacks.

(4) The extent to which additional resources may be needed to remediate any shortfalls in capability to make the commercial cybersecurity capability effective, suitable, and cyber survivable in an operational environment of the Department.

(5) Identification of training requirements, and changes to training, sustainment practices, or concepts of operation or employment that may be needed to ensure the effectiveness, suitability, and cyber survivability of the commercial cybersecurity capability.

(d) POLICIES AND REGULATIONS.—Not later than February 1, 2024, the Secretary of Defense shall issue such policies and guidance and prescribe such regulations as the Secretary determines necessary to carry out this section.

(e) REPORTS.—Not later than January 31, 2025, and not less frequently than annually thereafter until January 31, 2030, the Director shall include in each annual report required by section 139(h) of title 10, United States Code, the following:

(1) The status of the plans developed under subsection (a).

(2) The number and type of test and evaluation events completed in the past year for such plans, disaggregated by component of the Department, and including resources devoted to each event.

(3) The results from such test and evaluation events, including any resource shortfalls affecting the number of commercial cybersecurity capabilities that could be assessed.

(4) A summary of identified categories of common gaps and shortfalls found during testing.

(5) The extent to which entities responsible for developing and testing commercial cybersecurity capabilities have responded to recommendations made by the Director in an effort to gain favorable determinations.

(6) Any identified lessons learned that would impact training, sustainment, or concepts of operation or employment decisions relating to the assessed commercial cybersecurity capabilities.

(f) DEFINITION.—In this section, the term "covered cybersecurity capabilities" means any of the following:

(1) Commercial products (as defined in section 103 of title 41, United States Code) acquired and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components.

(2) Commercially available off-the-shelf items (as defined in section 104 of title 41, United States Code) acquired and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components.

(3) Noncommercial items acquired through the Adaptive Acquisition Framework and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components.

Subtitle B—Information Operations

SEC. 1521. REQUIREMENT TO NOTIFY CHIEF OF MISSION OF MILITARY OPERATION IN THE INFORMATION ENVIRONMENT.

Chapter 19 of title 10, United States Code, as amended by section 1551, is further amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 399. Notifications relating to military operations in the information environment: requirement to notify Chief of Mission

"The Secretary may not authorize a military operation in the information environment under this title intended to cause an effect

in a country unless the Secretary fully informs the chief of mission for that country under section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) of the planned operation.".

SEC. 1522. ASSESSMENT AND OPTIMIZATION OF DEPARTMENT OF DEFENSE INFORMATION AND INFLUENCE OPERATIONS CONDUCTED THROUGH CYBERSPACE.

(a) ASSESSMENT AND PLAN.—Not later than 90 days after the date of the enactment of this Act, the Principal Information Operations Advisor and the Principal Cyber Advisor to the Secretary of Defense shall complete both an assessment and an optimization plan for information and influence operations conducted through cyberspace.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following:

(1) An inventory of the components of the Department of Defense conducting information and influence operations conducted through cyberspace.

(2) An examination of sufficiency of resources allocated for information and influence operations conducted through cyberspace.

(3) An evaluation of the command and control, oversight, and management of matters related to information and influence operations conducted through cyberspace across the Office of the Secretary of Defense and the Joint Staff.

(4) An evaluation of the existing execution, coordination, synchronization, deconfliction, and consultative procedures and mechanisms for information and influence operations conducted through cyberspace.

(5) Any other matters determined relevant by the Principal Information Operations Advisor and the Principal Cyber Advisor to the Secretary of Defense.

(c) OPTIMIZATION PLAN.—The optimization plan under subsection (a) shall include the following:

(1) Actions that the Department will implement to improve the execution, coordination, synchronization, deconfliction, and consultative procedures and mechanisms for information and influence operations conducted through cyberspace.

(2) An evaluation of potential organizational changes required to optimize information and influence operations conducted through cyberspace.

(3) Any other matters determined relevant by the Principal Information Operations Advisor and the Principal Cyber Advisor to the Secretary of Defense.

(d) BRIEFINGS.—Not later than 30 days after completing the assessment and optimization plan under subsection (a), the Principal Information Operations Advisor and the Principal Cyber Advisor to the Secretary of Defense shall provide to the congressional defense committees a briefing on the assessment and plan.

(e) IMPLEMENTATION.—Not later than 180 days after the date on which the briefing is provided under subsection (d), the Secretary of Defense shall implement the optimization plan under subsection (a).

SEC. 1523. JOINT INFORMATION OPERATIONS COURSE.

(a) JOINT INFORMATION OPERATIONS COURSE.—The Secretary of Defense shall develop and provide to members of the Army, Navy, Air Force, Marine Corps, and Space Force a course to prepare the

members to plan and conduct information operations in a joint environment pursuant to title 10, United States Code. Such course shall include—

(1) standardized qualifications and procedures to enable the joint and synchronized employment of information-related capabilities in the information environment;

(2) joint methods to implement information operations in a battlefield environment under any ground force chain of command; and

(3) a curriculum covering applicable assets, core information operations concepts, integration of effects with a specific focus on information-related effects, operational methodology, multidimensional targeting space, other information-related capabilities defined by governing policy, instruction, publications, and doctrine, and any other topics or areas determined necessary by the Secretary.

(b) CONSIDERATION OF ONGOING EFFORTS.—The Secretary shall ensure that the course under subsection (a) is developed in light of the information operations posture review, gap analysis, strategy update, and designation of a Joint Force Trainer, occurring as of the date of the enactment of this Act.

(c) SEMIANNUAL REPORTS.—Subsequent to the development of the course under subsection (a), on a semiannual basis through January 1, 2028, the Secretary shall submit to the congressional defense committees a report on the course. Each report shall include, with respect to the period covered by the report—

(1) the number of members described in subsection (a) who attended the course; and

(2) an assessment of the value of the course in—

(A) conducting joint operations in the information environment; and

(B) the synchronized employment of information-related capabilities in the information environment.

SEC. 1524. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS UNTIL SUBMISSION OF JOINT LEXICON FOR TERMS RELATED TO INFORMATION OPERATIONS.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense for the travel of persons, not more than 75 percent may be obligated or expended until the date on which the Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate the joint lexicon for terms related to information operations required by section 1631(g)(1)(D) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 397 note).

SEC. 1525. LIMITATION ON AVAILABILITY OF FUNDS PENDING SUBMITTAL OF INFORMATION OPERATIONS STRATEGY AND POSTURE REVIEW.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for operation and maintenance, Defense-wide, for the Office of the Secretary of Defense for the travel of persons, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the

Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives the information operations strategy and posture review, including the designation of Information Operations Force Providers and Information Operations Joint Force Trainers for the Department of Defense, as required by section 1631(g) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 397 note).

SEC. 1526. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS UNTIL SUBMISSION OF ASSESSMENTS RELATING TO CYBERSECURITY OF THE DEFENSE INDUSTRIAL BASE.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Deputy Secretary of Defense—

(1) conducts the assessments under subsection (b); and

(2) provides to the congressional defense committees the briefing under subsection (c).

(b) ASSESSMENTS.—The Deputy Secretary shall conduct the following assessments:

(1) An assessment of the framework for cybersecurity of the defense industrial base required by section 1648 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2224 note) to determine whether—

(A) the current framework and plans for defense industrial base cybersecurity are sufficient; and

(B) alternative or additional courses of action should be considered or adopted, including—

(i) establishing a secure software development environment in a cloud environment inside the cybersecurity perimeter of the Department for contractors to perform their development work;

(ii) establishing a secure cloud environment through which contractors may access the data of the Department needed for their contract work;

(iii) enabling contractors to access cybersecurity-as-a-service offerings, including cybersecurity services provided by the Department;

(iv) limiting the amount of program information held at tiers of subcontractors to that which is necessary for contract performance; and

(v) mechanisms and processes to rationalize and integrate the many separately managed defense industrial base cybersecurity programs and activities conducted across the Department of Defense.

(2) An assessment of past and future planned activities of the Department of Defense in furtherance of section 1724 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2224), including a detailed review of roles and responsibilities, and supporting instructions and policy documents, for the Principal Cyber Advisor of the Department of Defense, the Chief Information Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, the Under Sec-

retary of Defense for Policy, and the Under Secretary of Defense for Intelligence and Security, and the Under Secretary of Defense (Comptroller).

(c) BRIEFING.—The Deputy Secretary shall provide to the congressional defense committees a briefing on the assessments conducted under subsection (b) and any decisions of and directions by the Deputy Secretary for improving the cybersecurity of the defense industrial base.

Subtitle C—Personnel

SEC. 1531. CYBER OPERATIONS-PECULIAR AWARDS.

Chapter 57 of title 10, United States Code, is amended by inserting after section 1124 the following new section:

"§ 1124a. Cyber operations-peculiar awards

"(a) AUTHORITY.—The Secretary of Defense and the Secretaries of the military departments may authorize the payment of a cash award to, and incur necessary expense for the honorary recognition of, a member of the covered armed forces whose novel actions, invention, or technical achievement enables or ensures operational outcomes in or through cyberspace against threats to national security.

"(b) ACTIONS DURING SERVICE.—An award under this section may be paid notwithstanding the member's death, separation, or retirement from the covered armed forces. However, the novel action, invention, or technical achievement forming the basis for the award must have been made while the member was on active duty or in an active reserve status and not otherwise eligible for an award under chapter 45 of title 5.

"(c) PAYMENT.—Awards to, and expenses for the honorary recognition of, members of the covered armed forces under this section may be paid from—

"(1) the funds or appropriations available to the activity primarily benefiting from the novel action, invention, or technical achievement; or

"(2) the several funds or appropriations of the various activities benefiting from the novel action, invention, or technical achievement.

"(d) AMOUNTS.—The total amount of the award, or awards, made under this section for a novel action, invention, or technical achievement may not exceed $2,500, regardless of the number of persons who may be entitled to share therein.

"(e) REGULATIONS.—Awards under this section shall be made under regulations to be prescribed by the Secretary of Defense or by the Secretaries of the military departments.

"(f) COVERED ARMED FORCES DEFINED.—In this section, the term 'covered armed forces' means the Army, Navy, Air Force, Marine Corps, and Space Force.".

SEC. 1532. ESTABLISHMENT OF CYBER OPERATIONS DESIGNATOR AND RATING FOR THE NAVY.

(a) MILITARY CAREER FIELD.—

(1) OFFICERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy, in coordination

with the Chief of Naval Operations, shall establish a cyber warfare operations designator for officers (including an intended billet base, functions, and training pipeline), which shall be a separate designator from the cryptologic warfare officer designator.

(2) ENLISTED.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in coordination with the Chief, shall establish a cyber warfare rating for enlisted personnel (including an intended billet base, functions, and training pipeline), which shall be a separate rating from the cryptologic technician enlisted rating.

(3) PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in coordination with the Chief, shall submit to the Committees on Armed Services of the House of Representatives and the Senate an implementation plan to carry out paragraphs (1) and (2).

(b) REQUIREMENT.—

(1) DEADLINE.—Except as provided by paragraphs (2) and (3), the Secretary shall ensure that, beginning October 1, 2025, members of the Navy assigned to the cyber mission force shall be qualified with either the designator or rating established under subsection (a), as the case may be.

(2) EXCEPTION.—The requirement under paragraph (1) shall not apply to—

(A) a member of the Navy who is assigned to the cyber mission force under orders issued before October 1, 2025; or

(B) a position whose primary function is the provision of intelligence, foreign language, or administrative support to the cyber mission force.

(3) WAIVER.—The Secretary may waive, on a case-by-case basis, the requirement under paragraph (1), except that the total number of such waivers made during a fiscal year may not exceed 10 percent of the total number of members of the Navy assigned to the cyber mission force (not counting members assigned to a position described in paragraph (2)(B)).

(c) RESERVE MATTERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Chief, shall direct the Chief of Navy Reserve to establish, and retain, a cadre of members of the Navy Reserve with the designator and rating established under subsection (a).

(d) OFFICER QUALIFICATIONS AND TRAINING.—The Secretary, in coordination with the Chief of Naval Operations and in consultation with the Commander of the United States Cyber Command, shall ensure that the designator established under subsection (a)(1) includes the development and execution of a training curriculum and qualification standards commensurate with those of the cyber officers of the Army and the Air Force.

(e) COMMUNITY MANAGEMENT.—Not later than 270 days after the date of the enactment of this Act, the Secretary, acting through the Principal Cyber Advisor of the Navy, shall submit to the congressional defense committees, and provide to such committees a briefing on, the findings of a study on whether the designator and rating established under subsection (a), along with the Maritime Space Of-

ficer and the Cyberspace Warfare Engineer, should continue to be considered part of the information warfare community.

(f) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and Senate a report certifying that the following actions have been carried out or are in the process of being completed (including detailed explanations):

(1) An identification by the Chief of Naval Operations of the resource manager within the Office of the Chief of Naval Operations for the designator and rating established under subsection (a).

(2) An identification by the Chief of the type command at United States Fleet Forces Command responsible for manning and training the designator and rating established under subsection (a).

(3) An inventory of those billets within the Cyber Mission Force, or any other service or joint assignment that requires personnel (both officer and enlisted) to conduct operations through cyberspace.

(4) An inventory and position description of the those positions within the Cyber Mission Force that have been identified under subsection (b)(2)(B).

(5) A funding profile detailing the complete costs associated with the designator and rating established under subsection (a), including costs associated with meeting the training requirements of the United States Cyber Command for the period covered by the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code.

(6) An inventory of all flag officer positions at joint and naval components and commands conducting or managing cyberspace operations and activities, including with respect to—

(A) the United States Cyber Command;

(B) the Fleet Cyber Command;

(C) Joint Forces Headquarters-Cyber, Navy;

(D) 10th Fleet;

(E) the Deputy Chief of Naval Operations for Information Warfare and the Director of Naval Intelligence; and

(F) Naval Information Forces.

(7) An update to the plan required under subsection (a)(3), including timelines and procedures, for filling the positions within the cyber mission force for which the Secretary is responsible.

(8) Any anticipated changes to the end-strength of the Navy by reason of establishing the designator and rating under subsection (a).

(9) The implementation of the designator and rating established under subsection (a) within the Navy Reserve.

(10) The development and execution of the training curriculum and qualification standards under subsection (d).

(g) LEADERSHIP QUALIFICATIONS.—The Secretary shall ensure that flag officers with the cyber warfare operations designator established under subsection (a) are primarily employed in billets identified under subsection (f)(6).

(h) DETERMINATION BY CYBER COMMAND.—Not later than 60 days after the date on which the Secretary submits the report under sub-

section (f), the Commander of the United States Cyber Command shall submit to the Committees on Armed Services of the House of Representatives and Senate a determination with respect to whether the matters contained in the report satisfy the requirements of the United States Cyber Command.

SEC. 1533. TOTAL FORCE GENERATION FOR THE CYBERSPACE OPERATIONS FORCES.

(a) STUDY.—

(1) REQUIREMENT.—Not later than June 1, 2024, the Secretary of Defense shall complete a study on the responsibilities of the military services for organizing, training, and presenting the total force to United States Cyber Command.

(2) ELEMENTS.—The study under paragraph (1) shall assess the following:

(A) Which military services should man, train, equip, and organize the forces necessary to execute the functions and missions of the Cyber Mission Force and the Cyberspace Operations Forces for assignment, allocation, and apportionment to, or under the directive authority of, the United States Cyber Command.

(B) The sufficiency of the military service accession and training model to provide forces to the Cyberspace Operations Forces and the sufficiency of the accessions and personnel resourcing of the supporting command and control staffs necessary as a component to the United States Cyber Command.

(C) The organization of the Cyber Mission Forces and whether the total forces or elements of the forces function best as a collection of independent teams or through a different model.

(D) How to correct chronic shortages of proficient personnel in key work roles.

(E) The need for additional work roles or skills to enable effective infrastructure management and generate access to targets.

(F) What unique or training-intensive expertise is required for each of the work roles identified in subparagraph (E) and whether native talents to master unique and training-intensive work roles can be identified and how personnel with those talents can be developed, retained, and employed across the active and reserve components.

(G) The appropriate pay scales, rotation or force management policies, career paths and progression, expertise-based grading, talent management practices, and training for each of those work roles, given expected operational requirements.

(H) Whether a single military service should be responsible for basic, intermediate, and advanced training for the Cyber Mission Force.

(I) The level of training required before an individual should be assigned, allocated, or apportioned to the United States Cyber Command.

(J) Whether or how the duties of the Director of the National Security Agency and the duties of the Commander of

United States Cyber Command, resting with a single individual, enable each respective organization, and whether technical directors and intelligence experts of the National Security Agency should serve rotations in the Cyber Mission Force.

(K) How nonmilitary personnel, such as civilian government employees, contracted experts, commercial partners, and domain or technology-specific experts in industry or the intelligence community can serve in, augment, or support Cyber Mission Force teams.

(L) What work roles in the Cyberspace Operations Forces can only be filled by military personnel, which work roles can be filled by civilian employees or contractors, and which work roles should be filled partially or fully by civilians due to the need for longevity of service to achieve required skill levels or retention rates.

(M) How specialized cyber experience, developed and maintained in the reserve component, can be more effectively leveraged to support the Cyberspace Operations Forces through innovative force generation models.

(N) Whether the Department of Defense should create a separate service to perform the functions and missions currently performed by Cyber Mission Force units generated by multiple military services.

(O) Whether the Department of Defense is maximizing partnerships with industry and other nontraditional sources of expertise and capacity in the areas of critical infrastructure protection and information sharing.

(P) Whether the Defense Readiness Reporting System of the Department of Defense is sufficient to capture Cyber Mission Force readiness metrics.

(3) CONSIDERATIONS.—The study required by paragraph (1) shall consider existing models for total force generation practices and programs, as well as nontraditional and creative alternatives.

(b) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than June 1, 2024, the Principal Cyber Advisor of the Department of Defense and the Commander of the United States Cyber Command shall submit to the Secretary of Defense one or more recommendations, respectively, as to the future total force generation model for both the Cyber Mission Force and the Cyberspace Operations Forces.

(2) MATTERS ADDRESSED.—The recommendations under paragraph (1) shall address, at a minimum, each of the elements identified in subsection (a)(2).

(c) ESTABLISHMENT OF A REVISED MODEL REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2024, the Secretary of Defense shall establish a revised total force generation model for the Cyberspace Operations Forces.

(2) ELEMENTS.—In establishing a revised total force generation model under paragraph (1), the Secretary shall explicitly determine the following:

(A) Whether the Navy should no longer be responsible for developing and presenting forces to the United States Cyber

Command as part of the Cyber Mission Force or Cyberspace Operations Forces, including recommendations for corresponding transfer of responsibilities and associated resources and personnel for the existing and future year programmed Cyberspace Operations Forces or Cyber Mission Force resources.

(B) Whether a single military service should be responsible for organizing, training, and equipping the Cyberspace Operations Forces, or if different services should be responsible for different components of the Cyberspace Operations Forces.

(C) Whether modification of United States Cyber Command enhanced budget control authorities are necessary to further improve total force generation for Cyberspace Operations Forces.

(D) Implications of low service retention rates for critical roles within the Cyber Mission Force, and the mix of actions necessary to correct them, including multiple rotations in critical work roles, length of service commitments, repeat tours within the Cyber Mission Force, retention incentives across the entire Cyberspace Operations Forces, and best practices for generating the future force.

(d) IMPLEMENTATION PLAN.—Not later than June 1, 2025, the Secretary shall submit to the congressional defense committees an implementation plan for effecting the revised total force generation model required under subsection (c).

(e) PROGRESS BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter until receipt of the plan required by subsection (d), the Secretary shall provide the congressional defense committees with a briefing on the progress made in carrying out this section.

(f) ADDITIONAL CONSIDERATIONS.—The Secretary shall ensure that subsections (a) through (c) are carried out with consideration to matters relating to the following:

(1) The cybersecurity service providers, local defenders, and information technology personnel who own, operate, and defend the information networks of the Department of Defense.

(2) Equipping the Cyberspace Operations Forces to include infrastructure management.

(3) Providing intelligence support to the Cyberspace Operations Forces.

(4) The resources, including billets, needed to account for any recommended changes.

SEC. 1534. CORRECTING CYBER MISSION FORCE READINESS SHORTFALLS.

(a) PLAN AND BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Secretaries of the military departments shall jointly—

(1) develop a near-term plan to correct readiness shortfalls in the Cyber Mission Forces over the period covered by the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code;

(2) develop recommendations for such legislative action as the Secretary of Defense, the Chairman, and the Secretaries of the military departments jointly consider appropriate to correct the readiness shortfalls described in paragraph (1); and

(3) provide to the congressional defense committees a briefing on the plan under paragraph (1) and the recommendations under paragraph (2).

(b) IMPLEMENTATION.—Not later than 30 days after the date of the briefing provided under paragraph (3) of subsection (a), the Secretary of Defense and the Chairman shall commence implementation of the aspects of the plan developed under paragraph (1) of such subsection that are not dependent upon legislative action.

(c) MATTERS TO BE ADDRESSED.—In developing the plan under paragraph (1) of subsection (a), the Secretary of Defense, the Chairman, and the Secretaries of the military departments shall consider and explicitly address through analysis the following potential courses of action, singly and in combination, to increase the availability of personnel in key work roles:

(1) Determining the correct number of personnel necessary to fill key work roles, including the proper force mix of civilian, military, and contractor personnel, and the means necessary to meet those requirements.

(2) Employing civilians rather than military personnel in key work roles.

(3) Expanding training capacity.

(4) Modifying or creating new training models.

(5) Maximizing use of compensation and incentive authorities, including increasing bonuses and special pays, and alternative compensation mechanisms.

(6) Modifying career paths and service policies to permit consecutive assignments in key work roles without jeopardizing promotion opportunities.

(7) Increasing service commitments following training commensurate with the value of the key work role training.

(8) Standardizing compensation models across the services.

(9) Requiring multiple rotations within the Cyber Mission Forces for key work roles.

(10) Adopting and implementing what are known as "rank in person" policies that enable civilian personnel to be promoted on the basis of skills and abilities demonstrated in a given position.

(11) A review of departmental guidance and processes consistent with section 167b(d)(2)(A)(x) of title 10, United States Code, with respect to the authority of the Commander of United States Cyber Command to monitor the promotions of certain cyber operations forces and coordinate with the Secretaries regarding the assignment, retention, training, professional military education, and special and incentive pays of certain cyber operations forces, including—

(A) the recruiting, retention, professional military education, and promotion of certain cyber operations personnel;

(B) the sharing of personnel data between the military departments and the United States Cyber Command; and

(C) structures, departmental guidance, and processes developed between the military departments and the United States Special Operations Command with respect to the authority of the Commander of the United States Special Operations Command described in section 167(e)(2)(J) of title 10, United States Code, that could be used as a model for the United States Cyber Command.

(d) KEY WORK ROLES DEFINED.—In this section, the term "key work roles" means work roles that consist of access development, tool development, and exploitation analysis.

SEC. 1535. DEPARTMENT OF DEFENSE CYBER AND DIGITAL SERVICE ACADEMY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Homeland Security and the Director of the Office of Personnel and Management, shall establish a program to provide financial support for pursuit of programs of education at institutions of high education in covered disciplines.

(2) COVERED DISCIPLINES.—For purposes of the Program, a covered discipline is a discipline that the Secretary of Defense determines is critically needed and is cyber- or digital technology-related, including the following:

(A) Computer-related arts and sciences.

(B) Cyber-related engineering.

(C) Cyber-related law and policy.

(D) Applied analytics related sciences, data management, and digital engineering, including artificial intelligence and machine learning.

(E) Such other disciplines relating to cyber, cybersecurity, digital technology, or supporting functions as the Secretary of Defense considers appropriate.

(3) DESIGNATION.—The program established under paragraph (1) shall be known as the "Department of Defense Cyber and Digital Service Academy" (in this section referred to as the "Program").

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Program shall—

(1) provide scholarships through institutions of higher education to students who are enrolled in programs of education at such institutions leading to degrees or specialized program certifications in covered disciplines; and

(2) prioritize the placement of scholarship recipients fulfilling the post-award employment obligation under this section.

(c) SCHOLARSHIP AMOUNTS.—

(1) AMOUNT OF ASSISTANCE.—(A) Each scholarship under the Program shall be in such amount as the Secretary determines necessary—

(i) to pay all educational expenses incurred by that person, including tuition, fees, cost of books, and laboratory expenses, for the pursuit of the program of education for which the assistance is provided under the Program; and

(ii) to provide a stipend for room and board.

(B) The Secretary shall ensure that expenses paid are limited to those educational expenses normally incurred by students at the institution of higher education involved.

(2) SUPPORT FOR INTERNSHIP ACTIVITIES.—The financial assistance for a person under this section may also be provided to support internship activities of the person in the Department of Defense and combat support agencies in periods between the academic years leading to the degree or specialized program certification for which assistance is provided the person under the Program.

(3) PERIOD OF SUPPORT.—Each scholarship under the Program shall be for not more than 5 years.

(4) ADDITIONAL STIPEND.—Students demonstrating financial need, as determined by the Secretary, may be provided with an additional stipend under the Program.

(d) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the Program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student's degree or specialized program certification, in the cyber- and digital technology-related missions of the Department, in accordance with the terms and conditions specified by the Secretary in regulations the Secretary shall promulgate to carry out this subsection.

(e) HIRING AUTHORITY.—In carrying out this section, specifically with respect to enforcing the obligations and conditions of employment under subsection (d), the Secretary may use any authority otherwise available to the Secretary for the recruitment, employment, and retention of civilian personnel within the Department, including authority under section 1599f of title 10, United States Code.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under the Program, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information technology or advancing the development and application of digital technology;

(3) have demonstrated a high level of competency in relevant knowledge, skills, and abilities, as defined by the national cybersecurity awareness and education program under section 303 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7443);

(4) be a full-time student, or have been accepted as a full-time student, in a program leading to a degree or specialized program certification in a covered discipline at an institution of higher education;

(5) enter into an agreement accepting and acknowledging the post award employment obligations, pursuant to section (d);

(6) accept and acknowledge the conditions of support under section (g); and

(7) meet such other requirements for a scholarship as determined appropriate by the Secretary.

(g) CONDITIONS OF SUPPORT.—

(1) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the Office of Personnel Management (in coordination with the Department of Defense) and the institutions of higher education described in subsection (a)(1) with annual verifiable documentation of post-award employment and up-to-date contact information.

(2) TERMS.—A scholarship recipient under the Program shall be liable to the United States as provided in subsection (i) if the individual—

(A) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Secretary;

(B) is dismissed from the applicable institution of higher education for disciplinary reasons;

(C) withdraws from the eligible degree program before completing the Program;

(D) declares that the individual does not intend to fulfill the post-award employment obligation under this section;

(E) fails to maintain or fulfill any of the post-graduation or post-award obligations or requirements of the individual; or

(F) fails to fulfill the requirements of paragraph (1).

(h) MONITORING COMPLIANCE.—As a condition of participating in the Program, an institution of higher education shall—

(1) enter into an agreement with the Secretary to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

(2) provide to the Secretary and the Director of the Office of Personnel Management, on an annual basis, the post-award employment documentation required under subsection (g)(1) for scholarship recipients through the completion of their post-award employment obligations.

(i) AMOUNT OF REPAYMENT.—

(1) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in subsection (g)(2) occurs before the completion of 1 year of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program shall be considered a debt to the Government and repaid in its entirety.

(2) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of subsection (g)(2) occurs after the completion of 1 or more years of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall be considered a debt to the Government and repaid in accordance with subsection (j).

(j) REPAYMENTS.—A debt described subsection (i) shall be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this subsection.

(k) COLLECTION OF REPAYMENT.—

(1) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship award under the Program, the institution of higher education providing the scholarship shall—

(A) determine the repayment amounts and notify the recipient, the Secretary, and the Director of the Office of Personnel Management of the amounts owed; and

(B) collect the repayment amounts within a period of time as determined by the Secretary.

(2) RETURNED TO TREASURY.—Except as provided in paragraph (3), any repayment under this subsection shall be returned to the Treasury of the United States.

(3) RETAIN PERCENTAGE.—An institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The Secretary shall establish a single, fixed percentage that will apply to all eligible entities.

(l) PUBLIC INFORMATION.—

(1) EVALUATION.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall periodically evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under the Program and on hiring and retaining those individuals in the Department of Defense workforce, including information on—

(A) placement rates;

(B) where students are placed, including job titles and descriptions;

(C) salary ranges for students not released from obligations under this section;

(D) how long after graduation students are placed;

(E) how long students stay in the positions they enter upon graduation;

(F) how many students are released from obligations; and

(G) what, if any, remedial training is required.

(2) REPORTS.—The Secretary, in consultation with the Office of Personnel Management, shall submit, not less frequently than once every two years, to Congress a report, including—

(A) the results of the evaluation under paragraph (1);

(B) the disparity in any reporting between scholarship recipients and their respective institutions of higher education; and

(C) any recent statistics regarding the size, composition, and educational requirements of the relevant Department of Defense workforce.

(3) RESOURCES.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

(A) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities relating to covered disciplines; and

(B) a modernized description of careers in covered disciplines.

(m) ALLOCATION OF FUNDING.—

(1) IN GENERAL.—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of programs of education referred to in subsection (b)(1) at institutions of higher education that have established, improved, or are administering programs of education in disciplines under the grant program established in section 2200b of title 10, United States Code, as determined by the Secretary.

(2) ASSOCIATE DEGREES.—Not less than five percent of the amount available for financial assistance under this section for a fiscal year shall be available for providing financial assistance for the pursuit of an associate degree at an institution described in paragraph (1).

(n) BOARD OF DIRECTORS.—In order to help identify workforce needs and trends relevant to the Program, the Secretary may establish a board of directors for the Program that consists of representatives of Federal departments and agencies.

(o) COMMENCEMENT OF PROGRAM.—The Secretary shall commence the Program as early as practicable, with the first scholarships awarded under the Program for the academic year beginning no later than the fall semester of 2024.

SEC. 1536. REPORT ON RECOMMENDATIONS FROM NAVY CIVILIAN CAREER PATH STUDY.

(a) REPORT.—

(1) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the recommendations made in the report submitted to the congressional defense committees under section 1653(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1763) relating to improving cyber career paths in the Navy.

(2) CONTENTS.—The report under paragraph (1) shall include the following:

(A) A description of each recommendation described in such paragraph that has already been implemented.

(B) A description of each recommendation described in such paragraph that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(C) A description of each recommendation described in such paragraph that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendation.

(D) For each recommendation under subparagraph (C) that the Secretary determines to implement—

(i) a timeline for implementation;

(ii) a description of any additional resources or authorities required for implementation; and

(iii) the plan for implementation.

(E) For each recommendation under subparagraph (C) that the Secretary determines not to implement, a justification for the determination not to implement.

(3) FORMAT.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—

(1) REVIEW.—Not later than 180 days after the date on which the Secretary submits the report under subsection (a), the Comptroller General of the United States shall conduct a review of such report.

(2) ELEMENTS.—The review under paragraph (1) shall include an assessment of the following:

(A) The extent to which the Secretary has implemented the recommendations described in subsection (a)(1).

(B) Additional recommended actions for the Secretary to take to improve the readiness and retention of the cyber workforce of the Navy.

(3) INTERIM BRIEFING.—Not later than 90 days after the date on which the Secretary submits the report under subsection (a), the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary findings of the Comptroller General with respect to the review conducted under paragraph (1).

(4) FINAL REPORT.—The Comptroller General shall submit to the congressional defense committees a report on the findings of the Comptroller General with respect to the review under paragraph (1) at such time and in such format as is mutually agreed upon by the committees and the Comptroller General at the time of the briefing under paragraph (3).

SEC. 1537. STUDY TO DETERMINE OPTIMAL STRATEGY FOR STRUCTURING AND MANNING ELEMENTS OF JOINT FORCE HEADQUARTERS–CYBER ORGANIZATIONS, JOINT MISSION OPERATIONS CENTERS, AND CYBER OPERATIONS-INTEGRATED PLANNING ELEMENTS.

(a) STUDY.—

(1) REQUIREMENT.—The Principal Cyber Advisor of the Department of Defense, in coordination with the commanders of the combatant commands, shall conduct a study to determine the optimal strategy for structuring and manning elements of the following:

(A) Joint Force Headquarters Cyber Organizations.

(B) Joint Mission Operations Centers.

(C) Cyber Operations–Integrated Planning Elements.

(D) Joint Cyber Centers.

(2) ELEMENTS.—The study under paragraph (1) shall include an assessment of each of the following:

(A) Operational effects on the military services if each of the entities listed in subparagraphs (A) through (C) of paragraph (1) are restructured from organizations that are components of the military services to joint organizations.

(B) Existing barriers or impediments to designate positions within each of the entities listed in such subparagraphs (A), (B), and (C) as joint billets for joint qualification purposes.

(C) Operational and organizational effects on the military services, the United States Cyber Command, other combatant commands, and the Joint Staff if the entities listed in subparagraphs (A) through (D) of paragraph (1) are realigned, restructured, or consolidated.

(D) Operational and organizational effects and advisement of standardizing a minimum set of roles and responsibilities of the Joint Cyber Centers, or the equivalent entity, of the combatant commands.

(E) Clarification of the relationship and differentiation between Cyber Operations–Integrated Planning Elements and Joint Cyber Centers of the combatant commands.

(F) A complete inventory of mission essential tasks for the entities listed in such subparagraphs (A) through (D).

(G) A description of cyber activities in geographic and functional combatant command campaign plans and resources aligned to those activities.

(b) BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 120 days until March 31, 2024, the Principal Cyber Advisor of the Department shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of the study under subsection (a).

(c) REPORT.—

(1) REQUIREMENT.—Not later than March 31, 2024, the Principal Cyber Advisor of the Department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study under subsection (a).

(2) CONTENTS.—The report under paragraph (1) shall contain the following:

(A) The findings of the Principal Cyber Advisor with respect to the study under subsection (a).

(B) Details of the operational and organizational effects assessed under paragraph (2) of such subsection.

(C) A plan to carry out the transfer described in subparagraph (B) of such paragraph and the associated costs, as appropriate.

(D) A plan to realign, restructure, or consolidate the entities listed in subparagraphs (A) through (D) of subsection (a)(1).

(E) Such other matters as the Principal Cyber Advisor considers appropriate.

SEC. 1538. MANNING REVIEW OF SPACE FORCE CYBER SQUADRONS.

(a) REQUIREMENT.—Not later than 210 days after the date of the enactment of this Act, the Secretary of the Air Force, in coordination with the Chief of Space Operations, shall submit to the congressional defense committees a review of the manning required to fully staff the current and planned cyber squadrons of the Space Force.

(b) MATTERS INCLUDED.—

(1) ELEMENTS.—The review under subsection (a) shall include considerations of the following:

(A) The specific sourcing of existing billets of the Space Force optimally postured for transfer to cyber squadrons.

(B) The administrative processes required to shift billets and existing funding to cyber squadrons.

(C) The responsibilities and functions performed by military personnel and civilian personnel.

(D) The benefits and risks to the Space Force approach of transferring billets to cyber squadrons.

(2) ROADMAP.—The review under subsection (a) shall include a transition roadmap that outlines a comprehensive transition for the transfer of billets described in paragraph (1) by not later than September 30, 2024.

SEC. 1539. INDEPENDENT REVIEW OF POSTURE AND STAFFING LEVELS OF OFFICE OF THE CHIEF INFORMATION OFFICER.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with an appropriate non-Department of Defense entity for the conduct of a comprehensive review of the posture and adequacy of the staffing levels of the Office of the Chief Information Officer of the Department of Defense, as of the date of the enactment of this Act.

(b) MATTERS FOR CONSIDERATION.—An agreement under subsection (a) shall specify that the review conducted under the agreement shall include the evaluation of each of the following:

(1) Any limitations or constraints of the Office of the Chief Information Officer in performing the entirety of the responsibilities specified in section 142(b) of title 10, United States Code, and responsibilities assigned by the Secretary of Defense, based on the staffing levels of the Office as of the date of the enactment of this Act.

(2) The composition of civilian, military, and contractor personnel assigned to the Office of the Chief Information Officer, as of such date, including the occupational series and military occupational specialties of such personnel, relative to the responsibilities specified in paragraph (1).

(3) The organizational construct of the Office of the Chief Information Officer, as of such date.

(c) RECOMMENDATIONS.—An agreement under subsection (a) shall specify that the review conducted under the agreement shall include recommendations for the Chief Information Officer and the congressional defense committees, including recommendations derived from the matters for consideration specified under subsection (b).

(d) SUBMISSION.—Not later than 30 days after the date of the completion of the review under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a copy of the review.

SEC. 1540. INDEPENDENT ASSESSMENT OF CIVILIAN CYBERSECURITY RESERVE FOR DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a nonprofit entity or a federally funded research and development center with expertise in cybersecurity and workforce management to conduct an assessment of the feasibility and advisability of creating and maintaining a civilian cybersecurity reserve corps to enable the Department of Defense and military services to provide qualified civilian manpower to the Department of De-

fense to effectively respond to significant cyber incidents or to assist in solving other exceptionally difficult cyber workforce-related challenges.

(b) CONSIDERATION OF PRIOR REPORT.—

(1) IN GENERAL.—In conducting the assessment required by subsection (a), the entity or center shall take into consideration the results of the evaluation of nontraditional cyber support to the Department of Defense required by section 1730 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

(2) LIMITATION ON AVAILABILITY OF FUNDS PENDING SUBMISSION OF REPORT.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Under Secretary of Defense for Policy, not more than 75 percent may be obligated or expended until the date on which the Principal Cyber Advisor submits the report referenced in paragraph (1).

(c) ELEMENTS.—The assessment conducted under subsection (a) shall include analysis of the following matters:

(1) The feasibility of the concept of a civilian cybersecurity reserve program, including an analysis of the available talent pool, potential impact on employers, and propensity to serve.

(2) The likelihood of utilizing civilian cybersecurity reservists to augment the existing Department of Defense workforce, including an assessment of the duration of periods of activation.

(3) The result of outreach conducted with industry and State and Federal Government agencies employing individuals likely to meet qualification criteria for service in such a program.

(4) The necessity for participants to access classified information, and the need to maintain appropriate security clearances as a participant in the program, including while not in Federal service.

(5) Appropriate compensation and benefits for members of such a program.

(6) Activities that members may undertake as part of their duties.

(7) Methods for identifying and recruiting members, including alternative methods to traditional qualifications requirements.

(8) Methods for preventing conflicts of interest or other ethical concerns as a result of participation in such a program.

(9) Resources, including funding levels, necessary to carry out such a program.

(10) Potential penalties or other adverse action taken against individuals who do not respond to activation when called.

(11) Any other matters the Secretary considers relevant for the purpose of this assessment.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 270 days after the date on which the Secretary enters into the agreement described in subsection (a), such entity or center shall submit to the Secretary a report on the results of the research and analysis under such subsection.

(2) SUBMISSION TO CONGRESS.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives each of the following:

(A) A copy of the report submitted under paragraph (1) without change.

(B) Any comments, changes, recommendations, or other information provided by the Secretary of Defense relating to the research and analysis conducted under subsection (a) and contained in such report, including a specific recommendation on whether a civilian cybersecurity reserve should be established, as described in such subsection, or with modification.

SEC. 1541. COMPREHENSIVE REVIEW OF CYBER EXCEPTED SERVICE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chief Information Officer of the Department of Defense and the Under Secretary of Defense for Personnel and Readiness, in coordination with the Chief Digital and Artificial Intelligence Officer and the Principal Cyber Advisor of the Department, shall conduct a comprehensive review of the Cyber Excepted Service established pursuant to section 1599f of title 10, United States Code.

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

(1) An assessment of barriers to participation in Cyber Excepted Service positions, including—

(A) criteria for eligibility of potential Department of Defense components and entities for participation in the Cyber Excepted Service;

(B) potential and structural limitations of the Cyber Excepted Service, including impediments to mobility or advancement by civilian employees currently in billets coded for Cyber Excepted Service;

(C) challenges to transition between competitive and excepted service;

(D) matters relating to pay disparity and challenges with compensation relative to the skill sets and value of such civilian employees in the private sector;

(E) differences between compensation, incentives, benefits, and access to career-broadening experiences;

(F) the eligibility for participation in the Cyber Excepted Service of civilian employees who are assigned to the Office of the Chief Digital and Artificial Intelligence Officer;

(G) the current and necessary mechanisms to deconflict occasions when individuals can be considered eligible for two or more excepted service systems; and

(H) any other barriers as determined by the Secretary.

(2) An evaluation of the process used in accepting applications, assessing candidates, and the process for and effect of adhering to provisions of law establishing preferences for hiring eligible veterans, and selecting applicants for vacancies to be filled by an individual for a Cyber Excepted Service position.

(3) An evaluation of current efforts to recruit and retain employees in Cyber Excepted Service positions.

(4) A description of current performance metrics used in evaluating the Cyber Excepted Service.

(5) An assessment of how current efforts to develop, sustain, and improve the Cyber Excepted Service are integrated into the strategic workforce planning of the Department.

(6) Current metrics for—

(A) the number of employees in Cyber Excepted Service positions, disaggregated by occupation, grade, and level or pay band;

(B) the placement of employees in Cyber Excepted Service positions, disaggregated by military department, Defense agency, or other component within the Department;

(C) the total number of veterans hired;

(D) the number of separations of employees in Cyber Excepted Service positions, disaggregated by occupation, grade, and level or pay band;

(E) the number of retirements of employees in Cyber Excepted Service positions, disaggregated by occupation, grade, and level or pay band;

(F) the number and amounts of recruitment, relocation, and retention incentives paid to employees in Cyber Excepted Service positions, disaggregated by occupation, grade, and level or pay band; and

(G) the number of employees who declined transition to qualified Cyber Excepted Service positions.

(7) An assessment of the training provided to supervisors of employees in Cyber Excepted Service positions on the use of the new authorities.

(8) An assessment of the implementation of section 1599f(a)(1)(A) of title 10, United States Code, including—

(A) how each military department, Defense agency, or other component within the Department is incorporating or intends to incorporate Cyber Excepted Service personnel in their cyber mission workforce; and

(B) how the Cyber Excepted Service has allowed each military department, Defense agency, or other component within the Department to establish, recruit and retain personnel to fill cyber mission workforce needs.

(9) Recommendations for the Secretary of Defense and the congressional defense committees with respect to the improvement of the Cyber Excepted Service, including recommendations derived from the consideration of the elements specified in paragraphs (1) through (8).

(c) SUBMISSION.—Not later than 30 days after the completion of the review under subsection (a), the Chief Information Officer shall submit to the congressional defense committees a copy of the review.

(d) ANNUAL UPDATE.—Not later than one year after the submission of the review under subsection (c), and not less frequently than once each year thereafter until September 30, 2028, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an update on progress made in enacting recommendations identified pursuant to paragraph (9) of subsection (b) and a

detailed report on Cyber Excepted Service positions during the most recent one-year period, including—

(1) the metrics described in paragraph (6) of such subsection;

(2) an updated assessment under paragraph (8) of such subsection from the current reporting period;

(3) an updated assessment on the effect of section 1599f of title 10, United States Code, on the ability of the Department to recruit, retain, and develop cyber professionals in the Department over the current reporting period;

(4) an updated assessment on the barriers to participation described in paragraph (1) of subsection (b) from the current reporting period;

(5) proposed modifications to the Cyber Excepted Service; and

(6) such other matters as the Secretary considers appropriate.

(e) DEFINITIONS.—In this section:

(1) The term "Cyber Excepted Service" consists of those positions established under section 1599f(a)(1)(A) of title 10, United States Code.

(2) The term "Cyber Excepted Service position" means a position in the Cyber Excepted Service.

Subtitle D—Reports and Other Matters

SEC. 1551. PILOT PROGRAM FOR SHARING CYBER CAPABILITIES AND RELATED INFORMATION WITH FOREIGN OPERATIONAL PARTNERS.

(a) AUTHORIZATION.—Chapter 19 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 398. Pilot program for sharing cyber capabilities and related information with foreign operational partners

"(a) AUTHORITY TO ESTABLISH PILOT PROGRAM TO SHARE CYBER CAPABILITIES.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide cyber capabilities and related information developed or procured by the Department of Defense to foreign countries or organizations described in subsection (b) without compensation, to meet operational imperatives if the Secretary of Defense determines that the provision of such cyber capabilities is in the national security interests of the United States.

"(b) LIST OF FOREIGN COUNTRIES.—The Secretary of Defense, with the concurrence of the Secretary of State, shall—

"(1) establish—

"(A) a list of foreign countries that the Secretary of Defense considers suitable for sharing of cyber capabilities and related information under the authority established under paragraph (a); and

"(B) criteria for establishing the list under subparagraph (A);

"(2) not later than 14 days after establishing the list required by paragraph (a), submit to the appropriate committees of Congress such list; and

"(3) notify the appropriate committees of Congress in writing of any changes to the list established under clause (1) at least 14 days prior to the adoption of any such changes.

"(c) PROCEDURES.—Prior to the first use of the authority provided by subsection (a), the Secretaries of Defense and State shall—

"(1) establish and submit to the appropriate committees of Congress procedures for a coordination process for subsection (a) that is consistent with the operational timelines required to support the national security of the United States; and

"(2) notify the appropriate committees of Congress in writing of any changes to the procedures established under paragraph (1) at least 14 days prior to the adoption of any such changes.

"(d) NOTIFICATION REQUIRED.—(1) The Secretary of Defense and Secretary of State jointly shall promptly submit to the appropriate committees of Congress notice in writing of any use of the authority provided by subsection (a) no later than 48 hours following the use of the authority.

"(2) Notification under paragraph (1) shall include a certification that the provision of the cyber capabilities was in the national security interests of the United States.

"(3) The notification under paragraph (1) shall include an analysis of whether the transfer and the underlying operational imperative could have been met using another authority.

"(e) TERMINATION.—The authority established under paragraph (a) shall terminate on the date that is 3 years after the date on which this authority becomes law.

"(f) DEFINITIONS.—In this section:

"(1) The term 'appropriate committees of Congress' means—

"(A) the congressional defense committees;

"(B) the Committee on Foreign Relations of the Senate; and

"(C) Committee on Foreign Affairs of the House of Representatives.

"(2) The term 'cyber capability' means a device or computer program, including any combination of software, firmware, or hardware, designed to create an effect in or through cyberspace.

"(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as amending, diminishing, or otherwise impacting reporting or other obligations under the War Powers Resolution.".

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"398. Pilot program for sharing cyber capabilities and related information with foreign operational partners.".

SEC. 1552. DEMONSTRATION PROGRAM FOR CYBER AND INFORMATION TECHNOLOGY BUDGET DATA ANALYTICS.

(a) DEMONSTRATION PROGRAM.—

(1) REQUIREMENT.—Not later than February 1, 2024, the Chief Information Officer of the Department of Defense shall, in coordination with the Chief Digital and Artificial Intelligence Officer, complete a pilot program to demonstrate the application of advanced data analytics to the fiscal year 2024 budget data of a military department for the purpose of identifying total cyber and information technology spending and the distribution

of such resources across budget line items that are and are not identified, labeled, or categorized in a manner that would indicate that funds included in such line items will be expended on cyber and information technology activities.

(2) COORDINATION WITH MILITARY DEPARTMENTS.—In carrying out the demonstration program under subsection (a), the Chief Information Officer shall, in coordination with the Secretary of the Air Force, the Secretary of the Army, and the Secretary of the Navy, select a military department for participation in the demonstration program.

(b) ELEMENTS.—The demonstration program under subsection (a) shall include—

(1) efforts to identify planned expenditures for cyber and information technology that are not captured in the total figures for cyber and information technology reported annually to Congress in support of the President's budget submission and in budget documents and briefings to Congress on the cyber and information technology programs and activities;

(2) efforts to improve transparency in cyber and information technology budget information to identify cyber and information technology activities funded out of noncyber and noninformation technology budget lines, including by the use of qualitative techniques such as semantic analysis or natural language processing technologies;

(3) metrics developed to assess the effectiveness of the demonstration program;

(4) a cost tradeoff analysis of implementing these cyber and information technology data analytics across the entire budget of the Department of Defense;

(5) existing or planned efforts to use these data analytics to make budget decisions; and

(6) existing or planned efforts to incorporate these data analytics into materials presented to Congress through the budget submission process.

(c) BRIEFING.—

(1) INITIAL BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Chief Information Officer shall provide the Committees on Armed Services of the Senate and the House of Representatives a briefing on the plans and status of the Chief Information Officer with respect to the demonstration program under subsection (a).

(2) FINAL BRIEFING.—Not later than March 1, 2024, the Chief Information Officer shall provide the Committees on Armed Services of the Senate and the House of Representatives a briefing on the results and findings of the Chief Information Officer with respect to the demonstration program under subsection (a), including the following:

(A) Recommendations for expansion of the demonstration program to the entire cyber and information technology budget of the Department.

(B) Plans for incorporating data analytics into the congressional budget submission process for the cyber and information technology budget of the Department.

SEC. 1553. PLAN FOR COMMERCIAL CLOUD TEST AND EVALUATION.

(a) POLICY AND PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in consultation with commercial industry, shall implement a policy and plan for test and evaluation of the cybersecurity of the clouds of commercial cloud service providers that provide, or are intended to provide, storage or computing of classified data of the Department of Defense.

(b) CONTENTS.—The policy and plan under subsection (a) shall include the following:

(1) A requirement that, beginning on the date of the enactment of this Act, future contracts with cloud service providers for storage or computing of classified data of the Department include provisions that permit the Secretary to conduct independent, threat-realistic assessments of the commercial cloud infrastructure, including with respect to—

(A) the storage, compute, and enabling elements, including the control plane and virtualization hypervisor for mission elements of the Department supported by the cloud provider; and

(B) the supporting systems used in the fulfillment, facilitation, or operations relating to the mission of the Department under the contract, including the interfaces with these systems.

(2) An explanation as to how the Secretary intends to proceed on amending existing contracts with cloud service providers to permit the same level of assessments required for future contracts under paragraph (1).

(3) Identification and description of any proposed tiered test and evaluation requirements aligned with different impact and classification levels.

(c) WAIVER AUTHORITY.—The Secretary may include in the policy and plan under subsection (a) an authority to waive any requirement under subsection (b) if the waiver is jointly approved by the Chief Information Officer of the Department of Defense and the Director of Operational Test and Evaluation.

(d) SUBMISSION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives the policy and plan under subsection (a).

(e) THREAT-REALISTIC ASSESSMENT DEFINED.—In this section, the term "threat-realistic assessments" means, with respect to commercial cloud infrastructure, activities that—

(1) are designed to accurately emulate cyber threats from advanced nation state adversaries, such as Russia and China; and

(2) include cooperative penetration testing and no-notice threat-emulation activities where personnel of the Department of Defense attempt to penetrate and gain control of the cloud-provider facilities, networks, systems, and defenses associated with, or which enable, the supported missions of the Department.

SEC. 1554. ROADMAP AND IMPLEMENTATION PLAN FOR CYBER ADOPTION OF ARTIFICIAL INTELLIGENCE.

(a) ROADMAP AND IMPLEMENTATION PLAN REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Commander of the United States Cyber Command and the Chief Information Officer of the Department of Defense, in coordination with the Chief Digital and Artificial Intelligence Officer of the Department, the Director of the Defense Advanced Research Projects Agency, the Director of the National Security Agency, and the Under Secretary of Defense for Research and Engineering, shall jointly develop a five-year roadmap and implementation plan for rapidly adopting and acquiring artificial intelligence systems, applications, and supporting data and data management processes for the Cyberspace Operations Forces of the Department of Defense.

(b) ELEMENTS.—The roadmap and implementation plan required by subsection (a) shall include the following:

(1) Identification and prioritization of artificial intelligence systems, applications, data identification, and processing to cyber missions within the Department, and ameliorating threats to, and from, artificial intelligence systems, including—

(A) advancing the cybersecurity of Department systems with artificial intelligence;

(B) uses of artificial intelligence for cyber effects operations;

(C) assessing and mitigating vulnerabilities of artificial intelligence systems supporting cybersecurity and cyber operations to attacks; and

(D) defending against adversary artificial intelligence-based cyber attacks.

(2) A plan to develop, acquire, adopt, and sustain the artificial intelligence systems, applications, data, and processing identified in paragraph (1).

(3) Roles and responsibilities for the following for adopting and acquiring artificial intelligence systems, applications, and data to cyber missions within the Department:

(A) The Commander of the United States Cyber Command.

(B) The Commander of Joint-Force Headquarters Department of Defense Information Networks.

(C) The Chief Information Officer of the Department.

(D) The Chief Digital and Artificial Intelligence Officer of the Department.

(E) The Under Secretary of Defense for Research and Engineering.

(F) The Secretaries of the military departments.

(G) The Director of the National Security Agency.

(4) Identification of currently deployed, adopted, and acquired artificial intelligence systems, applications, ongoing prototypes, and data.

(5) Identification of current capability and skill gaps that must be addressed prior to the development and adoption of artificial intelligence applications identified in paragraph (1).

(6) Identification of opportunities to solicit operator utility feedback through inclusion into research and development proc-

esses and wargaming or experimentation events by developing a roadmap for such processes and events, as well as a formalized process for capturing and tracking lessons learned from such events to inform the development community.

(7) Identification of long-term technology gaps for fulfilling the Department's cyber warfighter mission to be addressed by research relating to artificial intelligence by the science and technology enterprise within the Department.

(8) Definition of a maturity model describing desired cyber capabilities, agnostic of the enabling technology solutions, including phases in the maturity model or identified milestones and clearly identified areas for collaboration with relevant commercial off the shelf and government off the shelf developers to address requirements supporting capability gaps.

(9) Assessment, in partnership with the Director of the Defense Intelligence Agency, of the threat posed by adversaries' use of artificial intelligence to the cyberspace operations and the security of the networks and artificial intelligence systems of the Department in the next five years, including a net technical assessment of United States and adversary activities to apply artificial intelligence to cyberspace operations, and actions planned to address that threat.

(10) A detailed schedule with target milestones, investments, and required expenditures.

(11) Interim and final metrics of adoption of artificial intelligence for each activity identified in the roadmap.

(12) Identification of such additional funding, authorities, and policies as the Commander and the Chief Information Officer jointly determine may be required.

(13) Such other topics as the Commander and the Chief Information Officer jointly consider appropriate.

(c) SYNCHRONIZATION.—The Commander and the Chief Information Officer shall ensure that the roadmap and implementation plan under subsection (a) are synchronized and coordinated to be consistent with section 1509.

(d) BRIEFING.—Not later than 30 days after the date on which the Commander and the Chief Information Officer complete development of the roadmap and implementation plan under subsection (a), the Commander and the Chief Information Officer shall provide to the congressional defense committees a classified briefing on the roadmap and implementation plan.

SEC. 1555. REVIEW OF DEPARTMENT OF DEFENSE IMPLEMENTATION OF RECOMMENDATIONS FROM DEFENSE SCIENCE BOARD CYBER REPORT.

(a) REVIEW.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall complete a review of the findings and recommendations presented in the June 2018 Defense Science Board report titled "Cyber as a Strategic Capability".

(2) ELEMENTS.—The review under paragraph (1) shall include the following:

(A) Identification of, and description of implementation for, recommendations that have been implemented by the Secretary.

(B) Identification of recommendations that have not yet been fully implemented by the Secretary.

(C) Identification of the reasons why the recommendations identified under subparagraph (B) were not implemented.

(D) Identification of such legislative or administrative action as the Secretary determines necessary to implement the recommendations identified under subparagraph (B).

(b) REPORT.—

(1) REQUIREMENT.—Not later than 30 days after the date on which the review is completed under paragraph (1) of subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review, including a disclosure of the matters identified and developed under paragraph (2) of such subsection.

(2) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1556. ANNUAL BRIEFING ON RELATIONSHIP BETWEEN NATIONAL SECURITY AGENCY AND UNITED STATES CYBER COMMAND.

(a) ANNUAL BRIEFINGS REQUIRED.—Not later than March 1, 2023, and not less frequently than once each year thereafter until March 1, 2028, the Secretary of Defense shall provide the congressional defense committees a briefing on the relationship between the National Security Agency and United States Cyber Command.

(b) ELEMENTS.—Each briefing provided under subsection (a) shall include an annual assessment of the following:

(1) The resources, authorities, activities, missions, facilities, and personnel used to conduct the relevant missions at the National Security Agency as well as the cyber offense and defense missions of United States Cyber Command.

(2) The processes used to manage risk, balance tradeoffs, and work with partners to execute operations.

(3) An assessment of the operating environment and the continuous need to balance tradeoffs to meet mission necessity and effectiveness.

(4) An assessment of the operational effects resulting from the relationship between the National Security Agency and United States Cyber Command, including a list of specific operations conducted over the previous year that were enabled by or benefitted from the relationship.

(5) Such other topics as the Director of the National Security Agency and the Commander of United States Cyber Command may consider appropriate.

SEC. 1557. REVIEW OF DEFINITIONS ASSOCIATED WITH CYBERSPACE OPERATIONS FORCES.

(a) REVIEW.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Prin-

cipal Cyber Advisor of the Department of Defense and the Principal Cyber Advisors of the military departments, shall—

(1) review—

(A) the memorandum of the Secretary of Defense dated December 12, 2019, concerning the definition of the term "Department of Defense Cyberspace Operations Forces (DoD COF)"; and

(B) the responsibilities of the Commander of the United States Cyber Command as the Cyberspace Joint Force Provider and Cyberspace Joint Force Trainer, with respect to forces included and excluded from the Cyberspace Operations Forces; and

(2) update such memorandum and, as appropriate, update such responsibilities.

(b) ELEMENTS.—The review under subsection (a) shall include the following:

(1) A comprehensive assessment of units and components of the Department of Defense conducting defensive cyberspace operations which are not currently included in the definition specified in paragraph (1)(A) of such subsection.

(2) Consideration of options for participation in the Cyberspace Operations Forces by forces without regard to whether the forces are included in such definition, including options under which—

(A) forces currently excluded from the Cyberspace Operations Forces because of such definition may access training, resources, and expertise of the Cyberspace Operations Forces;

(B) the Commander of the United States Cyber Command may issue advisory tasking to forces that are not Cyberspace Operations Forces pursuant to such definition; and

(C) forces that are not Cyberspace Operations Forces pursuant to such definition are subject to training standards established by the Commander as the Cyberspace Joint Force Trainer.

SEC. 1558. ANNUAL ASSESSMENTS AND REPORTS ON ASSIGNMENT OF CERTAIN BUDGET CONTROL RESPONSIBILITY TO COMMANDER OF UNITED STATES CYBER COMMAND.

(a) ANNUAL ASSESSMENTS.—

(1) REQUIREMENT.—During fiscal year 2023, and not less frequently than once each fiscal year thereafter through fiscal year 2028, the Commander of the United States Cyber Command, in coordination with the Principal Cyber Advisor of the Department of Defense, shall assess the implementation of the transition of responsibilities assigned to the Commander by section 1507(a)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(2) ELEMENTS.—Each assessment carried out under paragraph (1) shall include the following:

(A) An assessment of the operational and organizational effect of section 1507(a)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) on

the training, equipping, operation, sustainment, and readiness of the Cyber Mission Forces.

(B) An inventory description of the cyber systems, activities, capabilities, resources, and functions that have been transferred from the military departments to control of the Commander and those that have not been transitioned pursuant to such section 1507(a)(1).

(C) An opinion by the Commander as to whether the cyber systems, activities, capabilities, resources, and functions that have not been so transitioned should be transitioned pursuant to such section 1507(a)(1).

(D) An assessment of the adequacy of resources, authorities, and policies required to implement such section 1507(a)(1), including organizational, functional, and personnel matters.

(E) An assessment of the reliance on resources, authorities, policies, or personnel external to United States Cyber Command in support of the budget control of the Commander.

(F) Identification of any outstanding areas for transition pursuant to such section 1507(a)(1).

(G) An assessment of the organization established under section 1509 and its performance relative to the requirements of the Command.

(H) Such other matters as the Commander considers appropriate.

(b) ANNUAL REPORTS.—Not later than March 1, 2023, and annually thereafter through 2028, the Commander shall submit to the congressional defense committees a report on the findings of the Commander with respect to the assessments under subsection (a).

SEC. 1559. ASSESSMENTS OF WEAPONS SYSTEMS VULNERABILITIES TO RADIO-FREQUENCY ENABLED CYBER ATTACKS.

(a) ASSESSMENTS.—The Secretary of Defense shall ensure that the activities required by and conducted pursuant to section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1118), section 1637 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 221 note), and the amendments made by section 1712 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4087) include regular assessments of the vulnerabilities to and mission risks presented by radio-frequency enabled cyber attacks with respect to the operational technology embedded in weapons systems, aircraft, ships, ground vehicles, space systems, sensors, and datalink networks of the Department of Defense.

(b) ELEMENTS.—The assessments under subsection (a) with respect to vulnerabilities and risks described in such subsection shall include—

(1) identification of such vulnerabilities and risks;

(2) ranking of vulnerability, severity, and priority;

(3) development and selection of options, with associated costs and schedule, to correct such vulnerabilities, including installation of intrusion detection capabilities;

(4) an evaluation of the cybersecurity sufficiency for Military Standard 1553; and

(5) development of integrated risk-based plans to implement the corrective actions selected.

(c) DEVELOPMENT OF CORRECTIVE ACTIONS.—In developing corrective actions under subsection (b)(3), the assessments under subsection (a) shall—

(1) consider the missions supported by the assessed weapons systems, aircraft, ships, ground vehicles, space systems, sensors, or datalink networks, as the case may be, to ensure that the corrective actions focus on the vulnerabilities that create the greatest risks to the missions;

(2) be shared and coordinated with the principal staff assistant with primary responsibility for the strategic cybersecurity program; and

(3) address requirements for deployed and nondeployed members of the Armed Forces to analyze data collected on the weapons systems and respond to attacks.

(d) INTELLIGENCE INFORMED ASSESSMENTS.—The assessments under subsection (a) shall be informed by intelligence, if available, and technical judgment regarding potential threats to embedded operational technology during operations of the Armed Forces.

(e) COORDINATION.—

(1) COORDINATION AND INTEGRATION OF ACTIVITIES.—The assessments under subsection (a) shall be fully coordinated and integrated with activities described in such subsection.

(2) COORDINATION OF ORGANIZATIONS.—The Secretary shall ensure that the organizations conducting the assessments under subsection (a) in the military departments, the United States Special Operations Command, and the Defense Agencies coordinate with each other and share best practices, vulnerability analyses, and technical solutions with the principal staff assistant with primary responsibility for the Strategic Cybersecurity Program.

(f) BRIEFINGS.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees briefings from the organizations specified under subsection (e)(2), as appropriate, on the activities and plans required under this section.

SEC. 1560. BRIEFING ON DEPARTMENT OF DEFENSE PLAN TO DETER AND COUNTER ADVERSARIES IN THE INFORMATION ENVIRONMENT.

(a) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the following:

(1) The status of the strategy and posture review required by section 1631(g) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 397 note).

(2) A description of efforts of the Department of Defense, including such efforts conducted in consultation with relevant departments and agencies of the Federal Government, to effectively deter and counter foreign adversaries in the information environment, including—

(A) recent updates or modifications to existing policies to more effectively deter and counter adversaries;

(B) a description of funding priorities and impacts to future budget requests;

(C) recent updates to personnel policies to ensure the recruitment, promotion, retention, and compensation for individuals with the necessary skills in the information environment; and

(D) a description of improvements required to the collection, prioritization, and analysis of intelligence, in particular open-source intelligence, to better inform the understanding of foreign adversaries in the information environment.

(3) A description of any initiatives that are being taken, in cooperation with relevant departments and agencies of the Federal Government, to assist and incorporate allies and partner countries of the United States into efforts to effectively deter and counter foreign adversaries in the information environment.

(4) A description of any additional actions the Secretary determines necessary to further ensure that the Department of Defense is appropriately postured to effectively deter and counter foreign adversaries in the information environment.

(5) Any other matters the Secretary of Defense determines appropriate.

(b) INFORMATION ENVIRONMENT DEFINED.—In this section, the term "information environment" has the meaning given in the publication of the Department of Defense titled "Joint Concept for Operating in the Information Environment (JCOIE)" dated July 25, 2018.

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

Subtitle A—Space Activities

Sec. 1601. Requirements for protection of satellites.
Sec. 1602. Strategy on protection of satellites.
Sec. 1603. Modification of reports on integration of acquisition and capability delivery schedules for segments of major satellite acquisitions programs and funding for such programs.
Sec. 1604. Tactically responsive space capability.
Sec. 1605. Extension of annual report on Space Command and Control.
Sec. 1606. Allied responsive space capabilities.
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Sec. 1608. Review of Space Development Agency exemption from Joint Capabilities Integration and Development System.
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Sec. 1610. Report on space debris.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

Sec. 1621. Congressional oversight of clandestine activities that support operational preparation of the environment.

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Sec. 1631. Biannual briefing on nuclear weapons and related activities.
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Sec. 1633. Improvements to Nuclear Weapons Council.
Sec. 1634. Portfolio management framework for nuclear forces.
Sec. 1635. Extension of requirement to report on nuclear weapons stockpile.
Sec. 1636. Modification and extension of annual assessment of cyber resilience of nuclear command and control system.
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Sec. 1651. Biannual briefing on missile defense and related activities.
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Sec. 1657. Fire control architectures.
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Sec. 1659. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.
Sec. 1660. Integrated air and missile defense architecture for defense of Guam.
Sec. 1661. Limitation on availability of certain funds until submission of report on implementation of the cruise missile defense architecture for the homeland.
Sec. 1662. Strategy to use asymmetric capabilities to defeat hypersonic missile threats.
Sec. 1663. Plan on delivering Shared Early Warning System data to certain allies and partners of the United States.
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Sec. 1665. Report on missile defense interceptor site in contiguous United States.

Subtitle E—Other Matters

Sec. 1671. Cooperative threat reduction funds.
Sec. 1672. Department of Defense support for requirements of the White House Military Office.
Sec. 1673. Unidentified anomalous phenomena reporting procedures.
Sec. 1674. Study of weapons programs that allow Armed Forces to address hard and deeply buried targets.

Subtitle A—Space Activities

SEC. 1601. REQUIREMENTS FOR PROTECTION OF SATELLITES.

Chapter 135 of title 10, United States Code, is amended by inserting after section 2275 the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 2275a. Requirements for protection of satellites

"(a) ESTABLISHMENT OF REQUIREMENTS.—Before a major satellite acquisition program achieves Milestone A approval, or equivalent,

the Chief of Staff of the Space Force, in consultation with the Commander of the United States Space Command, shall establish requirements for the defense and resilience of the satellites under that program against the capabilities of adversaries to target, degrade, or destroy the satellites.

"(b) DEFINITIONS.—In this section:

"(1) The term 'major satellite acquisition program' has the meaning given that term in section 2275 of this title.

"(2) The term 'Milestone A approval' has the meaning given that term in section 4251 of this title 10.".

SEC. 1602. STRATEGY ON PROTECTION OF SATELLITES.

(a) STRATEGY.—

(1) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall make publicly available a strategy containing the actions that will be taken to defend and protect on-orbit satellites of the Department of Defense and the intelligence community from the capabilities of adversaries to target, degrade, or destroy satellites.

(2) FORMS.—The Secretary shall—

(A) make the strategy under paragraph (1) publicly available in unclassified form; and

(B) submit to the appropriate congressional committees an annex, which may be submitted in classified form, containing supporting documents to the strategy.

(b) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term "intelligence community" has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1603. MODIFICATION OF REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR SEGMENTS OF MAJOR SATELLITE ACQUISITIONS PROGRAMS AND FUNDING FOR SUCH PROGRAMS.

Section 2275(f) of title 10, United States Code, is amended by striking paragraph (3).

SEC. 1604. TACTICALLY RESPONSIVE SPACE CAPABILITY.

(a) PROGRAM.—Subsection (a) of section 1609 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2271 note) is amended to read as follows:

"(a) PROGRAM.—The Secretary of the Air Force shall ensure that the Space Force has a tactically responsive space capability that—

"(1) addresses all lifecycle elements; and

"(2) addresses rapid deployment and reconstitution requirements—

"(A) to provide long-term continuity for tactically responsive space capabilities across the future-years defense pro-

gram submitted to Congress under section 221 of title 10, United States Code;

"(B) to continue the development of concepts of operations, including with respect to tactics, training, and procedures;

"(C) to develop appropriate processes for tactically responsive space launch, including—

"(i) mission assurance processes; and

"(ii) command and control, tracking, telemetry, and communications; and

"(D) to identify basing requirements necessary to enable tactically responsive space capabilities.".

(b) REQUIREMENTS.—Such section is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

"(b) REQUIREMENTS.—The Chief of Space Operations shall establish tactically responsive requirements for all national security space capabilities, if applicable, carried out under title 10, United States Code.".

(c) SUPPORT.—Subsection (c) of such section, as redesignated by subsection (b), is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "launch program" and inserting "space program"; and

(B) by striking subparagraph (B) and inserting the following new subparagraph:

"(B) The entire end-to-end tactically responsive space capability, including with respect to the launch vehicle, ground infrastructure, bus, payload, operations and on-orbit sustainment."; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "for fiscal year 2023" and inserting "for each of fiscal years 2023 through 2026"; and

(ii) by striking "tactically responsive launch program" and inserting "tactically responsive space program";

(B) in subparagraph (A), by striking "launches" and inserting "capabilities"; and

(C) in subparagraph (C), by striking "tactically responsive launch program" and inserting "tactically responsive space program".

*(d) CONFORMING AMENDMENT.—The heading of such section is amended in the heading by striking "**LAUNCH OPERATIONS**" and inserting "**SPACE CAPABILITY**".*

SEC. 1605. EXTENSION OF ANNUAL REPORT ON SPACE COMMAND AND CONTROL.

Section 1613(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1731) is amended by striking "2025" and inserting "2030".

SEC. 1606. ALLIED RESPONSIVE SPACE CAPABILITIES.

(a) INITIATIVES.—The Secretary of the Defense and the Secretary of State shall jointly ensure that responsive space capabilities of the Department of Defense align with initiatives by Five Eyes countries, member states of the North Atlantic Treaty Organization, and other allies to promote a globally responsive space architecture.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State, in coordination with the Commander of the United States European Command, the Commander of the United States Indo-Pacific Command, and the Commander of the United States Space Command, shall jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report assessing current investments and partnerships by the United States with allies of the United States with respect to responsive space efforts. The report shall include the following:

(1) An assessment of the benefits of leveraging allied and partner spaceports for responsive launch.

(2) A discussion of current and future plans to engage with allies and partners with respect to activities ensuring rapid reconstitution or augmentation of the space capabilities of the United States and allies.

(3) An assessment of the shared costs and technology between the United States and allies, including if investments from the Pacific Deterrence Initiative and the European Deterrence Initiative could be considered for allied spaceports.

(c) FIVE EYES COUNTRIES DEFINED.—In this section, the term "Five Eyes countries" means the following:

(1) Australia.

(2) Canada.

(3) New Zealand.

(4) The United Kingdom.

(5) The United States.

SEC. 1607. APPLIED RESEARCH AND EDUCATIONAL ACTIVITIES TO SUPPORT SPACE TECHNOLOGY DEVELOPMENT.

(a) IN GENERAL.—The Secretary of the Air Force and the Chief of Space Operations, in coordination with the Chief Technology and Innovation Office of the Space Force, may carry out applied research and educational activities to support space technology development.

(b) ACTIVITIES.—Activities carried out under subsection (a) shall support the applied research, development, and demonstration needs of the Space Force, including by addressing and facilitating the advancement of capabilities related to—

(1) space domain awareness;

(2) positioning, navigation, and timing;

(3) communications;

(4) hypersonics;

(5) cybersecurity; and

(6) any other matter the Secretary of the Air Force considers relevant.

(c) EDUCATION AND TRAINING.—Activities carried out under subsection (a) shall—

(1) promote education and training for students so as to support the future national security space workforce of the United States; and

(2) explore opportunities for international collaboration.

(d) TERMINATION.—The authority provided by this section shall expire on December 31, 2027.

SEC. 1608. REVIEW OF SPACE DEVELOPMENT AGENCY EXEMPTION FROM JOINT CAPABILITIES INTEGRATION AND DEVELOPMENT SYSTEM.

(a) REVIEW.—Not later than March 31, 2023, the Secretary of Defense shall complete a review regarding whether the Space Development Agency should be exempt from the Joint Capabilities Integration and Development System.

(b) RECOMMENDATION.—Not later than 30 days after the date on which the review under subsection (a) is completed, the Secretary of Defense shall submit to the congressional defense committees a recommendation as to whether the exemption described in such subsection should apply to the Space Development Agency.

(c) IMPLEMENTATION.—Not later than 60 days after the date on which the recommendation is submitted under subsection (b), the Secretary of the Air Force and the Director of the Space Development Agency shall implement the recommendation.

SEC. 1609. UPDATE TO PLAN TO MANAGE INTEGRATED TACTICAL WARNING AND ATTACK ASSESSMENT SYSTEM AND MULTI-DOMAIN SENSORS.

(a) UPDATE REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall update the plan that was developed pursuant to section 1669 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(b) COORDINATION WITH OTHER AGENCIES.—In developing the update required by subsection (a), the Secretary shall—

(1) coordinate with the Secretary of the Army, the Secretary of the Navy, the Director of the Missile Defense Agency, the Director of the National Reconnaissance Office, and the Director of the Space Development Agency; and

(2) solicit comments on the plan, if any, from the Commander of United States Strategic Command, the Commander of United States Northern Command, and the Commander of United States Space Command.

(c) SUBMITTAL TO CONGRESS.—Not later than 90 days after the update required by subsection (a) is complete, the Secretary of the Air Force shall submit to the congressional defense committees—

(1) the plan updated pursuant to subsection (a); and

(2) the comments from the Commander of United States Strategic Command, the Commander of United States Northern Command, and the Commander of United States Space Command, if any, solicited under subsection (b)(2).

SEC. 1610. REPORT ON SPACE DEBRIS.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees the portion of the report on the risks posed by man-made space debris in low-Earth orbit described in the explanatory statement accompanying the National De-

fense Authorization Act for Fiscal Year 2022 (Public Law 117–81) that pertains to the Department of Defense. The portion of the report shall include—

(1) an explanation of such risks to defense and national security space assets;

(2) recommendations with respect to the remediation of such risks to defense and national security assets; and

(3) outlines of plans to reduce the incident of such space debris to defense and national security assets.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Science, Space, and Technology of the House of Representatives; and

(2) the Committee on Armed Services and Committee on Commerce, Science, and Transportation of the Senate.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1621. CONGRESSIONAL OVERSIGHT OF CLANDESTINE ACTIVITIES THAT SUPPORT OPERATIONAL PREPARATION OF THE ENVIRONMENT.

Section 127f of title 10, United States Code, is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection:

"(e) QUARTERLY BRIEFING.—On a quarterly basis, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, in coordination with elements of the Department of Defense that the Assistant Secretary determines appropriate, shall provide to the congressional defense committees a briefing outlining the clandestine activities carried out pursuant to subsection (a) during the period covered by the briefing, including—

"(1) an update on such activities carried out in each geographic combatant command and a description of how such activities support the respective theater campaign plan;

"(2) an overview of the authorities and legal issues, including limitations, relating to such activities; and

"(3) any other matters the Assistant Secretary considers appropriate.".

Subtitle C—Nuclear Forces

SEC. 1631. BIANNUAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.

Chapter 24 of title 10, United States Code, is amended by inserting after section 492a the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"SEC. 492b. BIANNUAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.

"(a) IN GENERAL.—On or about May 1 and November 1 of each year, the officials specified in subsection (b) shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on matters relating to nuclear weapons policies, operations, technology development, and other similar topics as requested by such committees.

"(b) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

"(1) The Assistant Secretary of Defense for Acquisition.

"(2) The Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs.

"(3) The Assistant Secretary of Defense for Space Policy.

"(4) The Deputy Administrator for Defense Programs of the National Nuclear Security Administration.

"(5) The Director for Strategy, Plans, and Policy of the Joint Staff.

"(6) The Director for Capability and Resource Integration for the United States Strategic Command.

"(c) DELEGATION.—An official specified in subsection (b) may delegate the authority to provide a briefing under subsection (a) to a member of the Senior Executive Service who reports to the official.

"(d) TERMINATION.—The requirement to provide a briefing under subsection (a) shall terminate on January 1, 2028.".

SEC. 1632. INDUSTRIAL BASE MONITORING FOR B–21 AND SENTINEL PROGRAMS.

Chapter 24 of title 10, United States Code, is amended by inserting after section 493 the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 493a. Industrial base monitoring for B–21 and Sentinel programs

"(a) DESIGNATION.—The Secretary of the Air Force, acting through the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, shall designate a senior official, who shall report to the Assistant Secretary, to monitor the combined industrial base supporting the acquisition of—

"(1) B–21 aircraft; and

"(2) the Sentinel intercontinental ballistic missile weapon system.

"(b) REQUIREMENTS FOR MONITORING.—In monitoring the combined industrial base described in subsection (a), the senior official designated under such subsection shall—

"(1) have the authority to select staff to assist the senior official from among civilian employees of the Department and members of the armed forces, who may provide such assistance concurrently while serving in another position;

"(2) monitor the acquisition by the combined industrial base of—

"(A) materials, technologies, and components associated with nuclear weapons systems; and

"(B) commodities purchased on a large scale;

"(3) monitor the hiring or contracting by the combined industrial base of personnel with critical skills; and

"(4) assess whether personnel with critical skills and knowledge, intellectual property on manufacturing processes, and facilities and equipment necessary to design, develop, manufacture, repair, and support a program are available and affordable within the scopes of the B–21 aircraft program and the Sentinel intercontinental ballistic missile weapon system program.

"(c) ANNUAL REPORT.—At the same time as the submission of the budget of the President pursuant to section 1105(a) of title 31 for a fiscal year, the Secretary shall submit to the congressional defense committees a report with respect to the status of the combined industrial base described in subsection (a).".

SEC. 1633. IMPROVEMENTS TO NUCLEAR WEAPONS COUNCIL.

(a) RESPONSIBILITIES.—Subsection (d) of section 179 of title 10, United States Code, is amended—

(1) in paragraph (9), by inserting ", in coordination with the Joint Requirements Oversight Council," after "capabilities, and";

(2) by redesignating paragraphs (10), (11), and (12) as paragraphs (11), (12), and (13), respectively;

(3) by inserting after paragraph (9) the following new paragraph (10):

"(10) With respect to nuclear warheads—

"(A) reviewing military requirements, performance requirements, and planned delivery schedules to evaluate whether such requirements and schedules create significant risks to cost, schedules, or other matters regarding production, surveillance, research, and other programs relating to nuclear weapons within the National Nuclear Security Administration; and

"(B) if any such risk exists, proposing and analyzing adjustments to such requirements and schedules."; and

(4) by striking paragraph (13), as so redesignated, and inserting the following new paragraph (13):

"(13) Coordinating risk management efforts between the Department of Defense and the National Nuclear Security Administration relating to the nuclear weapons stockpile, the nuclear security enterprise (as defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501)), and the delivery platforms for nuclear weapons, including with respect to identifying and analyzing risks and proposing actions to mitigate risks.".

(b) PLANS AND BUDGET.—Subsection (f) of such section is amended to read as follows:

"(f) BUDGET AND FUNDING MATTERS.—(1) The Council shall annually review the plans and budget of the National Nuclear Security Administration and assess whether such plans and budget meet the current and projected requirements relating to nuclear weapons.

"(2)(A) The Council shall review each budget request transmitted by the Secretary of Energy to the Council under section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) and make a determination under subparagraph (B) regarding the adequacy of each such request. Not later than 30 days after making such a determination,

the Council shall notify the congressional defense committees that such a determination has been made.

"(B)(i) If the Council determines that a budget request for a fiscal year transmitted to the Council under section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) is inadequate, in whole or in part, to implement the objectives of the Department of Defense with respect to nuclear weapons for that fiscal year, the Council shall submit to the Secretary of Energy a written description of funding levels and specific initiatives that would, in the determination of the Council, make the budget request adequate to implement those objectives.

"(ii) If the Council determines that a budget request for a fiscal year transmitted to the Council under section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) is adequate to implement the objectives described in clause (i) for that fiscal year, the Council shall submit to the Secretary of Energy a written statement confirming the adequacy of the request.

"(iii) The Council shall maintain a record of each description submitted under clause (i) and each statement submitted under clause (ii).

"(3) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Council shall submit to the congressional defense committees a report containing the following:

"(A) The results of the assessment conducted under paragraph (1) with respect to that budget.

"(B) An evaluation of—

"(i) whether the funding requested for the National Nuclear Security Administration in such budget—

"(I) enables the Administrator for Nuclear Security to meet requirements relating to nuclear weapons for such fiscal year; and

"(II) is adequate to implement the objectives of the Department of Defense with respect to nuclear weapons for that fiscal year; and

"(ii) whether the plans and budget reviewed under paragraph (1) will enable the Administrator to meet—

"(I) the requirements to produce war reserve plutonium pits under section 4219(a) of such Act (50 U.S.C. 2538a(a)); and

"(II) any other requirements under Federal law.

"(C) If the evaluation under subparagraph (B)(ii) determines that the plans and budget reviewed under paragraph (1) will not enable the Administrator to meet the requirements to produce war reserve plutonium pits under section 4219(a) of the Atomic Energy Defense Act (50 U.S.C. 2538a(a))—

"(i) an explanation for why the plans and budget will not enable the Administrator to meet such requirements; and

"(ii) proposed alternative plans, budget, or requirements by the Council to meet such requirements.

"(4) If a member of the Council does not concur in any assessment or evaluation under this subsection, the report or other information required to be submitted to the congressional defense committees regarding such assessment or evaluation shall include a written ex-

planation from the non-concurring member describing the reasons for the member's nonconcurrence.

"(5)(A) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

"(i) whether such budget allows the Federal Government to meet the nuclear stockpile and stockpile stewardship program requirements during the fiscal year covered by the budget and the four subsequent fiscal years; and

"(ii) if the Commander determines that such budget does not allow the Federal Government to meet such requirements, a description of the steps being taken to meet such requirements.

"(B) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under subparagraph (A), the Chairman shall submit to the congressional defense committees—

"(i) such assessment as it was submitted to the Chairman; and

"(ii) any comments of the Chairman.

"(6) In this subsection, the term 'budget' has the meaning given that term in section 231(f) of this title.".

(c) MODIFICATION OF BUDGET REVIEW BY NUCLEAR WEAPONS COUNCIL.—Section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following:

"(2) REVIEW.—The Council shall review each budget request transmitted to the Council under paragraph (1) in accordance with section 179(f) of title 10, United States Code."; and

(B) in paragraph (3)(A)—

(i) in the matter preceding clause (i), by striking "paragraph (2)(B)(i)" and inserting "section 179(f)(2)(B)(i) of title 10, United States Code,"; and

(ii) in clause (i), by striking "the description under paragraph (2)(B)(i)" and inserting "that description"; and

(2) in subsection (b)—

(A) by striking "COUNCIL.—" in the heading and all that follows through "At the time" and inserting "COUNCIL.—At the time"; and

(B) by striking paragraph (2).

(d) UPDATES ON MEETINGS.—Section 179(g)(1)(A) of title 10, United States Code, is amended by inserting "and the members who attended each meeting" before the semicolon.

(e) REPEAL OF TERMINATION OF NUCLEAR WEAPONS COUNCIL CERTIFICATION AND REPORTING REQUIREMENT.—Section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note) is amended by striking paragraph (10).

SEC. 1634. PORTFOLIO MANAGEMENT FRAMEWORK FOR NUCLEAR FORCES.

(a) IN GENERAL.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 499c. Portfolio management framework for nuclear forces

"(a) REQUIREMENT.—Not later than January 1, 2024, the Secretary of Defense shall—

"(1) implement a portfolio management framework for nuclear forces of the United States that—

"(A) specifies the portfolio of nuclear forces covered by the framework;

"(B) establishes a portfolio governance structure for such forces that takes advantage of, or is modeled on, an existing portfolio governance structure, such as the Deputy's Management Action Group described in Department of Defense Directive 5105.79;

"(C) outlines the approach of the Secretary for identifying and managing risk relating to such forces and prioritizing the efforts among such forces, including how the Secretary, acting through the Under Secretary of Defense for Acquisition and Sustainment, will coordinate such identification, management, and prioritization with the Administrator for Nuclear Security using the coordination processes of the Nuclear Weapons Council; and

"(D) incorporates the findings and recommendations identified by the Comptroller General of the United States in the report titled 'Nuclear Enterprise: DOD and NNSA Could Further Enhance How They Manage Risk and Prioritize Efforts' (GAO–22–104061) and dated January 2022; and

"(2) complete a comprehensive assessment of the portfolio management capabilities required to identify and manage risk in the portfolio of nuclear forces, including how to draw upon public and private sector resources and the program management expertise within the Defense Acquisition University.

"(b) ANNUAL BRIEFINGS; NOTIFICATIONS.—(1) In conjunction with the submission of the budget of the President to Congress pursuant to section 1105 of title 31 for fiscal year 2025 and each fiscal year thereafter through the date specified in subsection (c), the Secretary shall provide to the congressional defense committees a briefing on identifying and managing risk relating to nuclear forces and prioritizing the efforts among such forces, including, with respect to the period covered by the briefing—

"(A) the current and projected operational requirements for nuclear forces that were used for such identification, management, and prioritization;

"(B) key areas of risk identified; and

"(C) a description of the actions proposed or carried out to mitigate such risk.

"(2) The Secretary may provide the briefings under paragraph (1) in classified form.

"(3) If a House of Congress adopts a bill authorizing or appropriating funds that, as determined by the Secretary, provides funds in an amount that will result in a significant delay in the nuclear certification or delivery of nuclear forces, the Secretary shall notify the congressional defense committees of the determination.

"(c) TERMINATION.—The requirements of this section shall terminate 90 days after the date on which the Secretary certifies to the congressional defense committees that each of the following have achieved full operational capability:

"(1) The LGM–35A Sentinel intercontinental ballistic missile weapon system.

"(2) The Columbia-class ballistic missile submarine program.

"(3) The long-range standoff weapon program.

"(4) The B–21 Raider bomber aircraft program.

"(5) The F–35A dual-capable aircraft program.

"(d) NUCLEAR FORCES DEFINED.—In this section, the term 'nuclear forces' includes, at a minimum—

"(1) nuclear weapons;

"(2) the delivery platforms and systems for nuclear weapons;

"(3) nuclear command, control, and communications systems; and

"(4) the infrastructure and facilities of the Department of Defense and the National Nuclear Security Administration that support nuclear weapons, the delivery platforms and systems for nuclear weapons, and nuclear command, control, and communications systems, including with respect to personnel, construction, operation, and maintenance.".

(b) INITIAL BRIEFING.—

(1) REQUIREMENT.—Not later than June 1, 2023, the Secretary of Defense shall provide to the congressional defense committees a briefing on the progress of the Secretary to—

(A) develop the portfolio management framework for nuclear forces under section 499c of title 10, United States Code, as added by subsection (a); and

(B) complete the assessment described in subsection (a)(2) of such section.

(2) FORM.—The Secretary may provide the briefing under paragraph (1) in classified form.

SEC. 1635. EXTENSION OF REQUIREMENT TO REPORT ON NUCLEAR WEAPONS STOCKPILE.

Section 492a(a)(1) of title 10, United States Code, is amended by striking "2024" and inserting "2029".

SEC. 1636. MODIFICATION AND EXTENSION OF ANNUAL ASSESSMENT OF CYBER RESILIENCE OF NUCLEAR COMMAND AND CONTROL SYSTEM.

(a) QUARTERLY BRIEFINGS.—Subsection (d) of section 499 of title 10, United States Code, is amended to read as follows:

"(d) QUARTERLY BRIEFINGS.—(1) Not less than once every quarter, the Deputy Secretary of Defense and the Vice Chairman of the Joint Chiefs of Staff shall jointly provide to the Committees on Armed Services of the House of Representatives and the Senate—

"(A) a briefing on any intrusion or anomaly in the nuclear command, control, and communications system that was identified during the previous quarter, including—

"(i) an assessment of any known, suspected, or potential impacts of such intrusions and anomalies to the mission effectiveness of military capabilities as of the date of the briefing; and

"(ii) with respect to cyber intrusions of contractor networks known or suspected to have resulted in the loss or compromise of design information regarding the nuclear command, control, and communications system; or

"(B) if no such intrusion or anomaly occurred with respect to the quarter to be covered by that briefing, a notification of such lack of intrusions and anomalies.

"(2) In this subsection:

"(A) The term 'anomaly' means a malicious, suspicious or abnormal cyber incident that potentially threatens the national security or interests of the United States, or that is likely to result in demonstrable harm to the national security of the United States.

"(B) The term 'intrusion' means an unauthorized and malicious cyber incident that compromises a nuclear command, control, and communications system by breaking the security of such a system or causing it to enter into an insecure state.".

(b) EXTENSION.—Subsection (e) of such section is amended by striking "December 31, 2027" and inserting "December 31, 2032".

(c) CONFORMING REPEAL.—Section 171a of title 10, United States Code, is amended—

(1) by striking subsection (h); and

(2) by redesignating subsections (i) through (l) as subsections (h) through (k), respectively.

SEC. 1637. MODIFICATION OF REPORTS ON NUCLEAR POSTURE REVIEW IMPLEMENTATION.

Section 491(c) of title 10, United States Code is amended—

(1) in the heading, by striking "2010";

(2) in the matter preceding paragraph (1)—

(A) by striking "2012 through 2021" and inserting "2022 through 2031"; and

(B) by striking "2010" and inserting "a"; and

(3) by striking paragraph (1) and inserting the following new paragraph (1.):

"(1) ensure that the report required by section 492a of this title is transmitted to Congress, if so required under such section;".

SEC. 1638. ESTABLISHMENT OF INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE FOR SENTINEL PROGRAM.

(a) ESTABLISHMENT.—

(1) TASK FORCE.—There is established within the Air Force Global Strike Command a directorate to be known as the Sentinel Intercontinental Ballistic Missile Site Activation Task Force (in this section referred to as the "Task Force").

(2) SITE ACTIVATION TASK FORCE.—The Task Force shall serve as the Site Activation Task Force (as that term is defined in Air Force Instruction 10–503, updated October 14, 2020) for purposes of overseeing and coordinating the construction of fixed facilities and emplacements and the installation and checkout

of supporting subsystems and equipment leading to the deployment and achievement of full operational capability of the LGM–35A Sentinel intercontinental ballistic missile weapon system at each intercontinental ballistic missile wing for use by the Air Force Global Strike Command in support of plans and operations of the United States Strategic Command.

(b) DIRECTOR.—

(1) HEAD.—The Task Force shall be headed by the Director of Intercontinental Ballistic Missile Modernization.

(2) APPOINTMENT.—

(A) IN GENERAL.—The Secretary of the Air Force shall appoint the Director from among the general officers of the Air Force.

(B) QUALIFICATIONS.—In appointing the Director, the Secretary shall give preference to individuals with expertise in intercontinental ballistic missile operations and large construction projects.

(3) TERM OF OFFICE.—

(A) TERM.—The Director shall be appointed for a term of three years. The Secretary may reappoint the Director for one additional three-year term.

(B) REMOVAL.—The Secretary may remove the Director for cause at any time.

(4) DUTIES.—

(A) IN GENERAL.—The Director shall—

(i) oversee and coordinate the activities of the Air Force in support of—

(I) the deployment of the LGM–35A Sentinel intercontinental ballistic missile weapon system; and

(II) the retirement of the LGM–30G Minuteman III intercontinental ballistic missile weapon system; and

(ii) subject to the authority, direction, and control of the Commander of the Air Force Global Strike Command, the Chief of Staff of the Air Force, and the Secretary of the Air Force, prepare, justify, and execute the personnel, operation and maintenance, and construction budgets for such deployment and retirement.

(B) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to supersede or otherwise alter the organizational relationships and responsibilities regarding oversight and management of the LGM–35A Sentinel as a Major Capability Acquisition Program, as outlined in Department of Defense Instruction 5000.85, "Major Capability Acquisition", dated November 4, 2021.

(c) REPORTS.—

(1) REPORT TO SECRETARIES.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified in subsection (e), the Director, in consultation with the milestone decision authority (as defined in section 4251(d) of title 10, United States Code) for the LGM–35A Sentinel intercontinental ballistic missile program, shall submit to the Secretary of Defense and the Secretary of the Air

Force a report on the progress of the Air Force in achieving initial and full operational capability for the LGM–35A Sentinel intercontinental ballistic missile weapon system.

(2) REPORT TO CONGRESS.—Not later than 30 days after receiving a report under paragraph (1), the Secretary of Defense and the Secretary of the Air Force shall jointly submit to the congressional defense committees the report.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) QUARTERLY BRIEFING.—Not later than one year after the date of the enactment of this Act, and every 90 days thereafter until the date specified in subsection (e), the Secretary of the Air Force shall provide to the congressional defense committees a briefing regarding the progress made on activities by the Task Force to bring the LGM–35A Sentinel intercontinental ballistic missile weapon system to operational capability at each intercontinental ballistic missile wing.

(d) WEAPON SYSTEM DESIGNATION.—

(1) WEAPON SYSTEM.—For purposes of nomenclature and life cycle maintenance, each wing level configuration of the LGM–35A Sentinel intercontinental ballistic missile shall be considered a weapon system.

(2) DEFINITIONS.—In this subsection:

(A) The term "weapon system" has the meaning given the term in Department of the Air Force Pamphlet 63–128, updated February 3, 2021.

(B) The term "wing level configuration" means the complete arrangement of subsystems and equipment of the LGM–35A Sentinel intercontinental ballistic missile required to function as a wing.

(e) TERMINATION.—The Task Force shall terminate not later than 90 days after the date on which the Commander of the United States Strategic Command and the Commander of the Air Force Global Strike Command (or the heads of successor agencies of the United States Strategic Command and the Air Force Global Strike Command) jointly declare that the LGM–35A Sentinel intercontinental ballistic missile weapon system has achieved full operational capability.

SEC. 1639. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

(3) Facilitating the transition from the Minuteman III intercontinental ballistic missile to the Sentinel intercontinental ballistic missile (previously referred to as the "ground-based strategic deterrent weapon").

SEC. 1640. PLAN FOR DEVELOPMENT OF REENTRY VEHICLES.

(a) PLAN.—The Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Administrator for Nuclear Security and the Under Secretary of Defense for Research and Engineering, shall produce a plan for the development, during the 20-year period beginning on the date of the enactment of this Act, of—

(1) the Mark 21A reentry vehicle for the Air Force;

(2) the Mark 7 reentry vehicle for the Navy; and

(3) any other reentry vehicles for—

(A) the Sentinel intercontinental ballistic missile weapon system;

(B) the Trident II (D5) submarine-launched ballistic missile, or subsequent missile; and

(C) any other long-range ballistic or hypersonic strike missile that may rely upon technologies similar to the technologies used in the missiles described in subparagraphs (A) and (B).

(b) ELEMENTS.—The plan under subsection (a) shall—

(1) with respect to the development of each reentry vehicle described in such subsection, describe—

(A) timed phases of production for the reentry aeroshell and the planned production and fielding of the reentry vehicle;

(B) the required developmental and operational testing capabilities and capacities, including such capabilities and capacities of the reentry vehicle;

(C) the technology development and manufacturing capabilities that may require use of authorities under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.); and

(D) the industrial base capabilities and capacities, including the availability of sufficient critical materials and staffing to ensure adequate competition between entities developing the reentry vehicle;

(2) provide estimated cost projections for the development of the first operational reentry vehicle and the production of subsequent reentry vehicles to meet the requirements of the Navy and Air Force; and

(3) provide for the coordination with and account for the needs of the development by the Department of Defense of hypersonic systems using materials, staffing, and an industrial base similar to that required for the development of reentry vehicles described in subsection (a).

(c) ASSESSMENTS.—

(1) COST PROJECTIONS.—The Director of the Office of Cost Assessment and Program Evaluation of the Department of Defense, in coordination with the Director of the Office of Cost Es-

timating and Program Evaluation of the National Nuclear Security Administration, shall conduct an assessment of the costs of the plan under subsection (a).

(2) TECHNOLOGY AND MANUFACTURING READINESS.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall seek to enter into an agreement with a federally funded research and development center to conduct an assessment of the technology and manufacturing readiness levels with respect to the plan under subsection (a).

(d) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees the plan under subsection (a) and the assessments under subsection (c).

SEC. 1641. TREATMENT OF NUCLEAR MODERNIZATION AND HYPERSONIC MISSILE PROGRAMS WITHIN DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM.

(a) REVIEW AND BRIEFING.—Not later than January 1, 2023, and annually thereafter until January 1, 2028, the Secretary of Defense and the Secretary of Energy shall jointly provide to the congressional defense committees a briefing, with respect to each nuclear weapons delivery system, missile warning system, hypersonic boost-glide missile system program, and weapon program or nuclear security enterprise infrastructure project of the National Nuclear Security Administration, on—

(1) which such programs or projects have been reviewed or considered for a determination of DX priority rating under part 700 of title 15, Code of Federal Regulations;

(2) which, if any, such programs or projects have been assigned a DX priority rating, or have been determined to require such rating and a timeline for assignment;

(3) any such programs or projects that have sought DX rating but have been denied assignment, including a rationale for denial;

(4) any such program or project which had previously obtained a DX rating and the designation was unassigned; and

(5) other related matters the Secretaries determine appropriate, including the potential impacts and risks to other programs.

(b) MILESTONE REVIEW REQUIREMENT.—With respect to any program or project that the Secretary of Defense and the Secretary of Energy identify under subsection (a)(1) as not having been reviewed or considered for a determination of DX priority rating under part 700 of title 15, Code of Federal Regulations, the respective Secretary shall—

(1) conduct an assessment regarding the need for such a DX priority rating not less frequently than prior to the program or project achieving Milestone A approval, Milestone B approval, and Milestone C approval, or equivalent; and

(2) document such assessment within the acquisition decision memorandum, or equivalent, for the program or project.

SEC. 1642. MATTERS RELATING TO NUCLEAR-CAPABLE SEA-LAUNCHED CRUISE MISSILE.

(a) REPORT ON DETERRENCE.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that describes the approach by the Department of Defense for deterring theater nuclear employment by Russia, China, and North Korea, including—

(1) an assessment of the current and future theater nuclear capabilities and doctrines of Russia, China, and North Korea;

(2) an explanation of the strategy and capabilities of the United States for deterring theater nuclear employment; and

(3) a comparative assessment of options for strengthening deterrence of theater nuclear employment, including pursuit of the nuclear-capable sea-launched cruise missile and other potential changes to the nuclear and conventional posture and capabilities of the United States.

(b) CONCEPT OF OPERATIONS AND OPERATIONAL IMPLICATIONS.—

(1) CONCEPT OF OPERATIONS.—Not later than 150 days after the date of the enactment of this Act, the Vice Chairman of the Joint Chiefs of Staff, in coordination with the Chief of Naval Operations, the Under Secretary of Defense for Policy, the Commander of the United States Strategic Command, the Commander of the United States European Command, and the Commander of the United States Indo-Pacific Command, shall develop and validate a concept of operations for a nuclear-capable sea-launched cruise missile that provides options for, at a minimum—

(A) regularly deploying the missile in relevant operational theaters; and

(B) maintaining the missile in reserve and deploying as needed to relevant operational theaters.

(2) OPERATIONAL IMPLICATIONS.—Not later than 270 days after the date of the enactment of this Act, and based upon the concept of operations developed pursuant to paragraph (1), the Chief of Naval Operations, in coordination with the Vice Chairman of the Joint Chiefs of Staff, the Commander of the United States Strategic Command, the Commander of the United States European Command, and the Commander of the United States Indo-Pacific Command, shall submit to the congressional defense committees a report that describes the operational implications associated with deploying nuclear-capable sea-launched cruise missiles on naval vessels, including—

(A) anticipated effects on the deterrence of regional nuclear use by Russia, China, and North Korea from such deployment;

(B) expected adjustments in the regional balances of nuclear forces between the United States and Russia, China, and North Korea respectively, based on the anticipated effects under subparagraph (A);

(C) anticipated operational and deterrence implications of allocating missile or torpedo tubes from conventional munitions to nuclear munitions if additional vessels beyond current planning are not available;

(D) anticipated operational constraints and trade-offs associated with reserving or limiting naval vessels, if applicable, on account of nuclear mission requirements;

(E) adjustments to posture and operationally available capabilities that may be required if the Navy is not provided with additional resources to support tactical nuclear operations, including potential costs and constraints relating to nuclear certification, modifications to port infrastructure, personnel training, and other factors; and

(F) any other issues identified by the Chief, Vice Chairman, and Commanders.

(c) REPORT ON DEVELOPMENT.—Not later than 270 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report that describes the cost and timeline of developing and producing a variation of the W80–4 warhead for a nuclear-capable sea-launched cruise missile, including—

(1) the cost of developing, producing, and sustaining the warhead;

(2) the timeline for the design, production, and fielding of the warhead; and

(3) an assessment of how the pursuit of a variant of the W80–4 warhead may affect other planned warhead activities of the National Nuclear Security Administration, including whether there would be risk to the cost and schedule of other warhead programs of the Administration if the Nuclear Weapons Council added a nuclear-capable sea-launched cruise missile warhead to the portfolio of such programs.

(d) SPEND PLAN.—Not later than 45 days after the date of the enactment of this Act, the Secretary of the Navy and the Administrator for Nuclear Security shall submit to the congressional defense committees the anticipated spend plans for the research and development of a nuclear-capable sea-launched cruise missile and the associated warhead for the missile with respect to each of the following:

(1) The funds for such research and development appropriated by the Consolidated Appropriations Act, 2022 (Public Law 117–103).

(2) The funds for such research and development authorized to be appropriated by this Act.

(e) CONSOLIDATED REPORT.—The reports required by subsections (a) and (b)(2) may be submitted in one consolidated report.

(f) PREFERRED COURSE OF ACTION.—To inform the reports under this section, not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall identify one or more preferred courses of action from among the actions identified in the analysis of alternatives for a nuclear-capable sea-launched cruise missile.

(g) LIMITATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of Defense or the National Nuclear Security Administration may be obligated or expended for a purpose specified in paragraph (2) until each of the reports under

this section and a detailed, unclassified summary of the analysis of alternatives regarding the nuclear-capable sea-launched cruise missile have been submitted to the congressional defense committees.

(2) FUNDS SPECIFIED.—The purposes specified in this paragraph are the following:

(A) With respect to the Department of Defense, system development and demonstration of a nuclear-capable sea-launched cruise missile.

(B) With respect to the National Nuclear Security Administration, development engineering for a modified, altered, or new warhead for a sea-launched cruise missile.

(h) DEFINITIONS.—In this section:

(1) The term "development engineering" means activities under phase 3 of the joint nuclear weapons life cycle (as defined in section 4220 of the Atomic Energy Defense Act (50 U.S.C. 2538b) or phase 6.3 of a nuclear weapons life extension program.

(2) The term "system development and demonstration" means the activities occurring in the phase after a program achieves Milestone B approval (as defined in section 4172 of title 10, United States Code).

Subtitle D—Missile Defense Programs

SEC. 1651. BIANNUAL BRIEFING ON MISSILE DEFENSE AND RELATED ACTIVITIES.

Chapter 23 of title 10, United States Code, is amended by inserting after section 486 the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 487. Biannual briefing on missile defense and related activities

"(a) IN GENERAL.—On or about June 1 and December 1 of each year, the officials specified in subsection (b) shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on matters relating to missile defense policies, operations, technology development, and other similar topics as requested by such committees.

"(b) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

"(1) The Assistant Secretary of Defense for Acquisition.

"(2) The Assistant Secretary of Defense for Space Policy.

"(3) The Director of the Missile Defense Agency.

"(4) The Director for Strategy, Plans, and Policy of the Joint Staff.

"(c) DELEGATION.—An official specified in subsection (b) may delegate the authority to provide a briefing required by subsection (a) to a member of the Senior Executive Service who reports to the official.

"(d) TERMINATION.—The requirement to provide a briefing under subsection (a) shall terminate on January 1, 2028.".

SEC. 1652. IMPROVEMENTS TO ACQUISITION ACCOUNTABILITY REPORTS ON THE BALLISTIC MISSILE DEFENSE SYSTEM.

(a) ELEMENTS OF BASELINES.—Subsection (b) of section 225 of title 10, United States Code, is amended—

(1) in paragraph (1)(C), by striking "and flight" and inserting ", flight, and cybersecurity";

(2) in paragraph (2), by striking subparagraph (C) and inserting the following new subparagraph (C):

"(C) how the proposed capability satisfies a capability requirement or performance attribute identified through—

"(i) the missile defense warfighter involvement process, as governed by United States Strategic Command Instruction 538-03, or such successor document; or

"(ii) processes and products approved by the Joint Chiefs of Staff or Joint Requirements Oversight Council;"; and

(3) in paragraph (3)—

(A) in subparagraph (C), by striking "; and" and inserting a semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting "; and"; and

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

"(E) an explanation for why a program joint cost analysis requirements description has not been prepared and approved, and, if a program joint cost analysis requirements description is not applicable, the rationale for such inapplicability.".

(b) ANNUAL REPORTS ON ACQUISITION BASELINES.—Subsection (c) of such section is amended—

(1) in paragraph (2)(B)(ii)—

(A) in subclause (I)—

(i) by striking "initial" and inserting "original"; and

(ii) by striking "; and" and inserting a semicolon;

(B) in subclause (II), by striking the period at the ending and inserting "; and"; and

(C) by adding at the end the following new subclause:

"(III) the most recent adjusted or revised acquisition baseline for such program element or major subprogram under subsection (d).";

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

(3) by inserting after paragraph (3) the following new paragraph:

"(3)(A) Each report under paragraph (1) shall include the total system costs for each element described in subparagraph (B) that comprises the missile defense system, without regard to funding source or management control (such as the Missile Defense Agency, a military department, or other element of the Department of Defense).

"(B) The elements described in this subparagraph shall include the following:

"(i) Research and development.

"(ii) Procurement.

"(iii) Military construction.

"(iv) Operations and sustainment.

"(v) Disposal."; and

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

"(5) In this subsection:

"(A) The term 'original acquisition baseline' means, with respect to a program element or major subprogram, the first acquisition baseline created for the program element or major subprogram that has no previous iterations and has not been adjusted or revised, including any adjustments or revisions pursuant to subsection (d).

"(B) The term 'total system costs' means, with respect to each element that comprises the missile defense system—

"(i) all combined costs from closed, canceled, and active acquisition baselines;

"(ii) any costs shifted to or a part of future efforts without an established acquisition baseline; and

"(iii) any costs under the responsibility of a military department or other Department entity.".

(c) OPERATIONS AND SUSTAINMENT COST ESTIMATES.—Subsection (e) of such section is amended—

(1) in paragraph (1), by striking "; and" and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

"(3) the amount of operations and sustainment costs (dollar value and base year) for which the military department or other element of the Department of Defense is responsible; and

"(4)(A) a citation to the source (such as a joint cost estimate or one or more military department estimates) that captures the operations and sustainment costs for which a military department or other element of the Department of Defense is responsible;

"(B) the date the source was prepared; and

"(C) if and when the source was independently verified by the Office for Cost Assessment and Program Evaluation.".

SEC. 1653. MAKING PERMANENT PROHIBITIONS RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

Section 130h of title 10, United States Code, is amended by striking subsection (e).

SEC. 1654. NEXT GENERATION INTERCEPTORS FOR MISSILE DEFENSE OF UNITED STATES HOMELAND.

(a) MODIFICATION TO CONGRESSIONAL NOTIFICATION OF CANCELLATION.—Section 1668(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking "30 days prior to any" and inserting "90 days prior to implementation of a"; and

(B) by striking "Director" and inserting "Secretary of Defense"; and

(2) in paragraph (2), by striking "Director" and inserting "Secretary".

(b) FUNDING PROFILE FOR INCREASED DEPLOYMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the funding profile necessary, by fiscal year, to acquire no fewer than 64 operational next generation interceptors for the next generation interceptor program.

SEC. 1655. TERMINATION OF REQUIREMENT TO TRANSITION BALLISTIC MISSILE DEFENSE PROGRAMS TO THE MILITARY DEPARTMENTS.

Section 1676(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 4205 note) is amended—

(1) in paragraph (1), by striking "Not" and inserting "Except as provided by paragraph (4), not"; and

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

"(4) TERMINATION OF REQUIREMENT.—The requirement in paragraph (1) to transfer the authorities specified in such paragraph shall terminate on the date that is 60 days after the date on which the Secretary of Defense submits to the congressional defense committees the report under section 1675(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2117).".

SEC. 1656. PERSISTENT CYBERSECURITY OPERATIONS FOR BALLISTIC MISSILE DEFENSE SYSTEMS AND NETWORKS.

(a) PLAN.—Not later than May 1, 2023, the Director of the Missile Defense Agency and the Director of Operational Test and Evaluation, in coordination with the Chairman of the Joint Chiefs of Staff, the Commander of the United States Cyber Command, and other commanders of combatant commands and functions of the Joint Staff as appropriate, shall jointly develop a plan to allow for persistent cybersecurity operations across all networks and information systems supporting the missile defense system.

(b) ELEMENTS.—The plan under subsection (a) shall include the following:

(1) An inventory of all networks and information systems that support the missile defense system, including information about which components or elements of the networks and information systems are currently configured for persistent cybersecurity operations.

(2) A strategy—

(A) for coordinating with the applicable combatant commands on persistent cybersecurity operations; and

(B) in which the Director for Operational Test and Evaluation monitors and reviews such operations and provides independent assessments of the adequacy and sufficiency of the operations.

(3) A plan for how the Director of the Missile Defense Agency will respond to cybersecurity testing recommendations made by the Director for Operational Test and Evaluation.

(4) The timeline required to execute the plan.

(c) BRIEFINGS.—The Director of the Missile Defense Agency and the Director for Operational Test and Evaluation shall jointly provide to the congressional defense committees a briefing—

(1) not later than May 15, 2023, on the plan developed under subsection (a); and

(2) not later than December 30, 2023, on progress made toward implementing such plan.

SEC. 1657. FIRE CONTROL ARCHITECTURES.

(a) FIRE CONTROL QUALITY DATA REQUIREMENT.—In carrying out the analysis of candidate fire control architectures, the Secretary of the Air Force shall ensure that the Director of the Space Warfighting Analysis Center of the Space Force, at a minimum, maintains the requirements needed for the missile defense command and control, battle management, and communications system to pass the needed quality data within the timelines needed for current and planned interceptor systems to support engagements of ballistic and hypersonic threats as described in section 1645 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4062).

(b) BRIEFING.—Not later than 14 days after the date on which the Director of the Space Warfighting Analysis Center concludes the analysis of candidate fire control architectures, the Director shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the results of the analysis, including the findings of the Director and the architecture recommended by the Director for a future fire control architecture to support engagement of ballistic and hypersonic threats.

SEC. 1658. MIDDLE EAST INTEGRATED AIR AND MISSILE DEFENSE.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State and the Director of the Defense Intelligence Agency, shall seek to cooperate with allies and partners in the Middle East with respect to implementing an integrated air and missile defense architecture to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a strategy on cooperation with allies and partners in the area of responsibility of the United States Central Command to implement a multinational integrated air and missile defense architecture to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

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

(A) An assessment of the threat of ballistic and cruise missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran to allies and partners within the area of responsibility of the United States Central Command.

(B) A description of current efforts to coordinate indicators and warnings from such attacks with allies and partners within such area of responsibility.

(C) An analysis of current integrated air and missile defense systems to defend against attacks, in coordination with allies and partners within such area of responsibility.

(D) An explanation of how a multinational integrated air and missile defense architecture would improve collective security in such area of responsibility.

(E) A description of efforts to engage specified foreign partners in establishing such an architecture.

(F) An identification of elements of the multinational integrated air and missile defense architecture that—

(i) can be acquired and operated by specified foreign partners; and

(ii) can only be provided and operated by members of the Armed Forces.

(G) An identification of any challenges in establishing a multinational integrated air and missile defense architecture with specified foreign partners, including assessments of the capacity and capability of specified foreign partners and their ability to independently operate key technical components of such an architecture, including radars and interceptor systems.

(H) A description of relevant consultation with the Secretary of State and the ways in which such an architecture advances United States regional diplomatic goals and objectives.

(I) Recommendations for addressing the challenges identified in subparagraph (G) so that the strategy can be implemented effectively.

(J) Such other matters as the Secretary considers relevant.

(3) PROTECTION OF SENSITIVE INFORMATION.—Any activity carried out under paragraph (1) shall be conducted in a manner that is consistent with protection of intelligence sources and methods and appropriately protects sensitive information and the national security interests of the United States.

(4) FORMAT.—The strategy submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

SEC. 1659. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $80,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement;

(ii) an assessment detailing any risks relating to the implementation of such agreement; and

(iii) for system improvements resulting in modified Iron Dome components and Tamir interceptor sub-components, a certification that the Government of Israel has demonstrated successful completion of Production Readiness Reviews, including the validation of production lines, the verification of component conformance, and the verification of performance to specification as defined in the Iron Dome Defense System Procurement Agreement, as further amended.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $40,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—Provision of funds specified in paragraph (1) shall be subject to the terms and conditions in the bilateral co-production agreement, including—

(A) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(B) co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States industry for the David's Sling Weapon System is not less than 50 percent.

(3) CERTIFICATION AND ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David's Sling Weapon System; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $80,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(2) CERTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.

(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), the Under Secretary may submit—

(1) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b)(3) and the certification under subsection (c)(2) no later than 30 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1660. INTEGRATED AIR AND MISSILE DEFENSE ARCHITECTURE FOR DEFENSE OF GUAM.

(a) REVIEW OF INTEGRATED AIR AND MISSILE DEFENSE ARCHITECTURE TO DEFEND GUAM.—

(1) REQUIREMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct an independent assessment of the integrated air and missile defense architecture to defend Guam.

(2) ELEMENTS.—The assessment under paragraph (1) shall include an analysis of each of the following:

(A) The proposed architecture capability to address non-ballistic and ballistic missile threats to Guam, including the sensor, command and control, and interceptor systems being proposed.

(B) The development and integration risk of the proposed architecture.

(C) The manning required to operate the proposed architecture, including the availability of housing and infrastructure on Guam to support the needed manning levels.

(3) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the assessment under paragraph (1), without change.

(b) DESIGNATION OF OFFICIAL RESPONSIBLE FOR MISSILE DEFENSE OF GUAM.—

(1) DESIGNATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense who shall be responsible for the missile defense of Guam during the period preceding the date specified in paragraph (5).

(2) DUTIES.—The duties of the official designated under paragraph (1) shall include the following:

(A) Designing the architecture of the missile defense system for defending Guam.

(B) Overseeing development of an integrated missile defense acquisition strategy for the missile defense of Guam.

(C) Ensuring the military department and Defense Agency budgets are appropriate for the strategy described in subparagraph (B).

(D) Siting the integrated missile defense system described in subparagraph (B).

(E) Overseeing long-term acquisition and sustainment of the missile defense system for Guam.

(F) Such other duties as the Secretary determines appropriate.

(3) PROGRAM TREATMENT.—The integrated missile defense system referred to in paragraph (2) shall be designated as special interest acquisition category 1D program and shall be managed as consistent with Department of Defense Instruction 5000.85 "Major Capability Acquisition".

(4) REPORT.—Concurrent with the submission of each budget of the President under section 1105(a) of title 31, United States Code, during the period preceding the date specified in paragraph (5), the official designated under paragraph (1) shall submit to the congressional defense committees a report on the actions taken by the official to carry out the duties set forth under paragraph (2).

(5) TERMINATION.—The authority of this subsection shall terminate on the date that is three years after the date on which the official designated under paragraph (1) determines that the integrated missile defense system described in paragraph (2) has achieved initial operational capability.

(c) PROCUREMENT.—

(1) REQUIREMENT.—Except as provided by paragraph (2), not later than December 31, 2023, the Secretary of Defense, acting through the Director of the Missile Defense Agency, shall rapidly procure and field up to three vertical launching systems that can accommodate planned interceptors operated by the Navy (that do not require major modification or integration into the existing missile defense system), as of the date of enactment of this Act.

(2) WAIVER.—The Secretary may waive the requirement under paragraph (1) if—

(A) the Secretary determines that the waiver is in the best interest of the national security of the United States;

(B) the Secretary submits to the congressional defense committees a notification of such waiver, including a justification; and

(C) a period of 120 days has elapsed following the date of such notification.

SEC. 1661. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS UNTIL SUBMISSION OF REPORT ON IMPLEMENTATION OF THE CRUISE MISSILE DEFENSE ARCHITECTURE FOR THE HOMELAND.

(a) FINDING.—Congress finds that the Deputy Secretary of Defense made the determination that the Department of the Air Force has

acquisition authority with respect to the capability to defend the homeland from cruise missiles, as required by section 1684(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 4205 note).

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Air Force, in coordination with the Commander of the United States Northern Command, shall submit to the congressional defense committees a report on the implementation of the cruise missile defense architecture for the homeland, including—

(1) the architecture planned to meet the requirements of the United States Northern Command and the North American Aerospace Defense Command, including a schedule for capabilities being developed and deployed;

(2) a list of all programs of record of the Air Force that contribute to such architecture; and

(3) funding profile by year across the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code, to develop, deploy, operate, and sustain such architecture.

(c) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of the Air Force for travel by the Secretary of the Air Force, not more than 95 percent may be obligated or expended until the date on which the Secretary of the Air Force submits the report under subsection (b).

SEC. 1662. STRATEGY TO USE ASYMMETRIC CAPABILITIES TO DEFEAT HYPERSONIC MISSILE THREATS.

(a) REQUIREMENT.—Not later than March 1, 2023, the Secretary of Defense, acting through the Director of the Missile Defense Agency, shall submit to the congressional defense committees a comprehensive layered strategy to use asymmetric capabilities to defeat hypersonic missile threats.

(b) ELEMENTS.—The strategy under subsection (a) shall—

(1) address all asymmetric capabilities of the United States, including with respect to—

(A) directed energy, as described in section 1664 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 205 note) and including short-pulse laser technology;

(B) microwave systems;

(C) cyber capabilities; and

(D) any other capabilities determined appropriate by the Secretary and Director; and

(2) identify the funding required to implement the strategy during the period covered by the future-years defense program submitted to Congress under section 221 of title 10, United States Code, in 2023.

SEC. 1663. PLAN ON DELIVERING SHARED EARLY WARNING SYSTEM DATA TO CERTAIN ALLIES AND PARTNERS OF THE UNITED STATES.

(a) PLAN.—The Secretary of Defense, with the concurrence of the Secretary of State and the Director of National Intelligence, shall develop a technical fielding plan to deliver information under the

Shared Early Warning System regarding a current or imminent missile threat to allies and partners of the United States that, as of the date of the plan, do not receive such information.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on how rapid technical fielding of the Shared Early Warning System could be provided to allies and partners of the United States that—

(1) are not member states of the North Atlantic Treaty Organization; and

(2) are under current or imminent hostile aggression and threat of missile attack.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

SEC. 1664. REPORTS ON GROUND-BASED INTERCEPTORS.

Not later than 30 days after the date of the enactment of this Act, and on a quarterly basis thereafter until the date on which the next generation interceptor achieves initial operating capability, the Director of the Missile Defense Agency, with the concurrence of the Commander of the United States Northern Command, shall submit to the congressional defense committees a report that includes the following:

(1) An identification of the number of ground-based interceptors operationally available to the Commander.

(2) If such number is different from the report previously submitted under this section, the reasons for such difference.

(3) Any anticipated changes to such number during the period covered by the report.

SEC. 1665. REPORT ON MISSILE DEFENSE INTERCEPTOR SITE IN CONTIGUOUS UNITED STATES.

Not later than March 31, 2023, the Secretary of Defense, acting through the Director of the Missile Defense Agency and in coordination with the Commander of the United States Northern Command, shall submit to the congressional defense committees a report containing—

(1) an updated assessment of the requirement for a missile defense interceptor site in the contiguous United States; and

(2) a funding profile, by year, of the total costs for the development and construction of such site, considering the designation of Fort Drum, New York, as the conditionally designated preferred site.

Subtitle E—Other Matters

SEC. 1671. COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $354,394,000 authorized to be appropriated to the Department of Defense for fiscal year 2023 in

section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $6,859,000.

(2) For chemical security and elimination, $14,998,000.

(3) For global nuclear security, $18,088,000.

(4) For biological threat reduction, $225,000,000.

(5) For proliferation prevention, $45,890,000.

(6) For activities designated as Other Assessments/Administration Costs, $30,763,000.

(b) SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2023, 2024, and 2025.

SEC. 1672. DEPARTMENT OF DEFENSE SUPPORT FOR REQUIREMENTS OF THE WHITE HOUSE MILITARY OFFICE.

(a) MEMBERSHIP ON COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.—Section 171a(b) of title 10, United States Code, is amended by—

(1) redesignating paragraph (7) as paragraph (8); and

(2) inserting after paragraph (6) the following new paragraph (7):

"(7) The Director of the White House Military Office.".

(b) PORTFOLIO MANAGER.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall designate a senior official to coordinate and advocate for the portfolio of national level programs of the Department of Defense that are either or both—

(1) in direct support of requirements from the White House Military Office; or

(2) operationally relevant to the mission areas of the White House Military Office.

(c) ACCESSIBILITY OF INFORMATION.—The programmatic and budgetary information required to assess the efficacy of the national level programs covered by subsection (b) shall be provided to the senior official designated under such subsection by the following officials:

(1) The Secretary of each military department.

(2) The Under Secretary of Defense for Policy.

(3) The Under Secretary of Defense for Research and Engineering.

(4) The Chairman of the Joint Chiefs of Staff.

(5) The Director of Cost Assessment and Program Evaluation.

(d) ANNUAL BRIEFING.—Not later than 30 days after the date on which the President submits to Congress a budget for each of fiscal years 2024 through 2027 pursuant to section 1105(a) of title 31, United States Code, the Under Secretary of Defense for Acquisition and Sustainment, acting through the senior official designated under subsection (b), and the personnel of the White House Military

Office that the Director of the White House Military Office determines appropriate shall jointly provide to the congressional defense committees a briefing on acquisition programs, plans, and other activities supporting the requirements of the White House Military Office.

SEC. 1673. UNIDENTIFIED ANOMALOUS PHENOMENA REPORTING PROCEDURES.

(a) MECHANISM FOR AUTHORIZED REPORTING.—

(1) ESTABLISHMENT.—The Secretary of Defense, acting through the head of the Office and in consultation with the Director of National Intelligence, shall establish a secure mechanism for authorized reporting of—

(A) any event relating to unidentified anomalous phenomena; and

(B) any activity or program by a department or agency of the Federal Government or a contractor of such a department or agency relating to unidentified anomalous phenomena, including with respect to material retrieval, material analysis, reverse engineering, research and development, detection and tracking, developmental or operational testing, and security protections and enforcement.

(2) PROTECTION OF SYSTEMS, PROGRAMS, AND ACTIVITY.—The Secretary shall ensure that the mechanism for authorized reporting established under paragraph (1) prevents the unauthorized public reporting or compromise of classified military and intelligence systems, programs, and related activity, including all categories and levels of special access and compartmented access programs.

(3) ADMINISTRATION.—The Secretary shall ensure that the mechanism for authorized reporting established under paragraph (1) is administered by designated and appropriately cleared employees of the Department of Defense or elements of the intelligence community or contractors of the Department or such elements assigned to the Office.

(4) SHARING OF INFORMATION.—

(A) PROMPT SHARING WITHIN OFFICE.—The Secretary shall ensure that the mechanism for authorized reporting established under paragraph (1) provides for the sharing of an authorized disclosure to personnel and supporting analysts and scientists of the Office (regardless of the classification of information contained in the disclosure or any nondisclosure agreements), unless the employees or contractors administering the mechanism under paragraph (3) conclude that the preponderance of information available regarding the disclosure indicates that the observed object and associated events and activities likely relate to a special access program or compartmented access program that, as of the date of the disclosure, has been explicitly and clearly reported to the congressional defense committees or the congressional intelligence committees, and is documented as meeting those criteria.

(B) CONGRESSIONAL NOTIFICATION.—Not later than 72 hours after determining that an authorized disclosure relates to a restricted access activity, a special access pro-

gram, or a compartmented access program that has not been explicitly and clearly reported to the congressional defense committees or the congressional intelligence committees, the Secretary shall report such disclosure to such committees and the congressional leadership.

(5) INITIAL REPORT AND PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary, acting through the head of the Office and in consultation with the Director of National Intelligence, shall—

(A) submit to the congressional defense committees, the congressional intelligence committees, and the congressional leadership a report detailing the mechanism for authorized reporting established under paragraph (1); and

(B) issue clear public guidance for how to securely access the mechanism for authorized reporting.

(b) PROTECTION FOR INDIVIDUALS MAKING AUTHORIZED DISCLOSURES.—

(1) AUTHORIZED DISCLOSURES.—An authorized disclosure—

(A) shall not be subject to a nondisclosure agreement entered into by the individual who makes the disclosure;

(B) shall be deemed to comply with any regulation or order issued under the authority of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) or chapter 18 of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.); and

(C) is not a violation of section 798 of title 18, United States Code, or other provision of law relating to the disclosure of information.

(2) PROHIBITION ON REPRISALS.—

(A) PROTECTION.—An employee of a department or agency of the Federal Government, or of a contractor, subcontractor, grantee, subgrantee, or personal services contractor of such a department or agency, who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take, or threaten to take or fail to take, a personnel action, including the revocation or suspension of security clearances, or termination of employment, with respect to any individual as a reprisal for any authorized disclosure.

(B) PROCEDURES.—The Secretary of Defense and the Director of National Intelligence shall establish procedures for the enforcement of subparagraph (A) consistent with, as appropriate, section 1034 of title 10, United States Code, section 1104 of the National Security Act of 1947 (50 U.S.C. 3234), or other similar provisions of law regarding prohibited personnel actions.

(3) NONDISCLOSURE AGREEMENTS.—

(A) IDENTIFICATION.—The Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, the heads of such other departments and agencies of the Federal Government that have supported investigations of the types of events covered by subparagraph (A) of subsection (a)(1) and activities and programs described in subparagraph (B) of such subsection, and contractors of the

Federal Government that have supported or are supporting such activities and programs, shall conduct comprehensive searches of all records relating to nondisclosure orders relating to the types of events described in subsection (a) and provide copies of such orders, agreements, or obligations to the Office.

(B) SUBMISSION TO CONGRESS.—The head of the Office shall—

(i) make the records compiled under subparagraph (A) accessible to the congressional defense committees, the congressional intelligence committees, and the congressional leadership; and

(ii) not later than September 30, 2023, and at least once each fiscal year thereafter through fiscal year 2026, provide to such committees and congressional leadership briefings and reports on such records.

(c) ANNUAL REPORTS.—Section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373) is amended—

(1) by striking "aerial" each place it appears and inserting "anomalous";

(2) in subsection (h)—

(A) in paragraph (1), by inserting "and the congressional leadership" after "appropriate congressional committees"; and

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

"(Q) A summary of the reports received using the mechanism for authorized reporting established under section 1673 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023."; and

(3) in subsection (l)—

(A) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

"(2) The term 'congressional leadership' means—

"(A) the majority leader of the Senate;

"(B) the minority leader of the Senate;

"(C) the Speaker of the House of Representatives; and

"(D) the minority leader of the House of Representatives.".

(d) DEFINITIONS.—In this section:

(1) The term "authorized disclosure" means a report of any information through, and in compliance with, the mechanism for authorized reporting established pursuant to subsection (a)(1).

(2) The term "congressional intelligence committees" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(3) The term "congressional leadership" means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(4) The term "intelligence community" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(5) The term "nondisclosure agreement" means any written or oral nondisclosure agreement, order, or other instrumentality or means entered into by an individual that could be interpreted as a legal constraint on the individual making an authorized disclosure.

(6) The term "Office" means the All-domain Anomaly Resolution Office established pursuant to section 1683(a) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(a)).

(7) The term "personnel action" has the meaning given such term in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a)).

(8) The term "unidentified anomalous phenomena" has the meaning given such term in section 1683(n) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(l)).

SEC. 1674. STUDY OF WEAPONS PROGRAMS THAT ALLOW ARMED FORCES TO ADDRESS HARD AND DEEPLY BURIED TARGETS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, the Commander of the United States Strategic Command, and the Administrator for Nuclear Security, and in consultation with the Director of National Intelligence, shall submit to the congressional defense committees a study on options to hold at risk hard and deeply buried targets.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) An analysis of the current and emerging hard and deeply buried target mission set and associated military requirements, including—

(A) the number and locations of the targets, including facilities designed for the storage or manufacture of nuclear, chemical, or biological weapons and the precursors of such weapons;

(B) an identification of likely future trajectories in the worldwide use and proliferation of hard and deeply buried targets;

(C) the associated military requirements, including the importance of effectively holding hard and deeply buried targets at risk in order to meet the national security objectives of the United States; and

(D) an evaluation of the sufficiency of current and planned nuclear and nonnuclear military capabilities to satisfy such requirements.

(2) An evaluation of weapons programs that would allow the Armed Forces to effectively hold hard and deeply buried targets at risk, including—

(A) any nuclear or nonnuclear weapon and delivery system the Secretary determines appropriate, including the

cost, timeline for fielding, and likely effectiveness of any capability under consideration; and

(B) an assessment of a service life extension or modification program of the B83 nuclear gravity bomb as one of the options.

(3) A proposed strategy for fielding such capabilities in sufficient quantities and making other adjustments to the strategy and plans of the United States to account for the growing hard and deeply buried target set, including—

(A) the resources, research and development efforts, and capability options needed; and

(B) a five-year funding profile for, at a minimum—

(i) a preferred capability; and

(ii) an alternative capability evaluated under paragraph (2) that meets the requirements under paragraph (1).

(c) FORM.—The study under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) BRIEFING.—Not later than 30 days after the date on which the Secretary completes the study under subsection (a), the Secretary shall provide the Committees on Armed Services of the House of Representatives and the Senate a briefing on the findings and recommendations of the study.

(e) LIMITATION ON USE OF FUNDS.—Except as provided by subsection (f), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of Defense or the Department of Energy for the deactivation, dismantlement, or retirement of the B83–1 nuclear gravity bomb may be obligated or expended to deactivate, dismantle, or retire more than 25 percent of the B83–1 nuclear gravity bombs that were in the active stockpile as of September 30, 2022, until 90 days after the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives the study under subsection (a).

(f) EXCEPTION.—The limitation on the use of funds under subsection (e) shall not apply to the deactivation, dismantling, or retirement of B83–1 nuclear gravity bombs for the purpose of supporting safety and surveillance, sustainment, life extension, or modification programs for the B83–1 or other weapons currently in, or planned to become part of, the nuclear weapons stockpile of the United States.

TITLE XVII—MUNITIONS REPLENISHMENT AND FUTURE PROCUREMENT

TITLE XVII—MUNITIONS REPLENISHMENT AND FUTURE PROCUREMENT

Sec. 1701. Annual report on industrial base constraints for munitions.
Sec. 1702. Modification to Special Defense Acquisition Fund.
Sec. 1703. Quarterly briefings on replenishment and revitalization of weapons provided to Ukraine.
Sec. 1704. Assessment of requirements and acquisition objectives for Patriot air and missile defense battalions.
Sec. 1705. Independent assessment of department of defense capability and capacity needs for munitions production and stockpiling.

SEC. 1701. ANNUAL REPORT ON INDUSTRIAL BASE CONSTRAINTS FOR MUNITIONS.

(a) BRIEFING ON FULFILLMENT OF MUNITIONS REQUIREMENTS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall provide to the congressional defense committees a briefing regarding the current process for fulfilling the requirements of section 222c of title 10, United States Code, including a description of the timeliness of the process and any standardization of such process across the Department of Defense.

(b) BRIEFING ON REVISION OF REQUIREMENTS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall provide to the congressional defense committees a briefing regarding the timeline for revision of munitions requirements generated by section 222c of title 10, United States Code as a result of actions taken in response to the conflict in Ukraine.

(c) ADDITIONAL REPORT REQUIREMENTS ON OUT-YEAR UNCONSTRAINED TOTAL MUNITIONS REQUIREMENTS AND OUT-YEAR INVENTORY NUMBERS.—Section 222c of title 10, United States Code, is amended—

(1) in subsection (c), by adding at the end the following new paragraph:

"(8) Requirement for Protracted Warfare Scenarios, calculated by doubling the duration of each applicable operation plan.";

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection:

"(e) ADDITIONAL REQUIREMENTS.—Each report required under subsection (a) shall include the following:

"(1) The number of years required to meet the Out-Year Unconstrained Total Munitions Requirement at the rate requested for the fiscal year covered by the report.

"(2) The average rate of procurement during the three-year period preceding the date of the submission of the report, and the number of years required to meet the Out-Year Unconstrained Total Munitions Requirement at such three-year average rate.

"(3) The additional amount of funding that would be required, for each fiscal year, to meet the Out-Year Unconstrained Total Munitions Requirement for each munition by the end of the period covered by the most recent future-years defense program submitted to Congress pursuant to section 221 of this title.".

(d) ANNUAL REPORT ON INDUSTRIAL BASE CONSTRAINTS FOR MUNITIONS.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 222c the following new section:

"§ 222d. Annual report on industrial base constraints for munitions

"(a) IN GENERAL.—Not later than 30 days after the submission of all reports required under section 222c(a) of this title, the Under Secretary of Defense for Acquisition and Sustainment, in coordina-

tion with the service acquisition executive of each military department, shall submit to the congressional defense committees a report detailing the industrial base constraints for each munition identified in the Out-Year Unconstrained Total Munitions Requirement.

"(b) ELEMENTS.—The report required under subsection (a) shall include the following elements, broken down by munition:

"(1) Programmed purchase quantities per year.

"(2) Average procurement unit cost per year.

"(3) Contract type.

"(4) Current minimum sustaining rate of production per month and year.

"(5) Current maximum rate of production per month and year.

"(6) Expected date to meet the Out-Year Unconstrained Total Munitions Requirement in section 222c of this title under the programmed purchase quantities established for the period covered by the report.

"(7) A description of industrial base constraints on increased production of each munition, including any supply chain weaknesses.

"(8) A description of investments or policy changes made by a defense contractor or by the United States Government to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

"(9) A description of potential investments or policy changes identified by a defense contractor or the United States Government to increase munitions production, enable more efficient production, or mitigate significant loss of stability in potential production, including—

"(A) direct investments in test and tooling equipment, workforce development, or improvements to existing production facilities;

"(B) a pool of rotable critical components or subcomponents for munitions;

"(C) multiyear contracts or other contracting strategies;

"(D) direct investments in components, subcomponents, or raw materials commonly used across the industrial base;

"(E) direct investments in additive manufacturing or expeditionary manufacturing capabilities;

"(F) direct investments in simplification of supply chains; and

"(G) direct investments in technologies or methods to enable increased scalability and reduced complexity of production processes for current or future munitions.

"(10) A list of each contract for a munition with a priority rating of 'critical to national defense' (commonly referred to as a 'DO-rated order') or a priority rating of 'highest national defense urgency' (commonly referred to as a 'DX-rated order') in the Defense Priorities and Allocation System pursuant to part 700 of title 15, Code of Federal Regulations (or any successor regulation).

"(11) A prioritized list of munitions judged to have high value for export for which additional investments would be necessary

to enable export, including a description of such investments required.

"(12) A list of munitions subject to the requirements of chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) relating to foreign military sales that are anticipated to be exported based on developments in the conflict in Ukraine.

"(c) MUNITION DEFINED.—In this section, the term 'munition' has the meaning given by the Under Secretary of Defense for Acquisition.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of title 10, United States Code, is amended by inserting after the item relating to section 222c the following new item:

"222d. Annual report on industrial base constraints for munitions.".

SEC. 1702. MODIFICATION TO SPECIAL DEFENSE ACQUISITION FUND.

Section 114(c)(1) of title 10, United States Code, is amended by striking "$2,500,000,000" and inserting "$3,500,000,000".

SEC. 1703. QUARTERLY BRIEFINGS ON REPLENISHMENT AND REVITALIZATION OF WEAPONS PROVIDED TO UKRAINE.

(a) BRIEFINGS ON COVERED SYSTEMS.—The Secretary of Defense shall provide to the congressional defense committees quarterly briefings on the progress of the Department of Defense toward—

(1) replenishing the inventory of covered systems;

(2) expanding the production capacity of covered systems; and

(3) increasing the resilience of the production capacity of covered systems.

(b) GROUPING OF COVERED SYSTEMS.—For each briefing required under subsection (a), the Secretary of Defense may group covered systems together based on the relevant capabilities of such covered systems.

(c) ELEMENTS.—Each briefing required under subsection (a) shall include, with respect to the period covered by such briefing, the following:

(1) A description of any reprogramming carried out in accordance with established procedures for each covered system, with appropriate notation for—

(A) the number of the replenishment tranche; and

(B) a determination of whether each such reprogramming—

(i) replaces covered systems;

(ii) expands production capacity of covered systems; or

(iii) increases the resilience of the production capacity of covered systems.

(2) A description of obligations applied to each covered system and expected timeline for future obligations.

(3) A description of current and future production capacity for each covered system, broken down by month and calendar year.

(4) A description of expected delivery of covered systems to the Department of Defense.

(5) To the extent practicable, with respect to the total number of covered systems provided during the period covered by the briefing, an estimate for the timing of the delivery of at least

50 percent of the replenishment articles for a covered system and the delivery of 100 percent of such replenishment articles, compared to the number of covered systems provided.

(6) A description of overall actual and expected obligation rates for all reprogrammings applied to covered systems.

(7) A description of any other investments made that significantly affect the replenishment timeline or production capacity of the covered systems.

(8) A description of remaining industrial base risks or opportunities for increased competition for each covered system and detailed options to mitigate such risks or expand competition, including any changes necessary to authorities to enable risk reduction or expanded competition.

(9) To the extent practicable, a comparison of the expected inventory of covered systems over the next 5 years compared to the requirements set forth under section 222c of title 10, United States Code.

(d) BRIEFINGS ON STOCKS OF ALLIES AND PARTNERS.—The Secretary of Defense shall provide to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate quarterly briefings that include the following:

(1) A timeline and budgetary estimate for developing and procuring replacement stocks of covered systems for allies and partner countries of the United States.

(2) An update on the efforts of the Department to work with such allies and partner countries to advance the replenishment of munitions stocks for such allies and partners that have provided, or are contemplating providing, such stocks to Ukraine.

(e) TERMINATION.—This section and the requirements of this section shall terminate on December 31, 2026.

(f) COVERED SYSTEM DEFINED.—In this section, the term "covered system" means any system provided to the Government of Ukraine pursuant to any of the following:

(1) Section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318).

(2) Section 614 of the Foreign Assistance Act of 1961 (22 U.S.C. 2364).

(3) The Ukraine Security Assistance Initiative established under section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068), including as amended by this Act, if such system was provided to Ukraine after February 24, 2022.

SEC. 1704. ASSESSMENT OF REQUIREMENTS AND ACQUISITION OBJECTIVES FOR PATRIOT AIR AND MISSILE DEFENSE BATTALIONS.

(a) ASSESSMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Army shall assess and validate the current and projected battalion and interceptor requirements and acquisition objectives for the Patriot air and missile defense system and Patriot advanced capability–3 missile segment enhancement missiles to determine whether such requirements and objectives are sufficient to meet the requests for forces, war plans, and

contingency requirements of the commanders of the geographic combatant commands.

(b) REPORT.—Not later than 30 days after the date on which the Secretary completes the assessment under subsection (a), the Secretary shall submit to the congressional defense committees a report on the assessment, including whether the requirements and acquisition objectives described in such subsection—

(1) are sufficient to meet the requests for forces, war plans, and contingency requirements of the commanders of the geographic combatant commands; and

(2) are valid or should be modified.

(c) AUTHORITY.—Subject to the availability of appropriations for such purpose, the Secretary of the Army may procure up to four additional Patriot air and missile defense battalions to achieve a total of up to 20 such battalions.

SEC. 1705. INDEPENDENT ASSESSMENT OF DEPARTMENT OF DEFENSE CAPABILITY AND CAPACITY NEEDS FOR MUNITIONS PRODUCTION AND STOCKPILING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with an appropriate federally funded research and development center for the conduct of a detailed independent analysis of the extent to which the process used by the chief of staff of an armed force to implement the Out-Year Unconstrained Total Munitions Requirement required under section 222c of title 10, United States Code, properly accounts for current and future requirements for the weapons described in subsection (c). Such an agreement shall provide that an analysis conducted pursuant to the agreement shall be completed within 180 days after the date on which such agreement was entered into.

(b) MATTERS FOR CONSIDERATION.—An analysis conducted pursuant to an agreement under subsection (a) shall include a consideration of each of the following with respect to each weapon described in subsection (c):

(1) The sufficiency of efforts to implement section 222c of title 10, United States Code, including—

(A) whether the views of the commanders of each combatant command are adequately represented;

(B) whether contributions by allies and partner countries are adequately represented;

(C) whether excursions beyond the operational plans, including the potential of protracted warfare, are adequately represented;

(D) the potential of simultaneous conflicts; and

(E) the degree to which the elements of section 222c(c) of title 10, United States Code, are appropriate functional categories.

(2) Any recommendations that could be beneficial to the overall implementation of such section 222c.

(c) WEAPONS DESCRIBED.—The weapons described in this subsection are the following:

(1) Evolved sea sparrow missile.

(2) MK–48 heavyweight torpedo.

(3) Standard missile variants (including standard missile–6, standard missile–3 block IIA, and standard missile–3 block IIA).

(4) Patriot guided missiles.

(5) Terminal high altitude area defense interceptors.

(6) Guided and ballistic missiles fired from the multiple-launch rocket system (MLRS) or the high mobility artillery rocket system (HIMARS).

(7) Javelin missile.

(8) Stinger missile.

(9) Air intercept missile (AIM)–9X–Sidewinder.

(10) AIM–120D—Advanced medium range air-to-air missile (AMRAAM).

(11) Air to ground (AGM)–114—hellfire missile.

(12) Joint direct attack munition.

(13) Tomahawk land attack missile.

(14) Maritime strike tomahawk.

(15) Long range anti-ship missile.

(16) Naval strike missile.

(17) Joint air-to-surface standoff missile extended range.

(18) Harpoon anti-ship missile.

(19) Naval mines.

(20) Any other weapon that the Secretary of Defense or the federally funded research and development center determine should be included in the analysis.

(d) REPORT.—

(1) IN GENERAL.—Not later than 210 days after entering into an agreement under subsection (a), the Secretary of Defense shall submit to the congressional defense committees—

(A) a complete independent assessment of the analysis completed pursuant to the agreement; and

(B) any views from the Department of Defense the Secretary chooses to include.

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

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division and title XLVI of division D may be cited as the "Military Construction Authorization Act for Fiscal Year 2023".

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2025; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2026.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2025; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2026 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2803. EFFECTIVE DATE AND AUTOMATIC EXECUTION OF CONFORMING CHANGES TO TABLES OF SECTIONS, TABLES OF CONTENTS, AND SIMILAR TABULAR ENTRIES.

(a) EFFECTIVE DATE.—Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2022; or

(2) the date of the enactment of this Act.

(b) ELIMINATION OF NEED FOR CERTAIN SEPARATE CONFORMING AMENDMENTS.—

(1) AUTOMATIC EXECUTION OF CONFORMING CHANGES.—When an amendment made by a provision of this division to a covered defense law adds a section or larger organizational unit to the covered defense law, repeals or transfers a section or larger organizational unit in the covered defense law, or amends the designation or heading of a section or larger organizational unit in the covered defense law, that amendment also shall have the effect of amending any table of sections, table of contents, or similar table of tabular entries in the covered defense law to alter the table to conform to the changes made by the amendment.

(2) EXCEPTIONS.—Paragraph (1) shall not apply to an amendment described in such paragraph when—

(A) the amendment, or a separate clerical amendment enacted at the same time as the amendment, expressly amends a table of sections, table of contents, or similar table of tabular entries in the covered defense law to alter the table to conform to the changes made by the amendment; or

(B) the amendment otherwise expressly exempts itself from the operation of this section.

(3) COVERED DEFENSE LAW DEFINED.—In this subsection, the term "covered defense law" means—

(A) titles 10, 32, and 37 of the United States Code;

(B) any national defense authorization Act or military construction authorization Act that authorizes funds to be appropriated for a fiscal year to the Department of Defense; and

(C) any other law designated in the text thereof as a covered defense law for purposes of application of this section.

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. Demolition of District of Columbia Fort McNair Quarters 4, 13, and 15.
Sec. 2105. Modification of authority to carry out fiscal year 2019 project at Camp Tango, Korea.
Sec. 2106. Extension and modification of authority to carry out certain fiscal year 2018 projects.

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States 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 installations or locations inside the United States, and in the amounts, set forth in the following table:

ARMY: INSIDE THE UNITED STATES

State	Installation or Location	Amount
Alabama	Redstone Arsenal	$102,000,000
Alaska	Fort Wainwright	$99,000,000
Colorado	Fort Carson	$14,200,000
Hawaii	Fort Shafter	$33,000,000
	Schofield Barracks	$159,000,000
	Tripler Army Medical Center	$38,000,000
Louisiana	Fort Polk	$32,000,000
Maryland	Aberdeen Proving Ground	$85,000,000
Mississippi	Engineer Research and Development Center.	$20,000,000
New Jersey	Picatinny Arsenal	$15,654,000
New York	Fort Drum	$3,600,000
North Carolina	Fort Bragg	$34,000,000
Pennsylvania	Letterkenny Army Depot	$38,000,000
Texas	Corpus Christi Army Depot	$103,000,000
	Fort Bliss	$15,000,000
	Fort Hood	$19,000,000
Washington	Joint Base Lewis-McChord	$49,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States 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 installations outside the United States, and in the amounts, set forth in the following table:

ARMY: OUTSIDE THE UNITED STATES

State	*Installation*	*Amount*
Germany	*East Camp Grafenwoehr*	*$168,000,000*
Japan	*Kadena Air Force Base*	*$80,000,000*
Kwajalein	*Kwajalein Atoll*	*$69,000,000*

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation, in the number of units or for the purpose, and in the amount set forth in the following table:

ARMY: FAMILY HOUSING

Country	*Installation or Location*	*Units*	*Amount*
Germany	*Baumholder*	*Family Housing New Construction*	*$81,000,000*
Italy	*Vincenza*	*Family Housing New Construction*	*$95,000,000*

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $17,339,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. DEMOLITION OF DISTRICT OF COLUMBIA FORT MCNAIR QUARTERS 4, 13, AND 15.

Not later than one year after the date on which all the individuals occupying District of Columbia Fort McNair Quarters 4, 13, and 15, as of the date of the enactment of this Act, have moved out of such Quarters, the Secretary of the Army shall demolish such Quarters.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT CAMP TANGO, KOREA.

In the case of the authorization contained in the table in section 2101(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2242) for Camp Tango, Korea, for construction of a command and control facility at the installation, the Secretary of the Army may increase scope for a dedicated, enclosed egress pathway out of the underground facility to facilitate safe escape in case of fire.

SEC. 2106. EXTENSION AND MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.—

(1) EXTENSION.—(A) Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subparagraph (B), as provided in section 2101(b) of that Act (131 Stat. 1819), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(B) The table referred to in subparagraph (A) is as follows:

ARMY: EXTENSION OF 2018 PROJECT AUTHORIZATION

Country	***Installation or Location***	***Project***	***Original Authorized Amount***
Korea	*Kunsan Air Base ..*	*Unmanned Aerial Vehicle Hangar .....*	*$53,000,000*

(2) ARMY FAMILY HOUSING.—(A) Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subparagraph (B), as provided in section 2102 of that Act (131 Stat. 1820), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(B) The table referred to in subparagraph (A) is as follows:

ARMY: EXTENSION OF 2018 PROJECT AUTHORIZATION

Country	*Installation or Location*	*Project*	*Original Authorized Amount*
Kwajalein ...	*Kwajalein Atoll ....*	*Family Housing Replacement Construction ..*	*$31,000,000*

(b) MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.—

(1) KUNSAN AIR BASE, KOREA.—In the case of the authorization contained in the table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1819) for Kunsan Air Base, Korea, for construction of an Unmanned Aerial Vehicle Hangar at the installation, the Secretary of the Army may—

(A) construct the hangar at Camp Humphries, Korea; and

(B) remove primary scope associated with the relocation of the air defense artillery battalion facilities to include a ground based missile defense equipment area, fighting positions, a missile resupply area air defense artillery facility, a ready building and command post, a battery command post area, a safety shelter, and a guard booth.

(2) KWAJALEIN ATOLL, HWAJALEIN.—Section 2879(a)(1)(A) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1874) is amended by striking "at least 26 family housing units" and inserting "not more than 26 family housing units".

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Authorization of appropriations, Navy.
Sec. 2204. Extension of authority to carry out certain fiscal year 2018 project.
Sec. 2205. Transfer of customers from Navy electrical utility system at former Naval Air Station Barber's Point, Hawaii, to new electrical system in Kalaeloa, Hawaii.

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

NAVY: INSIDE THE UNITED STATES

State or Territory	*Installation or Location*	*Amount*
California	*Marine Corps Air Ground Combat Center Twentynine Palms*	*$137,235,000*
	Marine Corps Base Camp Pendleton	*$145,079,000*
	Marine Corps Recruit Depot San Diego	*$94,848,000*
	Naval Air Station Lemoore	*$247,633,000*
	Naval Base Point Loma Annex	*$64,353,000*
	Naval Base San Diego	*$151,278,000*
	Naval Surface Warfare Center Corona Division	*$17,100,000*
Connecticut	*Naval Submarine Base New London*	*$17,686,000*
Florida	*Naval Air Station Jacksonville*	*$100,570,000*
	Naval Air Station Whiting Field	*$228,001,000*
Georgia	*Naval Submarine Base Kings Bay*	*$309,102,000*
Guam	*Marine Corps Base Camp Blaz*	*$419,745,000*
Hawaii	*Joint Base Pearl Harbor-Hickam*	*$3,780,475,000*
	Marine Corps Base Kaneohe Bay	*$100,206,000*
Maryland	*Naval Surface Warfare Center Carderock Division*	*$2,363,000*
	Naval Surface Warfare Center Indian Head Division	*$10,155,000*
Nevada	*Naval Air Station Fallon*	*$159,866,000*
North Carolina	*Marine Corps Air Station Cherry Point*	*$44,830,000*
	Marine Corps Air Station New River	*$240,084,000*
	Marine Corps Base Camp Lejeune	*$54,122,000*
Pennsylvania	*Naval Surface Warfare Center Philadelphia Division*	*$92,547,000*
South Carolina	*Marine Corps Recruit Depot Parris Island*	*$166,930,000*
Virginia	*Naval Station Norfolk*	*$19,224,000*
	Naval Surface Warfare Center Dahlgren Division	*$2,853,000*
Washington	*Naval Air Station Whidbey Island*	*$120,340,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

NAVY: OUTSIDE THE UNITED STATES

Country	*Installation or Location*	*Amount*
Australia	*Royal Australian Air Force Base Darwin*	*$258,831,000*
Djibouti	*Camp Lemonnier*	*$122,107,000*
Japan	*Kadena Air Base*	*$222,756,000*
Spain	*Naval Station Rota*	*$92,323,000*

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units or for the purposes, and in the amounts set forth in the following table:

NAVY: FAMILY HOUSING

Location	*Installation*	*Units or Purpose*	*Amount*
Guam	*Naval Support Activity Anderson.*	*Family housing new construction*	*$289,776,000*
		.....	.....

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $74,540,000.

(c) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $14,123,000.

SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subsection (a), as provided in section 2201(a) of that Act (131 Stat. 1822), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

NAVY: EXTENSION OF 2018 PROJECT AUTHORIZATION

Country	*Installation or Location*	*Project*	*Original Authorized Amount*
Guam	*Joint Region Marianas .....*	*Navy-Commercial Tie-in Hardening .....*	*$37,180,000*

SEC. 2205. TRANSFER OF CUSTOMERS FROM NAVY ELECTRICAL UTILITY SYSTEM AT FORMER NAVAL AIR STATION BARBER'S POINT, HAWAII, TO NEW ELECTRICAL SYSTEM IN KALAELOA, HAWAII.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of the Navy shall pay the reasonable costs to transfer all customers off of the electrical utility system of the Navy located at former Naval Air Station Barber's Point, Hawaii, to the new electrical system in Kalaeloa, Hawaii, operated by Hawaiian Electric.

(b) COOPERATIVE AGREEMENT OR OTHER INSTRUMENT.—The Secretary of the Navy may enter into a cooperative agreement or other appropriate instrument with a third party—

(1) to make amounts available to pay the reasonable costs of transfers described in subsection (a); and

(2) to reimburse the third party for the reasonable costs that it may incur to carry out paragraph (1).

(c) FACILITATION OF TRANSFER.—To facilitate the transfer of customers described in subsection (a), the Secretary of the Navy shall provide the following to the State of Hawaii:

(1) A load analysis and design necessary to complete such transfer.

(2) Such rights of way and easements as may be necessary to support the construction of replacement electrical infrastructure.

(d) DISPOSAL OF NAVY ELECTRICAL SYSTEM.—Subject to the availability of appropriations for such purpose, after all customers have been transferred as required under subsection (a), the Secretary of the Navy may dispose of the electrical system of the Navy located at former Naval Air Station Barber's Point, Hawaii.

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 2018 projects.
Sec. 2305. Modification of authority to carry out certain fiscal year 2021 project.
Sec. 2306. Modification of authority to carry out certain military construction projects at Tyndall Air Force Base, Florida.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects inside the United States 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 installations or locations inside the United States, and in the amounts, set forth in the following table:

AIR FORCE: INSIDE THE UNITED STATES

State	*Installation or Location*	*Amount*
Alabama	*Maxwell Air Force Base*	*$15,000,000*
Alaska	*Clear Space Force Station*	*$72,080,000*
	Joint Base Elmendorf-Richardson	*$5,200,000*
Arizona	*Davis-Monthan Air Force Base*	*$7,500,000*
California	*Travis Air Force Base*	*$7,500,000*
	Vandenberg Space Force Base	*$136,000,000*
Florida	*Patrick Space Force Base*	*$97,000,000*
Hawaii	*Air Force Research Laboratory - Maui Experimental Site #1*	*$89,000,000*
Illinois	*Scott Air Force Base*	*$19,893,000*
New York	*Air Force Research Laboratory - Rome Research Site*	*$4,200,000*
Ohio	*Wright Patterson Air Force Base*	*$29,000,000*
Oklahoma	*Altus Air Force Base*	*$4,750,000*
	Tinker Air Force Base	*$252,016,000*
South Carolina	*Shaw Air Force Base*	*$15,000,000*
South Dakota	*Ellsworth Air Force Base*	*$335,900,000*
Tennessee	*Arnold Air Force Base*	*$46,000,000*
Texas	*Joint Base San Antonio-Randolph*	*$29,000,000*
Utah	*Hill Air Force Base*	*$96,900,000*
Washington	*Fairchild Air Force Base*	*$8,000,000*
Wyoming	*F.E. Warren Air Force Base*	*$241,920,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects outside the United States 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 installations or locations outside the United States, and in the amounts, set forth in the following table:

AIR FORCE: OUTSIDE THE UNITED STATES

Country	*Installation or Location*	*Amount*
Hungary	*Pápa Air Base*	*$75,260,000*
Iceland	*Naval Air Station Keflavik*	*$102,500,000*
Italy	*Aviano Air Base*	*$51,615,000*

AIR FORCE: OUTSIDE THE UNITED STATES—Continued

Country	*Installation or Location*	*Amount*
Japan	*Kadena Air Base*	*$307,000,000*
Jordan	*Muwaffaq Salti Air Base*	*$53,000,000*
Norway	*Rygge Air Station*	*$9,700,000*
Spain	*Moron Air Base*	*$32,500,000*

SEC. 2302. FAMILY HOUSING.

(a) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $233,858,000.

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $17,730,000.

SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) EXTENSION.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

AIR FORCE: EXTENSION OF 2018 PROJECT AUTHORIZATIONS

State	*Installation or Location*	*Project*	*Original Authorized Amount*
Florida	*Tyndall Air Force Base*	*Fire Station*	*$17,000,000*
Texas	*Joint Base San Antonio*	*BMT Classrooms/Dining*	*$38,000,000*
	Joint Base San Antonio	*Camp Bullis Dining Facility*	*$18,500,000*
Wyoming	*F. E. Warren Air Force Base*	*Consolidated Helo/TRF Ops/AMU and Alert Fac.*	*$62,000,000*

(b) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2903 of that Act (131 Stat. 1876), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

AIR FORCE: EXTENSION OF 2018 PROJECT AUTHORIZATIONS

Country	*Installation or Location*	*Project*	*Original Authorized Amount*
Hungary	*Kecskemet Air Base*	*ERI: Airfield Upgrades*	*$12,900,000*
	Kecskemet Air Base	*ERI: Construct Parallel Taxiway*	*$30,000,000*
	Kecskemet Air Base	*ERI: Increase POL Storage Capacity*	*$12,500,000*

AIR FORCE: EXTENSION OF 2018 PROJECT AUTHORIZATIONS— **CONTINUED**

Country	*Installation or Location*	*Project*	*Original Authorized Amount*
Luxembourg	*Sanem*	*ERI: ECAOS Deployable Airbase System Storage*	*$67,400,000*
Slovakia	*Malacky*	*ERI: Airfield Upgrades*	*$4,000,000*
	Malacky	*ERI: Increase POL Storage Capacity*	*$20,000,000*
	ERI: Airfield Upgrades	*Construct Combat Arms Training and Maintenance Facility*	*$22,000,000*

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4299) for Hill Air Force Base, Utah, for construction of GBSD Organic Software Sustainment Center, the Secretary of the Air Force may construct—

(1) up to 7,526 square meters of Surface Parking Lot in lieu of constructing a 13,434 square meters vehicle parking garage; and

(2) up to 402 square meters of Storage Igloo.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN MILITARY CONSTRUCTION PROJECTS AT TYNDALL AIR FORCE BASE, FLORIDA.

In the case of the authorization contained in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—

(1) for construction of Lodging Facilities Phases 1-2, as specified in such funding table and modified by section 2306(a)(7) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4302), the Secretary of the Air Force may construct two emergency backup generators;

(2) for construction of Dorm Complex Phases 1-2, as specified in such funding table and modified by section 2306(a)(8) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4302), the Sec-

retary of the Air Force may construct an emergency backup generator;

(3) for construction of Site Development, Utilities, and Demo Phase 2, as specified in such funding table and modified by section 2306(a)(6) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4302), the Secretary of the Air Force may construct—

(A) up to 6,248 lineal meters of storm water utilities;

(B) up to 55,775 square meters of roads;

(C) up to 4,334 lineal meters of gas pipeline; and

(D) up to 28,958 linear meters of electrical;

(4) for construction of Tyndall AFB Gate Complex, as specified in such funding table and modified by section 2306(a)(9) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4302), the Secretary of the Air Force may construct up to 55,694 square meters of roadway with serpentines; and

(5) for construction of Deployment Center/Flight Line Dining/AAFES, as specified in such funding table and modified by section 2306(a)(11) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4303), the Secretary of the Air Force may construct up to 164 square meters of AAFES (Shoppette).

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 2018 projects.

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

DEFENSE AGENCIES: INSIDE THE UNITED STATES

State	*Installation or Location*	*Amount*
Alabama	*Redstone Arsenal*	*$151,000,000*
California	*Naval Base Coronado*	*$75,712,000*
Florida	*Hurlburt Field*	*$9,100,000*
	MacDill Air Force Base	*$50,000,000*
North Carolina	*Fort Bragg*	*$34,470,000*
Texas	*Joint Base San Antonio*	*$58,600,000*
Virginia	*Dam Neck*	*$26,600,000*
	Pentagon	*$18,000,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

DEFENSE AGENCIES: OUTSIDE THE UNITED STATES

Country	Installation or Location	Amount
Germany	*Baumholder*	*$184,723,000*
	Wiesbaden	*$104,779,000*
Japan	*Yokota Air Base*	*$72,154,000*

SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

ERCIP PROJECTS: INSIDE THE UNITED STATES

State or Territory	Installation or Location	Amount
Alabama	*Redstone Arsenal*	*$10,700,000*
California	*Marine Corps Mountain Warfare Training Center*	*$30,672,000*
	Naval Base Ventura County	*$16,032,000*
Florida	*Naval Air Station Jacksonville*	*$2,880,000*
	Patrick Space Force Base	*$15,700,000*
Georgia	*Fort Stewart-Hunter Army Airfield*	*$25,400,000*
	Naval Submarine Base Kings Bay	*$13,440,000*
Guam	*Naval Base Guam*	*$34,360,000*
Hawaii	*Joint Base Pearl Harbor-Hickam*	*$30,000,000*
Kansas	*Fort Riley*	*$25,780,000*
Maryland	*National Security Agency-Washington, Fort Meade*	*$23,310,000*
Texas	*Fort Hood*	*$31,500,000*
	U.S. Army Reserve Center, Conroe	*$9,600,000*
Virginia	*National Geospatial-Intelligence Agency Campus East, Fort Belvoir*	*$1,100,000*
	Naval Support Activity Hampton Roads	*$26,880,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

ERCIP PROJECTS: OUTSIDE THE UNITED STATES

Country	*Installation or Location*	*Amount*
Djibouti	*Camp Lemonnier*	*$28,800,000*
Japan	*Kadena Air Base*	*$780,000*
Kuwait	*Camp Arifjan*	*$26,850,000*

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subsection (b), as provided in section 2401(b) of that Act (131 Stat. 1829), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

DEFENSE AGENCIES: EXTENSION OF 2018 PROJECT AUTHORIZATIONS

Country	*Installation or Location*	*Project*	*Original Authorized Amount*
Japan	*Iwakuni*	*Construct Bulk Storage Tanks PH 1*	*$30,800,000*
Puerto Rico	*USCG Station; Punta Borinquen*	*Ramey Unit School Replacement*	*$61,071,000*

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. Repeal of authorized approach to certain construction project.

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS

Component	Installation or Location	Project	Amount
Army	Camp Humphreys	Quartermaster Laundry/Dry Cleaner Facility	$24,000,000

REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS—Continued

Component	*Installation or Location*	*Project*	*Amount*
Army	*Camp Humphreys*	*MILVAN CONNEX Storage Yard*	*$20,000,000*
Navy	*Camp Mujuk*	*Replace Ordnance Storage Magazines*	*$150,000,000*
Navy	*Fleet Activities Chinhae*	*Water Treatment Plant Relocation*	*$6,000,000*
Air Force	*Gimhae Air Base*	*Refueling Vehicle Shop*	*$8,800,000*
Air Force	*Osan Air Base*	*Combined Air and Space Operations Intelligence Center*	*$306,000,000*
Air Force	*Osan Air Base*	*Upgrade Electrical Distribution West, Phase 3*	*$235,000,000*

SEC. 2512. REPEAL OF AUTHORIZED APPROACH TO CERTAIN CONSTRUCTION PROJECT.

Section 2511 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2177) is amended—

(1) by striking "(a) AUTHORITY TO ACCEPT PROJECTS.—"; and

(2) by striking subsection (b).

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.
Sec. 2607. Corrections to authority to carry out certain fiscal year 2022 projects.
Sec. 2608. Extension of authority to carry out certain fiscal year 2018 projects.

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION 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 locations inside the United States, and in the amounts, set forth in the following table:

ARMY NATIONAL GUARD

State or Territory	Location	Amount
Alaska	Joint Base Elmendorf-Richardson	$63,000,000
Arkansas	Camp Robinson	$9,500,000
Delaware	River Road Training Site	$16,000,000
Florida	Camp Blanding	$24,700,000
	Gainesville	$21,000,000
	Palm Coast Flagler RC FMS 9	$12,000,000
Hawaii	Kalaeloa	$29,000,000
Indiana	Atlanta Readiness Center	$20,000,000
Iowa	West Des Moines Armory	$15,000,000
Michigan	Grayling Airfield	$16,000,000
Minnesota	New Ulm Armory and FMS	$17,000,000
Nevada	Harry Reid Training Center	$18,000,000
New York	Glenmore RD Armory/FMS 17	$17,000,000
North Carolina	McLeansville Camp Burton Road	$15,000,000
Oregon	Camp Umatilla	$14,243,000
Puerto Rico	Arroyo Readiness Center	$46,602,000
	Camp Santiago Joint Maneuver Training Center	$136,500,000
West Virginia	Buckhannon Brushy Fork	$14,000,000
Wyoming	Camp Guernsey	$19,500,000
	TS NG Sheridan	$14,800,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION 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 Reserve locations inside the United States, and in the amounts, set forth in the following table:

ARMY RESERVE

State or Territory	Location	Amount
California	Camp Pendleton	$13,000,000
Florida	Perrine	$46,000,000
Ohio	Wright-Patterson Air Force Base	$16,000,000
Puerto Rico	Fort Buchanan	$24,000,000
Washington	Yakima	$22,000,000
Wisconsin	Fort McCoy	$64,000,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION 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 Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

NAVY RESERVE AND MARINE CORPS RESERVE

State	Location	Amount
Hawaii	Marine Corps Base Kaneohe Bay	$116,964,000
Michigan	Marine Forces Reserve Battle Creek	$27,702,000

NAVY RESERVE AND MARINE CORPS RESERVE—Continued

State	Location	Amount
Virginia	Marine Forces Reserve Dam Neck Virginia Beach.	$11,856,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION 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 Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

AIR NATIONAL GUARD

State	Location	Amount
Alabama	Montgomery Regional Airport	$9,200,000
Arizona	Morris Air National Guard Base	$12,000,000
	Tucson International Airport	$11,700,000
Florida	Jacksonville International Airport	$30,000,000
Indiana	Fort Wayne International Airport	$16,500,000
Ohio	Rickenbacker Air National Guard Base	$8,000,000
Rhode Island	Quonset State Airport	$46,000,000
Tennessee	McGhee-Tyson Airport	$31,000,000
West Virginia	McLaughlin Air National Guard Base	$12,500,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION 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 Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

AIR FORCE RESERVE

State	Location	Amount
Arizona	Davis-Monthan Air Force Base	$8,000,000
Mississippi	Keesler Air Force Base	$10,000,000
Oklahoma	Tinker Air Force Base	$12,500,000
Virginia	Langley Air Force Base	$10,500,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. CORRECTIONS TO AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2022 PROJECTS.

The authorization table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2178) is amended—

(1) in the item relating to Redstone Arsenal, Alabama, by striking "Redstone Arsenal" and inserting "Huntsville Readiness Center";

(2) in the item relating to Jerome National Guard Armory, Idaho, by striking "Jerome National Guard Armory" and inserting "Jerome County Regional Site";

(3) in the item relating to Nickell Memorial Armory Topeka, Kansas, by striking "Nickell Memorial Armory Topeka" and inserting "Topeka Forbes Field";

(4) in the item relating to Lake Charles National Guard Readiness Center, Louisiana, by striking "Lake Charles National Guard Readiness Center" and inserting "Lake Charles Chennault Airport NGLA";

(5) in the item relating to Camp Grayling, Michigan, by striking "Camp Grayling" and inserting "Grayling Airfield";

(6) in the item relating to Butte Military Entrance Testing Site, Montana, by striking "Butte Military Entrance Testing Site" and inserting "Silver Bow Readiness Center Land";

(7) in the item relating to Mead Army National Guard Readiness Center, Nebraska, by striking "Mead Army National Guard Readiness Center" and inserting "Mead TS/FMS 06/Utes 02";

(8) in the item relating to Dickinson National Guard Armory, North Dakota, by striking "Dickinson National Guard Armory" and inserting "Dickinson Complex";

(9) in the item relating to Bennington National Guard Armory, Vermont, by striking "Bennington National Guard Armory" and inserting "Bennington"; and

(10) in the item relating to Camp Ethan Allen Training Site, Vermont, by striking "Camp Ethan Allen Training Site" and inserting "National Guard Ethan Allen Air Force Base Training Site".

SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in subsection (b), as provided in section 2604 of that Act (131 Stat. 1836), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

AIR FORCE: EXTENSION OF 2018 PROJECT AUTHORIZATIONS

State	*Installation or Location*	*Project*	*Original Authorized Amount*
Indiana	*Hulman Regional Airport*	*Construct Small Arms Range*	*$8,000,000*
South Dakota	*Joe Foss Field*	*Aircraft Maintenance Shops*	*$12,000,000*
Wisconsin	*Dane County Regional/Airport Truax Field*	*Construct Small Arms Range*	*$8,000,000*

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. Authorization to fund certain demolition and removal activities through Department of Defense Base Closure Account.
Sec. 2703. Prohibition on conducting additional base realignment and closure (BRAC) round.

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. AUTHORIZATION TO FUND CERTAIN DEMOLITION AND REMOVAL ACTIVITIES THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

(a) IN GENERAL.—Section 2906(c)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note) is amended by adding at the end the following new subparagraph:

> *"(E) To carry out the demolition or removal of any building or structure under the control of the Secretary of the Navy that is not designated as historic under a Federal, State, or local law and is located on a military installation closed or realigned under a base closure law (as such term is defined in section 101 of title 10, United States Code) at which the sampling or remediation of radiologically con-*

taminated materials has been the subject of substantiated allegations of fraud, without regard to—

"(i) whether the building or structure is radiologically impacted; or

"(ii) whether such demolition or removal is carried out, as part of a response action or otherwise, under the Defense Environmental Restoration Program specified in subparagraph (A) or CERCLA (as such term is defined in section 2700 of title 10, United States Code).".

(b) FUNDING.—The amendment made by this section may only be carried out using funds authorized to be appropriated in the table in section 4601.

SEC. 2703. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

Sec. 2801. Temporary increase of amounts in connection with authority to carry out unspecified minor military construction.
Sec. 2802. Modification of annual locality adjustment of dollar thresholds applicable to unspecified minor military construction authorities.
Sec. 2803. Permanent authority for defense laboratory modernization program.
Sec. 2804. Elimination of sunset of authority to conduct unspecified minor military construction for lab revitalization.
Sec. 2805. Military construction projects for innovation, research, development, test, and evaluation.
Sec. 2806. Supervision of large military construction projects.
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Sec. 2869. Lease or use agreement for category 3 subterranean training facility.
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Sec. 2871. Required investments in improving child development centers.
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Sec. 2873. Access to military installations for Homeland Security Investigations personnel in Guam.
Sec. 2874. Prohibition on joint use of Homestead Air Reserve Base with civil aviation.
Sec. 2875. Electrical charging capability construction requirements relating to parking for Federal Government motor vehicles.

Subtitle A—Military Construction Program

SEC. 2801. TEMPORARY INCREASE OF AMOUNTS IN CONNECTION WITH AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION.

For the period beginning on the date of the enactment of this Act and ending on December 1, 2025, section 2805 of title 10, United States Code, shall be applied and administered—

(1) in subsection (a)(2), by substituting "$9,000,000" for "$6,000,000";

(2) in subsection (c), by substituting "$4,000,000" for "$2,000,000";

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by substituting "$9,000,000" for "$6,000,000"; and

(ii) in subparagraph (B), by substituting "$9,000,000" for "$6,000,000"; and

(B) in paragraph (2), by substituting "$9,000,000" for "$6,000,000"; and

(4) in subsection (f)(1), by substituting "$14,000,000" for "$10,000,000".

SEC. 2802. MODIFICATION OF ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITIES.

Section 2805(f)(2) of title 10, United States Code, as amended by this Act, is further amended—

(1) by striking "or the Commonwealth" and inserting "Wake Island, the Commonwealth"; and

(2) by inserting ", or a former United States Trust Territory now in a Compact of Free Association with the United States" after "Mariana Islands".

SEC. 2803. PERMANENT AUTHORITY FOR DEFENSE LABORATORY MODERNIZATION PROGRAM.

(a) IN GENERAL.—Section 2805 of title 10, United States Code, as amended by this Act, is further amended by adding at the end the following new subsection:

"(g) DEFENSE LABORATORY MODERNIZATION PROGRAM.—(1) Using amounts appropriated or otherwise made available to the Department of Defense for research, development, test, and evaluation, the Secretary of Defense may fund a military construction project described in paragraph (4) at any of the following:

"(A) A Department of Defense science and technology reinvention laboratory (as designated under section 4121(b) of this title).

"(B) A Department of Defense federally funded research and development center that functions primarily as a research laboratory.

"(C) A Department of Defense facility in support of a technology development program that is consistent with the fielding of offset technologies as described in section 218 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. note 4811).

"(D) A Department of Defense research, development, test, and evaluation facility that is not designated as a science and technology reinvention laboratory, but nonetheless is involved with developmental test and evaluation.

"(2) Subject to the condition that a military construction project under paragraph (1) be authorized in a Military Construction Authorization Act, the authority to carry out the military construction project includes authority for—

"(A) surveys, site preparation, and advanced planning and design;

"(B) acquisition, conversion, rehabilitation, and installation of facilities;

"(C) acquisition and installation of equipment and appurtenances integral to the project; acquisition and installation of supporting facilities (including utilities) and appurtenances incident to the project; and

"(D) planning, supervision, administration, and overhead expenses incident to the project.

"(3)(A) The Secretary of Defense shall include military construction projects proposed to be carried out under paragraph (1) in the budget justification documents for the Department of Defense submitted to Congress in connection with the budget for a fiscal year submitted under 1105 of title 31.

"(B) Not less than 14 days prior to the first obligation of funds described in paragraph (1) for a military construction project to be carried out under such paragraph, the Secretary of Defense shall submit to the congressional defense committees a notification providing an updated construction description, cost, and schedule for the project and any other matters regarding the project as the Secretary considers appropriate.

"(4) The authority provided by paragraph (1) to fund military construction projects using amounts appropriated or otherwise made available for research, development, test, and evaluation is limited to military construction projects that the Secretary of Defense, in the budget justification documents exhibits submitted pursuant to paragraph (3)(A), determines—

"(A) will support research and development activities at laboratories described in paragraph (1);

"(B) will establish facilities that will have significant potential for use by entities outside the Department of Defense, including universities, industrial partners, and other Federal agencies;

"(C) are endorsed for funding by more than one military department or Defense Agency; and

"(D) cannot be fully funded within the thresholds otherwise specified in this section.

"(5) The maximum amount of funds appropriated or otherwise made available for research, development, test, and evaluation that may be obligated in any fiscal year for military construction projects under paragraph (1) is $150,000,000.

"(6)(A) In addition to the authority provided to the Secretary of Defense under paragraph (1) to use amounts appropriated or otherwise made available for research, development, test, and evaluation for a military construction project referred to in such subsection, the Secretary of the military department concerned may use amounts appropriated or otherwise made available for research, development, test, and evaluation to obtain architectural and engineering services and to carry out construction design in connection with such a project.

"(B) In the case of architectural and engineering services and construction design to be undertaken under this paragraph for which the estimated cost exceeds $1,000,000, the Secretary concerned shall

notify the appropriate committees of Congress of the scope of the proposed project and the estimated cost of such services before the initial obligation of funds for such services. The Secretary may then obligate funds for such services only after the end of the 14-day period beginning on the date on which the notification is received by the committees in an electronic medium pursuant to section 480 of this title.".

(b) APPLICABILITY.—Subsection (g) of section 2805 of title 10, United States Code, as added by subsection (a), shall apply with respect only to amounts appropriated after the date of the enactment of this Act.

(c) CONFORMING REPEAL.—Section 2803 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. note prec. 4121) is repealed.

SEC. 2804. ELIMINATION OF SUNSET OF AUTHORITY TO CONDUCT UNSPECIFIED MINOR MILITARY CONSTRUCTION FOR LAB REVITALIZATION.

Section 2805(d) of title 10, United States Code, as amended by this Act, is further amended by striking paragraph (5).

SEC. 2805. MILITARY CONSTRUCTION PROJECTS FOR INNOVATION, RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by inserting after section 2809 the following new section:

"§ 2810. Military construction projects for innovation, research, development, test, and evaluation

"(a) PROJECT AUTHORIZATION REQUIRED.—The Secretary of Defense may carry out such military construction projects for innovation, research, development, test, and evaluation as are authorized by law, using funds appropriated or otherwise made available for that purpose.

"(b) SUBMISSION OF PROJECT PROPOSALS.—As part of the defense budget materials for each fiscal year, the Secretary of Defense shall include the following information for each military construction project covered by subsection (a):

"(1) The project title.

"(2) The location of the project.

"(3) A brief description of the scope of work.

"(4) A completed Department of Defense Form 1391 budget justification that includes the original project cost estimate.

"(5) A current working cost estimate, if different that the cost estimate contained in such Form 1391.

"(6) Such other information as the Secretary considers appropriate.

"(c) BUDGET JUSTIFICATION DISPLAY.—The Secretary of Defense shall include with the defense budget materials for each fiscal year a consolidated budget justification display that individually identifies each military construction project covered by subsection (a) and the amount requested for such project for such fiscal year.

"(d) APPLICATION TO MILITARY CONSTRUCTION PROJECTS.—This section shall apply to military construction projects covered by subsection (a) for which a Department of Defense Form 1391 is submitted to the appropriate committees of Congress in connection with

the budget of the Department of Defense for fiscal year 2023 and thereafter.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2809 the following new item:

"2810. Military construction projects for innovation, research, development, test, and evaluation.".

SEC. 2806. SUPERVISION OF LARGE MILITARY CONSTRUCTION PROJECTS.

(a) SUPERVISION OF LARGE MILITARY CONSTRUCTION PROJECTS.—Section 2851 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

"(d) REPORT ON SUPERVISION OF LARGE MILITARY CONSTRUCTION PROJECTS.—Before the award of a contract of a value greater than $500,000,000 in connection with a military construction project, the individual directing and supervising such military construction project under subsection (a) or the individual designated pursuant to subsection (b) (as applicable) shall submit to the appropriate committees of Congress a report on the intended supervision, inspection, and overhead plan to manage such military construction project. Each such report shall include the following:

"(1) A determination of the overall funding intended to manage the supervision, inspection, and overhead of the military construction project.

"(2) An assessment of whether a Department of Defense Field Activity directly reporting to such individual should be established.

"(3) A description of the quality assurance approach to the military construction project.

"(4) The independent cost estimate described in section 3221(b)(6)(A) of this title.

"(5) The overall staffing approach to oversee the military construction project for each year of the contract term.".

(b) CONFORMING AMENDMENT TO DUTIES OF THE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.—Section 3221(b)(6)(A) of title 10, United States Code, is amended—

(1) in clause (iii), by striking "and" at the end; and

(2) by adding at the end the following new clause:

"(v) any decision to enter into a contract in connection with a military construction project of a value greater than $500,000,000; and".

(c) APPLICABILITY.—This section and the amendments made by this section shall apply to contracts entered into on or after the date of the enactment of this Act.

SEC. 2807. SPECIFICATION OF ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT AS CHIEF HOUSING OFFICER.

Subsection (a) of section 2851a of title 10, United States Code, is amended to read as follows:

"(a) IN GENERAL.—The Assistant Secretary of Defense for Energy, Installations, and Environment shall serve as the Chief Housing Officer, who shall oversee family housing and military unaccompanied

housing under the jurisdiction of the Department of Defense or acquired or constructed under subchapter IV of this chapter (in this section referred to as 'covered housing units').".

SEC. 2808. CLARIFICATION OF EXCEPTIONS TO LIMITATIONS ON COST VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

Subparagraph (D) of section 2853(c)(1) of title 10, United States Code, is amended to read as follows:

"(D) The Secretary concerned may not use the authority provided by subparagraph (A) to waive the cost limitation applicable to a military construction project with a total authorized cost greater than $500,000,000 or a military family housing project with a total authorized cost greater than $500,000,000 if that waiver would increase the project cost by more than 50 percent of the total authorized cost of the project.".

SEC. 2809. USE OF OPERATION AND MAINTENANCE FUNDS FOR CERTAIN CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) PERMANENT AUTHORITY.—Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2806 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2190), is further amended—

(1) in subsection (a)—

(A) by striking ", inside the area of responsibility of the United States Central Command or certain countries in the area of responsibility of the United States Africa Command,";

(B) by inserting "outside the United States" after "construction project"; and

(C) in paragraph (2), by striking ", unless the military installation is located in Afghanistan, for which projects using this authority may be carried out at installations deemed as supporting a long-term presence"; and

(2) in subsection (c)(1), by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (b), by striking "subsection (f)" and inserting "subsection (d)";

(2) by striking subsection (e);

(3) by redesignating subsections (f) and (g) as subsections (d) and (e), respectively;

(4) in subsection (e), as so redesignated, by striking "subsection (f)" and inserting "subsection (d)"; and

(5) by striking subsections (h) and (i).

(c) CLERICAL AMENDMENTS.—Such section is further amended as follows:

(1) The section heading for such section is amended—

(A) by striking "TEMPORARY, LIMITED AUTHORITY" and inserting "AUTHORITY" ; and

(B) by inserting "CERTAIN" before "CONSTRUCTION PROJECTS".

(2) The subsection heading for subsection (a) of such section is amended by striking "TEMPORARY AUTHORITY" and inserting "IN GENERAL".

(d) CLASSIFICATION.—The Law Revision Counsel is directed to classify section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as amended by subsection (a), as a note following section 2804 of title 10, United States Code.

SEC. 2810. CONSIDERATION OF INSTALLATION OF INTEGRATED SOLAR ROOFING TO IMPROVE ENERGY RESILIENCY OF MILITARY INSTALLATIONS.

The Secretary of Defense shall amend the Unified Facilities Criteria/DoD Building Code (UFC 1–200–01) to require that planning and design for military construction projects inside the United States include consideration of the feasibility and cost-effectiveness of installing integrated solar roofing as part of the project, for the purpose of—

(1) promoting on-installation energy security and energy resilience;

(2) providing grid support to avoid energy disruptions; and

(3) facilitating implementation and greater use of the authority provided by subsection (h) of section 2911 of title 10, United States Code.

SEC. 2811. REVISION OF UNIFIED FACILITIES GUIDE SPECIFICATIONS AND UNIFIED FACILITIES CRITERIA TO INCLUDE SPECIFICATIONS ON USE OF GAS INSULATED SWITCHGEAR AND CRITERIA AND SPECIFICATIONS ON MICROGRIDS AND MICROGRID CONVERTERS.

(a) GAS INSULATED SWITCHGEAR.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall modify the Unified Facilities Guide Specifications to include a distinct specification for medium voltage gas insulated switchgear.

(b) MICROGRIDS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) modify the Unified Facilities Criteria to include criteria for microgrids; and

(2) modify the Unified Facilities Guide Specifications to include specifications for microgrids and microgrid controllers.

SEC. 2812. DETERMINATION AND NOTIFICATION RELATING TO EXECUTIVE ORDERS THAT IMPACT COST AND SCOPE OF WORK OF MILITARY CONSTRUCTION PROJECTS.

(a) DETERMINATION AND UPDATE OF FORM 1391.—Not later than 30 days after the date on which an Executive order is signed by the President, the Secretary concerned shall—

(1) determine whether implementation of the Executive order would cause a cost or scope of work variation for a military construction project under the jurisdiction of the Secretary concerned;

(2) assess the potential for life-cycle cost savings associated with implementation of the Executive order for such a project; and

(3) update the Department of Defense Form 1391 for each such project that has not been submitted for congressional consideration, where such implementation would affect such cost or scope of work variation, including—

(A) projects to be commenced in the next fiscal year beginning after the date on which the Executive order was signed; and

(B) projects covered by the future-years defense program submitted under section 221 of title 10, United States Code.

(b) NOTIFICATION TO CONGRESS.—Not later than 10 days after determining under subsection (a)(1) that implementation of an Executive order would cause a cost or scope of work variation for a military construction project, the Secretary concerned shall submit to the congressional defense committees a report indicating the estimated cost increases, scope of work increases, life-cycle costs, and any other impacts of such implementation.

(c) CERTIFICATION.—Along with the submission to Congress of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code, each Secretary concerned shall certify to Congress that each Department of Defense Form 1391 provided to Congress for that fiscal year for a military construction project has been updated with any cost or scope of work variation specified in subsection (a)(1) with respect to an Executive order signed during the four-year period preceding such certification, including an indication of any cost increases for such project that is directly attributable to such Executive order.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term "Secretary concerned" has the meaning given that term in section 101 of title 10, United States Code.

SEC. 2813. REQUIREMENT FOR INCLUSION OF DEPARTMENT OF DEFENSE FORMS 1391 WITH ANNUAL BUDGET SUBMISSION BY PRESIDENT.

Concurrently with the submission to Congress by the President of the annual budget of the Department of Defense for a fiscal year under section 1105(a) of title 31, United States Code, the President shall include each Department of Defense Form 1391, or successor similar form, for a military construction project to be carried out during that fiscal year.

SEC. 2814. USE OF INTEGRATED PROJECT DELIVERY CONTRACTS.

(a) IN GENERAL.—In fiscal year 2023, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each enter into at least one integrated project delivery contract for the delivery of a military construction project.

(b) INTEGRATED PROJECT DELIVERY CONTRACT DEFINED.—In this section, the term "integrated project delivery contract" means a single contract for the delivery of a whole project that—

(1) includes, at a minimum, the Secretary concerned, builder, and architect-engineer as parties that are subject to the terms of the contract;

(2) aligns the interests of all the parties to the contract with respect to the project costs and project outcomes; and

(3) includes processes to ensure transparency and collaboration among all parties to the contract relating to project costs and project outcomes.

Subtitle B—Military Housing Reforms

SEC. 2821. STANDARDIZATION OF MILITARY INSTALLATION HOUSING REQUIREMENTS AND MARKET ANALYSES.

(a) IN GENERAL.—Subchapter II of chapter 169 of title 10, United States Code, is amended by inserting after section 2836 the following new section:

"§ 2837. Housing Requirements and Market Analysis

"(a) IN GENERAL.—Not less frequently than once every five years and in accordance with the requirements of this section, the Secretary concerned shall conduct a Housing Requirements and Market Analysis (in this section referred to as an 'HRMA') for each military installation under the jurisdiction of the Secretary concerned that is located in the United States.

"(b) PRIORITIZATION OF INSTALLATIONS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary concerned shall prioritize the conduct of HRMAs for military installations—

"(A) for which an HRMA has not been conducted during the five-year period preceding the date of the enactment of this section; or

"(B) in locations with housing shortages.

"(2) EXISTING 5-YEAR REQUIREMENT.—Paragraph (1) shall not apply to a military department that required an HRMA to be conducted for each military installation not less frequently than once every five years before the date of the enactment of this section.

"(c) SUBMITTAL TO CONGRESS.—The Secretary of Defense shall include with the budget materials for the Department of Defense for fiscal year 2024 and each subsequent fiscal year (as submitted to Congress pursuant to section 1105 of title 31, United States Code) a list of the military installations for which the Secretary concerned plans to conduct an HRMA during the fiscal year covered by such budget materials.

"(d) HOUSING REQUIREMENTS AND MARKET ANALYSIS.—The term 'Housing Requirements and Market Analysis'or 'HRMA' means, with respect to a military installation, a structured analytical process under which an assessment is made of both the suitability and availability of the private sector rental housing market using assumed specific standards related to affordability, location, features, physical condition, and the housing requirements of the total military population of such installation.".

(b) TIME FRAME.—

(1) IN GENERAL.—During each of fiscal years 2023 through 2027, the Secretary concerned shall conduct an HRMA for 20 percent of the military installations under the jurisdiction of the Secretary concerned located in the United States.

(2) SUBMITTAL OF INFORMATION TO CONGRESS.—Not later than January 15, 2023, the Secretary concerned shall submit to

the congressional defense committees a list of military installations for which the Secretary concerned plans to conduct an HRMA during fiscal year 2023.

(c) DEFINITIONS.—In this section:

(1) The term "HRMA" means, with respect to a military installation, a structured analytical process under which an assessment is made of both the suitability and availability of the private sector rental housing market using assumed specific standards related to affordability, location, features, physical condition, and the housing requirements of the total military population of such installation.

(2) The term "military installation" has the meaning given in section 2801 of title 10, United States Code.

(3) The term "Secretary concerned" has the meaning given that term in section 101(a) of title 10, United States Code.

SEC. 2822. NOTICE REQUIREMENT FOR MHPI GROUND LEASE EXTENSIONS.

Section 2878 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(f) NOTICE OF LEASE EXTENSIONS.—(1) The Secretary concerned shall provide to the congressional defense committees notice in writing and a briefing—

"(A) not later than 60 days after beginning negotiations with a lessor for the extension of the term of any ground lease of property or facilities under this section; and

"(B) not later than 90 days before extending the term of any ground lease of property or facilities under this section.

"(2) A notice and briefing required under paragraph (1) shall include each of the following:

"(A) A description of any material differences between the extended ground lease and the original ground lease, including with respect to—

"(i) the length of the term of the lease, as extended; and

"(ii) any new provisions that materially affect the rights and responsibilities of the ground lessor or the ground lessee under the original ground lease.

"(B) The number of housing units or facilities subject to the ground lease that, during the lease extension, are to be—

"(i) constructed;

"(ii) demolished; or

"(iii) renovated.

"(C) The source of any additional financing the lessor has obtained, or intends to obtain, during the term of the ground lease extension that will be used for the development of the property or facilities subject to the ground lease.

"(D) The following information, displayed annually, for the five-year period preceding the date of the notice and briefing:

"(i) The debt-to-net operating income ratio for the property or facility subject to the ground lease.

"(ii) The occupancy rates for the housing units subject to the ground lease.

"(iii) An report on maintenance response times and completion of maintenance requests for the housing units subject to the ground lease.

"(iv) The occupancy rates and debt-to-net operating income ratios of any other military privatized housing initiative projects managed by a company that controls, or that is under common control with, the ground lessee entering into the lease extension.".

SEC. 2823. ANNUAL BRIEFINGS ON MILITARY HOUSING PRIVATIZATION PROJECTS.

Section 2884 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) ANNUAL BRIEFINGS.—Not later than February 1 of each year, each Secretary concerned shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing on military housing privatization projects under the jurisdiction of the Secretary. Such briefing shall include, for the 12-month period preceding the date of the briefing, each of the following:

"(1) The information described in paragraphs (1) through (14) of subsection (c) with respect to all military housing privatization projects under the jurisdiction of the Secretary.

"(2) A review of any such project that is expected to require the restructuring of a loan, including any public or private loan.

"(3) For any such project expected to require restructuring, a timeline for when such restructuring is expected to occur.

"(4) Such other information as the Secretary determines appropriate.".

SEC. 2824. MOLD INSPECTION OF VACANT HOUSING UNITS.

Section 2891a of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

"(e) REQUIREMENTS FOR SECRETARY CONCERNED.—The Secretary concerned shall be responsible for—

"(1) providing for a mold inspection of each vacant housing unit before any new tenant moves into the unit; and

"(2) providing to the new tenant the results of the inspection.".

SEC. 2825. IMPLEMENTATION OF RECOMMENDATIONS FROM AUDIT OF MEDICAL CONDITIONS OF RESIDENTS IN PRIVATIZED MILITARY HOUSING.

Not later than March 1, 2023, the Secretary of Defense shall implement the recommendations contained in the report of the Inspector General of the Department of Defense published on April 1, 2022, and titled "Audit of Medical Conditions of Residents in Privatized Military Housing" (DODIG–2022–078).

Subtitle C—Real Property and Facilities Administration

SEC. 2831. AUTHORIZED LAND AND FACILITIES TRANSFER TO SUPPORT CONTRACTS WITH FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2668a the following new section:

"§ 2669. Transfer of land and facilities to support contracts with federally funded research and development centers

"(a) LEASE OF LAND, FACILITIES, AND IMPROVEMENTS.—(1) The Secretary of a military department may lease, for no consideration, land, facilities, infrastructure, and improvements to a covered FFRDC if the lease is to further the purposes of a contract between the Department of Defense and the covered FFRDC.

"(2) A lease entered into under paragraph (1) shall terminate on the earlier of the following dates:

"(A) The date that is 50 years after the date on which the Secretary enters into the lease.

"(B) The date of the termination or non-renewal of the contract between the Department of Defense and the covered FFRDC related to the lease.

"(b) CONVEYANCE OF FACILITIES AND IMPROVEMENTS.—(1) The Secretary of a military department may convey, for no consideration, ownership of facilities and improvements located on land leased to a covered FFRDC to further the purposes of a contract between the Department of Defense and the covered FFRDC.

"(2) The ownership of any facilities and improvements conveyed by the Secretary of a military department or any improvements made to the leased land by the covered FFRDC under this subsection shall, as determined by the Secretary of a military department, revert or transfer to the United States upon the termination or non-renewal of the underlying land lease.

"(3) Any facilities and improvements conveyed by the Secretary of a military department shall be demolished by the covered FFDRC as determined by such Secretary.

"(c) CONSTRUCTION STANDARDS.—A lease entered into under this section may provide that any facilities constructed on the leased land may be constructed using commercial standards in a manner that provides force protection safeguards appropriate to the activities conducted in, and the location of, such facilities.

"(d) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—(1) The conveyance or lease of property or facilities, improvements, and infrastructure under this section shall not be subject to the following provisions of law:

"(A) Section 2667 of this title.

"(B) Section 1302 of title 40.

"(C) Section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411).

"(2) Sections 2662 and 2802 of this title shall not apply to any improvements or facilities constructed by the covered FFRDC on land leased or conveyed to a covered FFRDC described in subsection (a) or (b).

"(e) COMPETITIVE PROCEDURES FOR SELECTION OF CERTAIN LESSEES; EXCEPTION.—If a proposed lease under this section is with respect to a covered FFRDC, the use of competitive procedures for the selection of the lessee is not required and the provisions of chapter 33 of title 41, United States Code, or chapter 221 of title 10, United States Code, and the related provisions of the Federal Acquisition Regulation shall not apply.

"(f) COVERED FFRDC DEFINED.—In this section, the term 'covered FFRDC' means a federally funded research and development center that is sponsored by, and has entered into a contract with, the Department of Defense.".

(b) CLERICAL AMENDMENT.—The table of sections for chapter 159 of title 10, United States Code, is amended by inserting after the item relating to section 2668a and inserting the following new item:

"2669. Transfer of land and facilities to support contracts with federally funded research and development centers.".

SEC. 2832. LIMITATION ON USE OF FUNDS PENDING COMPLETION OF MILITARY INSTALLATION RESILIENCE COMPONENT OF MASTER PLANS FOR AT-RISK MAJOR MILITARY INSTALLATIONS.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Office of the Secretary of Defense for administration and service-wide activities, not more than 50 percent may be obligated or expended until the date on which each Secretary of a military department has satisfied the requirements of section 2833 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2864 note).

SEC. 2833. PHYSICAL ENTRANCES TO CERTAIN MILITARY INSTALLATIONS.

The Secretary of Defense shall ensure that, to the extent practicable that—

(1) each military installation in the United States has a designated main entrance that, at all times, is manned by at least one member of the Armed Forces or civilian employee of the Department of Defense;

(2) the location of each such designated main entrance is published on a publicly accessible internet website of the Department;

(3) in the case of a military installation in the United States that has any additional entrance designated for commercial deliveries to the military installation, the location of such entrance (and any applicable days or hours of operation for such entrance) is published on the same internet website as the website referred to in paragraph (2); and

(4) the information required to be published on the internet website under paragraph (2) is reviewed and, as necessary, updated on a basis that is not less frequent than annually.

Subtitle D—Land Conveyances

SEC. 2841. EXTENSION OF TIME FRAME FOR LAND CONVEYANCE, SHARPE ARMY DEPOT, LATHROP, CALIFORNIA.

Section 2833(g) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking "one year" and inserting "three years".

SEC. 2842. LAND CONVEYANCE, JOINT BASE CHARLESTON, SOUTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force (in this section referred to as the "Secretary") may convey to the City of North Charleston, South Carolina (in this section referred to as the "City") all right, title, and interest of the United States in and to

a parcel of real property, including any improvements thereon, consisting of approximately 26 acres known as the Old Navy Yard at Joint Base Charleston, South Carolina, for the purpose of permitting the City to use the property for economic development.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the City shall pay to the Secretary an amount equal to not less than the fair market value, as determined by the Secretary, based on an appraisal of the property to be conveyed under such subsection, which may consist of cash payment, in-kind consideration as described under paragraph (3), or a combination thereof.

(2) SUFFICIENCY OF CONSIDERATION.—

(A) IN GENERAL.—Consideration paid to the Secretary under paragraph (1) shall be in an amount sufficient, as determined by the Secretary, to provide replacement space for, and for the relocation of, any personnel, furniture, fixtures, equipment, and personal property of any kind belonging to any military department located upon the property to be conveyed under subsection (a).

(B) COMPLETION PRIOR TO CONVEYANCE.—Any cash consideration shall be paid in full and any in-kind consideration shall be complete, useable, and delivered to the satisfaction of the Secretary at or prior to the conveyance under subsection (a).

(3) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure with proximity to Joint Base Charleston Weapons Station (South Annex) and located on Joint Base Charleston, that the Secretary considers acceptable.

(4) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash consideration received by the Secretary under paragraph (1) shall be deposited in the special account in the Treasury under subparagraph (A) of section 572(b)(5) of title 40, United States Code, and shall be available in accordance with subparagraph (B)(ii) of such section.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—

(A) IN GENERAL.—The Secretary may require the City to cover all costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, appraisal costs, costs related to environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND OF AMOUNTS.—If amounts paid by the City to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) CONDITION OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to all valid existing rights and the City shall accept the property (and any improvements thereon) in its condition at the time of the conveyance (commonly known as a conveyance "as is").

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(g) OLD NAVY YARD DEFINED.—In this section, the term "Old Navy Yard" includes the facilities used by the Naval Information Warfare Center Atlantic, including buildings 1602, 1603, 1639, 1648, and such other facilities, infrastructure, and land along or near the Cooper River waterfront at Joint Base Charleston as the Secretary considers appropriate.

SEC. 2843. LAND CONVEYANCE, NAVAL AIR STATION OCEANA, DAM NECK ANNEX, VIRGINIA BEACH, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the Hampton Roads Sanitation District (in this section referred to as the "HRSD") all right, title, and interest of the United States in and to a parcel of installation real property, including any improvements thereon, consisting of approximately 7.9 acres located at Naval Air Station Oceana in Dam Neck Annex, Virginia Beach, Virginia. The Secretary may void any land use restrictions associated with the property to be conveyed under this subsection.

(b) CONSIDERATION.—

(1) AMOUNT AND DETERMINATION.—As consideration for the conveyance under subsection (a), the HRSD shall pay to the Secretary of the Navy an amount that is not less than the fair market value of the property conveyed, as determined by the Secretary. Such determination of fair market value shall be final. In lieu of all or a portion of cash payment of consideration, the Secretary may accept in-kind consideration.

(2) TREATMENT OF CASH CONSIDERATION.—The Secretary of the Navy shall deposit any cash payment received under paragraph (1) in the special account in the Treasury established for the Secretary of the Navy under of paragraph (1) of section 2667(e) of title 10, United States Code. The entire amount deposited shall be available for use in accordance with subparagraph (D) of such paragraph.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the HRSD to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the HRSD.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2844. LAND EXCHANGE, MARINE RESERVE TRAINING CENTER, OMAHA, NEBRASKA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to the Metropolitan Community College Area, a political subdivision of the State of Nebraska (in this section referred to as the "College"), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, known as the Marine Reserve Training Center in Omaha, Nebraska.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the College shall convey to the Secretary of the Navy real property interests, either adjacent or proximate, to Offutt Air Force Base, Nebraska.

(c) LAND EXCHANGE AGREEMENT.—The Secretary of the Navy and the College may enter into a land exchange agreement to implement this section.

(d) VALUATION.—The value of each property interest to be exchanged by the Secretary of the Navy and the College described in subsections (a) and (b) shall be determined—

(1) by an independent appraiser selected by the Secretary; and

(2) in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(e) CASH EQUALIZATION PAYMENTS.—

(1) TO THE SECRETARY.—If the value of the property interests described in subsection (a) is greater than the value of the property interests described in subsection (b), the values shall be

equalized through either of the following or a combination thereof:

(A) A cash equalization payment from the College to the Department of the Navy.

(B) In-kind consideration provided by the College, which may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure, or delivery of services relating to the needs of Marine Corps Reserve Training Center Omaha.

(2) NO EQUALIZATION.—If the value of the property interests described in subsection (b) is greater than the value of the property interests described in subsection (a), the Secretary may not make a cash equalization payment to equalize the values.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the College to pay all costs to be incurred by the Secretary to carry out the exchange of property interests under this section, including such costs related to land survey, environmental documentation, real estate due diligence such as appraisals, and any other administrative costs related to the exchange of property interests, including costs incurred preparing and executing a land exchange agreement authorized under subsection (c). If amounts are collected from the College in advance of the Secretary incurring the actual costs and the amount collected exceeds the costs actually incurred by the Secretary to carry out the exchange of property interests, the Secretary shall refund the excess amount to the College.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the Secretary of the Navy under paragraph (1) shall be used in accordance with section 2695(c) of title 10, United States Code.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property interests to be exchanged under this section shall be determined by surveys that are satisfactory to the Secretary of the Navy.

(h) CONVEYANCE AGREEMENT.—The exchange of real property interests under this section shall be accomplished using an appropriate legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Navy and the College, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(i) EXEMPTION FROM SCREENING REQUIREMENTS FOR ADDITIONAL FEDERAL USE.—The authority under this section is exempt from the screening process required under section 2696(b) of title 10, United States Code.

SEC. 2845. LAND CONVEYANCE, STARKVILLE, MISSISSIPPI.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army (in this section referred to as the "Secretary") may convey to the City of Starkville, Mississippi (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately five acres, located at 343 Highway 12, Starkville, Mississippi 39759, to be used for economic development purposes.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance of property under subsection (a), the City shall pay to the United States an amount equal to the fair market value of the property to be conveyed. The Secretary shall determine the fair market value of the property using an independent appraisal based on the highest and best use of the property.

(2) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the property to be conveyed under subsection (a) using an independent appraisal based on the highest and best use of the property.

(3) TREATMENT OF CONSIDERATION RECEIVED.—Consideration received under paragraph (1) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT.—

(A) IN GENERAL.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property under the Comprehensive Environmental Response, Compensation and Liability Act 1980 (42 U.S.C. 9601 et seq.)) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND.—If amounts are collected from the City under subparagraph (A) in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Subtitle E—Miscellaneous Studies and Reports

SEC. 2851. STUDY ON PRACTICES WITH RESPECT TO DEVELOPMENT OF MILITARY CONSTRUCTION PROJECTS.

(a) STUDY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center for the conduct of a study on the practices of the Department of Defense with respect to the development of military construction projects.

(b) ELEMENTS.—An agreement under subsection (a) shall specify that the study conducted pursuant to the agreement shall address each of the following:

(1) Practices with respect to adoption of Unified Facilities Criteria changes and the inclusion of such changes into advanced planning, Department of Defense Form 1391 documentation, and planning and design.

(2) Practices with respect to how sustainable materials, such as mass timber and low carbon concrete, are assessed and included in advanced planning, Department of Defense Form 1391 documentation, and planning and design.

(3) Barriers to incorporating innovative techniques, including 3D printed building techniques.

(4) Whether the Strategic Environmental Research and Development Program (established under section 2901 of title 10, United States Code) or the Environmental Security Technology Certification Program could be used to validate such sustainable materials and innovative techniques to encourage the use of such sustainable materials and innovative techniques by the Army Corps of Engineers and the Naval Facilities Engineering Systems Command.

(c) REPORT TO CONGRESS.—Not later than 60 days after the completion of the study described in this section, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the study.

SEC. 2852. REPORT ON CAPACITY OF DEPARTMENT OF DEFENSE TO PROVIDE SURVIVORS OF NATURAL DISASTERS WITH EMERGENCY SHORT-TERM HOUSING.

Not later than 220 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report analyzing the capacity of the Department of Defense to provide survivors of natural disasters with emergency short-term housing.

SEC. 2853. REPORTING ON LEAD SERVICE LINES AND LEAD PLUMBING.

(a) INITIAL REPORT.—Not later than January 1, 2025, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report that includes—

(1) a list of military installations (including Government-owned family housing facilities), military housing, and privatized military housing projects that, as of the date of the report, are being serviced by lead service lines or lead plumbing for the purposes of receiving drinking water;

(2) an evaluation of whether military installations and privatized military housing projects are in compliance with the Lead and Copper Rule and, to the extent that such installations and projects are not in compliance, an identification of—

(A) the name and location of each such installation or project that is not in compliance; and

(B) the timeline and plan for bringing each such installation or project into compliance; and

(3) an identification of steps and resources needed to remove any remaining lead plumbing from military installations and housing.

(b) INCLUSION OF INFORMATION IN ANNUAL REPORT.—If, after reviewing the initial report required under subsection (a), the Secretary of Defense finds that any military installation or privatized family housing project is not in compliance with the Lead and Copper Rule, the Secretary shall include in the annual report on defense environmental programs required under section 2711 of title 10, United States Code, for each year after the year in which the initial report is submitted, an update on the efforts of the Secretary, including negotiations with privatized military family housing providers, to fully comply with the Lead and Copper Rule.

SEC. 2854. BRIEFING ON ATTEMPTS TO ACQUIRE LAND NEAR UNITED STATES MILITARY INSTALLATIONS BY THE PEOPLE'S REPUBLIC OF CHINA.

The Under Secretary of Defense for Acquisition and Sustainment, in consultation with the head of the Department of the Air Force Office of Special Investigations, shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives not later than June 1, 2023, that details—

(1) attempts by the People's Republic of China to acquire land that is located in close proximity (as determined by the Secretary of Defense) to a United States military installation; and

(2) ongoing Department of Defense efforts to counter such attempts.

Subtitle F—Other Matters

SEC. 2861. REQUIRED CONSULTATION WITH STATE AND LOCAL ENTITIES FOR NOTIFICATIONS RELATED TO THE BASING DECISION-MAKING PROCESS.

Section 483(c) of title 10, United States Code, is amended by adding at the end a new paragraph:

"(6) With respect to any decision of the Secretary concerned that would result in a significant increase in the number of members of the Armed Forces assigned to a military installation, a description of the consultation with appropriate State and local entities regarding the basing decision to ensure consideration of matters affecting the local community, including requirements for transportation, utility infrastructure, housing, education, and family support activities.".

SEC. 2862. INCLUSION IN DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM OF CERTAIN PROJECTS FOR ROTC TRAINING.

Section 2391 of title 10, United States Code, is further amended—

(1) in subsection (d)(1)(B)—

(A) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(B) by inserting after clause (i) the following new clause (ii):

"(ii) Projects that will contribute to the training of cadets enrolled in an independent Reserve Officer Training Corps program at a covered educational institution."; and

(2) in subsection (e), by adding at the end the following new paragraph:

"(6) The term 'covered educational institution' means a college or university that is—

"(A) a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061);

"(B) an 1890 Institution, as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601);

"(C) not affiliated with a consortium; and

"(D) located at least 40 miles from a major military installation.".

SEC. 2863. INCLUSION OF INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS IN DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391(d) of title 10, United States Code, as amended by this Act, is further amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

"(3) In selecting community infrastructure projects to receive assistance under this subsection, the Secretary shall consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1985).".

SEC. 2864. INCLUSION OF CERTAIN PROPERTY FOR PURPOSES OF DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391(e)(4)(A)(i) of title 10, United States Code, as amended by this Act, is further amended by inserting "or on property under the jurisdiction of a Secretary of a military department that is subject to a real estate agreement (including a lease or easement)" after "installation".

SEC. 2865. EXPANSION OF PILOT PROGRAM ON INCREASED USE OF SUSTAINABLE BUILDING MATERIALS IN MILITARY CONSTRUCTION TO INCLUDE LOCATIONS THROUGHOUT THE UNITED STATES.

Section 2861(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2802 note) is amended in the matter preceding subparagraph (A) by striking "continental".

SEC. 2866. BASING DECISION SCORECARD CONSISTENCY AND TRANSPARENCY.

Section 2883(h) of the Military Construction Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1781b note) is amended—

(1) by amending paragraph (3) to read as follows:

"(3) AVAILABILITY.—

"(A) IN GENERAL.—A current version of each scorecard established under this subsection shall be available to the public through an Internet website of the military department concerned.

"(B) METHODOLOGY AND CRITERIA.—

"(i) AVAILABILITY.—Each Secretary of a military department shall publish on the website described in subparagraph (A) the methodology and criteria each time such Secretary establishes or updates a scorecard.

"(ii) PUBLIC COMMENT.—Each Secretary of a military department shall establish a 60-day public comment period beginning on each date of publication of such methodology and criteria."; and

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

"(4) COORDINATION.—In establishing or updating a scorecard under this subsection, each Secretary of the military department concerned shall coordinate with the Secretary of Defense to ensure consistency across the military departments.".

SEC. 2867. TEMPORARY AUTHORITY FOR ACCEPTANCE AND USE OF FUNDS FOR CERTAIN CONSTRUCTION PROJECTS IN THE REPUBLIC OF KOREA.

Section 2863 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1899) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "cash"; and

(ii) in subparagraph (B), by inserting "and construction" after "The design"; and

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

"(3) METHOD OF CONTRIBUTION.—Contributions may be accepted under this subsection in any of the forms referred to in section 2350k(c) of title 10, United States Code."; and

(2) in subsection (b), by striking "Contributions" and inserting "Cash contributions".

SEC. 2868. REPEAL OF REQUIREMENT FOR INTERAGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2835 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 10 U.S.C. 2687 note) is repealed.

SEC. 2869. LEASE OR USE AGREEMENT FOR CATEGORY 3 SUBTERRANEAN TRAINING FACILITY.

(a) IN GENERAL.—The Secretary of Defense may seek to enter into a lease or use agreement with a category 3 subterranean training facility that—

(1) is located in close proximity (as determined by the Secretary of Defense) to the home station of an air assault unit or a special operations force; and

(2) has the capacity to—

(A) provide brigade or large full-mission profile training;

(B) rapidly replicate full-scale underground venues;

(C) support helicopter landing zones; and

(D) support underground live fire.

(b) USE OF FACILITY.—A lease or use agreement entered into pursuant to subsection (a) shall provide that the category 3 subterranean training facility shall be made available for—

(1) hosting of training and testing exercises for—

(A) members of the Armed Forces, including members a special operations force;

(B) personnel of combat support agencies, including the Defense Threat Reduction Agency; and

(C) such other personnel as the Secretary of Defense determines appropriate; and

(2) such other purposes as the Secretary of Defense determines appropriate.

(c) DURATION.—The duration of any lease or use agreement entered into pursuant to subsection (a) shall be for a period of not less than 5 years.

(d) CATEGORY 3 SUBTERRANEAN TRAINING FACILITY DEFINED.—In this section, the term "category 3 subterranean training facility" means an underground structure designed and built—

(1) to be unobserved and to provide maximum protection; and

(2) to serve as a command and control, operations, storage, production, and protection facility.

(e) CONFORMING REPEAL.—Section 375 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2001 note prec.) is repealed.

SEC. 2870. LIMITATION ON USE OF FUNDS FOR CLOSURE OF COMBAT READINESS TRAINING CENTERS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Air Force may be obligated or expended to close, or prepare to close, any combat readiness training center.

(b) WAIVER.—The Secretary of the Air Force may waive the limitation under subsection (a) with respect to a combat readiness training center if the Secretary submits to the congressional defense committees the following:

(1) A certification that—

(A) the closure of the center would not be in violation of section 2687 of title 10, United States Code; and

(B) the support capabilities provided by the center will not be diminished as a result of the closure of the center.

(2) A report that includes—

(A) a detailed business case analysis for the closure of the center; and

(B) an assessment of the effects the closure of the center would have on training units of the Armed Forces, including any active duty units that may use the center.

SEC. 2871. REQUIRED INVESTMENTS IN IMPROVING CHILD DEVELOPMENT CENTERS.

(a) INVESTMENTS IN CHILD DEVELOPMENT CENTERS.—Of the total amount authorized to be appropriated for fiscal year 2023 for the Department of Defense for Facilities Sustainment, Restoration, and Modernization activities of a military department, the Secretary of that military department shall reserve an amount greater than or

equal to one percent of the estimated replacement cost for fiscal year 2023 of the total inventory of child development centers under the jurisdiction of that Secretary for the purpose of carrying out projects for the improvement of child development centers.

(b) CHILD DEVELOPMENT CENTER DEFINED.—In this section, the term "child development center" has meaning given the term "military child development center" in section 1800(1) of title 10, United States Code.

SEC. 2872. INTERAGENCY REGIONAL COORDINATOR FOR RESILIENCE PILOT PROJECT.

(a) PILOT PROJECT.—The Secretary of Defense shall carry out a pilot program under which the Secretary shall establish within the Department of Defense four Interagency Regional Coordinators. Each Interagency Regional Coordinator shall be responsible for improving the resilience of a community that supports a military installation and serving as a model for enhancing community resilience before disaster strikes.

(b) SELECTION.—Each Interagency Regional Coordinator shall support military installations and surrounding communities within a geographic area, with at least one such Coordinator serving each of the East, West, and Gulf coasts. For purposes of the project, the Secretary shall select geographic areas—

(1) with significant sea level rise and recurrent flooding that prevents members of the Armed Forces from reaching their posts or jeopardizes military readiness; and

(2) where communities have collaborated on multi-jurisdictional climate adaptation planning efforts, including such collaboration with the Army Corps of Engineers Civil Works Department and through Joint Land Use Studies.

(c) COLLABORATION.—In carrying out the pilot project, the Secretary shall build on existing efforts through collaboration with State and local entities, including emergency management, transportation, planning, housing, community development, natural resource managers, and governing bodies and with the heads of appropriate Federal departments and agencies.

SEC. 2873. ACCESS TO MILITARY INSTALLATIONS FOR HOMELAND SECURITY INVESTIGATIONS PERSONNEL IN GUAM.

The commander of a military installation located in Guam shall grant to an officer or employee of Homeland Security Investigations the same access to such military installation such commander grants to an officer or employee of U.S. Customs and Border Protection or of the Federal Bureau of Investigation.

SEC. 2874. PROHIBITION ON JOINT USE OF HOMESTEAD AIR RESERVE BASE WITH CIVIL AVIATION.

On or before September 30, 2026, the Secretary of the Air Force may not enter into an agreement that would provide for or permit the joint use of Homestead Air Reserve Base, Homestead, Florida, by the Air Force and civil aircraft.

SEC. 2875. ELECTRICAL CHARGING CAPABILITY CONSTRUCTION REQUIREMENTS RELATING TO PARKING FOR FEDERAL GOVERNMENT MOTOR VEHICLES.

(a) IN GENERAL.—If the Secretary concerned develops plans for a project to construct any facility that includes or will include parking

for covered motor vehicles, the Secretary concerned shall include in any Department of Defense Form 1391, or successor form, submitted to Congress for that project—

(1) the provision of electric vehicle charging capability at the facility adequate to provide electrical charging, concurrently, for not less than 15 percent of all covered motor vehicles planned to be parked at the facility;

(2) the inclusion of the cost of constructing such capability in the overall cost of the project; and

(3) an analysis of whether a parking structure or lot will be the primary charging area for covered motor vehicles or if another area, such as public works or the motor pool, will be the primary charging area.

(b) DEFINITIONS.—In this section:

(1) The term "covered motor vehicle" means a Federal Government motor vehicle, including a motor vehicle leased by the Federal Government.

(2) The term "Secretary concerned" means—

(A) the Secretary of a military department with respect to facilities under the jurisdiction of that Secretary; and

(B) the Secretary of Defense with respect to matters concerning the Defense Agencies and facilities of a reserve component owned by a State rather than the United States.

TITLE XXIX—FALLON RANGE TRAINING COMPLEX

Subtitle A—Fallon Range Training Complex

Sec. 2901. Military land withdrawal for Fallon Range Training Complex.
Sec. 2902. Numu Newe Special Management Area.
Sec. 2903. National conservation areas.
Sec. 2904. Collaboration with State and county.
Sec. 2905. Wilderness areas in Churchill County, Nevada.
Sec. 2906. Release of wilderness study areas.
Sec. 2907. Land conveyances and exchanges.
Sec. 2908. Checkerboard resolution.

Subtitle B—Lander County Economic Development and Conservation

Sec. 2911. Definitions.

PART I—LANDER COUNTY PUBLIC PURPOSE LAND CONVEYANCES

Sec. 2921. Definitions.
Sec. 2922. Conveyances to Lander County, Nevada.

PART II—LANDER COUNTY WILDERNESS AREAS

Sec. 2931. Definitions.
Sec. 2932. Designation of wilderness areas.
Sec. 2933. Release of wilderness study areas.

Subtitle A—Fallon Range Training Complex

SEC. 2901. MILITARY LAND WITHDRAWAL FOR FALLON RANGE TRAINING COMPLEX.

The Military Land Withdrawals Act of 2013 (Public Law 113–66; 127 Stat. 1025) is amended by adding at the end the following:

"Subtitle G—Fallon Range Training Complex, Nevada

"SEC. 2981. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

"(a) WITHDRAWAL.—

"(1) BOMBING RANGES.—Subject to valid rights in existence on the date of enactment of this subtitle, and except as otherwise provided in this subtitle, the land established as the B–16, B–17, B–19, and B–20 Ranges, as referred to in subsection (b), and all other areas within the boundary of such land as depicted on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill' and dated November 30, 2022, which may become subject to the operation of the public land laws, are withdrawn from all forms of—

"(A) entry, appropriation, or disposal under the public land laws;

"(B) location, entry, and patent under the mining laws; and

"(C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

"(2) DIXIE VALLEY TRAINING AREA.—The land and interests in land within the boundaries established at the Dixie Valley Training Area, as referred to in subsection (b), are withdrawn from all forms of—

"(A) entry, appropriation, or disposal under the public land laws; and

"(B) location, entry, and patent under the mining laws.

"(b) DESCRIPTION OF LAND.—The public land and interests in land withdrawn and reserved by this section comprise approximately 790,825 acres of land in Churchill County, Lyon County, Mineral County, Pershing County, and Nye County, Nevada, as generally depicted as 'Proposed FRTC Modernization' and 'Existing Navy Withdrawal Areas' on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill', dated November 30, 2022, and filed in accordance with section 2912. The ranges in the Fallon Range Training Complex described in this subsection are identified as B–16, B–17, B–19, B–20, Dixie Valley Training Area and the Shoal Site.

"(c) PURPOSE OF WITHDRAWAL AND RESERVATION.—

"(1) BOMBING RANGES.—The land withdrawn by subsection (a)(1) is reserved for use by the Secretary of the Navy for—

"(A) aerial testing and training, bombing, missile firing, electronic warfare, tactical combat maneuvering, and air support;

"(B) ground combat tactical maneuvering and firing; and

"(C) other defense-related purposes that are—

"(i) consistent with the purposes specified in the preceding paragraphs; and

"(ii) authorized under section 2914.

"(2) DIXIE VALLEY TRAINING AREA.—The land withdrawn by subsection (a)(2) is reserved for use by the Secretary of the Navy for—

"(A) aerial testing and training, electronic warfare, tactical combat maneuvering, and air support; and

"(B) ground combat tactical maneuvering.

"(d) INAPPLICABILITY OF GENERAL PROVISIONS.—Notwithstanding section 2911(a) and except as otherwise provided in this subtitle, sections 2913 and 2914 shall not apply to the land withdrawn by subsection (a)(2).

"SEC. 2982. MANAGEMENT OF WITHDRAWN AND RESERVED LAND.

"(a) MANAGEMENT BY THE SECRETARY OF THE NAVY.—During the duration of the withdrawal under section 2981, the Secretary of the Navy shall manage the land withdrawn and reserved comprising the B–16, B–17, B–19, and B–20 Ranges for the purposes described in section 2981(c)—

"(1) in accordance with—

"(A) an integrated natural resources management plan prepared and implemented under title I of the Sikes Act (16 U.S.C. 670a et seq.);

"(B) a written agreement between the Secretary of the Navy and the Governor of Nevada that provides for a minimum of 15 days annually for big game hunting on portions of the B–17 Range consistent with military training requirements;

"(C) a programmatic agreement between the Secretary of the Navy and the Nevada State Historic Preservation Officer and other parties, as appropriate, regarding management of historic properties as the properties relate to operation, maintenance, training, and construction at the Fallon Range Training Complex;

"(D) written agreements between the Secretary of the Navy and affected Indian tribes and other stakeholders to accommodate access by Indian tribes and State and local governments to the B–16, B–17, B–19, and B–20 Ranges consistent with military training requirements and public safety;

"(E) a written agreement entered into by the Secretary of the Navy and affected Indian tribes that provides for regular, guaranteed access, consisting of a minimum of 4 days per month, for affected Indian tribes; and

"(F) any other applicable law; and

"(2) in a manner that—

"(A) provides that any portion of the land withdrawn by section 2981(a) that is located outside of the Weapons Danger Zone, as determined by the Secretary of the Navy, shall

be relinquished to the Secretary of the Interior and managed under all applicable public land laws;

"(B) ensures that the Secretary of the Navy avoids target placement and training within—

"(i) biologically sensitive areas, as mapped in the Record of Decision for the Fallon Range Training Complex Modernization Final Environmental Impact Statement dated March 12, 2020; and

"(ii) to the maximum extent practicable, areas that have cultural, religious, and archaeological resources of importance to affected Indian tribes;

"(C) ensures that access is provided for special events, administrative, cultural, educational, wildlife management, and emergency management purposes; and

"(D) provides that within the B–17 Range the placement of air to ground ordnance targets shall be prohibited throughout the entirety of the withdrawal in the areas identified as the 'Monte Cristo Range Protection Area' on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill' and dated November 30, 2022.

"(b) MANAGEMENT BY THE SECRETARY OF THE INTERIOR.—

"(1) IN GENERAL.—During the duration of the withdrawal under section 2981, the Secretary of the Interior shall manage the land withdrawn and reserved comprising the Dixie Valley Training Area and the Shoal Site for the applicable purposes described in section 2981(c) in accordance with—

"(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

"(B) the Record of Decision for the Fallon Range Training Complex Modernization Final Environmental Impact Statement dated March 12, 2020;

"(C) this subtitle; and

"(D) any other applicable law.

"(2) CONSULTATION WITH SECRETARY OF THE NAVY.—Prior to authorizing any use of the land comprising the Dixie Valley Training Area or Shoal Site withdrawn and reserved by section 2981, the Secretary of the Interior shall consult with the Secretary of the Navy. Such consultation shall include—

"(A) informing the Secretary of the Navy of the pending authorization request so that the Secretary of the Navy and the Secretary of the Interior may work together to preserve the training environment; and

"(B) prior to authorizing any installation or use of mobile or stationary equipment used to transmit and receive radio signals, obtaining permission from the Secretary of the Navy to authorize the use of such equipment.

"(3) AGREEMENT.—The Secretary of the Navy and the Secretary of the Interior shall enter into an agreement describing the roles and responsibilities of each Secretary with respect to the management and use of the Dixie Valley Training Area and Shoal Site to ensure no closure of an existing county road and no restrictions or curtailment on public access for the duration

of the withdrawal while preserving the training environment and in accordance with this subsection.

"(4) ACCESS.—The land comprising the Dixie Valley Training Area withdrawn and reserved by section 2981(a)(2) shall remain open for public access for the duration of the withdrawal.

"(5) AUTHORIZED USES.—Subject to applicable laws and policy, the following uses are permitted in the Dixie Valley Training Area for the duration of the withdrawal:

"(A) Livestock grazing.

"(B) Geothermal exploration and development west of State Route 121, as managed by the Bureau of Land Management in coordination with the Secretary of the Navy.

"(C) Exploration and development of salable minerals or other fluid or leasable minerals, as managed by the Bureau of Land Management in coordination with the Secretary of the Navy.

"(6) INFRASTRUCTURE.—The Secretary of the Navy and the Secretary of the Interior shall allow water and utility infrastructure within the Dixie Valley Training Area withdrawn by section 2981(a)(2) as described in sections 2995(a)(4) and 2996.

"(c) LIMITATION ON USE OF LAND PRIOR TO COMPLETION OF COMMITMENTS.—

"(1) IN GENERAL.—The Secretary of the Navy shall not make operational use of the expanded area of the B–16, B–17, or B–20 Ranges, as depicted on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill' and dated November 30, 2022, that were not subject to previous withdrawals comprising the Fallon Range Training Complex which are withdrawn and reserved by section 2981 until the Secretary of the Navy and the Secretary of the Interior certify in writing to the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Committee on Indian Affairs of the Senate and the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives on the completion of the commitments pertaining to each range from the Record of Decision for the Fallon Range Training Complex Modernization Final Environmental Impact Statement dated March 12, 2020, and the provisions of this subtitle. The Secretary of the Navy and the Secretary of the Interior may submit certifications for individual ranges to allow operational use of a specific range prior to completion of commitments related to other ranges.

"(2) PUBLIC ACCESS.—Public access to the existing Pole Line Road shall be maintained until completion of construction of an alternate route as specified by section 2991(a)(2)(B).

"(3) PAYMENT.—Not later than 1 year after the date of enactment of this subtitle, subject to the availability of appropriations, from amounts appropriated to the Secretary of the Navy for operation and maintenance, the Secretary of the Navy shall transfer to Churchill County, Nevada, $20,000,000 for deposit in an account designated by Churchill County, Nevada, to resolve the loss of public access and multiple use within Churchill County, Nevada.

"SEC. 2983. ORDNANCE LANDING OUTSIDE TARGET AREAS.

"The Secretary of the Navy, in the administration of an Operational Range Clearance program, shall ensure that tracked ordnance (bombs, missiles, and rockets) known to have landed outside a target area in the B–17 and B–20 Ranges is removed within 180 days of the event and, to the extent practicable, tracked ordnance known to have landed within the Monte Cristo Range Protection Area described in section 2982(a)(2)(D) shall be removed within 45 days of the event. The Secretary of the Navy shall report to the Fallon Range Training Complex Intergovernmental Executive Committee directed by section 3011(a)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885; 134 Stat. 4349) not less frequently than annually, instances in which ordnance land outside target areas and the status of efforts to clear such ordnance.

"SEC. 2984. RELATIONSHIP TO OTHER RESERVATIONS.

"(a) B–16 AND B–20 RANGES.—To the extent the withdrawal and reservation made by section 2981 for the B–16 and B–20 Ranges withdraws land currently withdrawn and reserved for use by the Bureau of Reclamation, the reservation made by section 2981 shall be the primary reservation for public safety management actions only, and the existing Bureau of Reclamation reservation shall be the primary reservation for all other management actions. The Secretary of the Navy shall enter into an agreement with the Secretary of the Interior to ensure continued access to the B–16 and B–20 Ranges by the Bureau of Reclamation to conduct management activities consistent with the purposes for which the Bureau of Reclamation withdrawal was established.

"(b) SHOAL SITE.—The Secretary of Energy shall remain responsible and liable for the subsurface estate and all activities of the Secretary of Energy at the Shoal Site withdrawn and reserved by Public Land Order Number 2771, as amended by Public Land Order Number 2834.

"SEC. 2985. INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.

"(a) PREPARATION REQUIRED.—

"(1) PREPARATION; DEADLINE.—Within 2 years after the date of enactment of this subtitle, the Secretary of the Navy shall update the current integrated natural resources management plan for the land withdrawn and reserved by section 2981.

"(2) COORDINATION.—The Secretary of the Navy shall prepare the integrated natural resources management plan in coordination with the Secretary of the Interior, the State of Nevada, Churchill County, Nevada, other impacted counties in the State of Nevada, and affected Indian tribes.

"(b) RESOLUTION OF CONFLICTS.—

"(1) IN GENERAL.—Any disagreement among the parties referred to in subsection (a) concerning the contents or implementation of the integrated natural resources management plan prepared under that subsection or an amendment to the management plan shall be resolved by the Secretary of the Navy, the Secretary of the Interior, and the State of Nevada, acting through—

"(A) the State Director of the Nevada State Office of the Bureau of Land Management;

"(B) the Commanding Officer of Naval Air Station Fallon, Nevada;

"(C) the State Director of the Nevada Department of Wildlife;

"(D) if appropriate, the Regional Director of the Pacific Southwest Region of the United States Fish and Wildlife Service; and

"(E) if appropriate, the Regional Director of the Western Region of the Bureau of Indian Affairs.

"(2) CONSULTATION.—Prior to the resolution of any conflict under paragraph (1), the Secretary of the Navy shall consult with the Intergovernmental Executive Committee in accordance with section 3011(a)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885; 134 Stat. 4349).

"(c) ELEMENTS OF PLAN.—Subject to subsection (b), the integrated natural resources management plan under subsection (a)—

"(1) shall be prepared and implemented in accordance with the Sikes Act (16 U.S.C. 670 et seq.);

"(2) shall include provisions for—

"(A) proper management and protection of the natural resources of the land; and

"(B) sustainable use by the public of such resources to the extent consistent with the military purposes for which the land is withdrawn and reserved;

"(3) shall coordinate access with the Nevada Department of Wildlife to manage hunting, fishing, and trapping on the land where compatible with the military mission;

"(4) shall provide for livestock grazing and agricultural outleasing on the land, if appropriate—

"(A) in accordance with section 2667 of title 10, United States Code; and

"(B) at the discretion of the Secretary of the Navy;

"(5) shall identify current test and target impact areas and related buffer or safety zones on the land;

"(6) shall provide that the Secretary of the Navy—

"(A) shall take necessary actions to prevent, suppress, manage, and rehabilitate brush and range fires occurring on land withdrawn or owned within the Fallon Range Training Complex and fires resulting from military activities outside the withdrawn or owned land of the Fallon Range Training Complex; and

"(B) notwithstanding section 2465 of title 10, United States Code—

"(i) may obligate funds appropriated or otherwise available to the Secretary of the Navy to enter into memoranda of understanding, cooperative agreements, and contracts for fire management; and

"(ii) shall reimburse the Secretary of the Interior for costs incurred under this paragraph;

"(7) shall provide that all gates, fences, and barriers constructed after the date of enactment of this subtitle shall be de-

signed and erected, to the maximum extent practicable and consistent with military security, safety, and sound wildlife management use, to allow for wildlife access;

"(8) if determined appropriate by the Secretary of the Navy, the Secretary of the Interior, and the State of Nevada after review of any existing management plans applicable to the land, shall incorporate the existing management plans;

"(9) shall include procedures to ensure that—

"(A) the periodic reviews of the integrated natural resources management plan required by the Sikes Act (16 U.S.C. 670 et seq.) are conducted jointly by the Secretary of the Navy, the Secretary of the Interior, and the State of Nevada; and

"(B) affected counties and affected Indian tribes and the public are provided a meaningful opportunity to comment on any substantial revisions to the plan that may be proposed pursuant to such a review;

"(10) shall provide procedures to amend the integrated natural resources management plan as necessary;

"(11) shall allow access to, and ceremonial use of, Tribal sacred sites to the extent consistent with the military purposes for which the land is withdrawn and reserved by section 2981(a); and

"(12) shall provide for timely consultation with affected Indian tribes.

"SEC. 2986. USE OF MINERAL MATERIALS.

"Notwithstanding any other provision of this subtitle or of the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 601 et seq.), the Secretary of the Navy may use sand, gravel, or similar mineral materials resources of the type subject to disposition under that Act from land withdrawn and reserved by this subtitle if use of such resources is required for construction needs on the land.

"SEC. 2987. TRIBAL ACCESS AGREEMENT AND CULTURAL RESOURCES SURVEY.

"(a) TRIBAL ACCESS AGREEMENT.—

"(1) IN GENERAL.—Not later than 120 days after the date of enactment of this subtitle, the Secretary of the Navy and the Secretary of the Interior shall enter into an agreement with each affected Indian tribe for the purpose of establishing continued, regular, and timely access to the land withdrawn and reserved by section 2981, including all land subject to previous withdrawals under section 3011(a) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885), for cultural, religious, gathering and ceremonial uses by affected Indian tribes.

"(2) ACCESS.—The Secretary of the Navy shall—

"(A) provide access in accordance with the agreement entered into under paragraph (1); and

"(B) to the extent practicable and consistent with operational, safety, and security needs, seek to minimize notice from the affected Indian tribe and chaperoning requirements for Tribal access.

"(3) RESOLUTION OF CONFLICTS.—If an affected Indian tribe provides written comments to the Secretary of the Navy or the Secretary of the Interior proposing changes or additions to the agreement entered into under paragraph (1) and the proposals are not incorporated in the final agreement, the Secretary concerned shall—

"(A) respond in writing to the affected Indian tribe explaining a clear, identifiable rationale why the proposed change was not incorporated; and

"(B) share the written responses under subparagraph (A) with the Committee on Armed Services of the House of Representatives, the Committee on Natural Resources of the House of Representatives, the Committee on Armed Services of the Senate, and the Committee on Indian Affairs of the Senate.

"(b) ETHNOGRAPHIC STUDY.—The Secretary of the Navy, in consultation with the State of Nevada and appropriate Tribal governments, shall conduct an ethnographic study of the expanded Fallon Range Training Complex to assess the importance of that area to Indian tribes and the religious and cultural practices of those Indian tribes.

"(c) CULTURAL RESOURCES SURVEY.—

"(1) SURVEY.—The Secretary of the Navy, after consultation with affected Indian tribes and review of data, studies, and reports in the possession of such Indian tribes, shall conduct a cultural resources survey of the land withdrawn and reserved by section 2981 for each of the expanded areas of the B–16, B–17, and B–20 Ranges that were not subject to previous surveys in support of the Record of Decision for the Fallon Range Training Complex Modernization Final Environmental Impact Statement dated March 12, 2020, and previous withdrawals comprising the Fallon Range Training Complex that includes pedestrian field surveys and the inventory and identification of specific sites containing cultural, religious, and archaeological resources of importance to affected Indian tribes.

"(2) RESULTS.—Not later than 2 years after the date of enactment of this subtitle, the Secretary of the Navy shall provide the results of the survey conducted under paragraph (1) to affected Indian tribes for review and comment prior to concluding survey activities.

"(3) INCLUSION IN AGREEMENT.—The agreement under subsection (a) shall include access to the specific sites identified by the survey conducted under paragraph (1) by affected Indian tribes, including proper disposition or protection of, and any requested access to, any identified burial sites, in accordance with the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.).

"(4) LIMITATION ON USE OF LAND PRIOR TO COMPLETION OF SURVEY.—The Secretary of the Navy shall not make operational use of the expanded areas of the B–16, B–17, and B–20 Ranges that were not subject to previous withdrawals comprising the Fallon Range Training Complex until the date of completion of the survey required by paragraph (1).

"(d) PARTICIPATION OF AFFECTED INDIAN TRIBES.—In conducting an ethnographic study or cultural resources survey under subsection (b) or (c), the Secretary of the Navy shall coordinate with, and provide for the participation of, each applicable affected Indian tribe.

"(e) AGREEMENT TO MITIGATE ADVERSE EFFECTS.—The Secretary of the Navy, the Secretary of the Interior, and affected Indian tribes shall enter into an agreement consistent with section 306108 of title 54, United States Code, that identifies actions to avoid, minimize, or mitigate adverse effects to sites identified in subsection (c), including adverse effects from noise. Using the results of surveys conducted under subsection (c), the Navy shall, in coordination with affected Indian tribes and to the extent practicable, avoid placing targets or other range infrastructure in culturally sensitive areas. The Navy shall avoid placement of targets in known sensitive habitat, cultural, or historic areas within the Monte Cristo Mountains.

"(f) REPORT.—Not later than 1 year after the date on which each of the agreements required under this section have been entered into and the survey and study required under this section have been completed, the Secretary of the Navy and the Secretary of the Interior shall jointly submit to Congress a report describing—

"(1) the access protocols established by the agreement under subsection (a);

"(2) the results of the ethnographic study conducted under subsection (b);

"(3) the results of the cultural resources survey under subsection (c); and

"(4) actions to be taken to avoid, minimize, or mitigate adverse effects to sites on the land withdrawn and reserved by section 2981.

"(g) PUBLIC AVAILABILITY.—Information concerning the nature and specific location of a cultural resource shall be exempt from disclosure under section 552 of title 5 and any other law unless the Secretary of the Navy, in consultation with affected Indian tribes, determines that disclosure would—

"(1) further the purposes of this section;

"(2) not create risk of harm to or theft or destruction of the cultural resource or the site containing the cultural resource; and

"(3) be in accordance with other applicable laws.".

"SEC. 2988. RESOLUTION OF WALKER RIVER PAIUTE TRIBE CLAIMS.

"(a) PAYMENT TO TRIBE.—Not later than 1 year after the date of enactment of this subtitle and subject to the availability of appropriations, the Secretary of the Navy shall transfer $20,000,000 of amounts appropriated to the Secretary of the Navy for operation and maintenance to an account designated by the Walker River Paiute Tribe (referred to in this section as the 'Tribe') to resolve the claims of the Tribe against the United States for the contamination, impairment, and loss of use of approximately 6,000 acres of land that is within the boundaries of the reservation of the Tribe.

"(b) LIMITATION ON USE OF LAND PRIOR TO COMPLETION OF PAYMENT.—The Secretary of the Navy shall not make operational use of the expanded areas of the B–16, B–17, and B–20 Ranges that were not subject to previous withdrawals comprising the Fallon Range Training Complex and that are withdrawn and reserved by

section 2981 until the date on which the amount is transferred under subsection (a).

"(c) ADDITIONAL TRUST LAND.—

"(1) ENVIRONMENTAL SITE ASSESSMENT.—Not later than 1 year after the date of enactment of this subtitle and prior to taking the land described in paragraph (4) into trust for the benefit of the Tribe under paragraph (3)(A), the Director of the Bureau of Indian Affairs (referred to in this subsection as the 'Director') shall complete an environmental site assessment to determine with respect to the land—

"(A) the likelihood of the presence of hazardous substance-related or other environmental liability; and

"(B) if the Director determines the presence of hazardous substance-related or other environmental liability is likely under subparagraph (A)—

"(i) the extent of the contamination caused by such hazardous substance or other environmental liability; and

"(ii) whether that liability can be remediated by the United States.

"(2) CONTAMINATED LAND.—

"(A) IN GENERAL.—If the Director determines pursuant to the environmental site assessment completed under paragraph (1) that there is a likelihood of the presence of hazardous substance-related or other environmental liability on the land described in paragraph (4), the Director shall consult with the Tribe on whether the land is still suitable for transfer into trust for the benefit of the Tribe.

"(B) DETERMINATION.—If the Tribe determines land identified as contaminated under subparagraph (A) is still suitable to take into trust for the benefit of the Tribe, the Director, notwithstanding any other provision of law, shall take the land into trust for the benefit of the Tribe in accordance with paragraph (3).

"(3) LAND TO BE HELD IN TRUST FOR THE TRIBE; IDENTIFICATION OF ALTERNATIVE LAND.—

"(A) IN GENERAL.—If the Tribe determines pursuant to paragraph (2) that the land described in paragraph (4) should be taken into trust for the benefit of the Tribe (including if such land is determined to be contaminated), subject to valid existing rights, all right, title, and interest of the United States in and to the land shall be—

"(i) held in trust by the United States for the benefit of the Tribe; and

"(ii) made part of the existing reservation of the Tribe.

"(B) IDENTIFICATION OF SUITABLE AND COMPARABLE ALTERNATIVE LAND.—If the Tribe determines pursuant to paragraph (2), due to discovered environmental issues that the land described in paragraph (4) is not suitable to be taken into trust for the benefit of the Tribe, not later than 1 year after the date on which the Tribe makes that determination, the Director and the Tribe shall enter into an agreement to identify suitable and comparable alternative

land in relative distance and located in the same county as the land described in paragraph (4) to be withdrawn from Federal use and taken into trust for the benefit of the Tribe.

"(C) ENVIRONMENTAL LIABILITY.—

"(i) IN GENERAL.—Notwithstanding any other provision of law, the United States shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the land described in paragraph (4) that occurred on or before the date on which the land was taken into trust for the benefit of the Tribe. The United States shall not fund or take any action to remediate such land after such land has been so taken into trust.

"(ii) ENVIRONMENTAL CONTAMINATION DESCRIPTION.—An environmental contamination described in clause (i) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal law or law of the State of Nevada.

"(4) LAND DESCRIBED.—Subject to paragraph (5), the land to be held in trust for the benefit of the Tribe under paragraph (3)(A) is the approximately 8,170 acres of Bureau of Land Management and Bureau of Reclamation land located in Churchill and Mineral Counties, Nevada, as generally depicted on the map entitled 'Walker River Paiute Trust Lands' and dated April 19, 2022, and more particularly described as follows:

"(A) FERNLEY EAST PARCEL.—The following land in Churchill County, Nevada:

"(i) All land held by the Bureau of Reclamation in T. 20 N., R. 26 E., sec. 28, Mount Diablo Meridian.

"(ii) All land held by the Bureau of Reclamation in T. 20 N., R. 26 E., sec. 36, Mount Diablo Meridian.

"(B) WALKER LAKE PARCEL.—The following land in Mineral County, Nevada:

"(i) All land held by the Bureau of Land Management in T. 11 N., R. 29 E., secs. 35 and 36, Mount Diablo Meridian.

"(ii) All land held by the Bureau of Reclamation in T. 10 N., R. 30 E., secs. 4, 5, 6, 8, 9, 16, 17, 20, 21, 28, 29, 32, and 33, Mount Diablo Meridian.

"(iii) All land held by the Bureau of Land Management in T. 10.5 N., R. 30 E., secs. 31 and 32, Mount Diablo Meridian.

"(5) ADMINISTRATION.—

"(A) SURVEY.—Not later than 180 days after the date of enactment of this subtitle, the Secretary of the Interior (referred to in this paragraph as the 'Secretary') shall complete a survey to fully describe, and adequately define the boundaries of, the land described in paragraph (4).

"(B) LEGAL DESCRIPTION.—

"(i) IN GENERAL.—Upon completion of the survey required under subparagraph (A), the Secretary shall

publish in the Federal Register a legal description of the land described in paragraph (4).

"(ii) TECHNICAL CORRECTIONS.—Before the date of publication of the legal description under this subparagraph, the Secretary may correct any technical or clerical errors in the legal description as the Secretary determines appropriate.

"(iii) EFFECT.—Effective beginning on the date of publication of the legal description under this subparagraph, the legal description shall be considered to be the official legal description of the land to be held in trust for the benefit of the Tribe under paragraph (3)(A).

"(6) USE OF TRUST LAND.—The land taken into trust under paragraph (3)(A) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

"(d) ELIGIBILITY FOR FEDERAL AND FEDERALLY FUNDED PROGRAMS.—Funds paid to the Tribe pursuant to this section, including any interest or investment income earned, may not be treated as income or resources or otherwise used as the basis for denying or reducing the basis for Federal financial assistance or other Federal benefit (including under the Social Security Act (42 U.S.C. 301 et seq.)) to which the Tribe, a member of the Tribe, or a household would otherwise be entitled.

"SEC. 2989. LAND TO BE HELD IN TRUST FOR THE FALLON PAIUTE SHOSHONE TRIBE.

"(a) LAND TO BE HELD IN TRUST.—

"(1) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be—

"(A) held in trust by the United States for the benefit of the Fallon Paiute Shoshone Tribe; and

"(B) made part of the reservation of the Fallon Paiute Shoshone Tribe.

"(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) is the approximately 10,000 acres of land administered by the Bureau of Land Management and the Bureau of Reclamation, as generally depicted as 'Reservation Expansion Land' on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill' and dated November 30, 2022.

"(3) SURVEY.—Not later than 180 days after the date of enactment of this subtitle, the Secretary of the Interior shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under paragraph (1).

"(4) USE OF TRUST LAND.—The land taken into trust under this section shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

"(5) COOPERATIVE AGREEMENT.—On request by the Fallon Paiute Shoshone Tribe, the Secretary of the Interior shall enter

into a cooperative agreement with the Fallon Paiute Shoshone Tribe to provide assistance in the management of the land taken into trust under this section for cultural protection and conservation management purposes.

"SEC. 2990. NUMU NEWE CULTURAL CENTER.

"(a) IN GENERAL.—Subject to the availability of appropriations from amounts appropriated to the Secretary of the Navy for operation and maintenance, the Secretary of the Navy shall provide financial assistance to a cultural center established and operated by the Fallon Paiute Shoshone Tribe and located on the Reservation of the Fallon Paiute Shoshone Tribe, the purpose of which is to help sustain Numu Newe knowledge, culture, language, and identity associated with aboriginal land and traditional ways of life for the Fallon Paiute Shoshone Tribe and other affected Indian tribes (referred to in this section as the 'Center').

"(b) STUDIES AND INVENTORIES.—The Center shall integrate information developed in the cultural resources inventories and ethnographic studies carried out under section 2987.

"(c) TRANSFER.—Not later than 1 year after the date of enactment of this subtitle and subject to the availability of appropriations, the Secretary of the Navy shall transfer to an account designated by the Fallon Paiute Shoshone Tribe—

"(1) $10,000,000 for the development and construction of the Center; and

"(2) $10,000,000 to endow operations of the Center.

"(d) LIMITATION ON USE OF LAND PRIOR TO COMPLETION OF PAYMENT.—The Secretary of the Navy shall not make operational use of the expanded areas of the B–16, B–17, and B–20 Ranges that were not subject to previous withdrawals comprising the Fallon Range Training Complex and that are withdrawn and reserved by section 2981 until the date on which the amounts are transferred under subsection (c).

"SEC. 2991. ROAD RECONSTRUCTION AND TREATMENT OF EXISTING ROADS AND RIGHTS-OF-WAY.

"(a) ROAD RECONSTRUCTION.—Subject to the availability of appropriations, the Secretary of the Navy shall be responsible for the timely—

"(1) reconstruction of—

"(A) Lone Tree Road leading to the B–16 Range; and

"(B) State Highway 361; and

"(2) relocation of—

"(A) Sand Canyon and Red Mountain Roads, consistent with alternative 2A, as described in the Final FRTC Road Realignment Study dated March 14, 2022; and

"(B) Pole Line Road, consistent with alternative 3B, as described in the Final FRTC Road Realignment Study dated March 14, 2022.

"(b) LIMITATION ON USE OF LAND PRIOR TO COMPLETION OF REQUIREMENTS.—In accordance with section 2982(c)(1), the Secretary of the Navy shall not make operational use of the expanded areas of the B–16, B–17, and B–20 Ranges that were not subject to previous withdrawals comprising the Fallon Range Training Complex and that are withdrawn and reserved by section 2981 until the date

on which the Secretary of the Navy determines that each of the requirements of subsection (a) have been met.

"(c) EXISTING ROADS AND RIGHTS-OF-WAY; ACCESS.—

"(1) IN GENERAL.—The withdrawal and reservation of land made by section 2981 shall not be construed to affect the following roads and associated rights-of-way:

"(A) United States Highways 50 and 95.

"(B) State Routes 121 and 839.

"(C) The Churchill County, Nevada, roads identified as Simpson Road, East County Road, Earthquake Fault Road, and Fairview Peak Road.

"(2) ACCESS.—Any road identified on the map described in section 2981(b) as an existing minor county road shall be available for managed access consistent with the purposes of the withdrawal.

"(d) NEW RIGHTS-OF-WAY.—The Secretary of the Navy, in coordination with the Secretary of the Interior, shall be responsible for the timely grant of new rights-of-way for Sand Canyon and Red Mountain Road, Pole Line Road, and East County Road to the appropriate County.

"(e) I–11 CORRIDORS.—The Secretary of the Interior shall manage the land located within the 'Churchill County Preferred I–11 Corridor' and 'NDOT I–11 Corridor' as depicted on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill' and dated November 30, 2022, in accordance with this section.

"(f) PUBLIC AVAILABILITY OF MAP.—A copy of the map described in section 2981(b) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

"(g) WITHDRAWAL OF LAND.—Subject to any valid rights in existence on the date of enactment of this subtitle, the land located within the corridors depicted as 'Utility and Infrastructure Corridors' on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill' and dated November 30, 2022, is withdrawn from—

"(1) location and entry under the mining laws; and

"(2) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

"(h) TERMINATION OF WITHDRAWAL.—A withdrawal under subsection (g) shall terminate on the date on which—

"(1) the Secretary of the Interior, in coordination with Churchill County, Nevada, terminates the withdrawal; or

"(2) the applicable corridor or land is patented.

"(i) REVISED STATUTES SECTION 2477 CLAIMS.—The withdrawal and reservation of land by section 2981 shall not affect the ability of Churchill County, Nevada, to seek adjudication of claims under section 2477 of the Revised Statutes (43 U.S.C. 932), as in effect prior to being repealed by section 706(a) of the Federal Land Policy and Management Act of 1976 (Public Law 94–579; 90 Stat. 2793).

"(j) TREATMENT OF THE WEST-WIDE ENERGY CORRIDOR.—

"(1) IN GENERAL.—Nothing in section 2981 shall be construed to restrict the development of high voltage electrical power utility lines within the portion of the designated West-Wide Energy Corridor that is located outside of the B–16 Range.

"(2) TRANSMISSION LINE.—The Secretary of the Navy shall allow 1 transmission line within that portion of the designated West-Wide Energy Corridor that is located within the B–16 Range nearest the existing transmission line adjacent to the western boundary of the B–16 Range.

"(3) FUTURE TRANSMISSION LINE.—If the Secretary of the Navy and the Secretary of the Interior determine that additional transmission lines cannot be accommodated outside of the B–16 Range, to the extent practicable, the Secretary of the Navy shall allow the construction of a new transmission line as close as practicable to the existing transmission line.

"SEC. 2992. SAGE GROUSE STUDY.

"(a) IN GENERAL.—The Secretary of the Navy, in consultation with the Secretary of the Interior and the State of Nevada, shall conduct a study to further assess greater sage grouse reactions to military overflights within the Fallon Range Training Complex.

"(b) DETERMINATION.—If the Secretary of the Navy determines under the study under subsection (a) that greater sage grouse in the Fallon Range Training Complex are significantly impacted by aircraft overflights, the Secretary of the Navy shall implement adaptive management activities, in coordination with the State of Nevada and the United States Fish and Wildlife Service.

"SEC. 2993. TREATMENT OF LIVESTOCK GRAZING PERMITS.

"(a) IN GENERAL.—The Secretary of the Navy shall notify holders of grazing allotments impacted by the withdrawal and reservation of land by section 2981 and, if practicable, assist the holders of the grazing allotments in obtaining replacement forage.

"(b) REVISIONS TO ALLOTMENT PLANS.—The Secretary of the Navy shall reimburse the Secretary of the Interior for grazing program-related administrative costs reasonably incurred by the Bureau of Land Management due to the withdrawal and reservation of land by section 2981.

"(c) ALTERNATIVE TO REPLACEMENT FORAGE.—If replacement forage cannot be identified under subsection (a), the Secretary of the Navy shall make full and complete payments to Federal grazing permit holders for all losses suffered by the permit holders as a result of the withdrawal or other use of former Federal grazing land for national defense purposes pursuant to the Act of June 28, 1934 (commonly known as the 'Taylor Grazing Act') (48 Stat. 1269, chapter 865; 43 U.S.C. 315 et seq.).

"(d) NOTIFICATION AND PAYMENT.—The Secretary of the Navy shall—

"(1) notify, by certified mail, holders of grazing allotments that are terminated; and

"(2) compensate the holders of grazing allotments described in paragraph (1) for authorized permanent improvements associated with the allotments.

"(e) PAYMENT.—For purposes of calculating and making a payment to a Federal grazing permit holder under this section (including the conduct of any appraisals required to calculate the amount of the payment)—

"(1) the Secretary of the Navy shall consider the permanent loss of the applicable Federal grazing permit; and

"(2) the amount of the payment shall not be limited to the remaining term of the existing Federal grazing permit.

"SEC. 2994. TRANSFER OF LAND UNDER THE ADMINISTRATIVE JURISDICTION OF THE DEPARTMENT OF THE NAVY.

"(a) TRANSFER REQUIRED.—Subject to subsection (b), the Secretary of the Navy shall transfer to the Secretary of the Interior, at no cost, administrative jurisdiction of the approximately 86 acres of a noncontiguous parcel of land as depicted on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill' and dated November 30, 2022, acquired by the Department of the Navy in Churchill County, Nevada, for inclusion in the Sand Mountain Recreation Area.

"(b) CERTIFICATION WITH RESPECT TO ENVIRONMENTAL HAZARDS.—Prior to transferring land under subsection (a), the Secretary of the Navy shall certify that the land to be transferred under that subsection is free from environmental hazards.

"SEC. 2995. REDUCTION OF IMPACT OF FALLON RANGE TRAINING COMPLEX MODERNIZATION.

"(a) IN GENERAL.—Consistent with the Record of Decision for the Fallon Range Training Complex Modernization Final Environmental Impact Statement dated March 12, 2020, the Secretary of the Navy shall carry out the following additional mitigations and other measures not otherwise included in other sections of this Act to reduce the impact of the modernization of the Fallon Range Training Complex by the Secretary of the Navy on the land and local community:

"(1) Develop Memoranda of Agreement or other binding protocols, in coordination with agencies, affected Indian tribes, and other stakeholders, for—

"(A) management of that portion of Bureau of Reclamation infrastructure in the B–16 and B–20 Ranges that will be closed to public access but will continue to be managed for flood control; and

"(B) access for research, resource management, and other activities within the B–16, B–17, B–19, and B–20 Ranges.

"(2) Establish wildlife-friendly configured four-wire fencing, on coordination with the Nevada Department of Wildlife, to restrict access to the smallest possible area necessary to ensure public safety and to minimize impacts on wildlife from fencing.

"(3) Subject to the availability of appropriations—

"(A) purchase the impacted portion of the Great Basin Transmission Company (formerly named the 'Paiute Pipeline Company') pipeline within the B–17 Range; and

"(B) pay for the relocation of the pipeline acquired under subparagraph (A) to a location south of the B–17 Range.

"(4) Accommodate permitting and construction of additional utility and infrastructure projects within 3 corridors running parallel to the existing north-south power line in proximity to Nevada Route 121, existing east-west power line north of Highway 50, and the area immediately north of Highway 50 as shown on the map entitled 'Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill' and dated November 30, 2022, subject to the requirement that any project authorized under this paragraph shall complete appro-

priate Federal and State permitting requirements prior to the accommodation under this paragraph.

"(5)(A) Notify holders of mining claims impacted by the modernization by certified mail.

"(B) Make payments to the holders of mining claims described in subparagraph (A), subject to the availability of appropriations.

"(6) Allow a right-of-way to accommodate I–11 (which could also include a transmission line) if a route is chosen by Churchill County, Nevada, or the State of Nevada that overlaps the northeast corner of the withdrawal area for the B–16 Range.

"(7) Revise the applicable range operations manual—

"(A) to include Crescent Valley and Eureka as noise-sensitive areas; and

"(B) to implement a 5-nautical-mile buffer around the towns of Crescent Valley and Eureka.

"(8) Implement a 3-nautical-mile airspace exclusion zone over the Gabbs, Eureka, and Crescent Valley airports.

"(9) Extend the Visual Flight Rules airspace corridor through the newly established Military Operations Areas on the east side of the Dixie Valley Training Area.

"(10) Notify affected water rights holders by certified mail and, if water rights are adversely affected by the modernization and cannot be otherwise mitigated, acquire existing and valid State water rights.

"(11) Allow Nevada Department of Wildlife access for spring and wildlife guzzler monitoring and maintenance.

"(12) Implement management practices and mitigation measures specifically designed to reduce or avoid potential impacts on surface water and groundwater, such as placing targets outside of washes.

"(13) Develop and implement a wildland fire management plan with the State of Nevada to ensure wildland fire prevention, suppression, and restoration activities are addressed, as appropriate, for the entire expanded range complex.

"(14) To the maximum extent practicable and if compatible with mission training requirements, avoid placing targets in biologically sensitive areas identified by the Nevada Department of Wildlife.

"(15) Fund 2 conservation law enforcement officer positions at Naval Air Station Fallon.

"(16) Post signs warning the public of any contamination, harm, or risk associated with entry into the withdrawal land.

"(17) Enter into an agreement for compensation from the Secretary of the Navy to Churchill County, Nevada, and the counties of Lyon, Nye, Mineral, and Pershing in the State of Nevada to offset any reductions made in payments in lieu of taxes.

"(18) Review, in consultation with affected Indian tribes, and disclose any impacts caused by the activities of the Secretary of the Navy at Fox Peak, Medicine Rock, and Fairview Mountain.

"(19) Consult with affected Indian tribes to mitigate, to the maximum extent practicable, any impacts disclosed under paragraph (18).

"(b) LIMITATION ON USE OF LAND PRIOR TO COMPLETION OF REQUIREMENTS.—In accordance with section 2982(c)(1), the Secretary of the Navy shall not make operational use of the expanded areas of the B–16, B–17, and B–20 Ranges that were not subject to previous withdrawals comprising the Fallon Range Training Complex and that are withdrawn and reserved by section 2981 until the date on which the Secretary of the Navy determines that each of the requirements of subsection (a) have been met.

"SEC. 2996. DIXIE VALLEY WATER PROJECT.

"(a) CONTINUATION OF PROJECT.—The withdrawal of land authorized by section 2981(a)(2) shall not interfere with the Churchill County Dixie Valley Water Project.

"(b) PERMITTING.—On application by Churchill County, Nevada, the Secretary of the Navy shall concur with the Churchill County Dixie Valley Water Project and, in collaboration with the Secretary of the Interior, complete any permitting necessary for the Dixie Valley Water Project, subject to the public land laws and environmental review, including regulations.

"(c) COMPENSATION.—Subject to the availability of appropriations, the Secretary of the Navy shall compensate Churchill County, Nevada, for any cost increases for the Dixie Valley Water Project that result from any design features required by the Secretary of the Navy to be included in the Dixie Valley Water Project.

"SEC. 2997. EXPANSION OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE ON JOINT USE BY DEPARTMENT OF THE NAVY AND DEPARTMENT OF THE INTERIOR OF FALLON RANGE TRAINING COMPLEX.

"The Secretary of the Navy and the Secretary of the Interior shall expand the membership of the Fallon Range Training Complex Intergovernmental Executive Committee directed by section 3011(a)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885; 134 Stat. 4349) relating to the management of the natural and cultural resources of the withdrawal land to include representatives of Eureka County, Nevada, the Nevada Department of Agriculture, and the Nevada Division of Minerals.

"SEC. 2998. TRIBAL LIAISON OFFICE.

"The Secretary of the Navy shall establish and maintain a dedicated Tribal liaison position at Naval Air Station Fallon.

"SEC. 2999. TERMINATION OF PRIOR WITHDRAWAL.

"Notwithstanding section 2842 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) and section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65), the withdrawal and reservation under section 3011(a) of that Act is terminated.

"SEC. 2999A. DURATION OF WITHDRAWAL AND RESERVATION.

"The withdrawal and reservation of public land by section 2981 shall terminate on November 6, 2047.".

SEC. 2902. NUMU NEWE SPECIAL MANAGEMENT AREA.

(a) DEFINITIONS.—In this section:

(1) MANAGEMENT PLAN.—The term "management plan" means the management plan for the Special Management Area developed under subsection (d).

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) SPECIAL MANAGEMENT AREA.—The term "Special Management Area" means the Numu Newe Special Management Area established by subsection (b).

(b) ESTABLISHMENT.—To protect, conserve, and enhance the unique and nationally important historic, cultural, archaeological, natural, and educational resources of the Numu Newe traditional homeland, subject to valid existing rights, there is established in Churchill and Mineral Counties, Nevada, the Numu Newe Special Management Area, to be administered by the Secretary.

(c) AREA INCLUDED.—The Special Management Area shall consist of the approximately 217,845 acres of public land in Churchill and Mineral Counties, Nevada, administered by the Bureau of Land Management, as depicted on the map entitled "Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill" and dated November 30, 2022.

(d) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term management of the Special Management Area.

(2) CONSULTATION.—In developing and implementing the management plan, the Secretary shall consult with—

(A) appropriate Federal, Tribal, State, and local governmental entities; and

(B) interested members of the public.

(3) REQUIREMENTS.—The management plan shall—

(A) describe the appropriate uses of the Special Management Area;

(B) with respect to any land within the Special Management Area that is withdrawn and reserved for military uses, ensure that management of the Special Management Area is consistent with the purposes under section 2981(c)(2) of the Military Land Withdrawals Act of 2013 (as added by section 2901 of this title) for which the land is withdrawn and reserved;

(C) authorize the use of motor vehicles in the Special Management Area, where appropriate, including providing for the maintenance of existing roads;

(D) incorporate any provision of an applicable land and resource management plan that the Secretary considers to be appropriate;

(E) ensure, to the maximum extent practicable, the protection and preservation of traditional cultural and religious sites within the Special Management Area;

(F) to the maximum extent practicable, carefully and fully integrate the traditional and historical knowledge and special expertise of the Fallon Paiute Shoshone Tribe and other affected Indian tribes;

(G) consistent with subparagraph (D), ensure public access to Federal land within the Special Management Area for hunting, fishing, and other recreational purposes;

(H) not affect the allocation, ownership, interest, or control, as in existence on the date of enactment of this Act, of any water, water right, or any other valid existing right; and

(I) be reviewed not less frequently than annually by the Secretary to ensure the management plan is meeting the requirements of this section.

(e) MILITARY OVERFLIGHTS.—Nothing in this section restricts or precludes—

(1) low-level overflights of military aircraft over the Special Management Area, including military overflights that can be seen or heard within the Special Management Area;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the Special Management Area.

SEC. 2903. NATIONAL CONSERVATION AREAS.

(a) NUMUNAA NOBE NATIONAL CONSERVATION AREA.—

(1) DEFINITIONS.—In this subsection:

(A) CONSERVATION AREA.—The term "Conservation Area" means the Numunaa Nobe National Conservation Area established by paragraph (2).

(B) MANAGEMENT PLAN.—The term "management plan" means the management plan for the Conservation Area developed under paragraph (3)(B).

(C) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—To conserve, protect, and enhance for the benefit and enjoyment of present and future generations the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, recreational, and scenic resources of the Conservation Area, subject to valid existing rights, there is established the Numunaa Nobe National Conservation Area in the State of Nevada, to be administered by the Secretary.

(B) AREA INCLUDED.—

(i) IN GENERAL.—The Conservation Area shall consist of approximately 160,224 acres of public land in Churchill County, Nevada, as generally depicted on the map entitled "Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill" and dated November 30, 2022.

(ii) AVAILABILITY OF MAP.—The map described in clause (i) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall administer the Conservation Area in a manner that conserves, protects, and enhances the resources of the Conservation Area—

(i) in accordance with—

(I) this subsection;

(II) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(III) any other applicable law; and

(ii) as a component of the National Landscape Conservation System.

(B) MANAGEMENT PLAN.—

(i) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall develop a management plan for the Conservation Area.

(ii) CONSULTATION.—In developing the management plan, the Secretary shall consult with—

(I) appropriate Federal, State, Tribal, and local governmental entities; and

(II) members of the public.

(iii) REQUIREMENTS.—The management plan shall—

(I) describe the appropriate uses of the Conservation Area;

(II) in accordance with paragraph (5), authorize the use of motor vehicles in the Conservation Area, where appropriate, including for the maintenance of existing roads; and

(III) incorporate any provision of an applicable land and resource management plan that the Secretary considers to be appropriate, to include the Search and Rescue Training Cooperative Agreement between the Bureau of Land Management and the Naval Strike and Air Warfare Training Center dated July 6, 1998, and the Carson City District BLM Administrative Guide to Military Activities on and Over the Public Lands dated January 25, 2012.

(4) USES.—The Secretary shall allow only those uses of the Conservation Area that the Secretary determines would further the purposes of the Conservation Area.

(5) MOTORIZED VEHICLES.—Except as needed for administrative purposes, planned military activities authorized by paragraph (3)(B)(iii)(III), or to respond to an emergency, the use of motorized vehicles in the Conservation Area shall be permitted only on roads and trails designated for the use of motorized vehicles by the management plan.

(6) WITHDRAWAL.—

(A) IN GENERAL.—Subject to valid existing rights, all public land in the Conservation Area is withdrawn from—

(i) all forms of entry, appropriation, and disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(B) ADDITIONAL LAND.—If the Secretary acquires mineral or other interests in a parcel of land within the Conservation Area after the date of enactment of this Act, the parcel

is withdrawn from operation of the laws referred to in subparagraph (A) on the date of acquisition of the parcel.

(7) HUNTING, FISHING, AND TRAPPING.—

(A) IN GENERAL.—Subject to subparagraph (B), nothing in this subsection affects the jurisdiction of the State of Nevada with respect to fish and wildlife, including hunting, fishing, and trapping in the Conservation Area.

(B) LIMITATIONS.—

(i) REGULATIONS.—The Secretary may designate by regulation areas in which, and establish periods during which, no hunting, fishing, or trapping will be permitted in the Conservation Area, for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in an emergency, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under clause (i).

(8) GRAZING.—In the case of land included in the Conservation Area on which the Secretary permitted, as of the date of enactment of this Act, livestock grazing, the livestock grazing shall be allowed to continue, subject to applicable laws (including regulations).

(9) NO BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this subsection creates a protective perimeter or buffer zone around the Conservation Area.

(B) ACTIVITIES OUTSIDE CONSERVATION AREA.—The fact that an activity or use on land outside the Conservation Area can be seen or heard within the Conservation Area shall not preclude the activity or use outside the boundary of the Conservation Area.

(10) MILITARY OVERFLIGHTS.—Nothing in this subsection restricts or precludes—

(A) low-level overflights of military aircraft over the Conservation Area, including military overflights that can be seen or heard within the Conservation Area;

(B) flight testing and evaluation; or

(C) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the Conservation Area.

(10) EFFECT ON WATER RIGHTS.—Nothing in this subsection constitutes an express or implied reservation of any water rights with respect to the Conservation Area.

(b) PISTONE-BLACK MOUNTAIN NATIONAL CONSERVATION AREA.—

(1) DEFINITIONS.—In this subsection:

(A) CONSERVATION AREA.—The term "Conservation Area" means the Pistone-Black Mountain National Conservation Area established by paragraph (2)(A).

(B) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(C) TRIBE.—The term "Tribe" means the Walker River Paiute Tribe.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—To protect, conserve, and enhance the unique and nationally important historic, cultural, archaeological, natural, and educational resources of the Pistone Site on Black Mountain, subject to valid existing rights, there is established in Mineral County, Nevada, the Pistone-Black Mountain National Conservation Area.

(B) AREA INCLUDED.—

(i) IN GENERAL.—The Conservation Area shall consist of the approximately 3,415 acres of public land in Mineral County, Nevada, administered by the Bureau of Land Management, as depicted on the map entitled "Black Mountain/Pistone Archaeological District" and dated May 12, 2020.

(ii) AVAILABILITY OF MAP.—The map described in clause (i) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage the Conservation Area—

(i) in a manner that conserves, protects, and enhances the resources and values of the Conservation Area, including the resources and values described in paragraph (2)(A);

(ii) in accordance with—

(I) this subsection;

(II) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(III) any other applicable law; and

(iii) as a component of the National Landscape Conservation System.

(B) USES.—The Secretary shall allow only those uses of the Conservation Area that the Secretary determines would further the purposes of the Conservation Area.

(C) TRIBAL CULTURAL RESOURCES.—In administering the Conservation Area, the Secretary shall provide for—

(i) access to and use of cultural resources by the Tribe at the Conservation Area; and

(ii) the protection from disturbance of the cultural resources and burial sites of the Tribe located in the Conservation Area.

(D) COOPERATIVE AGREEMENTS.—The Secretary may, in a manner consistent with this subsection, enter into cooperative agreements with the State of Nevada, affected Indian tribes, and institutions and organizations to carry out the purposes of this subsection, subject to the requirement that the Tribe shall be a party to any cooperative agreement entered into under this subparagraph.

(4) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall develop a management plan for the Conservation Area.

(B) CONSULTATION.—In developing the management plan required under subparagraph (A), the Secretary shall consult with—

(i) appropriate State, Tribal, and local governmental entities; and

(ii) members of the public.

(C) REQUIREMENTS.—The management plan developed under subparagraph (A) shall—

(i) describe the appropriate uses and management of the Conservation Area;

(ii) incorporate, as appropriate, decisions contained in any other management or activity plan for the land in or adjacent to the Conservation Area;

(iii) take into consideration any information developed in studies of the land and resources in or adjacent to the Conservation Area; and

(iv) provide for a cooperative agreement with the Tribe to address the historical, archaeological, and cultural values of the Conservation Area.

(5) WITHDRAWAL.—

(A) IN GENERAL.—Subject to valid existing rights, all public land in the Conservation Area is withdrawn from—

(i) all forms of entry, appropriation, and disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(B) ADDITIONAL LAND.—If the Secretary acquires mineral or other interests in a parcel of land within the Conservation Area after the date of enactment of this Act, the parcel is withdrawn from operation of the laws referred to in subparagraph (A) on the date of acquisition of the parcel.

(6) HUNTING, FISHING, AND TRAPPING.—

(A) IN GENERAL.—Subject to subparagraph (B), nothing in this subsection affects the jurisdiction of the State of Nevada with respect to fish and wildlife, including hunting, fishing, and trapping in the Conservation Area.

(B) LIMITATIONS.—

(i) REGULATIONS.—The Secretary may designate by regulation areas in which, and establish periods during which, no hunting, fishing, or trapping will be permitted in the Conservation Area, for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in an emergency, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under clause (i).

(7) GRAZING.—In the case of land included in the Conservation Area on which the Secretary permitted, as of the date of enactment of this Act, livestock grazing, the livestock grazing shall be allowed to continue, subject to applicable laws (including regulations).

(8) NO BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this subsection creates a protective perimeter or buffer zone around the Conservation Area.

(B) ACTIVITIES OUTSIDE CONSERVATION AREA.—The fact that an activity or use on land outside the Conservation Area can be seen or heard within the Conservation Area shall not preclude the activity or use outside the boundary of the Conservation Area.

(9) MILITARY OVERFLIGHTS.—Nothing in this subsection restricts or precludes—

(A) low-level overflights of military aircraft over the Conservation Area, including military overflights that can be seen or heard within the Conservation Area;

(B) flight testing and evaluation; or

(C) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the Conservation Area.

(10) EFFECT ON WATER RIGHTS.—Nothing in this subsection constitutes an express or implied reservation of any water rights with respect to the Conservation Area.

SEC. 2904. COLLABORATION WITH STATE AND COUNTY.

It is the sense of Congress that the Secretary of the Navy and Secretary of the Interior should collaborate with the State of Nevada, Churchill County, Nevada, the city of Fallon, Nevada, and affected Indian tribes with the goal of preventing catastrophic wildfire and resource damage in the land withdrawn or owned within the Fallon Range Training Complex.

SEC. 2905. WILDERNESS AREAS IN CHURCHILL COUNTY, NEVADA.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) WILDERNESS AREA.—The term "wilderness area" means a wilderness area designated by subsection (b)(1).

(b) ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.—

(1) ADDITIONS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following parcels of Federal land in Churchill County, Nevada, are designated as wilderness and as components of the National Wilderness Preservation System:

(A) CLAN ALPINE MOUNTAINS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 128,362 acres, as generally depicted on the map entitled "Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill" and dated November 30, 2022, which shall be known as the "Clan Alpine Mountains Wilderness".

(B) DESATOYA MOUNTAINS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 32,537 acres, as generally depicted on the map entitled "Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill"

and dated November 30, 2022, which shall be known as the "Desatoya Mountains Wilderness".

(C) CAIN MOUNTAIN WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 7,664 acres, as generally depicted on the map entitled "Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill" and dated November 30, 2022, which shall be known as the "Cain Mountain Wilderness".

(2) BOUNDARY.—The boundary of any portion of a wilderness area that is bordered by a road shall be at least 150 feet from the edge of the road.

(3) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of each wilderness area.

(B) EFFECT.—Each map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(C) AVAILABILITY.—Each map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(4) WITHDRAWAL.—Subject to valid existing rights, each wilderness area is withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing and geothermal leasing laws.

(c) MANAGEMENT.—Subject to valid existing rights, each wilderness area shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(d) LIVESTOCK.—The grazing of livestock in a wilderness area administered by the Bureau of Land Management, if established as of the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers necessary, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405).

(e) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land within the boundaries of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area within which the acquired land or interest is located.

(f) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the wilderness areas—

(i) are located in the semiarid region of the Great Basin region; and

(ii) include ephemeral and perennial streams;

(B) the hydrology of the wilderness areas is predominantly characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region in which the wilderness areas are located is characterized by—

(i) groundwater subject to local and regional flow gradients; and

(ii) unconfined and artesian conditions;

(D) the wilderness areas are generally not suitable for use or development of new water resource facilities; and

(E) because of the unique nature and hydrology of the desert land in the wilderness areas, it is possible to provide for proper management and protection of the wilderness areas and other values of land in ways different from those used in other laws.

(2) STATUTORY CONSTRUCTION.—Nothing in this subsection—

(A) constitutes an express or implied reservation by the United States of any water or water rights with respect to the wilderness areas;

(B) affects any water rights in the State of Nevada (including any water rights held by the United States) in existence on the date of enactment of this Act;

(C) establishes a precedent with regard to any future wilderness designations;

(D) affects the interpretation of, or any designation made under, any other Act; or

(E) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State of Nevada and other States.

(3) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of Nevada State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas.

(4) NEW PROJECTS.—

(A) DEFINITION OF WATER RESOURCE FACILITY.—

(i) IN GENERAL.—In this paragraph, the term "water resource facility" means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(ii) EXCLUSION.—In this paragraph, the term "water resource facility" does not include wildlife guzzlers.

(B) RESTRICTION ON NEW WATER RESOURCE FACILITIES.—Except as otherwise provided in this section, on and after the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within a wilderness area.

(g) WILDFIRE, INSECTS, AND DISEASE.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in a wilderness area as are necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(h) DATA COLLECTION.—Subject to such terms and conditions as the Secretary may prescribe, nothing in this section precludes the installation and maintenance of hydrologic, meteorological, or climatological collection devices in a wilderness area, if the Secretary determines that the devices and access to the devices are essential to flood warning, flood control, or water reservoir operation activities.

(i) MILITARY OVERFLIGHTS.—Nothing in this section restricts or precludes—

(1) low-level overflights of military aircraft over a wilderness area, including military overflights that can be seen or heard within a wilderness area;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over a wilderness area.

(j) WILDLIFE MANAGEMENT.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this chapter affects or diminishes the jurisdiction of the State of Nevada with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas.

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities in the wilderness areas that are necessary to maintain or restore fish and wildlife populations and the habitats to support the populations, if the activities are carried out—

(A) consistent with relevant wilderness management plans; and

(B) in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) appropriate policies, such as those set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), including the occasional and temporary use of motorized vehicles, if the use, as deter-

mined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks.

(3) EXISTING ACTIVITIES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies such as those set forth in Appendix B of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), the State may continue to use aircraft (including helicopters) to survey, capture, transplant, monitor, and provide water for wildlife populations.

(4) WILDLIFE WATER DEVELOPMENT PROJECTS.—Subject to subsection (f), the Secretary shall authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness areas if—

(A) the structures and facilities would, as determined by the Secretary, enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and

(B) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(5) HUNTING, FISHING, AND TRAPPING.—

(A) IN GENERAL.—The Secretary may designate areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas.

(B) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under subparagraph (A).

(6) COOPERATIVE AGREEMENT.—

(A) IN GENERAL.—The State of Nevada, including a designee of the State, may conduct wildlife management activities in the wilderness areas—

(i) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State entitled "Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9" and signed November and December 2003, including any amendments to the cooperative agreement agreed to by the Secretary and the State of Nevada; and

(ii) subject to all applicable laws (including regulations).

(B) REFERENCES.—For the purposes of this subsection, any references to Clark County, Nevada, in the cooperative agreement described this paragraph shall be considered to be a reference to Churchill or Lander County, Nevada, as applicable.

SEC. 2906. RELEASE OF WILDERNESS STUDY AREAS.

(a) FINDING.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land in Churchill County, Nevada, that is administered by the Bureau of Land Management in the following areas has been adequately studied for wilderness designation:

(1) The Stillwater Range Wilderness Study Area.

(2) The Job Peak Wilderness Study Area.

(3) The Clan Alpine Mountains Wilderness Study Area.

(4) That portion of the Augusta Mountains Wilderness Study Area located in Churchill County, Nevada.

(5) That portion of the Desatoya Mountains Wilderness Study Area located in Churchill County, Nevada.

(6) Any portion of any other wilderness study area located in Churchill County, Nevada, that is not a wilderness area.

(b) RELEASE.—The portions of the public land described in subsection (a) not designated as wilderness by section 2905(b)—

(1) are no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with—

(A) land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(B) existing cooperative conservation agreements.

SEC. 2907. LAND CONVEYANCES AND EXCHANGES.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term "City" means the city of Fallon, Nevada.

(2) PUBLIC PURPOSE.—The term "public purpose" includes any of the following:

(A) The construction and operation of a new fire station for Churchill County, Nevada.

(B) The operation or expansion of an existing wastewater treatment facility for Churchill County, Nevada.

(C) The operation or expansion of existing gravel pits and rock quarries of Churchill County, Nevada.

(D) The operation or expansion of an existing City landfill.

(b) PUBLIC PURPOSE CONVEYANCES.—

(1) IN GENERAL.—Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), the Secretary of the Interior shall convey, subject to valid existing rights and paragraph (2), for no consideration, all right, title, and interest of the United States in approximately 6,892 acres of Federal land to Churchill County, Nevada, and 212 acres of land to the City identified as "Public Purpose Conveyances to Churchill County and City of Fallon" on the map entitled "Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill" and dated November 30, 2022.

(2) USE.—Churchill County, Nevada, and the City shall use the Federal land conveyed under paragraph (1) for public purposes and the construction and operation of public recreational facilities.

(3) REVERSIONARY INTEREST.—If a parcel of Federal land conveyed to Churchill County, Nevada, under paragraph (1)

ceases to be used for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act"; 43 U.S.C. 869 et seq.), the parcel of Federal land shall, at the discretion of the Secretary of the Interior, revert to the United States.

(4) GRAVEL PIT AND ROCK QUARRY ACCESS.—Churchill County, Nevada, shall provide at no cost to the Department of the Interior access to and use of any existing gravel pits and rock quarries conveyed to Churchill County, Nevada, under this section.

(c) EXCHANGE.—The Secretary of the Interior shall seek to enter into an agreement for an exchange with Churchill County, Nevada, for the land identified as "Churchill County Conveyance to the Department of Interior" in exchange for the land administered by the Secretary of the Interior identified as "Department of Interior Conveyance to Churchill County" on the map entitled "Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill" and dated November 30, 2022.

SEC. 2908. CHECKERBOARD RESOLUTION.

(a) IN GENERAL.—The Secretary of the Interior, in consultation with Churchill County, Nevada, and landowners in Churchill County, Nevada, and after providing an opportunity for public comment, shall seek to consolidate Federal land and non-Federal land ownership in Churchill County, Nevada.

(b) LAND EXCHANGES.—

(1) LAND EXCHANGE AUTHORITY.—To the extent practicable, the Secretary of the Interior shall offer to exchange land identified for exchange under paragraph (3) for private land in Churchill County, Nevada, that is adjacent to Federal land in Churchill County, Nevada, if the exchange would consolidate land ownership and facilitate improved land management in Churchill County, Nevada, as determined by the Secretary of the Interior.

(2) APPLICABLE LAW.—Except as otherwise provided in this section, a land exchange under this section shall be conducted in accordance with—

(A) section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716); and

(B) any other applicable law.

(3) IDENTIFICATION OF FEDERAL LAND FOR EXCHANGE.—The Secretary of the Interior shall identify appropriate Federal land in Churchill County, Nevada, to offer for exchange from Federal land identified as potentially suitable for disposal in an applicable resource management plan and managed by—

(A) the Commissioner of Reclamation; or

(B) the Director of the Bureau of Land Management.

(c) EQUAL VALUE LAND EXCHANGES.—

(1) IN GENERAL.—Land to be exchanged under this section shall be of equal value, based on appraisals prepared in accordance with—

(A) the Uniform Standards for Professional Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(2) USE OF MASS APPRAISALS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of the Interior may use a mass appraisal to determine the value of land to be exchanged under this section, if the Secretary of the Interior determines that the land to be subject to the mass appraisal is of similar character and value.

(B) EXCLUSION.—The Secretary of the Interior shall exclude from a mass appraisal under subparagraph (A) any land, the value of which is likely to exceed $250 per acre, as determined by the Secretary of the Interior.

(C) AVAILABILITY.—The Secretary of the Interior shall make the results of a mass appraisal conducted under subparagraph (A) available to the public.

(d) FUNDING ELIGIBILITY.—Section 4(e)(3)(A) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 31 U.S.C. 6901 note) is amended—

(1) in clause (iv) by inserting "Churchill," after "Lincoln,";

(2) in clause (x) by striking "Nevada; and" and inserting "Nevada;";

(3) in clause (xi) by striking "paragraph (2)(A)." and inserting "paragraph (2)(A); and"; and

(4) by adding at the end the following:

"(xii) reimbursement of costs incurred by the Secretary in the identification, implementation, and consolidation of Federal and non-Federal lands in Churchill County in accordance with section 2908 of division B of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.".

Subtitle B—Lander County Economic Development and Conservation

SEC. 2911. DEFINITIONS.

In this subtitle:

(1) COUNTY.—The term "County" means Lander County, Nevada.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) STATE.—The term "State" means the State of Nevada.

PART I—LANDER COUNTY PUBLIC PURPOSE LAND CONVEYANCES

SEC. 2921. DEFINITIONS.

In this part:

(1) MAP.—The term "Map" means the map entitled "Lander County Selected Lands" and dated August 4, 2020.

(2) SECRETARY CONCERNED.—The term "Secretary concerned" means—

(A) the Secretary, with respect to land under the jurisdiction of the Secretary; and

(B) the Secretary of Agriculture, acting through the Chief of the Forest Service, with respect to National Forest System land.

SEC. 2922. CONVEYANCES TO LANDER COUNTY, NEVADA.

(a) CONVEYANCE FOR WATERSHED PROTECTION, RECREATION, AND PARKS.—Notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 60 days after the date on which the County identifies and selects the parcels of Federal land for conveyance to the County from among the parcels identified on the Map as "Lander County Parcels BLM and USFS" and dated August 4, 2020, the Secretary concerned shall convey to the County, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the identified parcels of Federal land (including mineral rights) for use by the County for watershed protection, recreation, and parks.

(b) CONVEYANCE FOR AIRPORT FACILITY.—

(1) IN GENERAL.—Notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary concerned shall convey to the County, subject to valid existing rights, including mineral rights, all right, title, and interest of the United States in and to the parcels of Federal land identified on the Map as "Kingston Airport" for the purpose of improving the relevant airport facility and related infrastructure.

(2) COSTS.—The only costs for the conveyance to be paid by the County under paragraph (1) shall be the survey costs relating to the conveyance.

(c) SURVEY.—The exact acreage and legal description of any parcel of Federal land to be conveyed under subsection (a) or (b) shall be determined by a survey satisfactory to the Secretary concerned and the County.

(d) REVERSIONARY INTEREST.—If a parcel of Federal land conveyed to the County under subsections (a) or (b) ceases to be used for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act"; 43 U.S.C. 869 et seq.), the parcel of Federal land shall, at the discretion of the Secretary of the Interior, revert to the United States.

(e) MAP, ACREAGE ESTIMATES, AND LEGAL DESCRIPTIONS.—

(1) MINOR ERRORS.—The Secretary concerned and the County may, by mutual agreement—

(A) make minor boundary adjustments to the parcels of Federal land to be conveyed under subsection (a) or (b); and

(B) correct any minor errors in—

(i) the Map; or

(ii) an acreage estimate or legal description of any parcel of Federal land conveyed under subsection (a) or (b).

(2) CONFLICT.—If there is a conflict between the Map, an acreage estimate, or a legal description of Federal land conveyed under subsection (a) or (b), the Map shall control unless

the Secretary concerned and the County mutually agree otherwise.

(3) AVAILABILITY.—The Secretary shall make the Map available for public inspection in—

(A) the Office of the Nevada State Director of the Bureau of Land Management; and

(B) the Bureau of Land Management Battle Mountain Field Office.

PART II—LANDER COUNTY WILDERNESS AREAS

SEC. 2931. DEFINITIONS.

In this part:

(1) MAP.—The term "Map" means the map entitled "Lander County Wilderness Areas Proposal" and dated April 19, 2021.

(2) WILDERNESS AREA.—The term "wilderness area" means a wilderness area designated by section 2932(a).

SEC. 2932. DESIGNATION OF WILDERNESS AREAS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following land in the State of Nevada is designated as wilderness and as components of the National Wilderness Preservation System:

(1) CAIN MOUNTAIN WILDERNESS.—Certain Federal land managed by the Director of the Bureau of Land Management, comprising approximately 6,386 acres, generally depicted as "Cain Mountain Wilderness" on the Map, which shall be part of the Cain Mountain Wilderness designated by section 2905(b) of this title.

(2) DESATOYA MOUNTAINS WILDERNESS.—Certain Federal land managed by the Director of the Bureau of Land Management, comprising approximately 7,766 acres, generally depicted as "Desatoya Mountains Wilderness" on the Map, which shall be part of the Desatoya Mountains Wilderness designated by section 2905(b) of this title.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file with, and make available for inspection in, the appropriate offices of the Bureau of Land Management, a map and legal description of each wilderness area.

(2) EFFECT.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this chapter, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(c) ADMINISTRATION OF WILDERNESS AREAS.—The wilderness areas designated in subsection (a) shall be administered in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and the wilderness management provisions in section 2905 of this title.

SEC. 2933. RELEASE OF WILDERNESS STUDY AREAS.

(a) FINDING.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43

U.S.C. 1782(c)), the following public land in the County has been adequately studied for wilderness designation:

(1) The approximately 10,777 acres of the Augusta Mountain Wilderness Study Area within the County that has not been designated as wilderness by section 2902(a) of this title.

(2) The approximately 1,088 acres of the Desatoya Wilderness Study Area within the County that has not been designated as wilderness by section 2902(a) of this title.

(b) RELEASE.—The public land described in subsection (a)—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with the applicable land use plans adopted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

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, and Limitations

Sec. 3111. Requirements for specific request for new or modified nuclear weapons.
Sec. 3112. Modifications to long-term plan for meeting national security requirements for unencumbered uranium.
Sec. 3113. Modification of minor construction threshold for plant projects.
Sec. 3114. Update to plan for deactivation and decommissioning of nonoperational defense nuclear facilities.
Sec. 3115. Use of alternative technologies to eliminate proliferation threats at vulnerable sites.
Sec. 3116. Unavailability for overhead costs of amounts specified for laboratory-directed research and development.
Sec. 3117. Workforce enhancement for National Nuclear Security Administration.
Sec. 3118. Modification of cost baselines for certain projects.
Sec. 3119. Purchase of real property options.
Sec. 3120. Prohibition on availability of funds to reconvert or retire W76–2 warheads.
Sec. 3121. Acceleration of depleted uranium manufacturing processes.
Sec. 3122. Assistance by the National Nuclear Security Administration to the Air Force for the development of the Mark 21A fuse.
Sec. 3123. Determination of standardized indirect cost elements.
Sec. 3124. Certification of completion of milestones with respect to plutonium pit aging.
Sec. 3125. National Nuclear Security Administration facility advanced manufacturing development.
Sec. 3126. Authorization of workforce development and training partnership programs within National Nuclear Security Administration.

Subtitle C—Reports and Other Matters

Sec. 3131. Modification to certain reporting requirements.

Sec. 3132. Repeal of obsolete provisions of the Atomic Energy Defense Act and other provisions.

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 23–D–516, Energetic Materials Characterization Facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $19,000,000.

Project 23–D–517, Electrical Power Capacity Upgrade, Los Alamos National Laboratory, Los Alamos, New Mexico, $24,000,000.

Project 23–D–518, Plutonium Modernization Operations & Waste Management Office Building, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 23–D–519, Special Materials Facility, Y–12 National Security Complex, Oak Ridge, Tennessee, $49,500,000.

Project 23–D–533, Component Test Complex Project, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, $57,420,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 23–D–402, Calcine Construction, Idaho National Laboratory, Idaho Falls, Idaho, $10,000,000.

Project 23–D–403, Hanford 200 West Area Tank Farms Risk Management Project, Office of River Protection, Richland, Washington, $4,408,000.

Project 23–D–404, 181D Export Water System Reconfiguration and Upgrade, Hanford Site, Richland, Washington, $6,770,000.

Project 23–D–405, 181B Export Water System Reconfiguration and Upgrade, Hanford Site, Richland, Washington, $480,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. REQUIREMENTS FOR SPECIFIC REQUEST FOR NEW OR MODIFIED NUCLEAR WEAPONS.

Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting "beyond phase 1 or phase 6.1 (as the case may be) of the nuclear weapon acquisition process" after "modified nuclear weapon"; and

(B) in paragraph (2), by striking "research and development which could lead to the production" both places it appears and inserting "research and development for the production";

(2) by striking subsection (b) and inserting the following new subsection:

"(b) BUDGET REQUEST FORMAT.—In a request for funds under subsection (a), the Secretary shall include a dedicated line item for each activity described in subsection (a)(2) for a new nuclear weapon or modified nuclear weapon that is in phase 2 or higher or phase 6.2 or higher (as the case may be) of the nuclear weapon acquisition process."; and

(3) by striking subsection (c) and inserting the following new subsection:

"(c) NOTIFICATION AND BRIEFING OF NONCOVERED ACTIVITIES.—In any fiscal year after fiscal year 2022, the Secretary of Energy, acting through the Administrator, in conjunction with the annual submission of the budget of the President to Congress pursuant to section 1105 of title 31, United States Code, shall notify the congressional defense committees of—

"(1) any activities described in subsection (a)(2) relating to the development of a new nuclear weapon or modified nuclear weapon that, during the calendar year prior to the budget submission, were carried out prior to phase 2 or phase 6.2 (as the case may be) of the nuclear weapon acquisition process; and

"(2) any plans to carry out, prior to phase 2 or phase 6.2 (as the case may be) of the nuclear weapon acquisition process, activities described in subsection (a)(2) relating to the development of a new nuclear weapon or modified nuclear weapon during the fiscal year covered by that budget.".

SEC. 3112. MODIFICATIONS TO LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.

(a) TIMING.—Subsection (a) of section 4221 of the Atomic Energy Defense Act (50 U.S.C. 2538c) is amended—

(1) by striking "each even-numbered year through 2026" and inserting "each odd-numbered year through 2031"; and

(2) by striking "2065" and inserting "2070".

(b) PLAN REQUIREMENTS.—Subsection (b) of such section is amended—

(1) in paragraph (3), by inserting "through 2070" after "unencumbered uranium";

(2) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(3) by inserting after paragraph (3) the following new paragraph (4):

"(4) An assessment of current and projected unencumbered uranium production by private industry in the United States that could support future defense requirements."; and

(4) by striking paragraphs (8) and (9), as so redesignated, and inserting the following new paragraphs:

"(8) An assessment of—

"(A) when additional enrichment of uranium will be required to meet national security requirements; and

"(B) the options the Secretary is considering to meet such requirements, including an estimated cost and timeline for each option and a description of any changes to policy or law that the Secretary determines would be required for each option.

"(9) An assessment of how options to provide additional enriched uranium to meet national security requirements could, as an additional benefit, contribute to the establishment of a sustained domestic enrichment capacity and allow the commercial sector of the United States to reduce reliance on importing uranium from adversary countries.".

(c) COMPTROLLER GENERAL REVIEW.—Such section is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

"(d) COMPTROLLER GENERAL BRIEFING.—Not later than 180 days after the date on which the congressional defense committees receive each plan under subsection (a), the Comptroller General of the United States shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing that includes an assessment of the plan.".

SEC. 3113. MODIFICATION OF MINOR CONSTRUCTION THRESHOLD FOR PLANT PROJECTS.

(a) THRESHOLD.—Paragraph (2) of section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741(2)) is amended to read as follows:

"(2)(A) Except as provided by subparagraphs (B) and (C), the term 'minor construction threshold' means $30,000,000.

"(B) During the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023

and ending on November 30, 2025, the Administrator may calculate the amount specified in subparagraph (A) based on fiscal year 2022 constant dollars if the Administrator—

"(i) submits to the congressional defense committees a report on the method used by the Administrator to calculate the adjustment;

"(ii) a period of 30 days elapses following the date of such submission; and

"(iii) publishes the adjusted amount in the Federal Register.

"(C) Beginning on December 1, 2025, the term 'minor construction threshold' means—

"(i) $30,000,000; or

"(ii) if the Administrator calculated a different amount pursuant to subparagraph (B), the last such calculated amount as published in the Federal Register under clause (iii) of such subparagraph.".

(b) REPORTS.—Section 4703(b) of such Act (50 U.S.C. 2743) is amended by adding at the end the following: "The report shall include with respect to each project the following:"

"(1) The estimated original total project cost and the estimated original date of completion.

"(2) The percentage of the project that is complete.

"(3) The current estimated total project cost and estimated date of completion.".

SEC. 3114. UPDATE TO PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NONOPERATIONAL DEFENSE NUCLEAR FACILITIES.

Section 4423 of the Atomic Energy Defense Act (50 U.S.C. 2603) is amended—

(1) in subsection (a), by striking "during each even-numbered year beginning in 2016"; and inserting "every four years beginning in 2025";

(2) in subsection (c)—

(A) by striking "2016" and inserting "2025";

(B) by striking "2019" and inserting "2029"; and

(C) by striking "determines—" and all that follows and inserting "determines are nonoperational as of September 30, 2024.";

(3) in subsection (d)—

(A) by striking "Not later than March 31 of each even-numbered year beginning in 2016" and inserting "Not later than March 31, 2025, and every four years thereafter,";

(B) by striking "submitting during 2016" and inserting "submitted during 2025"; and

(C) by striking paragraph (4) and inserting the following new paragraph:

"(4) a description of the deactivation and decommissioning actions taken at each nonoperational defense nuclear facility during the period following the date on which the previous report required by this section was submitted."; and

(4) in subsection (e), by striking "2026" and inserting "2033".

SEC. 3115. USE OF ALTERNATIVE TECHNOLOGIES TO ELIMINATE PROLIFERATION THREATS AT VULNERABLE SITES.

Section 4306B of the Atomic Energy Defense Act (50 U.S.C. 2569) is amended—

(1) in subsection (c)(1)(M)(ii), by inserting "(including through the use of alternative technologies)" after "convert"; and

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

"(7) The term 'alternative technologies' means technologies, such as accelerator-based equipment, that do not use radiological materials.".

SEC. 3116. UNAVAILABILITY FOR OVERHEAD COSTS OF AMOUNTS SPECIFIED FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792) is amended by adding at the end the following new subsection:

"(c) LIMITATION ON USE OF FUNDS FOR OVERHEAD.—A national security laboratory may not use funds made available under section 4811(c) to cover the costs of general and administrative overhead for the laboratory.".

(b) REPEAL OF PILOT PROGRAM.—Section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 2791 note) is repealed.

SEC. 3117. WORKFORCE ENHANCEMENT FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) ELIMINATION OF CAP ON FULL-TIME EQUIVALENT EMPLOYEES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.—Section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is amended—

(1) by striking subsections (a) and (c);

(2) by redesignating subsections (d), (e), and (f) as subsections (a), (b), and (c), respectively; and

(3) by redesignating the first subsection (b) as subsection (d) and moving the subsection so as to appear after subsection (c), as redesignated by paragraph (2).

(b) ANNUAL BRIEFING.—Subsection (c) of such section, as so redesignated, is amended to read as follows:

"(c) ANNUAL BRIEFING.—In conjunction with the submission of the budget of the President to Congress pursuant to section 1105 of title 31, United States Code, the Administrator shall provide to the congressional defense committees a briefing containing the following information:

"(1) A projection of the expected number of employees of the Office of the Administrator, as counted under subsection (d), for the fiscal year covered by the budget and the four subsequent fiscal years, broken down by the office in which the employees are projected to be assigned.

"(2) With respect to the most recent fiscal year for which data is available—

"(A) the number of service support contracts of the Administration and whether such contracts are funded using program or program direction funds;

"(B) the number of full-time equivalent contractor employees working under each contract identified under subparagraph (A);

"(C) the number of full-time equivalent contractor employees described in subparagraph (B) that have been employed under such a contract for a period greater than two years;

"(D) with respect to each contract identified under subparagraph (A)—

"(i) identification of each appropriations account that supports the contract; and

"(ii) the amount obligated under the contract during the fiscal year, listed by each such account; and

"(E) with respect to each appropriations account identified under subparagraph (D)(i), the total amount obligated for contracts identified under subparagraph (A).".

(c) CONFORMING AMENDMENT.—Subsection (d) of such section, as redesignated by subsection (a), is amended by striking "under subsection (a)" each place it appears and inserting "under subsection (c)".

SEC. 3118. MODIFICATION OF COST BASELINES FOR CERTAIN PROJECTS.

Section 4713(a) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)) is amended—

(1) in paragraph (2)(D), by striking "$750,000,000" and inserting "$800,000,000";

(2) in paragraph (3)(A)(i), by striking "$50,000,000" and inserting "$65,000,000"; and

(3) in paragraph (4)(A)(i), by striking "$50,000,000" and inserting "$65,000,000".

SEC. 3119. PURCHASE OF REAL PROPERTY OPTIONS.

Subtitle E of the National Nuclear Security Administration Act (50 U.S.C. 2461 et seq.) is amended by adding at the end the following new section (and conforming the table of contents at the beginning of such Act accordingly):

"SEC. 3265. USE OF FUNDS FOR THE PURCHASE OF OPTIONS TO PURCHASE REAL PROPERTY.

"(a) AUTHORITY.—Subject to the limitation in subsection (b), funds authorized to be appropriated for the Administration for the purchase of real property may be expended to purchase options for the purchase of real property.

"(b) LIMITATION ON PRICE OF OPTIONS.—The price of any option purchased pursuant to subsection (a) may not exceed the minor construction threshold (as defined in section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741)).

"(c) NOTICE.—Not later than 14 days after the date an option is purchased pursuant to subsection (a), the Administrator shall submit to the congressional defense committees—

"(1) a notification of such purchase; and

"(2) a summary of the rationale for such purchase.".

SEC. 3120. PROHIBITION ON AVAILABILITY OF FUNDS TO RECONVERT OR RETIRE W76–2 WARHEADS.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the National Nuclear Security Administration may be obligated or expended to reconvert or retire a W76–2 warhead.

(b) WAIVER.—The Administrator for Nuclear Security may waive the prohibition in subsection (a) if the Administrator, in consultation with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, certifies in writing to the congressional defense committees—

(1) that Russia and China do not possess naval capabilities similar to the W76–2 warhead in the active stockpiles of the respective country; and

(2) that the Department of Defense does not have a valid military requirement for the W76–2 warhead.

SEC. 3121. ACCELERATION OF DEPLETED URANIUM MANUFACTURING PROCESSES.

(a) ACCELERATION OF MANUFACTURING.—The Administrator for Nuclear Security shall require the nuclear security enterprise to accelerate the modernization of manufacturing processes for depleted uranium by 2030 so that the nuclear security enterprise—

(1) demonstrates bulk cold hearth melting of depleted uranium alloys to augment existing capabilities on an operational basis for war reserve components;

(2) manufactures, on a repeatable and ongoing basis, war reserve depleted uranium alloy components using net shape casting;

(3) demonstrates, if possible, a production facility to conduct routine operations for manufacturing depleted uranium alloy components outside of the current perimeter security fencing of the Y–12 National Security Complex, Oak Ridge, Tennessee; and

(4) has available high purity depleted uranium for the production of war reserve components.

(b) ANNUAL BRIEFING.—Not later than March 31, 2023, and annually thereafter through 2030, the Administrator shall provide to the congressional defense committees a briefing on—

(1) progress made in carrying out subsection (a);

(2) the cost of activities conducted under such subsection during the preceding fiscal year; and

(3) the ability of the nuclear security enterprise to convert depleted uranium fluoride hexafluoride to depleted uranium tetrafluoride.

(c) NUCLEAR SECURITY ENTERPRISE DEFINED.—In this section, the term "nuclear security enterprise" has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

SEC. 3122. ASSISTANCE BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO THE AIR FORCE FOR THE DEVELOPMENT OF THE MARK 21A FUSE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the Secretary of the Air Force under

which the Administrator shall support the Air Force by reviewing and validating the development and sustainment of a fuse for the Mark 21A reentry vehicle to support the W87–1 warhead over the projected lifetime of the warhead, including by—

(1) acting as an external reviewer of the Mark 21A fuse, including by reviewing—

(A) the design of the fuse;

(B) the quality of manufacturing and parts; and

(C) the life availability of components;

(2) advising and supporting the Air Force on strategies to mitigate technical and schedule fuse risks; and

(3) otherwise ensuring the expertise of the National Nuclear Security Administration in fuse and warhead design and manufacturing is available to support successful development and sustainment of the fuse over its lifetime.

(b) BUDGET REQUEST.—The Administrator shall include, in the budget justification materials submitted to Congress in support of the budget of the Department of Energy for fiscal year 2024 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a request for amounts sufficient to ensure that the assistance provided to the Air Force under the agreement under subsection (a) does not negatively affect ongoing nuclear modernization programs of the Administration.

(c) NUCLEAR WEAPONS COUNCIL REVIEW.—During the life of the agreement under subsection (a), the Nuclear Weapons Council established under section 179 of title 10, United States Code, shall review the agreement as part of the annual review by the Council of the budget of the National Nuclear Security Administration and ensure that assistance provided under such agreement aligns with ongoing programs of record between the Department of Defense and the National Nuclear Security Administration.

(d) TRANSMITTAL OF AGREEMENT.—Not later than 120 days after the date of the enactment of this Act, the Nuclear Weapons Council shall transmit to the congressional defense committees the agreement under subsection (a) and any comments that the Council considers appropriate.

SEC. 3123. DETERMINATION OF STANDARDIZED INDIRECT COST ELEMENTS.

(a) IN GENERAL.—Not later than March 31, 2025, the Deputy Chief Financial Officer of the Department of Energy shall, in consultation with the Administrator for Nuclear Security and the Director of the Office of Science, determine standardized indirect cost elements to be reported by contractors to the Administrator.

(b) REPORT.—Not later than 90 days after the date that the determination required by subsection (a) is made, the Deputy Chief Financial Officer shall, in coordination with the Administrator and the Director, submit to the congressional defense committees a report describing the standardized indirect cost elements determined under subsection (a) and a plan to require contractors to report, beginning in fiscal year 2026, such standardized indirect cost elements to the Administrator.

(c) STANDARDIZED INDIRECT COST ELEMENTS DEFINED.—In this section, the term "standardized indirect cost elements" means the categories of indirect costs incurred by management and operating

contractors that receive funds to perform work for the National Nuclear Security Administration.

SEC. 3124. CERTIFICATION OF COMPLETION OF MILESTONES WITH RESPECT TO PLUTONIUM PIT AGING.

(a) REQUIREMENT.—The Administrator for Nuclear Security shall complete the milestones on plutonium pit aging identified in the report entitled "Research Program Plan for Plutonium and Pit Aging", published by the National Nuclear Security Administration in September 2021.

(b) ASSESSMENTS.—The Administrator shall—

(1) acting through the Defense Programs Advisory Committee, conduct biennial reviews during the period beginning not later than one year after the date of the enactment of this Act and ending December 31, 2030, regarding the progress achieved toward completing the milestones described in subsection (a); and

(2) seek to enter into an arrangement with the private scientific advisory group known as JASON to conduct, not later than 2030, an assessment of plutonium pit aging.

(c) BRIEFINGS.—During the period beginning not later than one year after the date of the enactment of this Act and ending December 31, 2030, the Administrator shall provide to the congressional defense committees biennial briefings on—

(1) the progress achieved toward completing the milestones described in subsection (a); and

(2) the results of the assessments described in subsection (b).

(d) CERTIFICATION OF COMPLETION OF MILESTONES.—Not later than October 1, 2031, the Administrator shall—

(1) certify to the congressional defense committees whether the milestones described in subsection (a) have been achieved; and

(2) if the milestones have not been achieved, submit to such committees a report—

(A) describing the reasons such milestones have not been achieved;

(B) including, if the Administrator determines the Administration will not be able to meet one of such milestones, an explanation for that determination; and

(C) specifying new dates for the completion of the milestones the Administrator anticipates the Administration will meet.

SEC. 3125. NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY ADVANCED MANUFACTURING DEVELOPMENT.

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the National Nuclear Security Administration for nuclear weapons production facilities, the Administrator for Nuclear Security may authorize an amount, not to exceed 5 percent of such funds, to be used by the director of each such facility to engage in research, development, and demonstration activities in order to maintain and enhance the engineering and manufacturing capabilities at such facility.

(b) NUCLEAR WEAPONS PRODUCTION FACILITY DEFINED.—In this section, the term "nuclear weapons production facility" has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

SEC. 3126. AUTHORIZATION OF WORKFORCE DEVELOPMENT AND TRAINING PARTNERSHIP PROGRAMS WITHIN NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORITY.—The Administrator for Nuclear Security may authorize management and operating contractors at covered facilities to develop and implement workforce development and training partnership programs to further the education and training of employees or prospective employees of such management and operating contractors to meet the requirements of section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a).

(b) CAPACITY.—To carry out subsection (a), a management and operating contractor at a covered facility may provide funding through grants or other means to cover the costs of the development and implementation of a workforce development and training partnership program authorized under such subsection, including costs relating to curriculum development, hiring of teachers, procurement of equipment and machinery, use of facilities or other properties, and provision of scholarships and fellowships.

(c) DEFINITIONS.—In this section:

(1) The term "covered facility" means—

(A) Los Alamos National Laboratory, Los Alamos, New Mexico; or

(B) the Savannah River Site, Aiken, South Carolina.

(2) The term "prospective employee" means an individual who has applied (or who, based on their field of study and experience, is likely to apply) for a position of employment with a management and operating contractor to support plutonium pit production at a covered facility.

Subtitle C—Reports and Other Matters

SEC. 3131. MODIFICATION TO CERTAIN REPORTING REQUIREMENTS.

(a) REPORTS ON NUCLEAR WARHEAD ACQUISITION PROCESS.—Section 4223 of the Atomic Energy Defense Act (50 U.S.C. 2538e) is amended—

(1) in subsection (a)(2)(A), by striking "submit to the congressional defense committees a plan" and inserting "provide to the congressional defense committees a briefing on a plan"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "certify to the congressional defense committees that" and inserting "provide to the congressional defense committees a briefing that includes certifications that—"; and

(B) in paragraph (2)—

(i) by inserting ", or provide to such committees a briefing on," after "a report containing"; and

(ii) by inserting "or briefing, as the case may be" after "date of the report".

(b) REPORTS ON TRANSFERS OF CIVIL NUCLEAR TECHNOLOGY.—Section 3136 of the National Defense Authorization Act for Fiscal Year 2016 (42 U.S.C. 2077a) is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection:

"(i) COMBINATION OF REPORTS.—The Secretary of Energy may submit the annual reports required by subsections (a), (d), and (e) as a single annual report, including by providing portions of the information so required as an annex to the single annual report.".

(c) CONFORMING AMENDMENT.—Section 161 n. of the Atomic Energy Act of 1954 (50 U.S.C. 2201(n)) is amended by striking "section 3136(i) of the National Defense Authorization Act for Fiscal Year 2016 (42 U.S.C. 2077a(i)))" and inserting "section 3136 of the National Defense Authorization Act for Fiscal Year 2016 (42 U.S.C. 2077a))".

SEC. 3132. REPEAL OF OBSOLETE PROVISIONS OF THE ATOMIC ENERGY DEFENSE ACT AND OTHER PROVISIONS.

(a) REPEAL OF PROVISIONS OF THE ATOMIC ENERGY DEFENSE ACT.—

(1) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended—

(A) in title XLII—

(i) in subtitle A, by striking section 4215; and

(ii) in subtitle B, by striking section 4235; and

(B) in title XLIV—

(i) in subtitle A, by striking section 4403;

(ii) in subtitle C, by striking sections 4444, 4445, and 4446; and

(iii) in subtitle D, by striking section 4454.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the items relating to sections 4215, 4235, 4403, 4444, 4445, 4446, and 4454.

(b) REPEAL OF OTHER PROVISIONS.—

(1) AUTHORITY TO USE INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM FUNDS OUTSIDE THE FORMER SOVIET UNION.—Section 3124 of the National Defense Authorization Act for Fiscal Year 2004 (50 U.S.C. 2568) is repealed.

(2) SILK ROAD INITIATIVE; NUCLEAR NONPROLIFERATION FELLOWSHIPS.—Sections 3133 and 3134 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2570, 2571) are repealed.

(3) REQUIREMENT FOR RESEARCH AND DEVELOPMENT PLAN AND REPORT WITH RESPECT TO NUCLEAR FORENSICS CAPABILITIES.—Section 3114 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (50 U.S.C. 2574) is repealed.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.
Sec. 3202. Continuation of functions and powers during loss of quorum.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2023, $41,401,400 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. CONTINUATION OF FUNCTIONS AND POWERS DURING LOSS OF QUORUM.

Section 311(e) of the Atomic Energy Act of 1954 (42 U.S.C. 2286(e)) is amended—

(1) by striking "Three members" and inserting "(1) Three members"; and

(2) by adding at the end the following new paragraphs:

"(2) In accordance with paragraph (4), during a covered period, the Chairperson, in consultation with an eligible member, may carry out the functions and powers of the Board under sections 312 through 316, notwithstanding that a quorum does not exist.

"(3) Not later than 30 days after a covered period begins, the Chairperson shall notify the congressional defense committees that a quorum does not exist.

"(4) The Chairperson may make recommendations to the Secretary of Energy and initiate investigations into defense nuclear facilities under section 312 pursuant to paragraph (2) only if—

"(A) a period of 30 days elapses following the date on which the Chairperson submits the notification required under paragraph (3);

"(B) not later than 30 days after making any such recommendation or initiating any such investigation, the Chairperson notifies the congressional defense committees of such recommendation or investigation; and

"(C) any eligible member concurs with such recommendation or investigation.

"(5) In this subsection:

"(A) The term 'congressional defense committees' has the meaning given such term in section 101(a) of title 10, United States Code.

"(B) The term 'covered period' means a period beginning on the date on which a quorum specified in paragraph (1) does not exist by reason of either or both a vacancy in the membership of the Board or the incapacity of a member of the Board and ending on the earlier of—

"(i) the date that is one year after such beginning date; or

"(ii) the date on which a quorum exists.

"(C) The term 'eligible member' means a member of the Board, other than the Chairperson, serving during a covered period and who is not incapacitated.".

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $13,004,000 for fiscal year 2023 for the purpose of carrying out activities under chapter 869 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

Subtitle A—Maritime Administration

Sec. 3501. Authorization of appropriations for the Maritime Administration.
Sec. 3502. Secretary of Transportation responsibility with respect to cargoes procured, furnished, or financed by other Federal departments and agencies.

Subtitle B—Merchant Marine Academy

Sec. 3511. Exemption of certain students from requirement to obtain merchant mariner license.
Sec. 3512. Board of Visitors.
Sec. 3513. Protection of cadets from sexual assault onboard vessels.
Sec. 3514. Service academy faculty parity of use of United States Government works.
Sec. 3515. Reports on matters relating to the United States Merchant Marine Academy.
Sec. 3516. Study on Capital Improvement Program at the USMMA.
Sec. 3517. Requirements relating to training of Merchant Marine Academy cadets on certain vessels.

Subtitle C—Maritime Infrastructure

Sec. 3521. United States marine highway program.
Sec. 3522. Port infrastructure development grants.
Sec. 3523. Project selection criteria for port infrastructure development program.
Sec. 3524. Infrastructure improvements identified in the report on strategic seaports.
Sec. 3525. GAO review of Government efforts to promote growth and modernization of United States Merchant Fleet.
Sec. 3526. GAO review of Federal efforts to enhance port infrastructure resiliency and disaster preparedness.
Sec. 3527. Study on foreign investment in shipping.
Sec. 3528. Report on alternate marine fuel bunkering facilities at ports.
Sec. 3529. Study of cybersecurity and national security threats posed by foreign manufactured cranes at United States ports.

Subtitle D—Maritime Workforce

Sec. 3531. Improving Protections for Midshipmen.
Sec. 3532. Maritime Technical Advancement Act.
Sec. 3533. Ensuring diverse mariner recruitment.
Sec. 3534. Low emissions vessels training.

Subtitle E—Other Matters

Sec. 3541. Waiver of navigation and vessel inspection laws.
Sec. 3542. National maritime strategy.
Sec. 3543. Maritime Environmental and Technical Assistance Program.
Sec. 3544. Definition of qualified vessel.
Sec. 3545. Establishing a capital construction fund.
Sec. 3546. Recapitalization of National Defense Reserve Fleet.
Sec. 3547. Sense of Congress on Merchant Marine.
Sec. 3548. Analysis of effects of chemicals in stormwater runoff on Pacific salmon and steelhead.
Sec. 3549. Report on effective vessel quieting measures.

Subtitle A—Maritime Administration

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR THE MARITIME ADMINISTRATION.

(a) MARITIME ADMINISTRATION.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2023, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary to support the United States Merchant Marine Academy, $112,848,000, of which—

(A) $87,848,000 shall be for Academy operations;

(B) $22,000,000 shall be for facilities maintenance and repair and equipment; and

(C) $3,000,000 shall be for training, staffing, retention, recruiting, and contract management for United States Merchant Marine Academy capital improvement projects.

(2) For expenses necessary to support the State maritime academies, $53,780,000, of which—

(A) $2,400,000 shall be for the Student Incentive Program;

(B) $6,000,000 shall be for direct payments for State maritime academies;

(C) $6,800,000 shall be for training ship fuel assistance;

(D) $8,080,000 shall be for offsetting the costs of training ship sharing; and

(E) $30,500,000 shall be for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, including funds for construction and necessary expenses to construct shoreside infrastructure to support such vessels, $75,000,000.

(4) For expenses necessary to support Maritime Administration operations and programs, $131,433,000, of which—

(A) $15,000,000 shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code;

(B) $30,000,000 shall be for shall be for the Maritime Centers of Excellence, including to make grants authorized under Section 51706 of title 46, United States Code;

(C) $15,000,000 shall be for the Marine Highways Program, including to make grants as authorized under section 55601 of title 46, United States Code;

(D) $67,433,000 shall be for headquarters operations expenses;

(E) $2,000,000 shall be for expenses necessary to provide for sealift contested environment evaluation;

(F) $800,000 shall be for expenses necessary to provide for National Defense Reserve Fleet resiliency; and

(G) $1,200,000 shall be for expenses necessary to provide for a comprehensive evaluation to assess the requirements for the training ship State of Michigan.

(5) For expenses necessary for the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $6,000,000.

(6) For expenses necessary to maintain and preserve a United States flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $318,000,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, $30,000,000.

(9) For expenses necessary to implement the Port Infrastructure Development Program, as authorized under section 54301 of title 46, United States Code, $750,000,000, to remain available until expended, except that no such funds authorized under this title for this program may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary of Transportation determines such equipment would result in a net loss of jobs within a port or port terminal. If such a determination is made, the data and analysis for such determination shall be reported to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 3 days after the date of the determination.

(b) TANKER SECURITY PROGRAM.—

(1) FUNDING.—Section 53411 of title 46, United States Code, is amended by striking "through 2035" and inserting "and 2023, and $120,000,000 for fiscal years 2024 through 2035".

(2) INCREASE IN NUMBER OF VESSELS.—Section 53403(c) of title 46, United States Code, is amended—

(A) by striking "For any fiscal year, the Secretary" and inserting "The Secretary";

(B) by striking "more than 10 vessels" and inserting "more than—"; and

(C) by adding at the end the following new paragraphs:
"(1) for each of fiscal years 2022 and 2023, 10 vessels; and
"(2) for any subsequent fiscal year, 20 vessels.".

(c) REPORT.—Not later than June 30, 2023, the Maritime Administrator shall prepare and submit to the Committees on Armed Services of the House of Representatives and of the Senate, to the Committee on Transportation and Infrastructure of the House of Representatives, and to the Committee on Commerce, Science, and Transformation of the Senate a report that includes the following:

(1) An assessment of industry capacity to support an expansion of the Tanker Security Program pursuant to section 53411 of title 46, United States Code, as amended by subsection (b)(1),

and section 53403(c) of title 46, United States Code, as amended by subsection (b)(2).

(2) An implementation timeline for entering 10-vessels into the Tanker Security Program not later than September 30, 2023, including all vessel conversion requirements, and crew training requirements.

(3) An implementation timeline for entering 20-vessels into the Tanker Security Program not later than September 30, 2024, including all vessel conversion requirements, and crew training requirements.

(4) An assessment of whether the $6,000,000 per-vessel stipend meets requirements to attract and sustain the full 20-vessel requirement for the Tanker Security Program.

(5) An assessment of the need for additional authorities to offset the costs associated with converting vessels into CONSOL-capable vessels, and to offset the costs associated with training the crews to operate such vessels.

(6) Other matters the Administrator deems appropriate.

SEC. 3502. SECRETARY OF TRANSPORTATION RESPONSIBILITY WITH RESPECT TO CARGOES PROCURED, FURNISHED, OR FINANCED BY OTHER FEDERAL DEPARTMENTS AND AGENCIES.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Maritime Administration shall issue a final rule to implement and enforce section 55305(d) of title 46, United States Code.

(b) PROGRAMS OF OTHER AGENCIES.—Section 55305(d)(2)(A) of title 46, United States Code, is amended by inserting after "section" the following: "and annually submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the administration of such programs".

Subtitle B—Merchant Marine Academy

SEC. 3511. EXEMPTION OF CERTAIN STUDENTS FROM REQUIREMENT TO OBTAIN MERCHANT MARINER LICENSE.

Section 51309 of title 46, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by inserting "able or" before "allowed";

(B) by striking "only because of physical disqualification may" and inserting "solely due to a documented medical or psychological condition shall"; and

(C) in the paragraph heading, by inserting "OR PSYCHOLOGICAL" after "PHYSICAL"; and

(2) by adding at the end the following new subsection:

"(d) DEFINITION OF DOCUMENTED MEDICAL OR PSYCHOLOGICAL CONDITION.—In this section the term 'documented medical or psychological condition' means, with respect to an individual, a physical disqualification or psychological condition, including a mental health condition arising from sexual assault or sexual harassment, for which the individual has been treated or is being treated by a medical or psychological provider.".

SEC. 3512. BOARD OF VISITORS.

Section 51312 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by redesignating subparagraph (C) as subparagraph (D);

(ii) in subparagraph (D), as so redesignated, by striking "flag-rank who" and inserting "flag-rank";

(iii) in subparagraph (B), by striking "and" after the semicolon; and

(iv) by inserting after subparagraph (B) the following:

"(C) at least 1 shall be a representative of a maritime labor organization; and"; and

(B) in paragraph (3), by adding at the end the following:

"(C) REPLACEMENT.—If a member of the Board is replaced, not later than 60 days after the date of the replacement, the Designated Federal Officer selected under subsection (g)(2) shall notify that member.";

(2) in subsection (d)—

(A) in paragraph (1), by inserting "and 2 additional meetings, which may be held in person or virtually" after "Academy"; and

(B) by adding at the end the following:

"(3) SCHEDULING; NOTIFICATION.—When scheduling a meeting of the Board, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the meeting. Members of the Board shall be notified of the date of each meeting not less than 30 days prior to the meeting date.";

(3) in subsection (e), by adding at the end the following:

"(4) STAFF.—One or more staff of each member of the Board may accompany them on Academy visits.

"(5) SCHEDULING; NOTIFICATION.—When scheduling a visit to the Academy, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the visit. Members of the Board shall be notified of the date of each visit not less than 30 days prior to the visit date."; and

(4) in subsection (h)—

(A) by inserting "and ranking member" after "chairman" each place the term appears; and

(B) by adding at the end the following: "Such staff may attend meetings and may visit the Academy.".

SEC. 3513. PROTECTION OF CADETS FROM SEXUAL ASSAULT ONBOARD VESSELS.

(a) IN GENERAL.—Section 51322 of title 46, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

"(a) SAFETY CRITERIA.—The Maritime Administrator, after consulting with the Commandant of the Coast Guard, shall establish—

"(1) criteria, to which an owner or operator of a vessel engaged in commercial service shall adhere prior to carrying a cadet performing their Sea Year service from the United States

Merchant Marine Academy, that addresses prevention of, and response to, sexual harassment, dating violence, domestic violence, sexual assault, and stalking; and

"(2) a process for collecting pertinent information from such owners or operators and verifying their compliance with the criteria.

"(b) MINIMUM STANDARDS.—At a minimum, the criteria established under subsection (a) shall require the vessel owners or operators to have policies that address—

"(1) communication between a cadet and an individual ashore who is trained in responding to incidents of sexual harassment, dating violence, domestic violence, sexual assault, and stalking;

"(2) the safety and security of cadet staterooms while a cadet is onboard the vessel;

"(3) requirements for crew to report complaints or incidents of sexual assault, sexual harassment, dating violence, domestic violence, and stalking consistent with the requirements in section 10104;

"(4) the maintenance of records of reports of sexual harassment, dating violence, domestic violence, sexual assault, and stalking onboard a vessel carrying a cadet;

"(5) the maintenance of records of sexual harassment, dating violence, domestic violence, sexual assault, and stalking training as required under subsection (f);

"(6) a requirement for the owner or operator provide each cadet a copy of the policies and procedures related to sexual harassment, dating violence, domestic violence, sexual assault, and stalking policies that pertain to the vessel on which they will be employed; and

"(7) any other issues the Maritime Administrator determines necessary to ensure the safety of cadets during Sea Year training.

"(c) SELF-CERTIFICATION BY OWNERS OR OPERATORS.—The Maritime Administrator shall require the owner or operator of any commercial vessel that is carrying a cadet from the United States Merchant Marine Academy to annually certify that—

"(1) the vessel owner or operator is in compliance with the criteria established under subsection (a); and

"(2) the vessel is in compliance with the International Convention of Safety of Life at Sea, 1974 (32 UST 47) and sections 8106 and 70103(c).

"(d) INFORMATION, TRAINING, AND RESOURCES.—The Maritime Administrator shall ensure that a cadet participating in Sea Year—

"(1) receives training specific to vessel safety, including sexual harassment, dating violence, domestic violence, sexual assault, and stalking prevention and response training, prior to the cadet boarding a vessel for Sea Year training;

"(2) is equipped with an appropriate means of communication and has been trained on its use;

"(3) has access to a helpline to report incidents of sexual harassment, dating violence, domestic violence, sexual assault, or stalking that is monitored by trained personnel; and

"(4) is informed of the legal requirements for vessel owners and operators to provide for the security of individuals onboard, including requirements under section 70103(c) and chapter 81.";

(2) by redesignating subsections (b) through (d) as subsections (e) through (g), respectively;

(3) in subsection (e), as so redesignated, by striking paragraph (2) and inserting the following new paragraphs:

"(2) ACCESS TO INFORMATION.—The vessel operator shall make available to staff conducting a vessel check such information as the Maritime Administrator determines is necessary to determine whether the vessel is being operated in compliance with the criteria established under subsection (a).

"(3) REMOVAL OF STUDENTS.—If staff of the Academy or staff of the Maritime Administration determine that a commercial vessel is not in compliance with the criteria established under subsection (a), the staff—

"(A) may remove a cadet of the Academy from the vessel; and

"(B) shall report such determination of non-compliance to the owner or operator of the vessel.";

(4) in subsection (f), as so redesignated, by striking "or the seafarer union" and inserting "and the seafarer union"; and

(5) by adding at the end the following:

"(h) NONCOMMERCIAL VESSELS.—

"(1) IN GENERAL.—A public vessel (as defined in section 2101) shall not be subject to the requirements of this section.

"(2) REQUIREMENTS FOR PARTICIPATION.—The Maritime Administrator may establish criteria and requirements that the operators of public vessels shall meet to participate in the Sea Year program of the United States Merchant Marine Academy that addresses prevention of, and response to, sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

"(i) SHARING OF BEST PRACTICES.—The Maritime Administrator shall share with State maritime academies best practices for, and lessons learned with respect to, the prevention of, and response to, sexual harassment, dating violence, domestic violence, sexual assault, and stalking.".

(b) REGULATIONS.—

(1) IN GENERAL.—The Maritime Administrator may prescribe rules necessary to carry out the amendments made by this section.

(2) INTERIM RULES.—The Maritime Administrator may prescribe interim rules necessary to carry out the amendments made by this section. For this purpose, the Maritime Administrator in prescribing rules under paragraph (1) is excepted from compliance with the notice and comment requirements of section 553 of title 5, United States Code. All rules prescribed under the authority of the amendments made by this section shall remain in effect until superseded by a final rule.

(c) CONFORMING AMENDMENTS.—

(1) SEA YEAR COMPLIANCE.—Section 3514 of the National Defense Authorization Act for Fiscal Year 2017 (46 U.S.C. 51318 note) is repealed.

(2) ACCESS OF ACADEMY CADETS TO DOD SAFE OR EQUIVALENT HELPLINE.—Section 3515 of the National Defense Authorization Act for Fiscal Year 2018 (46 U.S.C. 51518 note) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 3514. SERVICE ACADEMY FACULTY PARITY OF USE OF UNITED STATES GOVERNMENT WORKS.

Section 105 of title 17, United States Code, is amended—

(1) in the heading of subsection (b), by striking "CERTAIN OF WORKS " and inserting "CERTAIN WORKS";

(2) in the first subsection (c) (relating to "Use by Federal Government") by striking "The Secretary of Defense" and inserting "A covered Secretary";

(3) by redesignating the second subsection (c) (relating to "Definitions") as subsection (d); and

(4) in subsection (d), as redesignated by paragraph (3),

(A) in paragraph (2), by adding at the end the following: "(M) United States Merchant Marine Academy.";

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

"(3) The term 'covered Secretary' means—

"(A) the Secretary of Transportation, with respect to the United States Merchant Marine Academy;

"(B) the Secretary of Homeland Security, with respect to the United States Coast Guard Academy; or

"(C) the Secretary of Defense, with respect to any other covered institution under paragraph (2).".

SEC. 3515. REPORTS ON MATTERS RELATING TO THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) REPORT ON IMPLEMENTATION OF NAPA RECOMMENDATIONS.—

(1) IN GENERAL.—In accordance with paragraph (3), the Secretary of Transportation shall submit to the appropriate congressional committees reports on the status of the implementation of the recommendations specified in paragraph (4).

(2) ELEMENTS.—Each report under paragraph (1) shall include the following:

(A) A description of the status of the implementation of each recommendation specified in paragraph (4), including whether the Secretary—

(i) concurs with the recommendation;

(ii) partially concurs with the recommendation;

(iii) does not concur with the recommendation; or

(iv) determines the recommendation is not applicable to the Department of Transportation.

(B) An explanation of—

(i) with respect to a recommendation with which the Secretary concurs, the actions the Secretary intends to take to implement such recommendation, including—

(I) any rules, regulations, policies, or other guidance that have been issued, revised, changed, or

cancelled as a result of the implementation of the recommendation; and

(II) any impediments to the implementation of the recommendation;

(ii) with respect to a recommendation with which the Secretary partially concurs, the actions the Secretary intends to take to implement the portion of such recommendation with which the Secretary concurs, including—

(I) intermediate actions, milestone dates, and the expected completion date for the implementation of the portion of the recommendation; and

(II) any rules, regulations, policies, or other guidance that are expected to be issued, revised, changed, or cancelled as a result of the implementation of the portion of the recommendation;

(iii) with respect to a recommendation with which the Secretary does not concur, an explanation of why the Secretary does not concur with such recommendation;

(iv) with respect to a recommendation that the Secretary determines is not applicable to the Department of Transportation, an explanation of the reasons for the determination; and

(v) any statutory changes that may be necessary—

(I) to fully implement the recommendations specified in paragraph (4) with which the Secretary concurs; or

(II) to partially implement the recommendations specified in such paragraph with which the Secretary partially concurs.

(C) A visual depiction of the status of the completion of the recommendations specified in paragraph (4).

(3) TIMING OF REPORTS.—The Secretary of Transportation shall submit an initial report under paragraph (1) not later than 180 days after the date of the enactment of this Act. Following the submittal of the initial report, the Secretary shall submit updated versions of the report not less frequently than once every 180 days until the date on which the Secretary submits to the appropriate congressional committees a certification that each recommendation specified in paragraph (4)—

(A) with which the Secretary concurs—

(i) has been fully implemented; or

(ii) cannot be fully implemented, including an explanation of why; and

(B) with which the Secretary partially concurs—

(i) has been partially implemented; or

(ii) cannot be partially implemented, including an explanation of why.

(4) RECOMMENDATIONS SPECIFIED.—The recommendations specified in this paragraph are the recommendations set forth in the report prepared by a panel of the National Academy of Public Administration pursuant to section 3513 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law

116–92; 133 Stat. 1979) titled "Organizational Assessment of the U.S. Merchant Marine Academy: A Path Forward", dated November 2021.

(b) REPORT ON IMPLEMENTATION OF POLICY RELATING TO SEXUAL HARASSMENT AND OTHER MATTERS.—Not later than one year after the date of the enactment of this Act, the Secretary of Transportation shall submit to the appropriate congressional committees a report on the status of the implementation of the policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking at the United States Merchant Marine Academy, as required under section 51318 of title 46, United States Code.

(c) INSPECTOR GENERAL AUDIT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall initiate an audit of the actions taken by the Maritime Administration to address only the following recommendations identified by a National Academy of Public Administration panel in the November 2021 report titled "Organizational Assessment of the United States Merchant Marine Academy: A Path Forward":

(A) Recommendations 4.1 through 4.3.

(B) Recommendations 4.7 through 4.11.

(C) Recommendations 5.1 through 5.4.

(D) Recommendations 5.6, 5.7, 5.11, 5.14, 5.15, 5.16, 6.6, and 6.7.

(E) Recommendations 6.1 through 6.4.

(2) REPORT.—After the completion of the audit required under paragraph (1), the Inspector General shall submit to the appropriate congressional committees, and make publicly available, a report containing the results of the audit.

(d) IMPLEMENTATION OF RECOMMENDATIONS FROM THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.—

(1) AGREEMENT FOR STUDY BY NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.—

(A) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall seek to enter into an agreement with the National Academy of Public Administration (referred to in this section as the "Academy") under which the Academy shall provide support for—

(i) prioritizing and addressing the recommendations referred to subsection (c)(1) and establishing a process for prioritizing other recommendations in the future;

(ii) the development of—

(I) long-term processes and a timeframe for long-term process improvements; and

(II) corrective actions and best practice criteria that can be implemented in the medium- and near-term;

(iii) the establishment of a clear assignment of responsibility for the implementation of each recommendation referred to in subsection (c)(1), and a strategy for assigning other recommendations in the future; and

(iv) a performance measurement system, including data collection and tracking and evaluating progress toward goals of the Merchant Marine Academy.

(B) REPORT OF PROGRESS.—Not later than one year after the date of an agreement entered into pursuant to subparagraph (A), the Secretary of Transportation, in consultation with the Administrator of the Merchant Marine Academy, shall submit to the Maritime Administrator and the appropriate congressional committees a report on the progress made in implementing the recommendations referred to in subsection (c)(1).

(2) PRIORITIZATION AND IMPLEMENTATION PLAN.—

(A) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Maritime Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services of the House of Representatives a prioritization and implementation plan to assess, prioritize, and address the recommendations identified by the National Academy of Public Administration panel in the November 2021 report titled "Organizational Assessment of the United States Merchant Marine Academy: A Path Forward" that Superintendent of the Merchant Marine Academy determines are relevant to the Maritime Administration, including the recommendations referred to in subsection (c)(1). The prioritization and implementation plan shall—

(i) be developed using the strategies, processes, and systems developed pursuant to an agreement entered into under paragraph (1);

(ii) include estimated timelines and cost estimates for the implementation of priority goals;

(iii) include summaries of stakeholder and interagency engagement used to assess goals and timelines;

(iv) with respect to any recommendation the Superintendent determines is not relevant to the Maritime Administration, include an explanation for the determination; and

(v) submitted to the Inspector General of the Department of Transportation and the appropriate congressional committees and made publicly available.

(B) AUDIT AND REPORT.—The Inspector General of the Department of Transportation shall—

(i) not later than 180 days after the date on which the prioritization and implementation plan described in subparagraph (A) is made publicly available, initiate an audit of the actions taken by the Maritime Administration to address such plan;

(ii) monitor the actions taken by the Maritime Administration to implement recommendations contained in the audit required under clause (i) and in prior audits of the Maritime Administration's implementation of National Academy of Public Administration recommendations and periodically initiate subsequent audits of the continued actions taken by the Maritime Ad-

ministration to address the prioritization and implementation plan, as the Inspector General determines necessary; and

(iii) after the completion of the audit required under clause (i), submit to the Administrator of the Maritime Administration and the appropriate congressional committees, and make publicly available, a report containing the results of the audit.

(C) REPORT OF PROGRESS.—Not later than 180 days after the date on which the report required under clause (ii) is made publicly available, and annually thereafter, the Administrator of the Maritime Administration shall submit to the Inspector General of the Department of Transportation and the appropriate congressional committees a report that includes a description of—

(i) the actions planned to be taken by the Maritime Administration, and estimated timeframes, to implement any open or unresolved recommendation—

(I) included in the report of the Inspector General required under subsection (B)(iii); or

(II) referred to in subsection (c)(1); and

(ii) an identification of any recommendation referred to in clause (i) for which the Maritime Administration failed to meet a target action date, or for which the Maritime Administration requested an extension of time, and the reasons why such an extension was necessary.

(3) AGREEMENT FOR PLAN ON CAPITAL IMPROVEMENTS.—Not later than 90 days after the date of the enactment of this Act, the Maritime Administrator shall seek to enter into an agreement with a Federal construction agent for the development of a plan to execute capital improvements at the United States Merchant Marine Academy.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies of the Committee on Appropriations of the Senate;

(3) the Committee on Transportation and Infrastructure of the House of Representatives;

(4) the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

(5) the Committee on Armed Services of the House of Representatives.

SEC. 3516. STUDY ON CAPITAL IMPROVEMENT PROGRAM AT THE USMMA.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the United States Merchant Marine Academy Capital Improvement Program. The study shall include an evaluation of—

(1) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities on campus into compliance with applicable building codes and the further actions required for full compliance;

(2) how the approach that the United States Merchant Marine Academy uses to manage its capital assets compares with national leading practices;

(3) how cost estimates prepared for capital asset projects compares with cost estimating leading practices;

(4) whether the United States Merchant Marine Academy has adequate staff who are trained to identify needed capital projects, estimate the cost of those projects, perform building maintenance, and manage capital improvement projects; and

(5) how the United States Merchant Marine Academy identifies and prioritizes capital construction needs, and how the prioritization of such needs relates to the safety, education, and wellbeing of midshipmen.

(b) REPORT.—Not later than 18 months after the date of the enactment of this section, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives a report containing the findings of the study conducted under subsection (a).

SEC. 3517. REQUIREMENTS RELATING TO TRAINING OF MERCHANT MARINE ACADEMY CADETS ON CERTAIN VESSELS.

(a) REQUIREMENTS RELATING TO PROTECTION OF CADETS FROM SEXUAL ASSAULT ONBOARD VESSELS.—

(1) IN GENERAL.—Subsection (b) of section 51307 of title 46, United States Code, is amended to read as follows:

"(b) SEA YEAR CADETS ON CERTAIN VESSELS.—

"(1) REQUIREMENTS.—The Secretary shall require an operator of a vessel participating in the Maritime Security Program under chapter 531 of this title, the Cable Security Fleet under chapter 532 of this title, or the Tanker Security Fleet under chapter 534 of this title to—

"(A) carry on each Maritime Security Program vessel, Cable Security Fleet vessel, or Tanker Security Fleet vessel 2 United States Merchant Marine Academy cadets, if available, on each voyage; and

"(B) implement and adhere to policies, programs, criteria, and requirements established pursuant to section 51322 of this title.

"(2) FAILURE TO IMPLEMENT OR ADHERE TO REQUIREMENTS.—Failure to implement or adhere to the policies, programs, criteria, and requirements referred to in paragraph (1) may, as determined by the Maritime Administrator, constitute a violation of an operating agreement entered into under chapter 531, 532, or 534 of this title and the Maritime Administrator may—

"(A) require the operator to take corrective actions; or

"(B) withhold payment due to the operator until the violation, as determined by the Maritime Administrator, has been remedied.

"(3) WITHHELD PAYMENTS.—Any payment withheld pursuant to paragraph (2)(B) may be paid, upon a determination by the Maritime Administrator that the operator is in compliance with the policies, programs, criteria, and requirements referred to in paragraph (1).".

(2) APPLICABILITY.—Paragraph (2) of subsection (b) of section 51307, as amended by paragraph (1), shall apply with respect to any failure to implement or adhere to the policies, programs, criteria, and requirements referred to in paragraph (1)(B) of such subsection that occurs on or after the date that is one year after the date of the enactment of this Act.

(b) CONFORMING AMENDMENTS.—Title 46, United States Code, is further amended—

(1) in section 53106(a)(2), by inserting "or section 51307(b)" after "this section";

(2) in section 53206(a)(2), by inserting "or section 51307(b)" after "this section"; and

(3) in section 53406(a), by inserting "or section 51307(b)" after "this section".

Subtitle C—Maritime Infrastructure

SEC. 3521. UNITED STATES MARINE HIGHWAY PROGRAM.

(a) UNITED STATES MARINE HIGHWAY PROGRAM.—

(1) IN GENERAL.—Section 55601 of title 46, United States Code, is amended to read as follows:

"§ 55601. United States marine highway program

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—There is in the Department of Transportation a program, to be known as the 'United States marine highway program'.

"(2) ADDITIONAL PROGRAM ACTIVITIES.—In carrying out the program established under this subsection, the Secretary of Transportation may—

"(A) coordinate with ports, State departments of transportation, localities, other public agencies, and appropriate private sector entities on the development of landside facilities and infrastructure to support marine highway transportation; and

"(B) develop performance measures for the program.

"(b) MARINE HIGHWAY TRANSPORTATION ROUTES.—

"(1) DESIGNATION.—The Secretary may designate a route as a marine highway transportation route, or modify such a designation, if—

"(A) such route—

"(i) provides a coordinated and capable alternative to landside transportation;

"(ii) mitigates or relieves landside congestion;

"(iii) promotes marine highway transportation; or

"(iv) uses vessels documented under chapter 121; and

"(B) such designation or modification is requested by—

"(i) the government of a State or territory;

"(ii) a metropolitan planning organization;
"(iii) a port authority;
"(iv) a non-Federal navigation district; or
"(v) a Tribal government.

"(2) DETERMINATION.—Not later than 180 days after the date on which the Maritime Administrator receives a request for the designation or modification of a marine highway route under paragraph (1), the Maritime Administrator shall make a determination of whether to make the requested designation or modification.

"(3) NOTIFICATION.—Not later than 14 days after the date on which the Maritime Administrator makes a determination under paragraph (2), the Maritime Administrator shall notify the requester of the determination.

"(c) MAP OF MARINE HIGHWAY PROGRAM ROUTES.—

"(1) IN GENERAL.—The Maritime Administrator shall make publicly available a map showing the location of marine highway routes, including such routes along the coasts, in the inland waterways, and at sea and update that map when a marine highway route is designated or modified pursuant to subsection (b).

"(2) COORDINATION.—The Maritime Administrator shall coordinate with the Administrator of the National Oceanic and Atmospheric Administration to incorporate the map referred to in paragraph (1) into the Marine Cadastre.

"(d) ASSISTANCE.—

"(1) IN GENERAL.—The Secretary may make grants to, or enter into contracts or cooperative agreements with, eligible entities to implement a marine highway transportation project or a component of such a project if the Secretary determines that the project or component—

"(A) meets the criteria referred to in subsection (b)(1)(A); and

"(B) develops, expands, or promotes—

"(i) marine highway transportation; or

"(ii) shipper use of marine highway transportation.

"(2) APPLICATION.—

"(A) IN GENERAL.—To be eligible to receive a grant or to enter into a contract or cooperative agreement under this subsection, an eligible entity shall submit to the Secretary an application in such form and manner, and at such time, as the Secretary may require. Such an application shall include the following:

"(i) A comprehensive description of—

"(I) the marine highway route to be served by the marine highway transportation project;

"(II) the supporters of the marine highway transportation project, which may include business affiliations, private sector stakeholders, State departments of transportation, metropolitan planning organizations, municipalities, or other governmental entities (including Tribal governments), as applicable;

"(III) the need for such project; and

"(IV) the performance measure for the marine highway transportation project, such as volumes of cargo or passengers moved, or contribution to environmental mitigation, safety, reduced vehicle miles traveled, or reduced maintenance and repair costs.

"(ii) A demonstration, to the satisfaction of the Secretary, that—

"(I) the marine highway transportation project is financially viable; and

"(II) the funds or other assistance provided under this subsection will be spent or used efficiently and effectively.

"(iii) Such other information as the Secretary may require.

"(B) PRE-PROPOSAL.—

"(i) IN GENERAL.—Prior to accepting a full application under subparagraph (A), the Secretary may require that an eligible entity first submit a pre-proposal that contains a brief description of the item referred to in clauses (i) through (iii) of such subparagraph.

"(ii) FEEDBACK.—Not later than 30 days after receiving a pre-proposal under clause (i) from an eligible entity, the Secretary shall provide to the eligible entity feedback to encourage or discourage the eligible entity from submitting a full application. An eligible entity may still submit a full application even if that eligible entity is not encouraged to do so after submitting a pre-proposal.

"(C) PROHIBITION.—The Secretary may not require separate applications for project designation and for assistance under this section.

"(D) GRANT APPLICATION FEEDBACK.—Following the award of assistance under this subsection for a particular fiscal year, the Secretary may provide feedback to an applicant to help such applicant improve future applications if the feedback is requested by that applicant.

"(3) TIMING.—

"(A) NOTICE OF FUNDING OPPORTUNITY.—The Secretary shall post a notice of funding opportunity regarding grants, contracts, or cooperative agreements under this subsection not more than 60 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

"(B) AWARDING OF ASSISTANCE.— The Secretary shall award grants, contracts, or cooperative agreements under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

"(4) NON-FEDERAL SHARE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), not more than 80 percent of the funding for any project for which funding is provided under this subsection may come from Federal sources.

"(B) TRIBAL GOVERNMENTS AND RURAL AREAS.—The Secretary may increase the Federal share of funding for the

project to an amount above 80 percent in the case of an award of assistance under this subsection—

"(i) to an eligible entity that is a Tribal government; or

"(ii) for a project located in a rural area.

"(5) PREFERENCE FOR FINANCIALLY VIABLE PROJECTS.— In awarding grants or entering into contracts or cooperative agreements under this subsection, the Secretary shall give a preference to a project or component of a project that presents the most financially viable transportation service and require the lowest percentage of Federal share of the funding.

"(6) TREATMENT OF UNEXPENDED FUNDS.—Notwithstanding paragraph (3)(B), amounts awarded under this subsection that are not expended by the recipient within five years after obligation of funds or that are returned shall remain available to the Secretary to make grants and enter into contracts and cooperative agreements under this subsection.

"(7) CONDITIONS ON PROVISION OF ASSISTANCE.—The Secretary may not provide assistance to an eligible entity under this subsection unless the Secretary determines that—

"(A) sufficient funding is available to meet the non-Federal share requirement under paragraph (4);

"(B) the marine highway project for which such assistance is provided will be completed without unreasonable delay; and

"(C) the eligible entity has the authority to implement the proposed marine highway project.

"(8) PROHIBITED USES.—Assistance provided under this subsection may not be used—

"(A) to improve port or land-based infrastructure outside the United States; or

"(B) unless the Secretary determines that such activities are necessary to carry out the marine highway project for which such assistance is provided, to raise sunken vessels, construct buildings or other physical facilities, or acquire land.

"(9) GEOGRAPHIC DISTRIBUTION.—In making grants, contracts, and cooperative agreements under this section the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds.

"(10) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

"(A) a State, a political subdivision of a State, or a local government;

"(B) a United States metropolitan planning organization;

"(C) a United States port authority;

"(D) a Tribal government; or

"(E) a United States private sector operator of marine highway projects or private sector owners of facilities, including an Alaska Native Corporation, with an endorsement letter from the requester of a marine highway route designation or modification referred to in subsection (b)(1)(B).".

(2) CLERICAL AMENDMENT.—The analysis for chapter 556 of title 46, United States Code, is amended by striking the item relating to section 55601 and inserting the following:

"55601. United States marine highway program.".

(b) MULTISTATE, STATE, TRIBAL, AND REGIONAL TRANSPORTATION PLANNING.—

(1) IN GENERAL.—Chapter 556 of title 46, United States Code, is amended by inserting after section 55602 the following:

"§ 55603. Multistate, State, Tribal, and regional transportation planning

"(a) IN GENERAL.—The Secretary, in consultation with Federal entities, State and local governments, Tribal governments, and appropriate private sector entities, may develop strategies to encourage the use of marine highway transportation for transportation of passengers and cargo.

"(b) STRATEGIES.—If the Secretary develops strategies under subsection (a), the Secretary may—

"(1) assess the extent to which States, local governments, and Tribal governments include marine highway transportation and other marine transportation solutions in transportation planning;

"(2) encourage State and Tribal departments of transportation to develop strategies, where appropriate, to incorporate marine highway transportation, ferries, and other marine transportation solutions for regional and interstate transport of freight and passengers in transportation planning; and

"(3) encourage groups of States, Tribal governments, and multistate transportation entities to determine how marine highways can address congestion, bottlenecks, and other interstate transportation challenges.".

(2) CLERICAL AMENDMENT.—The analysis for chapter 556 of title 46, United States Code, is amended by striking the item relating to section 55603 and inserting the following:

"55603. Multistate, State, Tribal, and regional transportation planning.".

(c) RESEARCH ON MARINE HIGHWAY TRANSPORTATION.—Section 55604 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (3) through (5), respectively; and

(2) by inserting before paragraph (3), as redesignated by paragraph (1), the following new paragraphs:

"(1) the economic effects of marine highway transportation on the United States economy;

"(2) the effects of marine highway transportation, including with respect to the provision of additional transportation options, on rural areas;".

(d) DEFINITIONS.—

(1) IN GENERAL.—Section 55605 of title 46, United States Code, is amended to read as follows: "

"§ 55605. Definitions

"In this chapter:

"(1) The term 'marine highway transportation' means the carriage by a documented vessel of cargo (including such carriage of cargo and passengers), if such cargo—

"(A) is—

"(i) contained in intermodal cargo containers and loaded by crane on the vessel;

"(ii) loaded on the vessel by means of wheeled technology, including roll-on roll-off cargo;

"(iii) shipped in discrete units or packages that are handled individually, palletized, or unitized for purposes of transportation;

"(iv) bulk, liquid, or loose cargo loaded in tanks, holds, hoppers, or on deck; or

"(v) freight vehicles carried aboard commuter ferry boats; and

"(B) is—

"(i) loaded at a port in the United States and unloaded either at another port in the United States or at a port in Canada or Mexico; or

"(ii) loaded at a port in Canada or Mexico and unloaded at a port in the United States.

"(2) The term "Tribal government" means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently, as of the date of enactment of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

"(3) The term 'Alaska Native Corporation' has the meaning given the term 'Native Corporation' under section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).".

(2) CLERICAL AMENDMENT.—The analysis for chapter 556 of title 46, United States Code, is amended by striking the item relating to section 55605 and inserting the following:

"55605. Definitions.".

(e) REPORT ON MARITIME HIGHWAY TRANSPORTATION IN GULF OF MEXICO AND PUGET SOUND.—Not later than one year after the date of the enactment of this Act, the Maritime Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate a report on opportunities for maritime highway transportation, as that term is defined section 55605(1) of title 46, United States Code, as amended by this section, in the Gulf of Mexico, Puget Sound, and Salish Sea System by vessels documented under chapter 121 of title 46, united States Code.

(f) DEADLINE FOR PUBLIC AVAILABILITY OF MAP.—Not later than 120 days after the date of the enactment of this Act, the Maritime Administration shall make publicly available the map of marine highway program routes required to be made publicly available under subsection (c) of section 55601 of title 46, United States Code, as amended by this section.

SEC. 3522. PORT INFRASTRUCTURE DEVELOPMENT GRANTS.

(a) IN GENERAL.—In making port infrastructure development grants under section 54301 of title 46, United States Code, for fiscal year 2023, the Secretary of Transportation shall treat a project described in subsection (b) as an eligible project under section 54301(a)(3) of such title for purposes of making grants under section 54301(a) of such title.

(b) PROJECT DESCRIBED.—A project described in this subsection is a project to provide shore power at a port that services—

(1) passenger vessels described in section 3507(k) of title 46, United States Code; and

(2) vessels that move goods or freight.

SEC. 3523. PROJECT SELECTION CRITERIA FOR PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.

In making port infrastructure development grants under section 54301 of title 46, United States Code, for fiscal year 2023, in considering the criteria under subparagraphs (A)(ii) and (B)(ii) of paragraph (6) of subsection (a) with respect to a project described in paragraph (3) of such subsection that is located in a noncontiguous State or territory, the Secretary may take into account—

(1) the geographic isolation of the State or territory; and

(2) the economic dependence of the State or territory on the proposed project.

SEC. 3524. INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.

In making port infrastructure development grants under section 54301 of title 46, United States Code, for fiscal year 2023, the Secretary may consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1985) that would improve the commercial operations of those seaports.

SEC. 3525. GAO REVIEW OF GOVERNMENT EFFORTS TO PROMOTE GROWTH AND MODERNIZATION OF UNITED STATES MERCHANT FLEET.

(a) REVIEW.—The Comptroller General of the United States shall conduct a review of the efforts of the United States Government to promote the growth and modernization of the United States maritime industry and the vessels of the United States, as defined in section 116 of title 46, United States Code, including the overall efficacy of United States Government financial support and policies, including the Capital Construction Fund, Construction Reserve Fund, and other relevant loan, grant, or other programs.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the results of a review required under subsection (a).

SEC. 3526. GAO REVIEW OF FEDERAL EFFORTS TO ENHANCE PORT INFRASTRUCTURE RESILIENCY AND DISASTER PREPAREDNESS.

(a) REVIEW.—The Comptroller General of the United States shall conduct a review of Federal efforts to assist ports in enhancing the

resiliency of key intermodal connectors to weather-related disasters. The review shall include an analysis of the following:

(1) Actions being undertaken at various ports to better identify critical land-side connectors that may be vulnerable to disruption in the event of a natural disaster, including how to communicate such information during a disaster when communications systems may be compromised, and the level of Federal involvement in such actions.

(2) The extent to which the Department of Transportation and other Federal agencies are working in line with recent recommendations from key resiliency reports, including the National Academies of Science study on strengthening supply chain resilience, to establish a framework for ports to follow to increase resiliency to major weather-related disruptions before such disruptions happen.

(3) The extent to which the Department of Transportation or other Federal agencies have provided funds to ports for resiliency-related projects.

(4) The extent to which Federal agencies have a coordinated approach to helping ports and the multiple State, local, Tribal, and private stakeholders involved, to improve resiliency prior to weather-related disasters.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of the review required under subsection (a).

SEC. 3527. STUDY ON FOREIGN INVESTMENT IN SHIPPING.

(a) ASSESSMENT.—Subject to the availability of appropriations, the Under Secretary of Commerce for International Trade (referred to in this section as the "Under Secretary"), in coordination with the Maritime Administrator, the Commissioner of the Federal Maritime Commission, and the heads of other relevant agencies, shall conduct an assessment of subsidies, indirect state support, and other financial infrastructure or benefits provided by foreign states that control more than one percent of the world merchant fleet to entities or individuals building, owning, chartering, operating, or financing vessels not documented under the laws of the United States that are engaged in foreign commerce.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate committees of Congress, as defined in section 3515(e), a report on the assessment conducted under subsection (a). Such report shall include—

(1) the amount, in United States dollars, of subsidies, indirect state support, and other financial infrastructure or benefits provided by a foreign state described in subsection (a) to—

(A) the shipping industry of each country as a whole;

(B) the shipping industry as a percent of gross domestic product of each country; and

(C) each ship on average, by ship type for cargo, tanker, and bulk;

(2) the amount, in United States dollars, of subsidies, indirect state support, and other financial infrastructure or benefits provided by a foreign state described in subsection (a) to the shipping industry of another foreign state, including favorable financial arrangements for ship construction;

(3) a description of the shipping industry activities of state-owned enterprises of a foreign state described in subsection (a);

(4) a description of the type of support provided by a foreign state described in subsection (a), including tax relief, direct payment, indirect support of state-controlled financial entities, or other such support, as determined by the Under Secretary; and

(5) a description of how the subsidies provided by a foreign state described in subsection (a) may be disadvantaging the competitiveness of vessels documented under the laws of the United States that are engaged in foreign commerce and the national security of the United States.

(c) DEFINITIONS.—In this section:

(1) The term "foreign commerce" means—

(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country;

(B) commerce or trade between foreign countries; or

(C) commerce or trade within a foreign country.

(2) The term "foreign state" has the meaning given the term in section 1603(a) of title 28, United States Code.

(3) The term "shipping industry" means the construction, ownership, chartering, operation, or financing of vessels engaged in foreign commerce.

SEC. 3528. REPORT ON ALTERNATE MARINE FUEL BUNKERING FACILITIES AT PORTS.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Maritime Administrator shall make publicly available on an appropriate website a report on the necessary port-related infrastructure needed to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) information about the existing United States infrastructure, in particular the storage facilities, bunkering vessels, and transfer systems to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development;

(2) a review of the needed upgrades to United States infrastructure, including storage facilities, bunkering vessels, and transfer systems, to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development;

(3) an assessment of the estimated Government investment in this infrastructure and the duration of that investment; and

(4) in consultation with the heads of other relevant Federal agencies, information on the relevant Federal agencies that would oversee the permitting and construction of bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other

new marine fuels, as well as the Federal funding grants or formula programs that could be used for such marine fuels.

SEC. 3529. STUDY OF CYBERSECURITY AND NATIONAL SECURITY THREATS POSED BY FOREIGN MANUFACTURED CRANES AT UNITED STATES PORTS.

(a) STUDY.—The Maritime Administrator, in consultation with the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Cybersecurity and Infrastructure Security Agency, shall conduct a study to assess whether there are cybersecurity or national security threats posed by foreign manufactured cranes at United States ports.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Maritime Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Armed Services of the House of Representatives a report containing the results of the study required under subsection (a).

(2) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle D—Maritime Workforce

SEC. 3531. IMPROVING PROTECTIONS FOR MIDSHIPMEN.

(a) SUPPORTING THE UNITED STATES MERCHANT MARINE ACADEMY.—Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

"§ 51325. Sexual assault and sexual harassment prevention information management system

"(a) INFORMATION MANAGEMENT SYSTEM.—

"(1) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall establish within the United States Merchant Marine Academy Sexual Assault prevention and Response Program, an information management system to track and maintain, in such a manner that patterns can be reasonably identified, information regarding claims and incidents involving cadets that are reportable pursuant to subsection (d) of section 51318 of this chapter.

"(2) INFORMATION MAINTAINED IN THE SYSTEM.—Information maintained in the system established under paragraph (1) shall include the following information, to the extent that information is available:

"(A) The overall number of sexual assault or sexual harassment incidents per fiscal year.

"(B) The location of each such incident, including vessel name and the name of the company operating the vessel, if applicable.

"(C) The standardized job title or position of the individuals involved in each such incident.

"(D) The general nature of each such incident, to include copies of any associated reports completed on the incidents.

"(E) The type of inquiry made into each such incident.

"(F) A record of whether each such incident was substantiated by the relevant investigative process.

"(3) PAST INFORMATION INCLUDED.—The information management system under this section shall include the relevant data listed in this subsection related to sexual assault and sexual harassment that the Maritime Administrator possesses, and shall not be limited to data collected after January 1, 2023.

"(4) PRIVACY PROTECTIONS.—The Maritime Administrator and the Chief Information Officer of the Department of Transportation shall coordinate to ensure that the information management system under this section shall—

"(A) be established and maintained in a secure fashion to ensure the protection of the privacy of any individuals whose information is entered in such system; and

"(B) be free of personally identifiable information and maintain only the data required to satisfy the statistical purpose of such system.

"(5) CYBERSECURITY AUDIT.—Ninety days after the implementation of the information management system, the Office of Inspector General of the Department of Transportation shall commence an audit of the cybersecurity of the system and shall submit a report containing the results of that audit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

"(6) CORRECTING RECORDS.—In establishing the information management system, the Maritime Administrator shall create a process to ensure that if any incident report results in a final agency action or final judgement that acquits an individual of wrongdoing, all personally identifiable information about the acquitted individual is removed from that incident report in the system.

"(b) SEA YEAR PROGRAM.—The Maritime Administrator shall provide for the establishment of in-person and virtual confidential exit interviews, to be conducted by personnel who are not involved in the assignment of the midshipmen to a Sea Year vessel, for midshipmen from the Academy upon completion of Sea Year and following completion by the midshipmen of the survey under section 51322(d).

"(c) DATA-INFORMED DECISIONMAKING.—The data maintained in the data management system under subsection (a) and through the exit interviews under subsection (b) shall be affirmatively referenced and used to inform the creation of new policy or regulation, or changes to any existing policy or regulation, in the areas of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

"§ 51326. Student advisory board at the United States Merchant Marine Academy

"(a) IN GENERAL.—The Maritime Administrator shall establish at the United States Merchant Marine Academy an advisory board to be known as the Advisory Board to the Secretary of Transportation (referred to in this section as the 'Advisory Board').

"(b) MEMBERSHIP.—The Advisory Board shall be composed of not fewer than 12 midshipmen of the Merchant Marine Academy who are enrolled at the Merchant Marine Academy at the time of the appointment, including not fewer than 3 cadets from each class.

"(c) APPOINTMENT; TERM.—Midshipmen shall serve on the Advisory Board pursuant to appointment by the Maritime Administrator. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of midshipmen at the Academy. The term of membership of a midshipmen on the Advisory Board shall be 1 academic year.

"(d) REAPPOINTMENT.—The Maritime Administrator may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Maritime Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

"(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation not less than once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person with the Maritime Administrator not less than 2 times each academic year to discuss the activities of the Advisory Board.

"(f) DUTIES.—The Advisory Board shall—

"(1) identify health and wellbeing, diversity, and sexual assault and harassment challenges and other topics considered important by the Advisory Board facing midshipmen at the Merchant Marine Academy, off campus, and while aboard ships during Sea Year or other training opportunities;

"(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

"(3) periodically review the efficacy of the program in section 51325(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

"(g) WORKING GROUPS.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups composed in part of midshipmen at the Merchant Marine Academy who are not current members of the Advisory Board.

"(h) REPORTS AND BRIEFINGS.—The Advisory Board shall regularly provide the Secretary of Transportation and the Maritime Administrator reports and briefings on the results of its duties, including recommendations for actions to be taken in light of such results. Such reports and briefings may be provided in writing, in person, or both.

"§ 51327. Sexual Assault Advisory Council

"(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Sexual Assault Advisory Council (in this section referred to as the 'Council').

"(b) MEMBERSHIP.—

"(1) IN GENERAL.—The Council shall be composed of not fewer than 8 and not more than 14 individuals selected by the Secretary of Transportation who are alumni that have graduated within the last 4 years or current midshipmen of the United States Merchant Marine Academy (including midshipmen or alumni who were victims of sexual assault, to the maximum extent practicable, and midshipmen or alumni who were not victims of sexual assault) and governmental and nongovernmental experts and professionals in the sexual assault field.

"(2) EXPERTS INCLUDED.—The Council shall include—

"(A) not less than 1 member who is licensed in the field of mental health and has prior experience working as a counselor or therapist providing mental health care to survivors of sexual assault in a victim services agency or organization; and

"(B) not less than 1 member who has prior experience developing or implementing sexual assault or sexual harassment prevention and response policies in an academic setting.

"(3) RULES REGARDING MEMBERSHIP.—No employee of the Department of Transportation shall be a member of the Council. The number of governmental experts appointed to the Council shall not exceed the number of nongovernmental experts.

"(c) DUTIES; AUTHORIZED ACTIVITIES.—

"(1) IN GENERAL.—The Council shall meet not less often than semiannually to—

"(A) review—

"(i) the policies on sexual harassment, dating violence, domestic violence, sexual assault, and stalking under section 51318 of this title;

"(ii) the trends and patterns of data contained in the system described under section 51325 of this title; and

"(iii) related matters the Council views as appropriate; and

"(B) develop recommendations designed to ensure that such policies and such matters conform, to the extent practicable, to best practices in the field of sexual assault and sexual harassment response and prevention.

"(2) AUTHORIZED ACTIVITIES.—To carry out this subsection, the Council may—

"(A) interview current and former midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation express consent to be interviewed by the Council); and

"(B) review surveys under section 51322(d).

"(3) PERSONALLY IDENTIFIABLE INFORMATION.—In carrying out this subsection, the Council shall comply with the obliga-

tions of the Department of Transportation to protect personally identifiable information.

"(d) REPORTS.—On an annual basis for each of the 5 years after the date of enactment of this section, and at the discretion of the Council thereafter, the Council shall submit, to the President and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the Council's findings based on the reviews conducted pursuant to subsection (c) and related recommendations.

"(e) EMPLOYEE STATUS.—Members of the Council shall not be considered employees of the United States Government for any purpose and shall not receive compensation other than reimbursement of travel expenses and per diem allowance in accordance with section 5703 of title 5.

"(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

"§ 51328. Student support

"The Maritime Administrator shall—

"(1) require a biannual survey of midshipmen, faculty, and staff of the Academy assessing the environment of the Academy; and

"(2) require an annual survey of faculty and staff of the Academy assessing the Sea Year program.".

(b) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a briefing on the resources necessary to properly implement section 51328 of title 46, United States Code, as added by this section.

(c) CONFORMING AMENDMENTS.—The chapter analysis for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

"51325. Sexual assault and sexual harassment prevention information management system.
"51326. Student advisory board at the United States Merchant Marine Academy.
"51327. Sexual Assault Advisory Council.
"51328. Student support.".

(d) UNITED STATES MERCHANT MARINE ACADEMY STUDENT SUPPORT PLAN.—

(1) STUDENT SUPPORT PLAN.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy, in consultation with relevant mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

(A) address the mental health resources available to midshipmen, both on-campus and during Sea Year;

(B) establish a tracking system for suicidal ideations and suicide attempts of midshipmen, which excludes personally identifiable information;

(C) create an option for midshipmen to obtain assistance from a professional care provider virtually; and

(D) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

(2) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this subsection.

(e) SPECIAL VICTIMS ADVISOR.—Section 51319 of title 46, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

"(c) SPECIAL VICTIMS ADVISOR.—

"(1) IN GENERAL.—The Secretary shall designate an attorney (to be known as the 'Special Victims Advisor') for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

"(2) SPECIAL VICTIMS ADVISORY.—The Secretary shall ensure that the attorney designated as the Special Victims Advisor has knowledge of the Uniform Code of Military Justice, as well as criminal and civil law.

"(3) PRIVILEGED COMMUNICATIONS.—Any communications between a victim of an alleged sex-related offense and the Special Victim Advisor, when acting in their capacity as such, shall have the same protection that applicable law provides for confidential attorney-client communications."; and

(3) by adding at the end the following:

"(e) UNFILLED VACANCIES.—The Administrator of the Maritime Administration may appoint qualified candidates to positions under subsections (a) and (d) of this section without regard to sections 3309 through 3319 of title 5.".

(f) CATCH A SERIAL OFFENDER ASSESSMENT.—

(1) ASSESSMENT.—Not later than one year after the date of enactment of this section, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility and process necessary, and appropriate responsible entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine modeled on the Catch a Serial Offender program of the Department of Defense using the information management system required under subsection (a) of section 51325 of title 46, United States Code, and the exit interviews under subsection (b) of such section.

(2) LEGISLATIVE CHANGE PROPOSALS.—If, as a result of the assessment required by paragraph (1), the Commandant or the Administrator determines that additional authority is necessary to implement the program described in paragraph (1), the Commandant or the Administrator, as applicable, shall provide appropriate legislative change proposals to Congress.

(g) SHIPBOARD TRAINING.—Section 51322(a) of title 46, United States Code, is amended by adding at the end the following:

"(3) TRAINING.—

"(A) IN GENERAL.—As part of training that shall be provided not less than semiannually to all midshipmen of the Academy, pursuant to section 51318, the Maritime Administrator shall develop and implement comprehensive in-person sexual assault risk-reduction and response training that, to the extent practicable, conforms to best practices in the sexual assault prevention and response field and includes appropriate scenario-based training.

"(B) DEVELOPMENT AND CONSULTATION WITH EXPERTS.—In developing the sexual assault risk-reduction and response training under subparagraph (A), the Maritime Administrator shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.".

SEC. 3532. MARITIME TECHNICAL ADVANCEMENT ACT.

(a) IN GENERAL.—Section 51706 of title 46, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

"(a) DESIGNATION.—The Secretary of Transportation may designate as a center of excellence for domestic maritime workforce training and education an entity which is a covered training entity.";

(2) by striking subsection (b) and inserting the following:

"(b) GRANT PROGRAM.—

"(1) IN GENERAL.—The Secretary may award a maritime career training grant to a center of excellence designated under subsection (a) for the purpose of developing, offering, or improving career and technical education or training programs related to the United States maritime industry for United States workers.

"(2) GRANT PROPOSAL.—To be eligible to receive a grant under this subsection, a center of excellence designated under subsection (a) shall submit to the Secretary a grant proposal that includes a detailed description of—

"(A) the specific project proposed to be funded by the grant, including a description of the manner in which the grant will be used to develop, offer, or improve a career and technical education or training program that is suited to United States maritime industry workers;

"(B) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of United States maritime industry workers;

"(C) any previous experience of the center of excellence in providing United States maritime industry career and technical education or training programs;

"(D) how the project proposed to be funded by the grant would address shortcomings in existing educational or career training opportunities available to United States maritime industry workers; and

"(E) the extent to which employers, including small and medium-sized firms, have demonstrated a commitment to employing United States maritime industry workers who

would benefit from the project for which the grant proposal is submitted.

"(3) CRITERIA FOR AWARD OF GRANTS.—Subject to the appropriation of funds to carry out this section, the Secretary shall award grants under this subsection to centers of excellence based on—

"(A) an determination of the merits of a grant proposal submitted under paragraph (2) to develop, offer, or improve career and technical education or training programs to be made available to United States maritime industry workers;

"(B) an evaluation of the likely employment opportunities available to United States maritime industry workers who complete a maritime career and technical education or training program that a center proposes to develop, offer, or improve; and

"(C) an evaluation of prior demand for training programs by workers served by centers of excellence designated under subsection (a), as well as the availability and capacity of existing maritime training programs to meet future demand for training programs.

"(4) COMPETITIVE AWARDS.—

"(A) IN GENERAL.—The Secretary shall award grants under this subsection to centers of excellence designated under subsection (a) on a competitive basis.

"(B) TIMING OF GRANT NOTICE.—The Secretary shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

"(C) TIMING OF GRANTS.—The Secretary shall award grants under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

"(D) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding subparagraph (C), amounts awarded as a grant under this subsection that are not expended by the grantee shall remain available to the Secretary for use for grants under this subsection.

"(E) ADMINISTRATIVE COSTS.—Not more than 3 percent of amounts made available to carry out this subsection may be used for the necessary costs of grant administration.

"(F) PROHIBITED USE.—A center of excellence designated under subsection (a) that has received funds awarded under section 54101(a)(2) for training purposes for a fiscal year shall not be eligible for grants under this subsection during the same fiscal year."; and

(3) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

"(1) COVERED TRAINING ENTITY.—The term 'covered training entity' means an entity that—

"(A) is located in a State that borders on the—

"(i) Gulf of Mexico;

"(ii) Atlantic Ocean;

"(iii) Long Island Sound;
"(iv) Pacific Ocean;
"(v) Great Lakes; or
"(vi) Mississippi River System;
"(B) is—
"(i) a postsecondary educational institution (as such term is defined in section 3(39) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302));
"(ii) a postsecondary vocational institution (as such term is defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c));
"(iii) a public or private nonprofit entity that offers one or more other structured experiential learning training programs for United States workers in the United States maritime industry, including a program that is offered by a labor organization or conducted in partnership with a nonprofit organization or one or more employers in the United States maritime industry;
"(iv) an entity sponsoring an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or
"(v) a maritime training center designated prior to the date of enactment of the National Defense Authorization Act for Fiscal Year 2023; and
"(C) has a demonstrated record of success in maritime workforce training and education."; and
(B) by adding at the end the following:
"(3) CAREER AND TECHNICAL EDUCATION.—The term 'career and technical education' has the meaning given such term in section 3(5) of the Carl D. Perkins Career and Technical Education Act (20 U.S.C. 2302).
"(4) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.
"(5) TRAINING PROGRAM.—The term 'training program' means a program that provides training services, as described in section 134(c)(3)(D) of the Workforce Innovation and Opportunity Act (Public Law 113–128; 29 U.S.C. 3174).
"(6) UNITED STATES MARITIME INDUSTRY.—The term 'United States maritime industry' means the design, construction, repair, operation, manning, and supply of vessels in all segments of the maritime transportation system of the United States, including—
"(A) the domestic and foreign trade;
"(B) the coastal, offshore, and inland trade;
"(C) non-commercial maritime activities, including—
"(i) recreational boating; and

"(ii) oceanographic and limnological research as described in section 2101(24).".

(b) PUBLICLY AVAILABLE REPORT.—Not later than December 15 in each of calendar years 2022 through 2024, the Secretary of Transportation shall make publicly available on an appropriate website a report, and provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing, on the implementation of the amendments under this section. Such report and briefing shall include—

(1) a description of each grant awarded under subsection (b) of section 51706 of title 46, United States Code, as amended by subsection (a), during the fiscal year preceding the fiscal year during which the report is submitted; and

(2) an assessment of the effects of each such grant under this subsection on workers who received training provided pursuant to the grant during the fiscal year preceding the fiscal year during which the report was submitted.

(c) GUIDELINES.—Not later than one year after the date of enactment of this Act, the Secretary of Transportation shall—

(1) prescribe guidelines for the submission of grant proposals under section 51706(b) of title 46, United States Code, as amended by subsection (a); and

(2) publish and maintain such guidelines on the website of the Department of Transportation.

(d) ASSISTANCE FOR SMALL SHIPYARDS.—Section 54101(e) of title 46, United States Code, is amended by striking paragraph (2) and inserting the following:

"(2) ALLOCATION OF FUNDS.—

"(A) IN GENERAL.—The Administrator may not award more than 25 percent of the funds made available to carry out this section for any fiscal year to any small shipyard in one geographic location that has more than 600 employees.

"(B) INELIGIBILITY.—A maritime training center that has received funds awarded under section 51706 of title 46, United States Code, shall not be eligible for grants under this subsection for training purposes in the same fiscal year.".

SEC. 3533. ENSURING DIVERSE MARINER RECRUITMENT.

Not later than six months after the date of the enactment of this Act, the Secretary of Transportation shall develop and deliver to Congress a strategy to assist State maritime academies and the United States Merchant Marine Academy in improving the representation in the next generation of the mariner workforce of women and underrepresented communities, including each of the following:

(1) Black and African American.

(2) Hispanic and Latino.

(3) Asian.

(4) American Indian, Alaska Native, and Native Hawaiian.

(5) Pacific Islander.

SEC. 3534. LOW EMISSIONS VESSELS TRAINING.

(a) DEVELOPMENT OF STRATEGY.—The Secretary of Transportation, in consultation with the United States Merchant Marine Academy, State maritime academies, civilian nautical schools, and the Secretary of the department in which Coast Guard is operating, shall develop a strategy to ensure there is an adequate supply of trained United States citizen mariners sufficient to meet the operational requirements of low and zero emission vessels. Implementation of the strategy shall aim to increase the supply of trained United States citizen mariners sufficient to meet the needs of the maritime industry and ensure continued investment in training for mariners serving on conventional fuel vessels.

(b) REPORT.—Not later than six months after the date the Secretary of Transportation determines that there is commercially viable technology for low and zero emission vessels, the Secretary of Transportation shall—

(1) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the strategy developed under subsection (a) and plans for its implementation; and

(2) make such report publicly available.

Subtitle E—Other Matters

SEC. 3541. WAIVER OF NAVIGATION AND VESSEL INSPECTION LAWS.

Section 501 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—Upon a determination by the President that a waiver of the navigation or vessel-inspection laws is necessary in the interest of national defense, the head of an agency responsible for the administration of such laws, may waive compliance with such laws—

"(A) following a determination in accordance with the requirements of paragraph (3) by the Maritime Administrator, acting in the Administrator's capacity as Director, National Shipping Authority, of the non-availability of qualified United States flag capacity to meet national defense requirements;

"(B) not earlier than 48 hours after a waiver request is published under paragraph (6)(A); and

"(C) on a vessel specific basis to the extent, in the manner, and on the terms the head of such agency, in consultation with the Administrator, acting in such capacity, prescribes.";

(B) in paragraph (2)(B) by striking "determinations referred to in paragraph (1)" and inserting "determination referred to in paragraph (1)(A)";

(C) in paragraph (3) by striking subparagraph (A) and inserting the following:

"(A) for each determination referred to in paragraph (1)(A)—

"(i) identify any actions that could be taken to enable qualified United States flag capacity to meet national defense requirements prior to the issuance of a waiver; and

"(ii) not assess the non-availability of qualified United States flag capacity to meet national defense requirements retrospectively after the date on which a waiver is requested;"; and

(D) by adding at the end the following:

"(5) PROSPECTIVE APPLICATION.—No waiver shall be issued for a vessel if, at the time of the waiver request under this section, such vessel is laden with merchandise that, pursuant to the requested waiver, could be unladen at points or places to which the coastwise laws apply.

"(6) PUBLICATION REQUIREMENTS.—

"(A) PUBLICATION OF WAIVER REQUESTS.—Upon receiving a request for a waiver under this subsection, the head of an agency referred to in paragraph (1) shall publish such request on the website of such agency.

"(B) PUBLICATION OF WAIVER DENIAL.—Not later than 48 hours after denying a waiver requested under this subsection, the head of an agency referred to in paragraph (1) shall publish on the website of such agency an explanation for denying such waiver, including applicable findings to support the denial."; and

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A) by inserting "and the individual requesting such waiver (if not the owner or operator of the vessel)" before "shall submit";

(B) in subparagraph (C) by striking "and" at the end;

(C) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (G), respectively;

(D) by inserting after subparagraph (A) the following:

"(B) the name of the owner and operator of the vessel;"; and

(E) by inserting after subparagraph (D), as so redesignated, the following:

"(E) a description of the cargo carried;

"(F) an explanation as to why the waiver was in the interest of national defense; and".

SEC. 3542. NATIONAL MARITIME STRATEGY.

(a) STUDY TO INFORM A NATIONAL MARITIME STRATEGY.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Transportation and the Secretary of the department in which the Coast Guard is operating shall seek to enter into an agreement with a studies and analysis federally funded research and development center under which such center shall conduct a study to identify the key elements needed for a national maritime strategy that is designed to—

(A) achieve the objectives described in section 50101 of title 46, United States Code; and

(B) ensure—

(i) a capable, commercially viable, militarily useful fleet of a sufficient number of merchant vessels documented under chapter 121 of title 46, United States Code;

(ii) a robust United States mariner workforce, as described in section 50101 of title 46, United States Code;

(iii) strong United States domestic shipbuilding infrastructure, and related shipbuilding trades amongst skilled workers in the United States; and

(iv) that the Navy Fleet Auxiliary Force, the National Defense Reserve Fleet, the Military Sealift Command, the Maritime Security Program under chapter 531 of title 46, United States Code, the Cable Security Program under chapter 532 of title 46, United States Code, and the Tanker Security Program under chapter 534 of title 46, United States Code currently meet the economic and national security needs of the United States and would reliably continue to meet those needs under future economic or national security emergencies.

(2) DEADLINE FOR COMPLETION.—An agreement entered into pursuant to paragraph (1) shall specify that the federally funded research and development center shall complete the study by not later than one year after the date of the enactment of this Act.

(3) INPUT.—An agreement entered into pursuant to paragraph (1) shall specify that, in carrying out the study, the federally funded research and development center shall solicit input from—

(A) relevant Federal departments and agencies;

(B) nongovernmental organizations;

(C) United States companies;

(D) maritime labor organizations;

(E) commercial industries that depend on United States mariners;

(F) domestic shipyards regarding shipbuilding and repair capacity, and the associated skilled workforce, such as the workforce required for transportation, offshore wind, fishing, and aquaculture;

(G) providers of maritime workforce training; and

(H) any other relevant organizations.

(4) REQUIREMENTS OF AGREEMENT.—An agreement entered into pursuant to paragraph (1) shall specify that, in carrying out the study, the federally funded research and development center shall consult with the Secretary of Transportation, the Secretary of Defense, the Secretary of the Department in which the Coast Guard is operating, the Adminstrator of the National Oceanic and Atmospheric Administration, and the heads of other relevant Federal agencies, in the identification and evaluation of—

(A) incentives, including regulatory changes, needed to continue to meet the shipbuilding and ship maintenance needs of the United States for commercial and national security purposes, including through a review of—

(i) the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the development of new offshore commercial industries, such as wind energy, could be supported through modification of such program or other Federal programs, and thus also support the United States sealift in the future;

(ii) the barriers to participation in the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the program may be improved to facilitate additional shipbuilding activities in the United States;

(iii) the needed resources, human and financial, for such incentives; and

(iv) the current and anticipated number of shipbuilding and ship maintenance contracts at United States shipyards through 2032, to the extent practicable;

(B) incentives, including regulatory changes, needed to maintain a commercially viable United States-documented fleet, including—

(i) an examination of how the preferences under section 2631 of title 10, United States Code, and chapters 531, 532, 534, and 553 of title 46, United States Code, should be used to further maintain and grow a United States-documented fleet;

(ii) an identification of other incentives that could be used that may not be authorized at the time of the study;

(iii) an estimate of the number and type of commercial ships needed over the next 30 years; and

(iv) estimates of the needed human and financial resources for such incentives;

(C) the availability of United States mariners, and future needs, including—

(i) the number of mariners needed for the United States commercial and national security needs over the next 30 years;

(ii) the policies and programs (at the time of the study) to recruit, train, and retain United States mariners to support the United States maritime workforce needs during peace time and at war;

(iii) how those programs could be improved to grow the number of maritime workers trained each year, including how potential collaboration between the uniformed services, the United States Merchant Marine Academy, State maritime academies, maritime labor training centers, and the Centers of Excellence for Domestic Maritime Workforce Training under section 51706 of title 46, United States Code, could be used most effectively; and

(iv) estimates of the necessary resources, human and financial, to implement such programs in each relevant Federal agency over the next 30 years; and

(D) the interaction among the elements described under subparagraphs (A) through (C).

(5) PUBLIC AVAILABILITY.—The Secretary of Transportation shall make publicly available on a website of the Department of Transportation a study completed pursuant to paragraph (1).

(b) NATIONAL MARITIME STRATEGY.—

(1) IN GENERAL.—Chapter 501 of title 46, United States Code, is amended by inserting after section 50113 the following new section:

"§ 50114. National maritime strategy

"(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Commander of United States Transportation Command, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

"(1) a national maritime strategy; and

"(2) not less often than once every five years after the submission of such strategy, an update to the strategy.

"(b) CONTENTS.—The strategy required under subsection (a) shall include each of the following:

"(1) An identification of—

"(A) international policies and Federal regulations and policies that reduce the competitiveness of United States-documented vessels with foreign vessels in domestic and international transportation markets; and

"(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States.

"(2) Recommendations to—

"(A) make United States-documented vessels more competitive in shipping routes between United States and foreign ports;

"(B) increase the use of United States-documented vessels to carry cargo imported to and exported from the United States;

"(C) ensure compliance by Federal agencies with chapter 553;

"(D) increase the use of short sea transportation routes, including routes designated under section 55601(b), to enhance intermodal freight movements;

"(E) enhance United States shipbuilding capability;

"(F) invest in, and identify gaps in, infrastructure needed to facilitate the movement of goods at ports and throughout the transportation system, including innovative physical and information technologies;

"(G) enhance workforce training and recruitment for the maritime workforce, including training on innovative physical and information technologies;

"(H) increase the resilience of ports and the marine transportation system;

"(I) increase the carriage of government-impelled cargo on United States-documented vessels pursuant to chapter 553 of title 46, section 2631 of title 10, or otherwise; and

"(J) maximize the cost effectiveness of Federal funding for carriage of non-defense government impelled cargo for the purposes of maintaining a United States flag fleet for national and economic security.

"(c) UPDATE.—Upon the release of a strategy or update under subsection (a), the Secretary of Transportation shall make such strategy or update publicly available on the website of the Department of Transportation.

"(d) IMPLEMENTATION PLAN.—Not later than six months after the submission of a strategy or update under subsection (a), the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Secretary of Defense, shall make publicly available on an appropriate website an implementation plan for such strategy or update.".

(2) CONFORMING REPEALS; DEADLINE.—

(A) RESCISSION OF SUPERCEDED STRATEGY.—Effective on the date on which the Secretary of Transportation submits the national maritime strategy under section 50114(a)(1) of title 46, United States Code, as added by paragraph (1)—

(i) the national maritime strategy prepared pursuant to section 603 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281) is rescinded; and

(ii) section 603 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281) is repealed.

(B) DEADLINE FOR SUBMISSION OF STRATEGY.—The Secretary shall submit the national maritime strategy required under section 50114(a)(1) of title 46, United States Code, as added by paragraph (1), not later than six months after the date on which the Secretary receives the study under subsection (a).

(3) CLERICAL AMENDMENT.—The analysis for chapter 501 of title 46, United States Code, is amended by inserting after the item relating to section 50113 the following new item:

"50114. National maritime strategy.".

SEC. 3543. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 50307 of title 46, United States Code, is amended—

(1) by striking the subsection (a) enumerator and all that follows through "Transportation" and inserting the following:

"(a) EMERGING MARINE TECHNOLOGIES AND PRACTICES.—

"(1) IN GENERAL.—The Secretary of Transportation";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively and adjusting the margins accordingly; and

(ii) in clause (iv), as redesignated by clause (i), by striking "propeller cavitation" and inserting "incidental

vessel-generated underwater noise, such as noise from propeller cavitation or hydrodynamic flow";

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively and adjusting the margins accordingly;

(3) in subsection (c), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively and adjusting the margins accordingly;

(4) by redesignating subsections (b) through (d) as paragraphs (2) through (4), respectively and adjusting the margins accordingly;

(5) by redesignating subsection (e) as subsection (b);

(6) by striking subsection (f);

(7) in subsection (a)—

(A) in paragraph (1), as designated under paragraph (1) of this section—

(i) by inserting "or support" after "engage in";

(ii) by striking "the use of public" and all that follows through the end of the sentence and inserting "eligible entities.";

(B) in paragraph (2), as redesignated under paragraph (4) of this section—

(i) by striking "this section" and inserting "this subsection";

(ii) by striking "or improve" and inserting "improve, or support efforts related to,";

(C) in paragraph (3), as redesignated by paragraph (4) of this section, by striking "under subsection (b)(2) may include" and inserting "with other Federal agencies or with State, local, or Tribal governments, as appropriate, under paragraph (2)(B) may include";

(D) in paragraph (4), as redesignated by paragraph (4) of this section—

(i) by striking "academic, public, private, and nongovernmental entities and facilities" and inserting "eligible entities"; and

(ii) by striking "subsection (a)" and inserting "this subsection"; and

(E) by adding at the end the following:

"(5) GRANTS.—Subject to the availability of appropriations, the Maritime Administrator, may establish and carry out a competitive grant program to award grants to eligible entities for projects in the United States consistent with the goals of this subsection to study, evaluate, test, demonstrate, or apply technologies and practices to improve environmental performance.";

(8) in subsection (b), as redesignated by paragraph (5) of this section, by striking "subsection (b)(1)" and inserting "this section"; and

(9) by adding at the end the following:

"(c) VESSELS.—Activities carried out under a grant or cooperative agreement made under this section may be conducted on public vessels under the control of the Maritime Administration, upon approval of the Maritime Administrator.

"(d) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means—

"(1) a private entity, including a nonprofit organization;

"(2) a State, regional, or local government or entity, including special districts;

"(3) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) or a consortium of Indian Tribes;

"(4) an institution of higher education as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); or

"(5) a partnership or collaboration of entities described in paragraphs (1) through (4).

"(e) CENTER FOR MARITIME INNOVATION.—

"(1) IN GENERAL.—The Secretary of Transportation shall, through a cooperative agreement, establish a United States Center for Maritime Innovation (referred to in this subsection as the 'Center') to support the study, research, development, assessment, and deployment of emerging marine technologies and practices related to the maritime transportation system.

"(2) SELECTION.—The Center shall be—

"(A) selected through a competitive process of eligible entities, and if a private entity, a domestic entity;

"(B) based in the United States with technical expertise in emerging marine technologies and practices related to the maritime transportation system; and

"(C) located in close proximity to eligible entities with expertise in United States emerging marine technologies and practices, including the use of alternative fuels and the development of both vessel and shoreside infrastructure.

"(3) COORDINATION.—The Secretary of Transportation shall coordinate with other agencies critical for science, research, and regulation of emerging marine technologies for the maritime sector, including the Department of Energy, the Environmental Protection Agency, the National Science Foundation, and the Coast Guard, when establishing the Center.

"(4) FUNCTIONS.—The Center shall—

"(A) support eligible entities regarding the development and use of clean energy and necessary infrastructure to support the deployment of clean energy on vessels of the United States;

"(B) monitor and assess, on an ongoing basis, the current state of knowledge regarding emerging marine technologies in the United States;

"(C) identify any significant gaps in emerging marine technologies research specific to the United States maritime industry, and seek to fill those gaps;

"(D) conduct research, development, testing, and evaluation for equipment, technologies, and techniques to address the components under subsection (a)(2);

"(E) provide—

"(i) guidance on best available technologies;

"(ii) technical analysis;

"(iii) assistance with understanding complex regulatory requirements; and

"(iv) documentation of best practices in the maritime industry, including training and informational webinars on solutions for the maritime industry; and

"(F) work with academic and private sector response training centers and Domestic Maritime Workforce Training and Education Centers of Excellence to develop maritime strategies applicable to various segments of the United States maritime industry, including the inland, deep water, and coastal fleets.".

(b) DEADLINE FOR IMPLEMENTATION.—The Secretary of Transportation shall establish the United States Center for Maritime Innovation under subsection (e) of section 50307 of title 46, United States Code, as added by subsection (a), by not later than one year after the date of the enactment of this Act.

SEC. 3544. DEFINITION OF QUALIFIED VESSEL.

Section 53501(5)(A)(iii) of title 46, United States Code, is amended by striking "United States foreign, Great Lakes, noncontiguous domestic, or short sea transportation trade" and inserting "foreign or domestic trade of the United States".

SEC. 3545. ESTABLISHING A CAPITAL CONSTRUCTION FUND.

Section 53503(b) of title 46, United States Code, is amended by striking "United States foreign, Great Lakes, noncontiguous domestic, or short sea transportation trade" and inserting "foreign or domestic trade of the United States".

SEC. 3546. RECAPITALIZATION OF NATIONAL DEFENSE RESERVE FLEET.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Transportation, in consultation with the Chief of Naval Operations and the Commandant of the Coast Guard, shall—

(1) complete the design of a roll-on, roll-off cargo vessel for the National Defense Reserve Fleet to allow for the construction of such vessel to begin in fiscal year 2024; and

(2) seek to enter into an agreement with an appropriate vessel construction manager under which the vessel construction manager shall enter into a contract for the construction of not more than ten such vessels in accordance with this section.

(b) CONSTRUCTION AND DOCUMENTATION REQUIREMENTS.—A vessel constructed pursuant to this section shall meet the requirements for, and be issued a certificate of, documentation and a coastwise endorsement under chapter 121 of title 46, United States Code.

(c) DESIGN STANDARDS AND CONSTRUCTION PRACTICES.—Subject to subsection (b), a vessel constructed pursuant to this section shall be constructed using commercial design standards and commercial construction practices that are consistent with the best interests of the Federal Government.

(d) CONSULTATION WITH OTHER FEDERAL ENTITIES.—The Secretary of Transportation shall consult and coordinate with the Secretary of the Navy and may consult with the heads of other appropriate Federal agencies regarding the vessel described in subsection (a) and activities associated with such vessel.

(e) LIMITATION ON USE OF FUNDS FOR USED VESSELS.—None of the funds authorized to be appropriated by this Act or otherwise made available to carry out this section may be used for the procurement of any used vessel.

SEC. 3547. SENSE OF CONGRESS ON MERCHANT MARINE.

It is the sense of Congress that the United States Merchant Marine is a critical part of the national infrastructure of the United States, and the men and women of the United States Merchant Marine are essential workers.

SEC. 3548. ANALYSIS OF EFFECTS OF CHEMICALS IN STORMWATER RUNOFF ON PACIFIC SALMON AND STEELHEAD.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Under Secretary of Commerce for Oceans and Atmosphere, in coordination with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, and in consultation with the Director of the United States Fish and Wildlife Service, shall commence an analysis of—

(1) the science relating to tire-related chemicals in stormwater runoff at ports and the effects of such chemicals on Pacific salmon and steelhead; and

(2) the challenges of studying tire-related chemicals in stormwater runoff at ports and the effects of such chemicals on Pacific salmon and steelhead.

(b) REPORT.—Not later than 18 months after commencing the analysis required under subsection (a), the Under Secretary of Commerce for Oceans and Atmosphere, in coordination with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall submit to the appropriate congressional committees, and make publicly available, a report that includes—

(1) the findings of the analysis; and

(2) recommendations—

(A) to improve the monitoring of stormwater and research related to run-off for tire-related chemicals and the effects of such chemicals on Pacific salmon and steelhead at ports; and

(B) based on the best available science on relevant management approaches at ports under their respective jurisdictions.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

SEC. 3549. REPORT ON EFFECTIVE VESSEL QUIETING MEASURES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Administrator of the Maritime Administration, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of the Department in which the Coast Guard is operating, shall submit to the appropriate

congressional committees, and make publicly available on an appropriate website of the Department of Transportation, a report that includes each of the following:

(1) An identification of technology-based controls and best management practices for reducing vessel-generated underwater noise.

(2) For each technology-based control or best management practice identified under paragraph (1), an evaluation of—

(A) the applicability of each control and practice to various vessel types;

(B) the technical feasibility and economic achievability of each control or practice; and

(C) the co-benefits and trade-offs of each control or practice.

(3) Such other matters as the Administrator determines appropriate.

(b) COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Natural Resources and the Committee on Transportation and Infrastructure of the House of Representatives.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—

(1) IN GENERAL.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(A) except as provided in paragraph (2), be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

(2) EXCEPTION.—Paragraph (1)(A) does not apply to a decision to commit, obligate, or expend funds on the basis of a dollar amount authorized pursuant to subsection (a) if the project, program, or activity involved—

(A) is listed in section 4201; and

(B) is identified as Community Project Funding through the inclusion of the abbreviation "CPF" immediately before the name of the project, program, or activity.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law.

The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	*Item*	*FY 2023 Request*	*Conference Authorized*
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
002	*MQ–1 UAV*		*350,000*
	Program increase—MQ–1 for Army National Guard		*[350,000]*
005	*SMALL UNMANNED AIRCRAFT SYSTEMS*	*10,598*	*20,598*
	Short Range Reconnaissance acceleration		*[10,000]*
	ROTARY		
007	*AH–64 APACHE BLOCK IIIA REMAN*	*524,661*	*524,661*
008	*AH–64 APACHE BLOCK IIIA REMAN*	*169,218*	*169,218*
010	*UH–60 BLACKHAWK M MODEL (MYP)*	*650,406*	*707,806*
	Add 2 aircraft—combat loss replacement		*[57,400]*
011	*UH–60 BLACKHAWK M MODEL (MYP)*	*68,147*	*68,147*
012	*UH–60 BLACK HAWK L AND V MODELS*	*178,658*	*178,658*
013	*CH–47 HELICOPTER*	*169,149*	*366,849*
	Three additional aircraft		*[197,700]*
014	*CH–47 HELICOPTER*	*18,749*	*18,749*
	MODIFICATION OF AIRCRAFT		
016	*MQ–1 PAYLOAD*	*57,700*	*57,700*
018	*GRAY EAGLE MODS2*	*13,038*	*133,038*
	Program increase—MQ–1C Gray Eagle extended range multi-domain operations.		*[120,000]*
019	*MULTI SENSOR ABN RECON*	*21,380*	*21,380*
020	*AH–64 MODS*	*85,840*	*85,840*
021	*CH–47 CARGO HELICOPTER MODS (MYP)*	*11,215*	*36,215*
	Degraded visual environment system		*[25,000]*
024	*EMARSS SEMA MODS*	*1,591*	*1,591*
026	*UTILITY HELICOPTER MODS*	*21,346*	*29,346*
	Load stabilization systems		*[8,000]*
027	*NETWORK AND MISSION PLAN*	*44,526*	*44,526*
028	*COMMS, NAV SURVEILLANCE*	*72,387*	*72,387*
030	*AVIATION ASSURED PNT*	*71,130*	*69,320*
	PM costs excess		*[–1,810]*
031	*GATM ROLLUP*	*14,683*	*14,683*
	GROUND SUPPORT AVIONICS		
034	*AIRCRAFT SURVIVABILITY EQUIPMENT*	*167,927*	*167,927*
035	*SURVIVABILITY CM*	*6,622*	*6,622*
036	*CMWS*	*107,112*	*107,112*
037	*COMMON INFRARED COUNTERMEASURES (CIRCM)*	*288,209*	*288,209*
	OTHER SUPPORT		
039	*COMMON GROUND EQUIPMENT*	*20,823*	*20,823*
040	*AIRCREW INTEGRATED SYSTEMS*	*25,773*	*25,773*
041	*AIR TRAFFIC CONTROL*	*27,492*	*27,492*
042	*LAUNCHER, 2.75 ROCKET*	*1,275*	*1,275*
043	*UNDISTRIBUTED*		*90,141*

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Inflation effects		*[90,141]*
	TOTAL AIRCRAFT PROCUREMENT, ARMY	***2,849,655***	***3,706,086***
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	*LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN*	*4,260*	*4,260*
002	*LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN*	*9,200*	*9,200*
003	*M-SHORAD—PROCUREMENT*	*135,747*	*410,809*
	Additional units—Army UPL		*[111,100]*
	Hellfire pod replacement—Army UPL		*[55,740]*
	Production line—Army UPL		*[108,222]*
004	*MSE MISSILE*	*1,037,093*	*1,037,093*
005	*PRECISION STRIKE MISSILE (PRSM)*	*213,172*	*213,172*
006	*INDIRECT FIRE PROTECTION CAPABILITY INC 2–I*	*18,924*	*18,924*
	AIR-TO-SURFACE MISSILE SYSTEM		
007	*HELLFIRE SYS SUMMARY*	*111,294*	*111,294*
008	*JOINT AIR-TO-GROUND MSLS (JAGM)*	*216,030*	*252,030*
	Defense Industrial Base (DIB) Expansion for AGM–179 Joint Air-to-Ground Missiles (JAGM).		*[36,000]*
010	*LONG-RANGE HYPERSONIC WEAPON*	*249,285*	*249,285*
	ANTI-TANK/ASSAULT MISSILE SYS		
011	*JAVELIN (AAWS-M) SYSTEM SUMMARY*	*162,968*	*162,968*
012	*TOW 2 SYSTEM SUMMARY*	*105,423*	*105,423*
013	*GUIDED MLRS ROCKET (GMLRS)*	*785,028*	*785,028*
014	*MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)*	*4,354*	*4,354*
015	*HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS*	*155,705*	*155,705*
016	*LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS*	*37,937*	*112,937*
	Procurement of Switchblade 600 variant		*[75,000]*
	MODIFICATIONS		
017	*PATRIOT MODS*	*253,689*	*1,193,689*
	2 Additional Fire Units and a Dismounted Patriot Information and Coordination Central (D-PICC).		*[700,000]*
	Defense Industrial Base (DIB) Expansion for PATRIOT Advanced Capability – 3 (PAC–3) Missile Segment.		*[240,000]*
020	*ITAS/TOW MODS*	*5,154*	*5,154*
021	*MLRS MODS*	*218,359*	*218,359*
022	*HIMARS MODIFICATIONS*	*20,468*	*20,468*
	SPARES AND REPAIR PARTS		
023	*SPARES AND REPAIR PARTS*	*6,508*	*6,508*
	SUPPORT EQUIPMENT & FACILITIES		
024	*AIR DEFENSE TARGETS*	*11,317*	*11,317*
025	*INDUSTRIAL PREPAREDNESS*		*150,000*
	Blk 1 refurb missiles		*[150,000]*
026	*UNDISTRIBUTED*		*117,940*
	Inflation effects		*[117,940]*
	TOTAL MISSILE PROCUREMENT, ARMY	***3,761,915***	***5,355,917***
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	*ARMORED MULTI PURPOSE VEHICLE (AMPV)*	*380,677*	*780,677*
	Program increase		*[400,000]*
002	*ASSAULT BREACHER VEHICLE (ABV)*	*3,852*	*3,852*
003	*MOBILE PROTECTED FIREPOWER*	*356,708*	*356,708*
	MODIFICATION OF TRACKED COMBAT VEHICLES		
004	*STRYKER UPGRADE*	*671,271*	*891,171*
	Program increase modifications—Army UPL		*[219,900]*
005	*BRADLEY PROGRAM (MOD)*	*279,531*	*279,531*
006	*M109 FOV MODIFICATIONS*	*3,028*	*3,028*
007	*PALADIN INTEGRATED MANAGEMENT (PIM)*	*493,003*	*688,003*
	Program increase		*[195,000]*
008	*IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)*	*138,759*	*138,759*
012	*JOINT ASSAULT BRIDGE*	*36,990*	*36,990*
014	*ABRAMS UPGRADE PROGRAM*	*656,340*	*1,278,140*

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(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Program increase modifications—Army UPL		*[97,200]*
	Program increase upgrades—Army UPL		*[524,600]*
	WEAPONS & OTHER COMBAT VEHICLES		
017	*MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S*	*26,627*	*26,627*
018	*MORTAR SYSTEMS*	*8,516*	*8,516*
019	*LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS*	*48,301*	*48,301*
020	*XM320 GRENADE LAUNCHER MODULE (GLM)*	*11,703*	*11,703*
021	*PRECISION SNIPER RIFLE*	*6,436*	*6,436*
024	*NEXT GENERATION SQUAD WEAPON*	*221,293*	*202,881*
	Automatic rifle contract delays		*[–3,387]*
	Rifle contract delays		*[–15,025]*
	MOD OF WEAPONS AND OTHER COMBAT VEH		
028	*M777 MODS*	*3,374*	*3,374*
033	*M119 MODIFICATIONS*	*2,263*	*2,263*
	SUPPORT EQUIPMENT & FACILITIES		
036	*ITEMS LESS THAN $5.0M (WOCV-WTCV)*	*2,138*	*2,138*
037	*PRODUCTION BASE SUPPORT (WOCV-WTCV)*	*225,220*	*225,220*
038	*UNDISTRIBUTED*		*100,659*
	Inflation effects		*[100,659]*
	TOTAL PROCUREMENT OF W&TCV, ARMY	***3,576,030***	***5,094,977***
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	*CTG, 5.56MM, ALL TYPES*	*59,447*	*64,724*
	Ahead of need		*[–4,723]*
	Program increase		*[10,000]*
002	*CTG, 7.62MM, ALL TYPES*	*90,019*	*96,364*
	Carryover		*[–3,655]*
	Program increase		*[10,000]*
003	*NEXT GENERATION SQUAD WEAPON AMMUNITION*	*128,662*	*96,496*
	Schedule delays		*[–32,166]*
004	*CTG, HANDGUN, ALL TYPES*	*317*	*317*
005	*CTG, .50 CAL, ALL TYPES*	*35,849*	*45,849*
	Program increase		*[10,000]*
006	*CTG, 20MM, ALL TYPES*	*11,761*	*21,761*
	CRAM program increase		*[10,000]*
007	*CTG, 25MM, ALL TYPES*	*10,270*	*10,270*
008	*CTG, 30MM, ALL TYPES*	*143,045*	*143,045*
009	*CTG, 40MM, ALL TYPES*	*85,213*	*85,213*
	MORTAR AMMUNITION		
010	*60MM MORTAR, ALL TYPES*	*33,338*	*33,338*
011	*81MM MORTAR, ALL TYPES*	*56,577*	*56,577*
012	*120MM MORTAR, ALL TYPES*	*127,168*	*127,168*
	TANK AMMUNITION		
013	*CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES*	*296,943*	*293,443*
	120mm MPT—Unit cost growth		*[–3,500]*
	ARTILLERY AMMUNITION		
014	*ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES*	*7,647*	*7,647*
015	*ARTILLERY PROJECTILE, 155MM, ALL TYPES*	*182,455*	*212,455*
	Defense Industrial Base (DIB) Expansion for XM1128 and XM113 (IB only)—155mm rounds.		*[40,000]*
	Proj Arty 155mm HE RAP M1210—Early to need		*[–10,000]*
017	*PRECISION ARTILLERY MUNITIONS*	*166,334*	*166,334*
018	*ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL*	*143,763*	*143,763*
	MINES		
019	*MINES & CLEARING CHARGES, ALL TYPES*	*80,920*	*80,920*
020	*CLOSE TERRAIN SHAPING OBSTACLE*	*53,579*	*53,579*
	ROCKETS		
021	*SHOULDER LAUNCHED MUNITIONS, ALL TYPES*	*18,159*	*18,159*
022	*ROCKET, HYDRA 70, ALL TYPES*	*171,697*	*171,697*
	OTHER AMMUNITION		
023	*CAD/PAD, ALL TYPES*	*7,643*	*7,643*
024	*DEMOLITION MUNITIONS, ALL TYPES*	*29,796*	*29,796*

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(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
025	GRENADES, ALL TYPES	36,251	36,251
026	SIGNALS, ALL TYPES	13,852	13,852
027	SIMULATORS, ALL TYPES	9,350	9,350
	MISCELLANEOUS		
029	AMMO COMPONENTS, ALL TYPES	3,823	3,823
030	ITEMS LESS THAN $5 MILLION (AMMO)	19,921	19,921
031	AMMUNITION PECULIAR EQUIPMENT	13,001	13,001
032	FIRST DESTINATION TRANSPORTATION (AMMO)	17,528	17,528
033	CLOSEOUT LIABILITIES	101	101
	PRODUCTION BASE SUPPORT		
034	INDUSTRIAL FACILITIES	499,613	678,063
	Construction of Automated Contaminated Waste Plant, Lake City AAP.		[10,000]
	Construction of Electrical System Upgrade Phase I, Scranton AAP		[3,000]
	Construction of Erie 1—Unload Manipulator, Scranton AAP		[700]
	Construction of Forge Shop—Process Smog Removal System, Scranton AAP.		[500]
	Construction of Forge Shop—Replace Pipes (Subway Area), Scranton AAP.		[1,250]
	Construction of Industrial Sewer Modernization, Iowa AAP		[1,600]
	Construction of Infrastructure Repairs Phase I, Scranton AAP		[4,300]
	Construction of Infrastructure Repairs Phase II, Scranton AAP		[3,030]
	Construction of Medium Cal X-Ray Equipment & Infrastructure, Iowa AAP.		[2,400]
	Construction of Replace Internal Water/Condensate Lines, Bldgs 1, 2, & 3, Lake City AAP.		[8,530]
	Construction of Small Caliber Automated Primer Design, Lake City AAP.		[8,000]
	Construction of Storage Yard K Mod & Automation, Iowa AAP		[3,300]
	Construction of Ultra Violet Fire Detection System, Iowa AAP		[3,740]
	Construction of Upgrade Laundry Facility, Holston AAP		[5,600]
	Construction of Water Distribution System, Radford AAP		[25,000]
	Construction of Water In-take Pumps (B. 407), Radford AAP		[2,500]
	Urgent Safety Upgrades to LCAAP		[95,000]
035	CONVENTIONAL MUNITIONS DEMILITARIZATION	80,970	80,970
036	ARMS INITIATIVE	4,039	4,039
037	UNDISTRIBUTED		78,556
	Inflation effects		[78,556]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**2,639,051**	**2,922,013**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
002	SEMITRAILERS, FLATBED:	23,021	23,021
003	SEMITRAILERS, TANKERS	21,869	19,369
	Carryover		[–2,500]
004	HI MOB MULTI-PURP WHLD VEH (HMMWV)	6,121	6,121
005	GROUND MOBILITY VEHICLES (GMV)	34,316	47,116
	Program increase—Infantry Squad Vehicle		[12,800]
007	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	703,110	686,396
	Unit cost increases		[–16,714]
008	TRUCK, DUMP, 20T (CCE)		30,000
	Program increase		[30,000]
009	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	74,086	157,746
	Program increase		[83,660]
010	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	23,772	23,772
011	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	39,950	39,950
012	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	96,112	206,112
	Program increase		[110,000]
013	PLS ESP	54,674	54,674
016	MODIFICATION OF IN SVC EQUIP	31,819	214,819
	HMMWV safety upgrades		[183,000]
	NON-TACTICAL VEHICLES		
017	PASSENGER CARRYING VEHICLES	1,286	1,286

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
018	NONTACTICAL VEHICLES, OTHER	15,059	15,059
	COMM—JOINT COMMUNICATIONS		
019	SIGNAL MODERNIZATION PROGRAM	179,853	169,853
	Equipment Cost Growth		[–5,000]
	Software Cost Growth		[–5,000]
020	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	382,007	417,007
	Program acceleration (mobile networking for three maneuver battalions).		[35,000]
022	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	4,066	4,066
023	JCSE EQUIPMENT (USRDECOM)	5,505	5,505
	COMM—SATELLITE COMMUNICATIONS		
026	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	107,228	107,228
027	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS.	119,259	114,250
	Carryover		[–5,009]
028	SHF TERM	23,173	23,173
029	ASSURED POSITIONING, NAVIGATION AND TIMING	184,911	184,911
030	EHF SATELLITE COMMUNICATION	5,853	5,853
031	SMART-T (SPACE)	4,916	4,916
032	GLOBAL BRDCST SVC—GBS	3,179	3,179
	COMM—C3 SYSTEM		
034	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,287	90,387
	Unjustified cost growth		[–3,900]
	COMM—COMBAT COMMUNICATIONS		
035	HANDHELD MANPACK SMALL FORM FIT (HMS)	728,366	720,592
	Early to need—single-channel data radio		[–5,774]
	Excess to need—handheld radio systems engineering		[–2,000]
037	ARMY LINK 16 SYSTEMS	47,581	47,581
039	UNIFIED COMMAND SUITE	20,178	20,178
040	COTS COMMUNICATIONS EQUIPMENT	320,595	313,654
	LCTRR costs previously funded		[–6,941]
041	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	7,621	7,621
042	ARMY COMMUNICATIONS & ELECTRONICS	59,705	59,705
	COMM—INTELLIGENCE COMM		
043	CI AUTOMATION ARCHITECTURE-INTEL	13,891	13,891
045	MULTI-DOMAIN INTELLIGENCE	20,637	20,637
	INFORMATION SECURITY		
046	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	1,019	1,019
047	COMMUNICATIONS SECURITY (COMSEC)	125,692	125,692
049	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,796	1,796
051	BIOMETRIC ENABLING CAPABILITY (BEC)	816	816
052	ARCYBER DEFENSIVE CYBER OPERATIONS	18,239	18,239
	COMM—LONG HAUL COMMUNICATIONS		
054	BASE SUPPORT COMMUNICATIONS	10,262	25,262
	CONUS land mobile radio		[15,000]
	COMM—BASE COMMUNICATIONS		
055	INFORMATION SYSTEMS	116,522	93,999
	Ahead of need		[–22,523]
056	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	5,036	5,036
059	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	214,806	214,806
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
062	TITAN	84,821	0
	Army requested realignment to OPA line 66		[–19,680]
	Army Requested Realignment to RDTE		[–50,900]
	Funding ahead of need		[–14,241]
063	JTT/CIBS-M	2,352	2,352
064	TERRESTRIAL LAYER SYSTEMS (TLS)	88,915	8,373
	Production contract ahead of need		[–42,542]
	Realignment of funds		[–38,000]
066	DCGS-A-INTEL	76,771	96,451
	Army requested realignment from OPA line 62		[19,680]
067	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL	349	349
068	TROJAN	20,562	20,562

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Line	Item	FY 2023 Request	Conference Authorized
069	MOD OF IN-SVC EQUIP (INTEL SPT)	30,424	49,724
	INDOPACOM UFR—SIGINT upgrades		[9,300]
	Prophet Enhanced ESP Kits		[10,000]
070	BIOMETRIC TACTICAL COLLECTION DEVICES	2,269	2,269
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
073	AIR VIGILANCE (AV)	5,688	5,688
074	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	3,060	3,060
076	COUNTERINTELLIGENCE/SECURITY COUNTER-MEASURES.	19,519	15,019
	Carryover		[–4,500]
077	CI MODERNIZATION	437	437
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
078	SENTINEL MODS	166,736	166,736
079	NIGHT VISION DEVICES	424,253	425,253
	ENVGB program extension		[100,000]
	IVAS—Army requested realignment to RDTE		[–99,000]
080	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	11,357	11,357
082	FAMILY OF WEAPON SIGHTS (FWS)	202,258	195,818
	Program decrease		[–6,440]
083	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	5,116	5,116
084	FORWARD LOOKING INFRARED (IFLIR)	37,914	37,914
085	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	326,364	326,364
086	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	186,515	186,515
087	JOINT EFFECTS TARGETING SYSTEM (JETS)	10,304	5,152
	Program reduction		[–5,152]
088	COMPUTER BALLISTICS: LHMBC XM32	3,038	3,038
089	MORTAR FIRE CONTROL SYSTEM	4,879	4,879
090	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	4,370	4,370
091	COUNTERFIRE RADARS	162,208	162,208
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
092	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (	60,455	60,455
093	FIRE SUPPORT C2 FAMILY	9,676	9,676
094	AIR & MSL DEFENSE PLANNING & CONTROL SYS	72,619	72,619
095	IAMD BATTLE COMMAND SYSTEM	438,967	438,967
096	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,586	4,586
097	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	37,199	37,199
098	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	4,102	4,102
099	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	6,926	6,926
101	MOD OF IN-SVC EQUIPMENT (ENFIRE)	4,076	15,076
	GPS laser leveling system		[11,000]
	ELECT EQUIP—AUTOMATION		
102	ARMY TRAINING MODERNIZATION	8,033	8,033
103	AUTOMATED DATA PROCESSING EQUIP	96,554	96,554
104	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	43,767	19,500
	Insufficient justification		[–24,267]
105	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	97	97
106	HIGH PERF COMPUTING MOD PGM (HPCMP)	73,655	73,655
107	CONTRACT WRITING SYSTEM	17,701	4,075
	Licenses ahead of need		[–13,626]
108	CSS COMMUNICATIONS	88,141	88,141
	ELECT EQUIP—SUPPORT		
111	BCT EMERGING TECHNOLOGIES	12,853	12,853
	CLASSIFIED PROGRAMS		
099	CLASSIFIED PROGRAMS	1,596	1,596
	CHEMICAL DEFENSIVE EQUIPMENT		
113	BASE DEFENSE SYSTEMS (BDS)	47,960	47,960
114	CBRN DEFENSE	56,129	56,129
	BRIDGING EQUIPMENT		
116	TACTICAL BRIDGING	13,785	13,785
118	BRIDGE SUPPLEMENTAL SET	6,774	1,045
	Carryover		[–5,729]
119	COMMON BRIDGE TRANSPORTER (CBT) RECAP	10,379	10,379
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		

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Line	Item	FY 2023 Request	Conference Authorized
124	ROBOTICS AND APPLIQUE SYSTEMS	52,340	52,340
	COMBAT SERVICE SUPPORT EQUIPMENT		
127	HEATERS AND ECU'S	7,672	7,672
129	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,691	4,691
130	GROUND SOLDIER SYSTEM	124,953	124,953
131	MOBILE SOLDIER POWER	15,933	15,933
132	FORCE PROVIDER		12,000
	Program increase		[12,000]
134	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	42,444	42,444
136	ITEMS LESS THAN $5M (ENG SPT)	4,155	4,155
	PETROLEUM EQUIPMENT		
137	QUALITY SURVEILLANCE EQUIPMENT	2,845	2,845
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	26,433	26,433
	MEDICAL EQUIPMENT		
139	COMBAT SUPPORT MEDICAL	75,606	75,606
	MAINTENANCE EQUIPMENT		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	3,936	3,936
	CONSTRUCTION EQUIPMENT		
147	ALL TERRAIN CRANES	31,341	31,341
148	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)		10,000
	Program increase		[10,000]
149	FAMILY OF DIVER SUPPORT EQUIPMENT	3,256	3,256
150	CONST EQUIP ESP	9,104	9,104
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
151	ARMY WATERCRAFT ESP	47,889	47,889
152	MANEUVER SUPPORT VESSEL (MSV)	104,676	104,676
153	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	10,131	10,131
	GENERATORS		
154	GENERATORS AND ASSOCIATED EQUIP	54,400	54,400
155	TACTICAL ELECTRIC POWER RECAPITALIZATION	8,293	8,293
	MATERIAL HANDLING EQUIPMENT		
156	FAMILY OF FORKLIFTS	8,819	8,819
	TRAINING EQUIPMENT		
157	COMBAT TRAINING CENTERS SUPPORT	48,046	48,046
158	TRAINING DEVICES, NONSYSTEM	201,966	199,669
	Program decrease		[–2,297]
159	SYNTHETIC TRAINING ENVIRONMENT (STE)	255,670	219,670
	SiVT—Army requested realignment to RDTE		[–36,000]
160	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,546	9,546
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
162	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,514	36,514
164	TEST EQUIPMENT MODERNIZATION (TEMOD)	32,734	32,734
	OTHER SUPPORT EQUIPMENT		
166	PHYSICAL SECURITY SYSTEMS (OPA3)	102,556	116,706
	AFRICOM UFR—force protection		[14,150]
167	BASE LEVEL COMMON EQUIPMENT	31,417	31,417
168	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	24,047	24,047
169	BUILDING, PRE-FAB, RELOCATABLE	32,151	32,151
170	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	84,779	84,779
	OPA2		
172	INITIAL SPARES—C&E	10,463	10,463
173	UNDISTRIBUTED		291,568
	Inflation effects		[291,568]
	TOTAL OTHER PROCUREMENT, ARMY	**8,457,509**	**8,966,932**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	F/A–18E/F (FIGHTER) HORNET	90,865	756,865
	8 aircraft—USNR		[666,000]
002	JOINT STRIKE FIGHTER CV	1,663,515	2,017,715
	Three additional Joint Strike Fighter aircraft		[313,600]
	TR–3 Organic Depot Standup		[40,600]
003	JOINT STRIKE FIGHTER CV	387,596	224,496

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Economic order quantity unjustified request		*[–163,100]*
004	*JSF STOVL*	*1,909,635*	*1,950,235*
	TR–3 Organic Depot Standup		*[40,600]*
005	*JSF STOVL*	*200,118*	*200,118*
006	*CH–53K (HEAVY LIFT)*	*1,669,986*	*1,898,196*
	Engineering change orders excess growth		*[–15,790]*
	Unjustified cost growth—Other ILS		*[–2,000]*
	Unjustified cost growth—Pubs/ Tech data		*[–4,000]*
	USMC UFR—additional aircraft		*[250,000]*
007	*CH–53K (HEAVY LIFT)*	*357,824*	*357,824*
008	*V–22 (MEDIUM LIFT)*	*31,795*	*243,795*
	Unit quantity increase—2 aircraft		*[212,000]*
011	*P–8A POSEIDON*	*41,521*	*41,521*
012	*E–2D ADV HAWKEYE*	*842,401*	*1,235,762*
	2 additional E–2D aircraft—Navy UPL		*[399,900]*
	Non-recurring excess growth		*[–6,539]*
	TRAINER AIRCRAFT		
014	*MULTI-ENGINE TRAINING SYSTEM (METS)*	*123,217*	*107,801*
	Support cost excess growth		*[–15,416]*
015	*ADVANCED HELICOPTER TRAINING SYSTEM*	*119,816*	*119,816*
	OTHER AIRCRAFT		
016	*KC–130J*	*439,501*	*439,501*
017	*KC–130J*	*29,122*	*29,122*
019	*MQ–4 TRITON*	*587,820*	*584,192*
	Program decrease		*[–3,628]*
020	*MQ–4 TRITON*	*75,235*	*75,235*
021	*MQ–8 UAV*		*21,000*
	Costs associated with restoring 5 LCS		*[21,000]*
022	*STUASL0 UAV*	*2,703*	*2,703*
023	*MQ–25*	*696,713*	*696,713*
024	*MQ–25*	*51,463*	*51,463*
025	*MARINE GROUP 5 UAS*	*103,882*	*98,132*
	Program decrease		*[–5,750]*
	MODIFICATION OF AIRCRAFT		
027	*F–18 A-D UNIQUE*	*141,514*	*141,514*
028	*F–18E/F AND EA–18G MODERNIZATION AND SUSTAINM*	*572,681*	*572,681*
029	*MARINE GROUP 5 UAS SERIES*	*86,116*	*86,116*
030	*AEA SYSTEMS*	*25,058*	*25,058*
031	*AV–8 SERIES*	*26,657*	*26,657*
032	*INFRARED SEARCH AND TRACK (IRST)*	*144,699*	*134,329*
	Reduction in units		*[–10,370]*
033	*ADVERSARY*	*105,188*	*105,188*
034	*F–18 SERIES*	*480,663*	*480,663*
035	*H–53 SERIES*	*40,151*	*40,151*
036	*MH–60 SERIES*	*126,238*	*126,238*
037	*H–1 SERIES*	*122,498*	*122,498*
038	*EP–3 SERIES*	*8,492*	*8,492*
039	*E–2 SERIES*	*188,897*	*188,897*
040	*TRAINER A/C SERIES*	*9,568*	*9,568*
042	*C–130 SERIES*	*132,170*	*132,170*
043	*FEWSG*	*695*	*695*
044	*CARGO/TRANSPORT A/C SERIES*	*10,902*	*10,902*
045	*E–6 SERIES*	*129,049*	*129,049*
046	*EXECUTIVE HELICOPTERS SERIES*	*55,265*	*55,265*
047	*T–45 SERIES*	*201,670*	*201,670*
048	*POWER PLANT CHANGES*	*24,685*	*24,685*
049	*JPATS SERIES*	*19,780*	*19,780*
050	*AVIATION LIFE SUPPORT MODS*	*1,143*	*1,143*
051	*COMMON ECM EQUIPMENT*	*129,722*	*129,722*
052	*COMMON AVIONICS CHANGES*	*136,883*	*131,883*
	Installation equipment NRE previously funded		*[–5,000]*
053	*COMMON DEFENSIVE WEAPON SYSTEM*	*6,373*	*6,373*
054	*ID SYSTEMS*	*3,828*	*3,828*

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
055	P–8 SERIES	249,342	249,342
056	MAGTF EW FOR AVIATION	24,684	24,684
057	MQ–8 SERIES	9,846	17,146
	Costs associated with restoring 5 LCS		[7,300]
058	V–22 (TILT/ROTOR ACFT) OSPREY	207,621	290,121
	V–22 Nacelle Improvement		[82,500]
059	NEXT GENERATION JAMMER (NGJ)	401,563	468,563
	Program increase—2 shipsets - Navy UPL		[67,000]
060	F–35 STOVL SERIES	216,356	199,294
	Prior year under execution		[–17,062]
061	F–35 CV SERIES	208,336	204,110
	Prior year under execution		[–4,226]
062	QRC	47,864	47,864
063	MQ–4 SERIES	94,738	91,977
	Prior year under execution		[–2,761]
064	RQ–21 SERIES	6,576	6,576
	AIRCRAFT SPARES AND REPAIR PARTS		
068	SPARES AND REPAIR PARTS	1,872,417	2,166,317
	Costs associated with restoring 5 LCS		[1,200]
	Navy UFR—aviation outfitting spares in support of carrier airwings.		[292,700]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
069	COMMON GROUND EQUIPMENT	542,214	542,214
070	AIRCRAFT INDUSTRIAL FACILITIES	101,559	101,559
071	WAR CONSUMABLES	40,316	40,316
072	OTHER PRODUCTION CHARGES	46,403	46,403
073	SPECIAL SUPPORT EQUIPMENT	423,280	423,280
074	UNDISTRIBUTED		491,186
	Inflation effects		[491,186]
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**16,848,428**	**19,478,372**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,125,164	1,176,164
	Defense Industrial Base (DIB) Expansion for Trident II Mods		[51,000]
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,767	7,767
	STRATEGIC MISSILES		
003	TOMAHAWK	160,190	160,190
	TACTICAL MISSILES		
004	AMRAAM	335,900	335,900
005	SIDEWINDER	63,288	89,188
	Navy UFR—additional AIM–9X		[25,900]
006	STANDARD MISSILE	489,123	739,123
	Capacity expansion—dual-source energetics		[50,000]
	Capacity expansion—test/tooling equipment		[200,000]
008	JASSM	58,481	0
	Navy requested transfer to line 16		[–12,000]
	Navy requested transfer to RDTE line 93		[–46,481]
009	SMALL DIAMETER BOMB II	108,317	104,421
	Unit cost growth—AUR		[–3,896]
010	RAM	92,131	92,131
011	JOINT AIR GROUND MISSILE (JAGM)	78,395	78,395
012	HELLFIRE	6,603	6,603
013	AERIAL TARGETS	183,222	183,222
014	DRONES AND DECOYS	62,930	50,430
	Stabilize production ramp		[–12,500]
015	OTHER MISSILE SUPPORT	3,524	3,524
016	LRASM	226,022	291,022
	Defense Industrial Base (DIB) Expansion for LRASM		[53,000]
	Navy requested transfer from line 8		[12,000]
017	NAVAL STRIKE MISSILE (NSM)	59,034	259,034
	Naval Strike Missiles—Advanced Procurement		[200,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	MODIFICATION OF MISSILES		
018	TOMAHAWK MODS	435,308	435,308
019	ESSM	282,035	282,035
020	AARGM	131,275	171,275
	Production increase		[40,000]
021	STANDARD MISSILES MODS	71,198	71,198
023	INDUSTRIAL PREPAREDNESS		20,000
	Defense Industrial Base (DIB) Expansion for Harpoon Missiles		[20,000]
	SUPPORT EQUIPMENT & FACILITIES		
022	WEAPONS INDUSTRIAL FACILITIES	1,976	6,976
	Hypersonic test facility		[5,000]
	ORDNANCE SUPPORT EQUIPMENT		
025	ORDNANCE SUPPORT EQUIPMENT	40,793	40,793
	TORPEDOES AND RELATED EQUIP		
026	SSTD	3,789	3,789
027	MK–48 TORPEDO	151,128	200,128
	Navy UFR—additional MK 48 procurement		[49,000]
028	ASW TARGETS	14,403	14,403
	MOD OF TORPEDOES AND RELATED EQUIP		
029	MK–54 TORPEDO MODS	106,772	232,172
	Mk54 LWT program increase		[125,400]
030	MK–48 TORPEDO ADCAP MODS	18,502	18,502
031	MARITIME MINES	9,282	245,332
	Hammerhead		[225,000]
	Mk68		[11,050]
	SUPPORT EQUIPMENT		
032	TORPEDO SUPPORT EQUIPMENT	87,044	87,044
033	ASW RANGE SUPPORT	3,965	3,965
	DESTINATION TRANSPORTATION		
034	FIRST DESTINATION TRANSPORTATION	5,315	5,315
	GUNS AND GUN MOUNTS		
035	SMALL ARMS AND WEAPONS	13,859	13,859
	MODIFICATION OF GUNS AND GUN MOUNTS		
036	CIWS MODS	2,655	2,655
037	COAST GUARD WEAPONS	34,259	34,259
038	GUN MOUNT MODS	81,725	81,725
039	LCS MODULE WEAPONS	4,580	4,580
040	AIRBORNE MINE NEUTRALIZATION SYSTEMS	8,710	8,710
	SPARES AND REPAIR PARTS		
042	SPARES AND REPAIR PARTS	170,041	170,041
043	UNDISTRIBUTED		129,375
	Inflation effects		[129,375]
	TOTAL WEAPONS PROCUREMENT, NAVY	**4,738,705**	**5,860,553**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	47,198	47,198
002	JDAM	76,688	76,688
003	AIRBORNE ROCKETS, ALL TYPES	70,005	70,005
004	MACHINE GUN AMMUNITION	20,586	20,586
005	PRACTICE BOMBS	51,109	48,843
	Prior year under execution		[–2,266]
006	CARTRIDGES & CART ACTUATED DEVICES	72,534	72,534
007	AIR EXPENDABLE COUNTERMEASURES	114,475	108,859
	Program rephasing—IR decoys		[–5,616]
008	JATOS	7,096	7,096
009	5 INCH/54 GUN AMMUNITION	30,018	30,018
010	INTERMEDIATE CALIBER GUN AMMUNITION	40,089	40,089
011	OTHER SHIP GUN AMMUNITION	42,707	189,707
	Goalkeeper long lead procurement		[147,000]
012	SMALL ARMS & LANDING PARTY AMMO	49,023	45,971
	Excess to need—50 CAL LKD and tracer		[–3,052]
013	PYROTECHNIC AND DEMOLITION	9,480	9,480

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(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
014	AMMUNITION LESS THAN $5 MILLION	1,622	1,622
	MARINE CORPS AMMUNITION		
015	MORTARS	71,214	71,214
016	DIRECT SUPPORT MUNITIONS	65,169	62,627
	Various munitions unit cost growth		[–2,542]
017	INFANTRY WEAPONS AMMUNITION	225,271	225,271
018	COMBAT SUPPORT MUNITIONS	19,691	19,691
019	AMMO MODERNIZATION	17,327	17,327
020	ARTILLERY MUNITIONS	15,514	15,514
021	ITEMS LESS THAN $5 MILLION	5,476	5,476
022	UNDISTRIBUTED		33,521
	Inflation effects		[33,521]
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**1,052,292**	**1,219,337**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	3,079,223	3,079,223
002	OHIO REPLACEMENT SUBMARINE	2,778,553	2,778,553
	OTHER WARSHIPS		
003	CARRIER REPLACEMENT PROGRAM	1,481,530	1,466,530
	Program decrease		[–15,000]
004	CVN–81	1,052,024	1,052,024
005	VIRGINIA CLASS SUBMARINE	4,534,184	4,534,184
006	VIRGINIA CLASS SUBMARINE	2,025,651	2,025,651
008	CVN REFUELING OVERHAULS	618,295	612,081
	Unjustified electronics cost growth		[–6,214]
009	DDG 1000	72,976	72,976
010	DDG–51	4,376,537	6,816,537
	Large Surface Combatant Shipyard Infrastructure		[250,000]
	One additional ship		[2,190,000]
011	DDG–51	618,352	695,652
	Third DDG in FY 2024		[77,300]
013	FFG-FRIGATE	1,085,224	1,085,224
014	FFG-FRIGATE	74,949	0
	Advance procurement unjustified request		[–74,949]
	AMPHIBIOUS SHIPS		
015	LPD FLIGHT II	1,673,000	1,673,000
016	LPD FLIGHT II		250,000
	USMC UFR—Advance procurement for LPD–33		[250,000]
020	LHA REPLACEMENT	1,085,470	1,374,470
	LHA 10 advance procurement		[289,000]
021	EXPEDITIONARY FAST TRANSPORT (EPF)		645,000
	EMS		[645,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
022	TAO FLEET OILER	794,719	794,719
024	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	95,915	95,915
027	OUTFITTING	707,412	707,412
028	SHIP TO SHORE CONNECTOR	190,433	391,838
	Unit quantity increase		[201,405]
029	SERVICE CRAFT	68,274	91,274
	Auxiliary personnel lighters barracks craft		[23,000]
030	LCAC SLEP	36,301	36,301
031	AUXILIARY VESSELS (USED SEALIFT)	140,686	140,686
032	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,328,146	1,328,146
033	UNDISTRIBUTED		839,239
	Inflation effects		[839,239]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**27,917,854**	**32,586,635**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	46,478	46,478
	GENERATORS		
002	SURFACE COMBATANT HM&E	84,615	84,615

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(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	98,079	87,800
	Program decrease		[–10,279]
	OTHER SHIPBOARD EQUIPMENT		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	266,300	261,011
	Unjustified growth		[–5,289]
005	DDG MOD	770,341	770,341
006	FIREFIGHTING EQUIPMENT	19,687	19,687
007	COMMAND AND CONTROL SWITCHBOARD	2,406	2,406
008	LHA/LHD MIDLIFE	38,200	38,200
009	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	20,028	20,028
010	POLLUTION CONTROL EQUIPMENT	17,682	17,682
011	SUBMARINE SUPPORT EQUIPMENT	117,799	117,799
012	VIRGINIA CLASS SUPPORT EQUIPMENT	32,300	32,300
013	LCS CLASS SUPPORT EQUIPMENT	15,238	15,238
014	SUBMARINE BATTERIES	24,137	24,137
015	LPD CLASS SUPPORT EQUIPMENT	54,496	54,496
016	DDG 1000 CLASS SUPPORT EQUIPMENT	314,333	284,333
	Program decrease		[–30,000]
017	STRATEGIC PLATFORM SUPPORT EQUIP	13,504	13,504
018	DSSP EQUIPMENT	3,660	3,660
019	CG MODERNIZATION	59,054	59,054
020	LCAC	17,452	17,452
021	UNDERWATER EOD EQUIPMENT	35,417	35,417
022	ITEMS LESS THAN $5 MILLION	60,812	60,812
023	CHEMICAL WARFARE DETECTORS	3,202	3,202
	REACTOR PLANT EQUIPMENT		
025	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,242,532	1,242,532
026	REACTOR POWER UNITS	4,690	4,690
027	REACTOR COMPONENTS	408,989	408,989
	OCEAN ENGINEERING		
028	DIVING AND SALVAGE EQUIPMENT	11,773	11,773
	SMALL BOATS		
029	STANDARD BOATS	57,262	77,262
	Six additional 40-foot Patrol Boats		[20,000]
	PRODUCTION FACILITIES EQUIPMENT		
030	OPERATING FORCES IPE	174,743	174,743
	OTHER SHIP SUPPORT		
031	LCS COMMON MISSION MODULES EQUIPMENT	57,313	57,313
032	LCS MCM MISSION MODULES	94,987	97,187
	Mine Countermeasures Mission Package Capacity and Wholeness—Navy UPL.		[2,200]
033	LCS ASW MISSION MODULES	3,594	3,594
034	LCS SUW MISSION MODULES	5,100	5,100
035	LCS IN-SERVICE MODERNIZATION	76,526	76,526
036	SMALL & MEDIUM UUV	49,763	49,763
	SHIP SONARS		
037	SPQ–9B RADAR	12,063	12,063
038	AN/SQQ–89 SURF ASW COMBAT SYSTEM	141,591	141,591
039	SSN ACOUSTIC EQUIPMENT	446,653	446,653
040	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,424	17,424
	ASW ELECTRONIC EQUIPMENT		
041	SUBMARINE ACOUSTIC WARFARE SYSTEM	31,708	31,708
042	SSTD	14,325	14,325
043	FIXED SURVEILLANCE SYSTEM	266,228	266,228
044	SURTASS	25,030	25,030
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ–32	292,417	292,417
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	311,210	311,210
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	2,487	2,487
	OTHER SHIP ELECTRONIC EQUIPMENT		
048	COOPERATIVE ENGAGEMENT CAPABILITY	34,500	34,500

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Line	Item	FY 2023 Request	Conference Authorized
049	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) ..	19,038	19,038
050	ATDLS	73,675	73,675
051	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,435	3,435
052	MINESWEEPING SYSTEM REPLACEMENT	16,336	16,336
054	NAVSTAR GPS RECEIVERS (SPACE)	30,439	30,439
055	AMERICAN FORCES RADIO AND TV SERVICE	2,724	2,724
056	STRATEGIC PLATFORM SUPPORT EQUIP	6,266	6,266
	AVIATION ELECTRONIC EQUIPMENT		
057	ASHORE ATC EQUIPMENT	89,396	89,396
058	AFLOAT ATC EQUIPMENT	86,732	86,732
059	ID SYSTEMS	59,226	59,226
060	JOINT PRECISION APPROACH AND LANDING SYSTEM (	8,186	8,186
061	NAVAL MISSION PLANNING SYSTEMS	26,778	26,778
	OTHER SHORE ELECTRONIC EQUIPMENT		
062	MARITIME INTEGRATED BROADCAST SYSTEM	3,520	3,520
063	TACTICAL/MOBILE C4I SYSTEMS	31,840	31,840
064	DCGS-N	15,606	15,606
065	CANES	402,550	402,550
066	RADIAC	9,062	9,062
067	CANES-INTELL	48,665	48,665
068	GPETE	23,479	23,479
069	MASF	11,792	11,792
070	INTEG COMBAT SYSTEM TEST FACILITY	6,053	6,053
071	EMI CONTROL INSTRUMENTATION	4,219	4,219
072	ITEMS LESS THAN $5 MILLION	102,846	102,846
	SHIPBOARD COMMUNICATIONS		
073	SHIPBOARD TACTICAL COMMUNICATIONS	36,941	36,941
074	SHIP COMMUNICATIONS AUTOMATION	101,691	101,691
075	COMMUNICATIONS ITEMS UNDER $5M	55,290	55,290
	SUBMARINE COMMUNICATIONS		
076	SUBMARINE BROADCAST SUPPORT	91,150	91,150
077	SUBMARINE COMMUNICATION EQUIPMENT	74,569	74,569
	SATELLITE COMMUNICATIONS		
078	SATELLITE COMMUNICATIONS SYSTEMS	39,827	39,827
079	NAVY MULTIBAND TERMINAL (NMT)	24,586	24,586
	SHORE COMMUNICATIONS		
080	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,699	4,699
	CRYPTOGRAPHIC EQUIPMENT		
081	INFO SYSTEMS SECURITY PROGRAM (ISSP)	156,034	156,034
082	MIO INTEL EXPLOITATION TEAM	1,055	1,055
	CRYPTOLOGIC EQUIPMENT		
083	CRYPTOLOGIC COMMUNICATIONS EQUIP	18,832	20,332
	INDOPACOM UFR—SIGINT upgrades		*[1,500]*
	OTHER ELECTRONIC SUPPORT		
092	COAST GUARD EQUIPMENT	68,556	68,556
	SONOBUOYS		
094	SONOBUOYS—ALL TYPES	291,670	303,520
	Program increase		*[11,850]*
	AIRCRAFT SUPPORT EQUIPMENT		
095	MINOTAUR	5,247	5,247
096	WEAPONS RANGE SUPPORT EQUIPMENT	106,209	106,209
097	AIRCRAFT SUPPORT EQUIPMENT	275,461	275,461
098	ADVANCED ARRESTING GEAR (AAG)	22,717	22,717
099	ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM (EMALS	18,594	18,594
100	METEOROLOGICAL EQUIPMENT	15,175	15,175
101	LEGACY AIRBORNE MCM	4,689	4,689
102	LAMPS EQUIPMENT	1,610	1,610
103	AVIATION SUPPORT EQUIPMENT	86,409	86,409
104	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL ..	136,647	136,647
	SHIP GUN SYSTEM EQUIPMENT		
105	SHIP GUN SYSTEMS EQUIPMENT	5,902	5,902
	SHIP MISSILE SYSTEMS EQUIPMENT		
106	HARPOON SUPPORT EQUIPMENT	217	217

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Line	Item	FY 2023 Request	Conference Authorized
107	SHIP MISSILE SUPPORT EQUIPMENT	286,788	292,188
	SPY–1 Low Noise Amplyfier		[5,400]
108	TOMAHAWK SUPPORT EQUIPMENT	95,856	95,856
	FBM SUPPORT EQUIPMENT		
109	STRATEGIC MISSILE SYSTEMS EQUIP	279,430	279,430
	ASW SUPPORT EQUIPMENT		
110	SSN COMBAT CONTROL SYSTEMS	128,874	128,874
111	ASW SUPPORT EQUIPMENT	26,920	26,920
	OTHER ORDNANCE SUPPORT EQUIPMENT		
112	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	17,048	17,048
113	ITEMS LESS THAN $5 MILLION	5,938	5,938
	OTHER EXPENDABLE ORDNANCE		
114	ANTI-SHIP MISSILE DECOY SYSTEM	86,264	86,264
115	SUBMARINE TRAINING DEVICE MODS	80,591	80,591
116	SURFACE TRAINING EQUIPMENT	198,695	198,695
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
117	PASSENGER CARRYING VEHICLES	4,799	4,799
118	GENERAL PURPOSE TRUCKS	2,542	2,542
119	CONSTRUCTION & MAINTENANCE EQUIP	50,619	55,219
	GPS laser leveling system		[4,600]
120	FIRE FIGHTING EQUIPMENT	16,305	16,305
121	TACTICAL VEHICLES	28,586	28,586
122	POLLUTION CONTROL EQUIPMENT	2,840	2,840
123	ITEMS LESS THAN $5 MILLION	64,311	64,311
124	PHYSICAL SECURITY VEHICLES	1,263	1,263
	SUPPLY SUPPORT EQUIPMENT		
125	SUPPLY EQUIPMENT	32,338	32,338
126	FIRST DESTINATION TRANSPORTATION	6,255	6,255
127	SPECIAL PURPOSE SUPPLY SYSTEMS	613,039	613,039
	TRAINING DEVICES		
128	TRAINING SUPPORT EQUIPMENT	1,285	1,285
129	TRAINING AND EDUCATION EQUIPMENT	44,618	44,618
	COMMAND SUPPORT EQUIPMENT		
130	COMMAND SUPPORT EQUIPMENT	55,728	55,728
131	MEDICAL SUPPORT EQUIPMENT	5,325	5,325
133	NAVAL MIP SUPPORT EQUIPMENT	6,077	6,077
134	OPERATING FORCES SUPPORT EQUIPMENT	16,252	16,252
135	C4ISR EQUIPMENT	6,497	6,497
136	ENVIRONMENTAL SUPPORT EQUIPMENT	36,592	36,592
137	PHYSICAL SECURITY EQUIPMENT	118,598	114,598
	Program decrease		[–4,000]
138	ENTERPRISE INFORMATION TECHNOLOGY	29,407	29,407
	OTHER		
142	NEXT GENERATION ENTERPRISE SERVICE	201,314	201,314
143	CYBERSPACE ACTIVITIES	5,018	5,018
144	CYBER MISSION FORCES	17,115	17,115
	CLASSIFIED PROGRAMS		
099	CLASSIFIED PROGRAMS	17,295	17,295
	SPARES AND REPAIR PARTS		
145	SPARES AND REPAIR PARTS	532,313	682,313
	Navy UFR—Maritime spares outfitting		[150,000]
146	UNDISTRIBUTED		369,826
	Inflation effects		[369,826]
	TOTAL OTHER PROCUREMENT, NAVY	**11,746,503**	**12,262,311**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	5,653	5,653
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	536,678	527,079
	Excess growth—integrated logistics support		[–9,599]
003	LAV PIP	57,099	55,739
	M&S tactical communication modernization kits previously funded.		[–1,360]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	1,782	1,782
005	ARTILLERY WEAPONS SYSTEM	143,808	143,808
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	11,118	11,118
	GUIDED MISSILES		
007	TOMAHAWK	42,958	42,958
008	NAVAL STRIKE MISSILE (NSM)	174,369	174,369
009	GROUND BASED AIR DEFENSE	173,801	173,801
010	ANTI-ARMOR MISSILE-JAVELIN	18,495	17,205
	Guided missile unit cost growth		[–1,290]
011	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,419	21,419
012	ANTI-ARMOR MISSILE-TOW	663	663
013	GUIDED MLRS ROCKET (GMLRS)	7,605	7,605
	COMMAND AND CONTROL SYSTEMS		
014	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	30,292	30,292
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	58,024	54,684
	Unjustified growth—CBM+ test systems		[–3,340]
	OTHER SUPPORT (TEL)		
016	MODIFICATION KITS	293	293
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
017	ITEMS UNDER $5 MILLION (COMM & ELEC)	83,345	83,345
018	AIR OPERATIONS C2 SYSTEMS	11,048	11,048
	RADAR + EQUIPMENT (NON-TEL)		
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	61,943	411,943
	USMC UFR—AN/TPS–80 G/ATOR radar		[350,000]
	INTELL/COMM EQUIPMENT (NON-TEL)		
020	GCSS-MC	1,663	1,663
021	FIRE SUPPORT SYSTEM	48,322	48,322
022	INTELLIGENCE SUPPORT EQUIPMENT	182,894	167,894
	Program decrease		[–15,000]
024	UNMANNED AIR SYSTEMS (INTEL)	47,595	43,358
	Short range/ short endurance unit cost growth		[–4,237]
025	DCGS-MC	47,998	47,998
026	UAS PAYLOADS	8,619	8,619
	OTHER SUPPORT (NON-TEL)		
029	MARINE CORPS ENTERPRISE NETWORK (MCEN)	276,763	258,020
	Excess growth—end user devices		[–18,743]
030	COMMON COMPUTER RESOURCES	40,096	40,096
031	COMMAND POST SYSTEMS	58,314	58,314
032	RADIO SYSTEMS	612,450	599,593
	Program decrease		[–12,857]
033	COMM SWITCHING & CONTROL SYSTEMS	51,976	51,976
034	COMM & ELEC INFRASTRUCTURE SUPPORT	26,029	26,029
035	CYBERSPACE ACTIVITIES	17,759	17,759
036	CYBER MISSION FORCES	4,036	4,036
	CLASSIFIED PROGRAMS		
099	CLASSIFIED PROGRAMS	3,884	3,884
	ADMINISTRATIVE VEHICLES		
039	COMMERCIAL CARGO VEHICLES	35,179	33,161
	Unjustified request—garrison transportation and management		[–2,018]
	TACTICAL VEHICLES		
040	MOTOR TRANSPORT MODIFICATIONS	17,807	17,807
041	JOINT LIGHT TACTICAL VEHICLE	222,257	222,257
043	TRAILERS	2,721	2,721
	ENGINEER AND OTHER EQUIPMENT		
045	TACTICAL FUEL SYSTEMS	7,854	7,854
046	POWER EQUIPMENT ASSORTED	5,841	5,841
047	AMPHIBIOUS SUPPORT EQUIPMENT	38,120	38,120
048	EOD SYSTEMS	201,047	191,047
	Unjustified growth—MEGFoS		[–10,000]
	MATERIALS HANDLING EQUIPMENT		
049	PHYSICAL SECURITY EQUIPMENT	69,967	65,967

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Prior year under execution		*[–4,000]*
	GENERAL PROPERTY		
050	*FIELD MEDICAL EQUIPMENT*	*21,780*	*21,780*
051	*TRAINING DEVICES*	*86,272*	*74,774*
	Unjustified growth		*[–11,498]*
052	*FAMILY OF CONSTRUCTION EQUIPMENT*	*27,605*	*27,605*
053	*ULTRA-LIGHT TACTICAL VEHICLE (ULTV)*	*15,033*	*15,033*
	OTHER SUPPORT		
054	*ITEMS LESS THAN $5 MILLION*	*26,433*	*26,433*
	SPARES AND REPAIR PARTS		
055	*SPARES AND REPAIR PARTS*	*34,799*	*34,799*
056	*UNDISTRIBUTED*		*123,755*
	Inflation effects		*[123,755]*
	TOTAL PROCUREMENT, MARINE CORPS	***3,681,506***	***4,061,319***
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
001	*B–21 RAIDER*	*1,498,431*	*1,498,431*
002	*B–21 RAIDER*	*288,165*	*288,165*
	TACTICAL FORCES		
003	*F–35*	*3,320,757*	*4,093,757*
	Air Force UFR—additional F–35A aircraft		*[658,000]*
	Technical realignment		*[115,000]*
004	*F–35*	*594,886*	*180,658*
	EOQ unjustified request		*[–243,184]*
	Long-lead excess to need due to decreased out-year quantities		*[–56,044]*
	Realignment of funds to line 3		*[–115,000]*
005	*F–15EX*	*2,422,348*	*2,422,348*
006	*F–15EX*	*264,000*	*264,000*
	TACTICAL AIRLIFT		
007	*KC–46A MDAP*	*2,684,503*	*2,684,503*
	OTHER AIRLIFT		
008	*C–130J*	*75,293*	*75,293*
009	*MC–130J*	*40,351*	*40,351*
	UPT TRAINERS		
011	*ADVANCED TRAINER REPLACEMENT T-X*	*10,507*	*10,507*
	HELICOPTERS		
012	*MH–139A*	*156,192*	*156,192*
013	*COMBAT RESCUE HELICOPTER*	*707,018*	*1,048,118*
	Additional aircraft		*[350,000]*
	Unit cost excess to need		*[–8,900]*
	MISSION SUPPORT AIRCRAFT		
015	*CIVIL AIR PATROL A/C*	*2,952*	*11,600*
	Program increase		*[8,648]*
	OTHER AIRCRAFT		
016	*TARGET DRONES*	*128,906*	*128,906*
017	*COMPASS CALL*		*553,700*
	Air Force UFR—EC–37B aircraft		*[553,700]*
018	*E–11 BACN/HAG*	*67,260*	*66,847*
	Realignment of funds		*[–413]*
019	*MQ–9*	*17,039*	*16,039*
	Early to need—production shutdown		*[–1,000]*
021	*AGILITY PRIME PROCUREMENT*	*3,612*	*3,612*
	STRATEGIC AIRCRAFT		
022	*B–2A*	*106,752*	*91,771*
	ACS kits ahead of need		*[–14,981]*
023	*B–1B*	*36,313*	*33,813*
	Program decrease		*[–2,500]*
024	*B–52*	*127,854*	*120,909*
	Realignment of funds for B–52 Crypto Mod upgrade spares		*[–4,293]*
	Realignment of funds for B–52 VLF/LF spares		*[–2,652]*
025	*LARGE AIRCRAFT INFRARED COUNTERMEASURES*	*25,286*	*25,286*
	TACTICAL AIRCRAFT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
026	A–10	83,972	83,972
027	E–11 BACN/HAG	10,309	10,309
028	F–15	194,379	194,379
029	F–16	700,455	685,955
	Overestimation of SLEP induction rate		[–14,500]
030	F–22A	764,222	764,222
031	F–35 MODIFICATIONS	414,382	414,382
032	F–15 EPAW	259,837	259,837
034	KC–46A MDAP	467	467
	AIRLIFT AIRCRAFT		
035	C–5	46,027	15,673
	Realignment of funds		[–18,000]
	Realignment of funds to line 64		[–12,354]
036	C–17A	152,009	157,509
	Air Force realignment of funds		[5,500]
037	C–32A	4,068	4,068
038	C–37A	6,062	6,062
	TRAINER AIRCRAFT		
039	GLIDER MODS	149	149
040	T–6	6,215	6,215
041	T–1	6,262	6,262
042	T–38	111,668	161,168
	Ejection Seat Upgrade		[49,500]
	OTHER AIRCRAFT		
044	U–2 MODS	81,650	81,650
045	KC–10A (ATCA)	3,443	2,043
	Unjustified growth		[–1,400]
046	C–21	2,024	2,024
047	VC–25A MOD	2,146	2,146
048	C–40	2,197	2,197
049	C–130	114,268	148,748
	Air Force realignment of funds		[17,500]
	Modular airborne firefighting system		[20,000]
	Overestimation of AMP inc 2 install cost		[–3,020]
050	C–130J MODS	112,299	112,299
051	C–135	149,023	163,523
	Air Force realignment of funds		[19,500]
	Program decrease		[–5,000]
052	COMPASS CALL	16,630	337,230
	Air Force UFR—EC–37B group A & B kits and spare components		[320,600]
053	RC–135	212,828	252,828
	INDOPACOM UFR—SIGINT upgrades		[600]
	RC–135 navigation upgrades		[39,400]
054	E–3	54,247	54,247
055	E–4	5,973	5,973
056	E–8	16,610	0
	Program decrease		[–16,610]
059	H–1	1,757	1,757
060	H–60	10,820	10,820
061	COMBAT RESCUE HELICOPTER MODIFICATION	3,083	3,083
062	RQ–4 MODS	1,286	1,286
063	HC/MC–130 MODIFICATIONS	138,956	109,785
	MC/AC MUOS installations ahead of need		[–9,171]
	Realignment of funds		[–20,000]
064	OTHER AIRCRAFT	29,029	41,796
	Realignment of funds		[12,767]
065	MQ–9 MODS	64,370	211,507
	Multi-Domain Operations modernization		[150,700]
	Unjustified cost—MQ–9 Upgrade		[–3,563]
067	SENIOR LEADER C3, SYSTEM—AIRCRAFT	24,784	24,784
068	CV–22 MODS	153,026	153,026
	AIRCRAFT SPARES AND REPAIR PARTS		
069	INITIAL SPARES/REPAIR PARTS	623,661	734,767

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Air Force UFR—EC–37B spare components		[9,361]
	Air Force UFR—EC–37B spare engines		[94,800]
	Realignment of funds for B–52 Crypto Mod upgrade spares		[4,293]
	Realignment of funds for B–52 VLF/LF spares		[2,652]
	COMMON SUPPORT EQUIPMENT		
070	AIRCRAFT REPLACEMENT SUPPORT EQUIP	138,935	138,935
	POST PRODUCTION SUPPORT		
071	B–2A	1,802	1,802
072	B–2B	36,325	36,325
073	B–52	5,883	5,883
074	F–15	2,764	2,764
075	F–16	5,102	5,102
077	MQ9 POST PROD	7,069	7,069
078	RQ–4 POST PRODUCTION CHARGES	40,845	40,845
082	C–5 POST PRODUCTION SUPPORT		18,000
	Realignment of funds		[18,000]
083	HC/MC–130J POST PRODUCTION SUPPORT		20,000
	Realignment of funds		[20,000]
	INDUSTRIAL PREPAREDNESS		
079	INDUSTRIAL RESPONSIVENESS	19,128	19,128
	WAR CONSUMABLES		
080	WAR CONSUMABLES	31,165	31,165
	OTHER PRODUCTION CHARGES		
081	OTHER PRODUCTION CHARGES	1,047,300	1,047,300
	CLASSIFIED PROGRAMS		
099	CLASSIFIED PROGRAMS	18,092	63,092
	Air Force UFR—F–35A classified item		[45,000]
999	UNDISTRIBUTED		633,490
	Inflation effects		[633,490]
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**18,517,428**	**21,113,854**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	57,476	57,476
	STRATEGIC		
004	LONG RANGE STAND-OFF WEAPON	31,454	31,454
	TACTICAL		
005	REPLAC EQUIP & WAR CONSUMABLES	30,510	30,510
006	AGM–183A AIR-LAUNCHED RAPID RESPONSE WEAPON	46,566	0
	Realignment of funds		[–46,566]
007	JOINT AIR-SURFACE STANDOFF MISSILE	784,971	861,971
	Defense Industrial Base (DIB) Expansion for JASSM		[77,000]
008	LRASM0	114,025	114,025
009	SIDEWINDER (AIM–9X)	111,855	111,855
010	AMRAAM	320,056	340,056
	AIM–120 Advanced Medium-Range Air-to-Air Missile (AMRAAM)—Advanced Procurement.		[20,000]
011	PREDATOR HELLFIRE MISSILE	1,040	1,040
012	SMALL DIAMETER BOMB	46,475	46,475
013	SMALL DIAMETER BOMB II	279,006	429,006
	Air Force UFR—additional small diameter bomb II		[150,000]
014	STAND-IN ATTACK WEAPON (SIAW)	77,975	77,975
	INDUSTRIAL FACILITIES		
015	INDUSTR'L PREPAREDNS/POL PREVENTION	868	150,868
	Defense Industrial Base (DIB) Expansion for Industrial Preparedness.		[150,000]
	CLASS IV		
018	ICBM FUZE MOD	99,691	99,691
019	ICBM FUZE MOD	37,673	37,673
020	MM III MODIFICATIONS	68,193	68,193
022	AIR LAUNCH CRUISE MISSILE (ALCM)	33,778	108,778
	Defense Industrial Base (DIB) Expansion for Gas Turbine Engines, Control Actuation Systems, and Antennas.		[75,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	MISSILE SPARES AND REPAIR PARTS		
023	MSL SPRS/REPAIR PARTS (INITIAL)	15,354	15,354
024	MSL SPRS/REPAIR PARTS (REPLEN)	62,978	62,978
	SPECIAL PROGRAMS		
028	SPECIAL UPDATE PROGRAMS	36,933	36,933
	CLASSIFIED PROGRAMS		
099	CLASSIFIED PROGRAMS	705,540	705,540
999	UNDISTRIBUTED		61,064
	Inflation effects		[61,064]
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,962,417**	**3,448,915**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	22,190	22,190
	CARTRIDGES		
002	CARTRIDGES	124,164	124,164
	BOMBS		
004	GENERAL PURPOSE BOMBS	162,800	162,800
005	MASSIVE ORDNANCE PENETRATOR (MOP)	19,743	19,743
006	JOINT DIRECT ATTACK MUNITION	251,956	251,956
	OTHER ITEMS		
008	CAD/PAD	50,473	50,473
009	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,343	6,343
010	SPARES AND REPAIR PARTS	573	573
012	FIRST DESTINATION TRANSPORTATION	1,903	1,903
013	ITEMS LESS THAN $5,000,000	5,014	5,014
	FLARES		
014	EXPENDABLE COUNTERMEASURES	120,548	120,548
	FUZES		
015	FUZES	121,528	121,528
	SMALL ARMS		
016	SMALL ARMS	16,395	16,395
017	UNDISTRIBUTED		23,395
	Inflation effects		[23,395]
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**903,630**	**927,025**
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
002	AF SATELLITE COMM SYSTEM	51,414	51,414
003	COUNTERSPACE SYSTEMS	62,691	62,691
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	26,394	26,394
005	WIDEBAND GAPFILLER SATELLITES (SPACE)	21,982	21,982
006	GENERAL INFORMATION TECH—SPACE	5,424	5,424
007	GPSIII FOLLOW ON	657,562	646,962
	Excess to need		[–10,600]
008	GPS III SPACE SEGMENT	103,340	103,340
009	GLOBAL POSTIONING (SPACE)	950	950
010	HERITAGE TRANSITION	21,896	21,896
011	SPACEBORNE EQUIP (COMSEC)	29,587	24,083
	Cost growth		[–5,504]
012	MILSATCOM	29,333	29,333
013	SBIR HIGH (SPACE)	148,666	148,666
014	SPECIAL SPACE ACTIVITIES	817,484	805,484
	Underexecution		[–12,000]
015	MOBILE USER OBJECTIVE SYSTEM	46,833	46,833
016	NATIONAL SECURITY SPACE LAUNCH	1,056,133	1,025,533
	Excess to need		[–30,600]
017	NUDET DETECTION SYSTEM	7,062	7,062
018	PTES HUB	42,464	42,464
019	ROCKET SYSTEMS LAUNCH PROGRAM	39,145	39,145
020	SPACE DEVELOPMENT AGENCY LAUNCH	314,288	714,288
	Realignment of funds		[200,000]
	Space Force UFR—accelerate resilient missile warning/missile tracking.		[200,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
022	SPACE MODS	73,957	73,957
023	SPACELIFT RANGE SYSTEM SPACE	71,712	71,712
	SPARES		
024	SPARES AND REPAIR PARTS	1,352	1,352
025	UNDISTRIBUTED		106,161
	Inflation effects		[106,161]
	TOTAL PROCUREMENT, SPACE FORCE	**3,629,669**	**4,077,126**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	2,446	2,446
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	1,125	1,125
003	CAP VEHICLES	999	1,900
	Program increase		[901]
004	CARGO AND UTILITY VEHICLES	35,220	35,220
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	60,461	60,461
006	SECURITY AND TACTICAL VEHICLES	382	382
007	SPECIAL PURPOSE VEHICLES	49,623	49,623
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	11,231	11,231
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	12,559	12,559
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	6,409	6,409
011	BASE MAINTENANCE SUPPORT VEHICLES	72,012	72,012
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	96,851	96,851
014	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM	467,901	467,901
	INTELLIGENCE PROGRAMS		
015	INTERNATIONAL INTEL TECH & ARCHITECTURES	7,043	7,043
016	INTELLIGENCE TRAINING EQUIPMENT	2,424	2,424
017	INTELLIGENCE COMM EQUIPMENT	25,308	25,308
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	65,531	65,531
019	BATTLE CONTROL SYSTEM—FIXED	1,597	1,597
020	THEATER AIR CONTROL SYS IMPROVEMEN	9,611	9,611
021	3D EXPEDITIONARY LONG-RANGE RADAR	174,640	167,140
	Program decrease		[–7,500]
022	WEATHER OBSERVATION FORECAST	20,658	20,658
023	STRATEGIC COMMAND AND CONTROL	93,351	86,220
	Worldwide Joint Strategic Communications realignment of funds		[–7,131]
024	CHEYENNE MOUNTAIN COMPLEX	6,118	6,118
025	MISSION PLANNING SYSTEMS	13,947	13,947
	SPCL COMM-ELECTRONICS PROJECTS		
028	GENERAL INFORMATION TECHNOLOGY	101,517	101,517
029	AF GLOBAL COMMAND & CONTROL SYS	2,487	2,487
030	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	32,807	32,807
031	MOBILITY COMMAND AND CONTROL	10,210	10,210
035	COMBAT TRAINING RANGES	134,213	134,213
036	MINIMUM ESSENTIAL EMERGENCY COMM N	66,294	66,294
037	WIDE AREA SURVEILLANCE (WAS)	29,518	29,518
038	C3 COUNTERMEASURES	55,324	55,324
040	GCSS-AF FOS	786	786
042	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	248	248
043	THEATER BATTLE MGT C2 SYSTEM	275	275
044	AIR & SPACE OPERATIONS CENTER (AOC)	2,611	2,611
	AIR FORCE COMMUNICATIONS		
046	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	29,791	29,791
047	AFNET	83,320	83,320
048	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,199	5,199
049	USCENTCOM	11,896	11,896

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
050	USSTRATCOM	4,619	4,619
	ORGANIZATION AND BASE		
051	TACTICAL C-E EQUIPMENT	120,050	120,050
052	RADIO EQUIPMENT	14,053	14,053
054	BASE COMM INFRASTRUCTURE	91,313	96,363
	NORTHCOM UFR—Long range radar sites digitilization upgrades.		[5,050]
	MODIFICATIONS		
055	COMM ELECT MODS	167,419	167,419
	CLASSIFIED PROGRAMS		
099	CLASSIFIED PROGRAMS	89,484	89,484
	PERSONAL SAFETY & RESCUE EQUIP		
056	PERSONAL SAFETY AND RESCUE EQUIPMENT	92,995	92,995
	DEPOT PLANT+MTRLS HANDLING EQ		
057	POWER CONDITIONING EQUIPMENT	12,199	12,199
058	MECHANIZED MATERIAL HANDLING EQUIP	9,326	9,326
	BASE SUPPORT EQUIPMENT		
059	BASE PROCURED EQUIPMENT	52,890	52,890
060	ENGINEERING AND EOD EQUIPMENT	231,552	231,552
061	MOBILITY EQUIPMENT	28,758	28,758
062	FUELS SUPPORT EQUIPMENT (FSE)	21,740	21,740
	SPECIAL SUPPORT PROJECTS		
065	DARP RC135	28,153	28,153
066	DCGS-AF	217,713	217,713
070	SPECIAL UPDATE PROGRAM	978,499	978,499
	CLASSIFIED PROGRAMS		
099	CLASSIFIED PROGRAMS	21,702,225	21,702,225
	SPARES AND REPAIR PARTS		
071	SPARES AND REPAIR PARTS (CYBER)	1,007	1,007
072	SPARES AND REPAIR PARTS	23,175	23,175
073	UNDISTRIBUTED		189,283
	Inflation effects		[189,283]
	TOTAL OTHER PROCUREMENT, AIR FORCE	**25,691,113**	**25,871,716**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
025	MAJOR EQUIPMENT, DPAA	513	513
050	MAJOR EQUIPMENT, OSD	64,291	67,291
	Project Spectrum		[3,000]
	MAJOR EQUIPMENT, NSA		
047	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,738	6,738
	MAJOR EQUIPMENT, WHS		
054	MAJOR EQUIPMENT, WHS	310	310
	MAJOR EQUIPMENT, DISA		
011	INFORMATION SYSTEMS SECURITY	24,044	24,044
012	TELEPORT PROGRAM	50,475	50,475
013	JOINT FORCES HEADQUARTERS—DODIN	674	674
014	ITEMS LESS THAN $5 MILLION	46,614	46,614
015	DEFENSE INFORMATION SYSTEM NETWORK	87,345	87,345
016	WHITE HOUSE COMMUNICATION AGENCY	130,145	130,145
017	SENIOR LEADERSHIP ENTERPRISE	47,864	47,864
018	JOINT REGIONAL SECURITY STACKS (JRSS)	17,135	10,135
	Program decrease		[–7,000]
019	JOINT SERVICE PROVIDER	86,183	86,183
020	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,756	42,756
	MAJOR EQUIPMENT, DLA		
022	MAJOR EQUIPMENT	24,501	24,501
	MAJOR EQUIPMENT, DCSA		
001	MAJOR EQUIPMENT	2,346	2,346
	MAJOR EQUIPMENT, TJS		
052	MAJOR EQUIPMENT, TJS	3,900	3,900
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
030	THAAD	74,994	239,994

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	15 additional THAAD interceptors		[165,000]
031	GROUND BASED MIDCOURSE	11,300	11,300
032	AEGIS BMD	402,235	402,235
034	BMDS AN/TPY–2 RADARS	4,606	4,606
035	SM–3 IIAS	337,975	589,975
	Production increase		[252,000]
036	ARROW 3 UPPER TIER SYSTEMS	80,000	80,000
037	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	40,000	40,000
038	DEFENSE OF GUAM PROCUREMENT	26,514	26,514
039	AEGIS ASHORE PHASE III	30,056	30,056
040	IRON DOME	80,000	80,000
041	AEGIS BMD HARDWARE AND SOFTWARE	78,181	78,181
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	4,522	4,522
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
027	VEHICLES	139	139
028	OTHER MAJOR EQUIPMENT	14,296	14,296
	MAJOR EQUIPMENT, DODEA		
024	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	2,048	2,048
	MAJOR EQUIPMENT, DMACT		
023	MAJOR EQUIPMENT	11,117	11,117
	CLASSIFIED PROGRAMS		
099	CLASSIFIED PROGRAMS	681,894	681,894
	AVIATION PROGRAMS		
055	ARMED OVERWATCH/TARGETING	246,000	246,000
056	MANNED ISR	5,000	5,000
057	MC–12	3,344	3,344
059	ROTARY WING UPGRADES AND SUSTAINMENT	214,575	210,283
	Excess to need		[–4,292]
060	UNMANNED ISR	41,749	41,749
061	NON-STANDARD AVIATION	7,156	7,156
062	U–28	4,589	4,589
063	MH–47 CHINOOK	133,144	133,144
064	CV–22 MODIFICATION	75,629	83,215
	CV–22 & MC–130J Link–16 TacNet tactical receiver		[7,586]
065	MQ–9 UNMANNED AERIAL VEHICLE	9,000	9,000
066	PRECISION STRIKE PACKAGE	57,450	57,450
067	AC/MC–130J	225,569	222,869
	Excess to need		[–2,700]
068	C–130 MODIFICATIONS	11,945	16,893
	CV–22 & MC–130J Link–16 TacNet tactical receiver		[4,948]
	SHIPBUILDING		
069	UNDERWATER SYSTEMS	45,631	45,631
	AMMUNITION PROGRAMS		
070	ORDNANCE ITEMS <$5M	151,233	154,938
	Maritime Scalable Effects (MSE) Electronic Warfare System Acceleration.		[3,705]
	OTHER PROCUREMENT PROGRAMS		
071	INTELLIGENCE SYSTEMS	175,616	219,094
	SOCOM Enclosed Spaces Reconnaissance Collection Suite (ESRCS).		[15,000]
	Stalker VXE Block 30 Vertical Takeoff & Landing (VTOL) Acceleration.		[28,478]
072	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,214	2,214
073	OTHER ITEMS <$5M	98,096	96,134
	Excess to need		[–1,962]
074	COMBATANT CRAFT SYSTEMS	85,566	85,566
075	SPECIAL PROGRAMS	20,042	249,042
	Medium Fixed Wing Recapitalization		[229,000]
076	TACTICAL VEHICLES	51,605	59,605
	PB-NSCV		[8,000]
077	WARRIOR SYSTEMS <$5M	306,846	352,992

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	AFSOC Force Generation (AFSOFORGEN) Tactical Communications (TACCOM).		[18,730]
	Counter Unmanned Systems (CUxS) Procurement Acceleration		[33,553]
	Excess to need		[–6,137]
078	COMBAT MISSION REQUIREMENTS	4,991	4,991
080	OPERATIONAL ENHANCEMENTS INTELLIGENCE	18,723	18,723
081	OPERATIONAL ENHANCEMENTS	347,473	358,227
	Intelligence, Surveillance, and Reconnaissance (ISR) Transceivers Acceleration.		[10,754]
	CBDP		
082	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	199,439	192,747
	Unjustified growth		[–6,692]
083	CB PROTECTION & HAZARD MITIGATION	187,164	187,164
084	UNDISTRIBUTED		149,308
	Inflation effects		[149,308]
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,245,500**	**6,145,779**
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
001	UNDISTRIBUTED		50,000
	Program increase		[50,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		**50,000**
	TOTAL PROCUREMENT	**144,219,205**	**163,148,867**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Conference Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601102A	DEFENSE RESEARCH SCIENCES	279,328	345,194
		Basic research increase		[55,866]
		Counter-UAS technologies		[5,000]
		Data exchange system for a secure digital engineering environment.		[5,000]
002	0601103A	UNIVERSITY RESEARCH INITIATIVES	70,775	90,775
		Defense University Research Instrumentation Program.		[20,000]
003	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS.	100,909	109,909
		Automotive Research Center		[5,000]
		Biotechnology		[4,000]
004	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,355	5,355
005	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,456	10,456
		SUBTOTAL BASIC RESEARCH	**466,823**	**561,689**
		APPLIED RESEARCH		
006	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RESEARCH.	9,534	9,534
008	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES.	6,192	6,192

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Conference Authorized
009	0602141A	LETHALITY TECHNOLOGY	87,717	117,717
		Collaborative networked armament lethality and fire control.		[25,000]
		Turret gunner survivability and simulation		[5,000]
010	0602142A	ARMY APPLIED RESEARCH	27,833	27,833
011	0602143A	SOLDIER LETHALITY TECHNOLOGY	103,839	138,539
		Advanced textiles and shelters		[6,000]
		Footwear research		[4,000]
		Future Force Requirements Experimentation program		[5,000]
		Pathfinder		[10,000]
		Program increase—digital night vision technology		[9,700]
012	0602144A	GROUND TECHNOLOGY	52,848	88,848
		Cold and complex environments sensing research		[9,000]
		Earthen structures soil enhancement		[2,000]
		High performance polymer composites and coatings		[10,000]
		High temperature polymeric materials		[5,000]
		Polar proving ground and training program		[5,000]
		Unmanned mobility		[5,000]
013	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY.	174,090	180,090
		Structural thermoplastics		[6,000]
014	0602146A	NETWORK C3I TECHNOLOGY	64,115	107,615
		AI for position, navigation, and timing		[6,000]
		Alternative position, navigation, and timing		[15,000]
		Portable Doppler radar		[7,500]
		Secure anti-tamper		[15,000]
015	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	43,029	79,779
		Carbon-carbon high-temperature composites		[5,000]
		Low cost missile technology development		[10,000]
		Precision long range integrated strike missile		[6,750]
		Program increase—aluminum lithium alloy solid rocket advancement.		[15,000]
016	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	69,348	76,848
		High density eVTOL power source		[7,500]
017	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	27,016	59,016
		CEMA missile defender		[12,000]
		Counter-UAS Center of Excellence		[5,000]
		High energy laser engagement technologies		[15,000]
018	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	16,454	16,454
019	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH.	27,399	27,399
020	0602182A	C3I APPLIED RESEARCH	27,892	27,892
021	0602183A	AIR PLATFORM APPLIED RESEARCH	41,588	41,588
022	0602184A	SOLDIER APPLIED RESEARCH	15,716	15,716
023	0602213A	C3I APPLIED CYBER	13,605	13,605
024	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH.	21,919	96,919
		Tri-Service Biotechnology for a Resilient Supply Chain / Biotechnology for Materials.		[75,000]
025	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY.	19,649	19,649
026	0602787A	MEDICAL TECHNOLOGY	33,976	33,976
		SUBTOTAL APPLIED RESEARCH	**883,759**	**1,185,209**
		ADVANCED TECHNOLOGY DEVELOPMENT		
027	0603002A	MEDICAL ADVANCED TECHNOLOGY	5,207	16,907
		CPF—U.S. Army Battlefield Exercise and Combat Related Traumatic Brain and Spinal Injury Research.		[1,700]
		Hearing protection for communications		[5,000]
		Research effects of head-supported mass on cervical spine health.		[5,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Conference Authorized
028	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	15,598	15,598
029	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION.	20,900	20,900
030	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	6,395	6,395
031	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY.	45,463	45,463
032	0603042A	C3I ADVANCED TECHNOLOGY	12,716	12,716
033	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	17,946	17,946
034	0603044A	SOLDIER ADVANCED TECHNOLOGY	479	10,499
		CPF—Advancing Military Exoskeleton Technology State-of-The-Art Project.		[2,890]
		CPF—Building 2, Doriot Climatic Chambers, Exterior Repair.		[3,630]
		CPF—Small Unit Digital Twin for Robotic and Sensor Systems Integration.		[3,500]
036	0603116A	LETHALITY ADVANCED TECHNOLOGY	9,796	9,796
037	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT.	134,874	134,874
038	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY.	100,935	105,935
		Sensored head-borne suspension systems		[5,000]
039	0603119A	GROUND ADVANCED TECHNOLOGY	32,546	68,546
		Additive manufacturing with indigenous materials		[15,000]
		Cold Regions Research and Engineering Laboratory		[10,000]
		Graphene-enabled technologies for ground combat operations.		[5,000]
		Printed infrastructure and cold weather construction capabilities.		[6,000]
040	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	21,486	21,486
041	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH.	56,853	56,853
042	0603457A	C3I CYBER ADVANCED DEVELOPMENT	41,354	41,354
043	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	251,964	301,964
		Program increase		[50,000]
044	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	193,242	254,742
		Autonomous ground vehicle cybersecurity		[5,000]
		Combat vehicle hybrid-electric transmissions		[5,500]
		Digital enterprise technology		[15,000]
		Electrified vehicle infrared signature management		[5,000]
		HTPEM APU		[10,000]
		Lithium 6T battery development		[8,000]
		Multi-Service Electro-Optical Signature code modernization.		[3,000]
		Synthetic graphite research		[10,000]
045	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	125,565	135,565
		PNT situational awareness tools and techniques		[10,000]
046	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY.	100,830	166,230
		Autoloader development		[21,400]
		Extended Range Artillery Munition Suite		[5,000]
		Hypersonic and strategic materials and structures		[20,000]
		Maneuvering submunitions		[9,000]
		Missile Multi Agent eXtensible Engagement Services (MAXES).		[10,000]
047	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY.	177,836	179,836
		Program increase—Additive manufacturing		[2,000]
048	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY.	11,147	43,147

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Conference Authorized
		Counter-Unmanned Aerial Systems Palatized-High Energy Laser.		*[20,000]*
		Integration of distributed gain HEL laser weapon system.		*[12,000]*
049	*0603920A*	*HUMANITARIAN DEMINING*	*8,933*	*8,933*
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	***1,392,065***	***1,675,685***
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
050	*0603305A*	*ARMY MISSLE DEFENSE SYSTEMS INTEGRATION.*	*12,001*	*34,001*
		Mobile Solid State High Power Microwave		*[12,000]*
		Sensing, Modeling, Analysis, Requirements, and Testing.		*[10,000]*
051	*0603308A*	*ARMY SPACE SYSTEMS INTEGRATION*	*17,945*	*17,945*
053	*0603619A*	*LANDMINE WARFARE AND BARRIER—ADV DEV*	*64,001*	*64,001*
054	*0603639A*	*TANK AND MEDIUM CALIBER AMMUNITION*	*64,669*	*64,669*
055	*0603645A*	*ARMORED SYSTEM MODERNIZATION—ADV DEV.*	*49,944*	*87,444*
		AMPV—Hybrid electric vehicle		*[37,500]*
056	*0603747A*	*SOLDIER SUPPORT AND SURVIVABILITY*	*4,060*	*4,060*
057	*0603766A*	*TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV.*	*72,314*	*72,314*
058	*0603774A*	*NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT.*	*18,048*	*117,048*
		IVAS—Army requested realignment from Procurement.		*[99,000]*
059	*0603779A*	*ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL.*	*31,249*	*38,749*
		Underwater Demilitarization of Munitions		*[7,500]*
060	*0603790A*	*NATO RESEARCH AND DEVELOPMENT*	*3,805*	*3,805*
061	*0603801A*	*AVIATION—ADV DEV*	*1,162,344*	*1,180,484*
		Future Long Range Assault Aircraft (FLRAA)		*[23,000]*
		Unjustified growth—FLRAA MTA program management.		*[–4,860]*
062	*0603804A*	*LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV.*	*9,638*	*9,638*
063	*0603807A*	*MEDICAL SYSTEMS—ADV DEV*	*598*	*598*
064	*0603827A*	*SOLDIER SYSTEMS—ADVANCED DEVELOPMENT.*	*25,971*	*25,971*
065	*0604017A*	*ROBOTICS DEVELOPMENT*	*26,594*	*26,594*
066	*0604019A*	*EXPANDED MISSION AREA MISSILE (EMAM)*	*220,820*	*220,820*
067	*0604020A*	*CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING.*	*106,000*	*106,000*
069	*0604035A*	*LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY.*	*35,509*	*35,509*
070	*0604036A*	*MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV.*	*49,932*	*49,932*
071	*0604037A*	*TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV.*	*863*	*863*
072	*0604100A*	*ANALYSIS OF ALTERNATIVES*	*10,659*	*10,659*
073	*0604101A*	*SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4).*	*1,425*	*1,425*
074	*0604113A*	*FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS).*	*95,719*	*95,719*
075	*0604114A*	*LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR.*	*382,147*	*392,147*
		Program protection		*[10,000]*
076	*0604115A*	*TECHNOLOGY MATURATION INITIATIVES*	*269,756*	*269,756*
077	*0604117A*	*MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD).*	*225,147*	*225,147*

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Conference Authorized
078	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	198,111	198,111
079	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT).	43,797	57,797
		ALTNAV—Army UPL		[14,000]
080	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	166,452	219,452
		Program increase (STE live training systems)		[17,000]
		SiVT—Army requested realignment from Procurement.		[36,000]
081	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	15,840	15,840
082	0604135A	STRATEGIC MID-RANGE FIRES	404,291	404,291
083	0604182A	HYPERSONICS	173,168	223,168
		National Hypersonic Initiative—Develop Leap-Ahead Concepts and Capabilities.		[50,000]
084	0604403A	FUTURE INTERCEPTOR	8,179	8,179
085	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT.	35,110	35,110
086	0604541A	UNIFIED NETWORK TRANSPORT	36,966	36,966
089	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT.	55,677	55,677
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**4,098,749**	**4,409,889**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
090	0604201A	AIRCRAFT AVIONICS	3,335	3,335
091	0604270A	ELECTRONIC WARFARE DEVELOPMENT	4,243	4,243
092	0604601A	INFANTRY SUPPORT WEAPONS	66,529	76,529
		Commercial magazine reliability testing		[5,000]
		Program increase		[5,000]
093	0604604A	MEDIUM TACTICAL VEHICLES	22,163	22,163
094	0604611A	JAVELIN	7,870	7,870
095	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	50,924	50,924
096	0604633A	AIR TRAFFIC CONTROL	2,623	2,623
097	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV).	115,986	115,986
098	0604642A	LIGHT TACTICAL WHEELED VEHICLES		10,049
		Electric light recon vehicle—Army UPL		[10,049]
099	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV.	71,287	68,777
		T&E excess to need		[–2,510]
100	0604710A	NIGHT VISION SYSTEMS—ENG DEV	62,679	75,951
		IVAS—Army UPL		[16,500]
		Night vision device—next ahead of need		[–3,228]
101	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT.	1,566	1,566
102	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	18,600	18,600
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	39,541	35,541
		Program decrease		[–4,000]
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT.	29,570	29,570
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT.	5,178	5,178
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	8,189	8,189
109	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION.	21,228	21,228
110	0604802A	WEAPONS AND MUNITIONS—ENG DEV	263,778	259,178
		Program decrease		[–4,600]

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Line	Program Element	Item	FY 2023 Request	Conference Authorized
111	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV.	41,669	41,669
112	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	40,038	40,038
113	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	5,513	5,513
114	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	12,150	12,150
115	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	111,690	111,690
116	0604820A	RADAR DEVELOPMENT	71,259	71,259
117	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS).	10,402	10,402
119	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	11,425	11,425
120	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD.	109,702	109,702
121	0604854A	ARTILLERY SYSTEMS—EMD	23,106	23,106
122	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	124,475	109,475
		Army contract writing system		[–15,000]
123	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A).	67,564	53,373
		Unjustified growth		[–14,191]
125	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	17,950	17,950
126	0605031A	JOINT TACTICAL NETWORK (JTN)	30,169	30,169
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM).	11,523	11,523
130	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	33,029	33,029
131	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER).	4,497	4,497
132	0605047A	CONTRACT WRITING SYSTEM	23,487	13,742
		Unjustified growth		[–9,745]
133	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	19,123	19,123
134	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1.	131,093	131,093
135	0605053A	GROUND ROBOTICS	26,809	26,809
136	0605054A	EMERGING TECHNOLOGY INITIATIVES	185,311	190,311
		Palletized high energy laser		[5,000]
137	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC)	11,091	11,091
138	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	22,439	22,439
140	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD.	58,087	108,987
		TITAN realignment of funds		[50,900]
141	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION.	119,516	143,616
		CYBERCOM UPL—JCWA integration		[24,100]
142	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5).	6,530	6,530
143	0605224A	MULTI-DOMAIN INTELLIGENCE	19,911	19,911
145	0605231A	PRECISION STRIKE MISSILE (PRSM)	259,506	259,506
146	0605232A	HYPERSONICS EMD	633,499	633,499
147	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE).	13,647	10,088
		Carryover		[–3,559]
148	0605235A	STRATEGIC MID-RANGE CAPABILITY	5,016	5,016
149	0605236A	INTEGRATED TACTICAL COMMUNICATIONS	12,447	12,447
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	2,366	2,366
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD).	265,288	259,288
		Kill chain automation		[2,000]
		Program decrease		[–8,000]
152	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION.	14,892	14,892
153	0605625A	MANNED GROUND VEHICLE	589,762	577,807
		Excess to need		[–11,955]

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154	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	17,030	17,030
155	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	9,376	9,376
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	2,959	2,959
157	0303032A	TROJAN—RH12	3,761	3,761
160	0304270A	ELECTRONIC WARFARE DEVELOPMENT	56,938	99,838
		Realignment of funds		[38,000]
		Service Tactical SIGINT Upgrades—INDOPACOM UPL.		[4,900]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**4,031,334**	**4,115,995**
		MANAGEMENT SUPPORT		
161	0604256A	THREAT SIMULATOR DEVELOPMENT	18,437	18,437
162	0604258A	TARGET SYSTEMS DEVELOPMENT	19,132	29,132
		Small UAS engine development		[10,000]
163	0604759A	MAJOR T&E INVESTMENT	107,706	107,706
164	0605103A	RAND ARROYO CENTER	35,542	35,542
165	0605301A	ARMY KWAJALEIN ATOLL	309,005	309,005
166	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	87,122	87,122
168	0605601A	ARMY TEST RANGES AND FACILITIES	401,643	401,643
169	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.	37,962	57,962
		Rapid Assurance Modernization Program–Test (RAMP-T).		[20,000]
170	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,500	36,500
171	0605606A	AIRCRAFT CERTIFICATION	2,777	2,777
172	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES.	6,958	6,958
173	0605706A	MATERIEL SYSTEMS ANALYSIS	22,037	22,037
174	0605709A	EXPLOITATION OF FOREIGN ITEMS	6,186	6,186
175	0605712A	SUPPORT OF OPERATIONAL TESTING	70,718	70,718
176	0605716A	ARMY EVALUATION CENTER	67,058	67,058
177	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG.	6,097	6,097
178	0605801A	PROGRAMWIDE ACTIVITIES	89,793	89,793
179	0605803A	TECHNICAL INFORMATION ACTIVITIES	28,752	28,752
180	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	48,316	53,316
		Agile Manufacturing for Advanced Armament Systems.		[5,000]
181	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.	1,912	1,912
182	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA.	53,271	53,271
183	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE.	90,088	90,088
184	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION.	1,424	1,424
186	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	5,816	5,816
		SUBTOTAL MANAGEMENT SUPPORT	**1,554,252**	**1,589,252**
		OPERATIONAL SYSTEMS DEVELOPMENT		
188	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,463	18,463
189	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	9,284	9,284
190	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	11,674	16,674
		Materials improvements		[5,000]
193	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	52,513	67,513
		Chinook 714C engine upgrade		[15,000]
194	0607139A	IMPROVED TURBINE ENGINE PROGRAM	228,036	228,036

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Line	Program Element	Item	FY 2023 Request	Conference Authorized
195	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	11,312	11,312
196	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS.	512	512
197	0607145A	APACHE FUTURE DEVELOPMENT	10,074	20,074
		Program increase		[10,000]
198	0607148A	AN/TPQ–53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	62,559	62,559
199	0607150A	INTEL CYBER DEVELOPMENT	13,343	13,343
200	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT.	26,131	26,131
201	0607313A	ELECTRONIC WARFARE DEVELOPMENT	6,432	6,432
202	0607665A	FAMILY OF BIOMETRICS	1,114	1,114
203	0607865A	PATRIOT PRODUCT IMPROVEMENT	152,312	152,312
204	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS).	19,329	19,329
205	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	192,310	294,510
		Abrams modernization		[97,200]
		Auxiliary power unit development		[5,000]
206	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS.	136,680	134,680
		Maintain program management level of effort		[–2,000]
208	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	148	148
209	0203758A	DIGITIZATION	2,100	0
		Carryover		[–2,100]
210	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.	3,109	3,109
211	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS.	9,027	9,027
212	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	793	793
213	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS).	20,180	20,180
214	0208053A	JOINT TACTICAL GROUND SYSTEM	8,813	8,813
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	17,209	17,209
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	27,100	27,100
219	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,321	18,321
222	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	9,926	9,926
223	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	4,500	4,500
224	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	17,165	17,165
227	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.	91,270	91,270
9999	9999999999	CLASSIFIED PROGRAMS	6,664	6,664
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**1,188,403**	**1,316,503**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	94,888	94,888
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**94,888**	**94,888**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED		395,627
		Inflation effects		[395,627]
		SUBTOTAL UNDISTRIBUTED		**395,627**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	**13,710,273**	**15,344,737**

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Line	Program Element	Item	FY 2023 Request	Conference Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	90,076	204,700
		All-digital arrays for long-distance applications		[9,800]
		Program increase		[99,824]
		Program increase—artificial intelligence maritime maneuvering.		[5,000]
003	0601153N	DEFENSE RESEARCH SCIENCES	499,116	529,116
		Basic research increase		[30,000]
		SUBTOTAL BASIC RESEARCH	**589,192**	**733,816**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	22,953	22,953
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	133,426	192,926
		Cavitation erosion prevention		[5,000]
		CPF—Resilient Autonomous Systems Research and Workforce Diversity.		[4,000]
		CPF—Talent and Technology for Navy Power and Energy Systems.		[3,000]
		Direct air capture and carbon removal technology program.		[10,000]
		Energy resilience research collaboration		[3,000]
		Intelligent Data Management for Distributed Naval Platforms.		[10,500]
		Relative positioning of autonomous platforms		[5,000]
		Resilient Autonomous Systems Research & Workforce Diversity.		[8,500]
		Workforce and technology for Navy power and energy systems.		[10,500]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY.	53,467	63,967
		CPF—Unmanned Logistics Solutions for the U.S. Marine Corps.		[3,000]
		Unmanned logistics solutions		[7,500]
007	0602235N	COMMON PICTURE APPLIED RESEARCH	51,911	51,911
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH.	70,957	80,957
		Anti-corrosion coatings		[10,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH.	92,444	107,444
		Chip Scale Open Architecture		[15,000]
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.	74,622	84,622
		Undersea distributed sensing systems		[10,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH.	6,700	6,700
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	58,111	87,111
		CPF—Persistent Maritime Surveillance		[4,000]
		Dual-modality research vessels		[2,000]
		Undersea vehicle technology partnerships		[20,000]
		UUV research		[3,000]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH.	173,641	177,141
		Program increase		[3,500]
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.	31,649	31,649
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	120,637	146,237
		Navy UFR—Alternative CONOPS Goalkeeper		[25,600]
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES.	81,296	81,296
		SUBTOTAL APPLIED RESEARCH	**971,814**	**1,134,914**

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Line	Program Element	Item	FY 2023 Request	Conference Authorized
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY.	16,933	16,933
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY.	8,253	8,253
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD).	280,285	316,685
		Low-cost attritable aircraft technology		[25,000]
		Program increase		[4,600]
		Program increase—K-MAX next generation autonomous logistics UAS.		[6,800]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	14,048	14,048
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	251,267	251,267
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,704	60,704
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY.	4,999	4,999
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	83,137	83,137
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	2,007	2,007
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	144,122	210,422
		Navy UFR—Alternative CONOPS Goalkeeper		[61,300]
		Scalable laser weapon system		[5,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**865,755**	**968,455**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	96,883	96,883
028	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV).	146,840	146,840
029	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	39,737	39,737
030	0603216N	AVIATION SURVIVABILITY	17,434	17,434
031	0603239N	NAVAL CONSTRUCTION FORCES	1,706	1,706
033	0603254N	ASW SYSTEMS DEVELOPMENT	15,986	15,986
034	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,562	3,562
035	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	18,628	65,828
		Data dissemination and interoperability		[6,500]
		Navy UFR—Alternative CONOPS Goalkeeper		[40,700]
036	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	87,825	87,825
037	0603506N	SURFACE SHIP TORPEDO DEFENSE	473	473
038	0603512N	CARRIER SYSTEMS DEVELOPMENT	11,567	11,567
039	0603525N	PILOT FISH	672,461	672,461
040	0603527N	RETRACT LARCH	7,483	7,483
041	0603536N	RETRACT JUNIPER	239,336	239,336
042	0603542N	RADIOLOGICAL CONTROL	772	772
043	0603553N	SURFACE ASW	1,180	1,180
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT.	105,703	110,703
		Program increase		[5,000]
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,917	10,917
046	0603563N	SHIP CONCEPT ADVANCED DESIGN	82,205	90,205
		Additive Manufacturing in Ship Advanced Concept Design.		[4,000]
		Advance LAW development		[4,000]
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.	75,327	75,327
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	227,400	227,400

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Line	Program Element	Item	FY 2023 Request	Conference Authorized
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	176,600	197,200
		Lithium Iron Phosphate Batteries Integration		[9,000]
		Silicon carbide power modules		[11,600]
050	0603576N	CHALK EAGLE	91,584	91,584
051	0603581N	LITTORAL COMBAT SHIP (LCS)	96,444	96,444
052	0603582N	COMBAT SYSTEM INTEGRATION	18,236	18,236
053	0603595N	OHIO REPLACEMENT	335,981	350,981
		Rapid realization of composites for wet submarine application.		[15,000]
054	0603596N	LCS MISSION MODULES	41,533	48,533
		Mine Countermeasures Mission Package Capacity and Wholeness—Navy UPL.		[7,000]
055	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	9,773	9,773
056	0603599N	FRIGATE DEVELOPMENT	118,626	115,626
		Prior year underexecution		[–3,000]
057	0603609N	CONVENTIONAL MUNITIONS	9,286	9,286
058	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.	111,431	111,431
059	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	36,496	36,496
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT.	6,193	6,193
061	0603721N	ENVIRONMENTAL PROTECTION	21,647	21,647
062	0603724N	NAVY ENERGY PROGRAM	60,320	70,320
		Marine energy systems		[10,000]
063	0603725N	FACILITIES IMPROVEMENT	5,664	5,664
064	0603734N	CHALK CORAL	833,634	833,634
065	0603739N	NAVY LOGISTIC PRODUCTIVITY	899	899
066	0603746N	RETRACT MAPLE	363,973	363,973
067	0603748N	LINK PLUMERIA	1,038,661	1,038,661
068	0603751N	RETRACT ELM	83,445	83,445
069	0603764M	LINK EVERGREEN	313,761	313,761
070	0603790N	NATO RESEARCH AND DEVELOPMENT	8,041	8,041
071	0603795N	LAND ATTACK TECHNOLOGY	358	358
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING	30,533	30,533
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	18,628	18,628
074	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS.	65,080	65,080
075	0604014N	F/A –18 INFRARED SEARCH AND TRACK (IRST)	40,069	40,069
076	0604027N	DIGITAL WARFARE OFFICE	165,753	165,753
077	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES.	106,347	106,347
078	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES.	60,697	60,697
079	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION..	57,000	57,000
081	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	116,498	116,498
082	0604126N	LITTORAL AIRBORNE MCM	47,389	47,389
083	0604127N	SURFACE MINE COUNTERMEASURES	12,959	12,959
084	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	15,028	39,028
		Program increase—distributed aperture infrared countermeasure system.		[24,000]
085	0604289M	NEXT GENERATION LOGISTICS	2,342	2,342
086	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	5,103	5,103
087	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	62,927	62,927
088	0604454N	LX (R)	26,630	24,116
		Historical underexecution		[–2,514]
089	0604536N	ADVANCED UNDERSEA PROTOTYPING	116,880	116,880
090	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS).	7,438	7,438

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Line	Program Element	Item	FY 2023 Request	Conference Authorized
091	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM.	84,734	109,734
		Research and development for a nuclear-capable sea-launched cruise missile.		[25,000]
092	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	10,229	10,229
093	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT.	124,204	237,785
		Navy requested transfer from WPN line 8		[46,481]
		Navy UFR—Hypersonic OASuW Inc 2		[67,100]
094	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS)).	104,000	104,000
095	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES.	181,620	181,620
096	0605514M	GROUND BASED ANTI-SHIP MISSILE	43,090	93,090
		Defense Industrial Base (DIB) Expansion for Harpoon Missiles.		[50,000]
097	0605516M	LONG RANGE FIRES	36,693	36,693
098	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	1,205,041	1,225,041
		Full-Scale Rapid CPS Flight Tests		[20,000]
099	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,856	9,856
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM.	1,735	1,735
101	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	796	796
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**8,405,310**	**8,745,177**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
102	0603208N	TRAINING SYSTEM AIRCRAFT	15,128	15,128
103	0604038N	MARITIME TARGETING CELL	39,600	89,600
		Family of Integrated Targeting Cells (FITC)		[50,000]
104	0604212N	OTHER HELO DEVELOPMENT	66,010	66,010
105	0604214M	AV–8B AIRCRAFT—ENG DEV	9,205	9,205
106	0604215N	STANDARDS DEVELOPMENT	3,766	3,766
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT.	44,684	44,684
108	0604221N	P–3 MODERNIZATION PROGRAM	343	343
109	0604230N	WARFARE SUPPORT SYSTEM	12,337	12,337
110	0604231N	COMMAND AND CONTROL SYSTEMS	143,575	143,575
111	0604234N	ADVANCED HAWKEYE	502,956	482,956
		Program decrease		[–20,000]
112	0604245M	H–1 UPGRADES	43,759	43,759
113	0604261N	ACOUSTIC SEARCH SENSORS	50,231	50,231
114	0604262N	V–22A	125,233	125,233
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	43,282	43,282
116	0604269N	EA–18	116,589	116,589
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	141,138	141,138
118	0604273M	EXECUTIVE HELO DEVELOPMENT	45,645	45,645
119	0604274N	NEXT GENERATION JAMMER (NGJ)	54,679	54,679
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY).	329,787	326,587
		Program decrease		[–3,200]
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II.	301,737	151,737
		Program delay		[–150,000]
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING.	347,233	336,705
		Historical underexecution		[–10,528]
124	0604329N	SMALL DIAMETER BOMB (SDB)	42,881	42,881
125	0604366N	STANDARD MISSILE IMPROVEMENTS	319,943	319,943
126	0604373N	AIRBORNE MCM	10,882	10,882

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127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	45,892	45,892
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP).		13,000
		Program increase		[13,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS	81,254	72,917
		Historical underexecution		[–8,337]
130	0604503N	SSN–688 AND TRIDENT MODERNIZATION	93,501	93,501
131	0604504N	AIR CONTROL	39,138	39,138
132	0604512N	SHIPBOARD AVIATION SYSTEMS	11,759	11,759
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,160	11,160
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM.	87,459	87,459
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	151	151
136	0604558N	NEW DESIGN SSN	307,585	496,485
		Advanced undersea capability development		[188,900]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	58,741	58,741
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	60,791	60,791
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,177	4,177
140	0604601N	MINE DEVELOPMENT	60,793	117,893
		INDOPACOM UFR—Hammerhead		[47,500]
		INDOPACOM/Navy UFR—Sea Urchin powered quickstrike mines.		[10,000]
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	142,000	140,111
		Project 2234 historical underexecution		[–1,889]
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	8,618	8,618
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV.	45,025	45,025
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS.	7,454	7,454
145	0604727N	JOINT STANDOFF WEAPON SYSTEMS	758	758
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	159,426	159,426
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	71,818	71,818
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW).	92,687	92,687
149	0604761N	INTELLIGENCE ENGINEERING	23,742	23,742
150	0604771N	MEDICAL DEVELOPMENT	3,178	3,178
151	0604777N	NAVIGATION/ID SYSTEM	53,209	53,209
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	611	611
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	234	234
154	0604850N	SSN(X)	143,949	143,949
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	11,361	11,361
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	290,353	298,103
		Cyber supply chain risk management		[5,000]
		High performance data analytics		[2,750]
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	7,271	7,271
158	0605180N	TACAMO MODERNIZATION	554,193	554,193
159	0605212M	CH–53K RDTE	220,240	224,240
		CPF—High-Energy Density and High-Power Density Li-Ion Battery Magazines (HEBM) in Defense Applications.		[4,000]
160	0605215N	MISSION PLANNING	71,107	71,107
161	0605217N	COMMON AVIONICS	77,960	77,960
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	2,886	10,106
		Program increase		[7,220]
163	0605327N	T-AO 205 CLASS	220	220
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	265,646	265,646
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	371	371
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	37,939	37,939
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III.	161,697	161,697

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168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	94,569	94,569
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,856	2,856
170	0204202N	DDG–1000	197,436	184,674
		Prior year underexecution		[–12,762]
171	0301377N	COUNTERING ADVANCED CONVENTIONAL WEAPONS (CACW).	12,341	22,341
		Threat Mosaic Warfare		[10,000]
175	0304785N	ISR & INFO OPERATIONS	135,366	135,366
176	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT.	37,038	37,038
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**6,606,583**	**6,738,237**
		MANAGEMENT SUPPORT		
177	0604256N	THREAT SIMULATOR DEVELOPMENT	29,430	29,430
178	0604258N	TARGET SYSTEMS DEVELOPMENT	13,708	13,708
179	0604759N	MAJOR T&E INVESTMENT	95,316	95,316
180	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,286	3,286
181	0605154N	CENTER FOR NAVAL ANALYSES	40,624	40,624
183	0605804N	TECHNICAL INFORMATION SERVICES	987	987
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.	105,152	105,152
185	0605856N	STRATEGIC TECHNICAL SUPPORT	3,787	3,787
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	173,352	173,352
187	0605864N	TEST AND EVALUATION SUPPORT	468,281	468,281
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY.	27,808	27,808
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT.	27,175	27,175
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT.	7,186	7,186
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	39,744	39,744
192	0605898N	MANAGEMENT HQ—R&D	40,648	40,648
193	0606355N	WARFARE INNOVATION MANAGEMENT	52,060	52,060
194	0305327N	INSIDER THREAT	2,315	2,315
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,811	1,811
		SUBTOTAL MANAGEMENT SUPPORT	**1,132,670**	**1,132,670**
		OPERATIONAL SYSTEMS DEVELOPMENT		
198	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS.	65,735	65,735
201	0604840M	F–35 C2D2	525,338	525,338
202	0604840N	F–35 C2D2	491,513	491,513
203	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS.	48,663	48,663
204	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC).	156,121	156,121
205	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT.	284,502	304,502
		D5LE2 Risk Reduction		[20,000]
206	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	50,939	50,939
207	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT.	81,237	86,237
		Program increase		[5,000]
208	0101402N	NAVY STRATEGIC COMMUNICATIONS	49,424	49,424
209	0204136N	F/A–18 SQUADRONS	238,974	235,860
		Historical underexecution		[–7,114]
		Jet noise reduction		[4,000]
210	0204228N	SURFACE SUPPORT	12,197	12,197

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211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	132,719	132,719
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM	68,417	82,917
		Deployable Surveillance System, Deep Water Active		[14,500]
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	1,188	1,188
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,789	1,789
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR).	61,422	61,422
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.	70,339	70,339
217	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT.	47,436	47,436
218	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	90,779	90,779
219	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION.	28,999	28,999
220	0205632N	MK–48 ADCAP	155,868	155,868
221	0205633N	AVIATION IMPROVEMENTS	130,450	130,450
222	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	121,439	121,439
223	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	114,305	114,305
224	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	14,865	14,865
225	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	100,536	100,536
226	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	26,522	26,522
227	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	51,976	51,976
228	0206629M	AMPHIBIOUS ASSAULT VEHICLE	8,246	8,246
229	0207161N	TACTICAL AIM MISSILES	29,236	29,236
230	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	30,898	30,898
231	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,609	3,609
236	0303138N	AFLOAT NETWORKS	45,693	45,693
237	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,752	33,752
238	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES.	8,415	8,415
239	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	10,576	10,576
240	0305205N	UAS INTEGRATION AND INTEROPERABILITY	18,373	18,373
241	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	45,705	45,705
242	0305220N	MQ–4C TRITON	13,893	13,893
243	0305231N	MQ–8 UAV		13,100
		Costs associated with restoring 5 LCS		[13,100]
244	0305232M	RQ–11 UAV	1,234	1,234
245	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	3,761	3,761
247	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT.	56,261	56,261
248	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP).	9,780	9,780
249	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT.	36,505	36,505
250	0305421N	RQ–4 MODERNIZATION	163,277	163,277
251	0307577N	INTELLIGENCE MISSION DATA (IMD)	851	851
252	0308601N	MODELING AND SIMULATION SUPPORT	9,437	9,437
253	0702207N	DEPOT MAINTENANCE (NON-IF)	26,248	26,248
254	0708730N	MARITIME TECHNOLOGY (MARITECH)	2,133	2,133
9999	9999999999	CLASSIFIED PROGRAMS	1,701,811	1,701,811
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**5,483,386**	**5,532,872**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		

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256	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	12,810	12,810
257	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	11,198	11,198
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**24,008**	**24,008**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED		409,201
		Inflation effects		[409,201]
		SUBTOTAL UNDISTRIBUTED		**409,201**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	**24,078,718**	**25,419,350**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	375,325	450,397
		Program increase		[75,072]
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	171,192	177,542
		CPF—Aeromedical Research Center		[2,350]
		CPF—GHz-THz Antenna Systems for Massive Data Transmissions in Real-Time.		[4,000]
		SUBTOTAL BASIC RESEARCH	**546,517**	**627,939**
		APPLIED RESEARCH		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH.	88,672	84,282
		Transformational capability incubator unjustified growth.		[–4,390]
005	0602102F	MATERIALS	134,795	149,795
		High energy synchotron X-ray research		[5,000]
		Thermal protection for hypersonic vehicles		[10,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	159,453	169,453
		Aeromechanics and integration		[10,000]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	135,771	150,771
		Digital engineering and prototype capability		[10,000]
		Program increase		[5,000]
008	0602203F	AEROSPACE PROPULSION	172,861	172,861
009	0602204F	AEROSPACE SENSORS	192,733	197,733
		Program increase		[5,000]
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT—MAJOR HEADQUARTERS ACTIVITIES.	8,856	8,856
012	0602602F	CONVENTIONAL MUNITIONS	137,303	147,303
		Advanced hypersonic propulsion		[5,000]
		Convergence Lab Center activities		[5,000]
013	0602605F	DIRECTED ENERGY TECHNOLOGY	109,302	100,947
		Realignment of funds		[–8,355]
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS.	166,041	226,041
		AI for networks		[5,000]
		Internet of Things Laboratory		[5,000]
		Program increase		[10,000]
		Quantum testbed		[10,000]
		Trapped ion quantum computer		[20,000]
		UAS traffic management		[10,000]
		SUBTOTAL APPLIED RESEARCH	**1,305,787**	**1,408,042**
		ADVANCED TECHNOLOGY DEVELOPMENT		
016	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS.	152,559	107,559
		Automated geospatial intelligence detection algorithm		[5,000]

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		Program reduction		*[–50,000]*
017	*0603112F*	*ADVANCED MATERIALS FOR WEAPON SYSTEMS.*	*29,116*	*39,116*
		Metals Affordability Initiative		*[10,000]*
018	*0603199F*	*SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T).*	*10,695*	*10,695*
019	*0603203F*	*ADVANCED AEROSPACE SENSORS*	*36,997*	*36,997*
020	*0603211F*	*AEROSPACE TECHNOLOGY DEV/DEMO*	*54,727*	*76,220*
		Program increase		*[20,000]*
		Technical realignment		*[–8,507]*
		Unmanned semi-autonomous adversary aircraft		*[10,000]*
021	*0603216F*	*AEROSPACE PROPULSION AND POWER TECHNOLOGY.*	*64,254*	*82,761*
		Program increase		*[10,000]*
		Realignment of funds		*[8,507]*
022	*0603270F*	*ELECTRONIC COMBAT TECHNOLOGY*	*33,380*	*33,380*
023	*0603273F*	*SCIENCE & TECHNOLOGY FOR NUCLEAR REENTRY SYSTEMS.*	*39,431*	*39,431*
026	*0603456F*	*HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.*	*20,652*	*20,652*
027	*0603601F*	*CONVENTIONAL WEAPONS TECHNOLOGY*	*187,374*	*187,374*
028	*0603605F*	*ADVANCED WEAPONS TECHNOLOGY*	*98,503*	*93,289*
		Transformational technology development unjustified request.		*[–5,214]*
029	*0603680F*	*MANUFACTURING TECHNOLOGY PROGRAM*	*47,759*	*57,059*
		Agile Factory Floor for Depot Sustainment		*[5,300]*
		CPF—Additive Manufacturing and Ultra-High Performance Concrete.		*[4,000]*
030	*0603788F*	*BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.*	*51,824*	*51,824*
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	***827,271***	***836,357***
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
031	*0603036F*	*MODULAR ADVANCED MISSILE*	*125,688*	*125,688*
032	*0603260F*	*INTELLIGENCE ADVANCED DEVELOPMENT*	*6,101*	*6,101*
033	*0603742F*	*COMBAT IDENTIFICATION TECHNOLOGY*	*17,318*	*17,318*
034	*0603790F*	*NATO RESEARCH AND DEVELOPMENT*	*4,295*	*4,295*
035	*0603851F*	*INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL.*	*46,432*	*46,432*
036	*0604001F*	*NC3 ADVANCED CONCEPTS*	*5,098*	*5,098*
038	*0604003F*	*ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS).*	*231,408*	*231,408*
039	*0604004F*	*ADVANCED ENGINE DEVELOPMENT*	*353,658*	*353,658*
040	*0604006F*	*DEPT OF THE AIR FORCE TECH ARCHITECTURE.*	*66,615*	*50,000*
		Program growth		*[–16,615]*
041	*0604015F*	*LONG RANGE STRIKE—BOMBER*	*3,253,584*	*3,143,584*
		Excess to need		*[–110,000]*
042	*0604032F*	*DIRECTED ENERGY PROTOTYPING*	*4,269*	*4,269*
043	*0604033F*	*HYPERSONICS PROTOTYPING*	*431,868*	*161,547*
		Technical realignment		*[–270,321]*
044	*0604183F*	*HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM).*	*144,891*	*461,778*
		Technical realignment		*[316,887]*
045	*0604201F*	*PNT RESILIENCY, MODS, AND IMPROVEMENTS*	*12,010*	*12,010*
046	*0604257F*	*ADVANCED TECHNOLOGY AND SENSORS*	*13,311*	*13,311*
047	*0604288F*	*SURVIVABLE AIRBORNE OPERATIONS CENTER*	*203,213*	*203,213*
048	*0604317F*	*TECHNOLOGY TRANSFER*	*16,759*	*16,759*
049	*0604327F*	*HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.*	*106,826*	*141,826*
		CENTCOM UFR—HDBTDS program		*[35,000]*

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050	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS.	44,526	69,526
		Program increase		[25,000]
051	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS).	51,758	27,758
		Product development ahead of need		[–24,000]
052	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D.	27,586	27,586
053	0604858F	TECH TRANSITION PROGRAM	649,545	602,795
		Hybrid autonomous maritime expeditionary logistics		[2,000]
		Program increase		[9,250]
		Technical realignment		[–58,000]
054	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE.		15,500
		Technical realignment		[15,500]
055	0605230F	GROUND BASED STRATEGIC DETERRENT		3,000
		ICBM transition readiness modeling and simulation		[3,000]
056	0207110F	NEXT GENERATION AIR DOMINANCE	1,657,733	1,657,733
057	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS	51,747	51,747
058	0207420F	COMBAT IDENTIFICATION	1,866	1,866
059	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR).	14,490	14,490
060	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	52,498	48,498
		Program decrease		[–4,000]
061	0208030F	WAR RESERVE MATERIEL—AMMUNITION	10,288	10,288
064	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA).	37,460	37,460
065	0305601F	MISSION PARTNER ENVIRONMENTS	17,378	17,378
066	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT	234,576	365,276
		AI systems and applications for CYBERCOM		[50,000]
		CYBERCOM UFR—Cyber mission force operational support.		[31,000]
		CYBERCOM UFR—Joint cyberspace warfighting architecture.		[20,900]
		Hunt forward operations		[28,800]
067	0306415F	ENABLED CYBER ACTIVITIES	16,728	16,728
070	0808737F	CVV INTEGRATED PREVENTION	9,315	9,315
071	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM.	14,050	14,050
072	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT.	10,350	10,350
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**7,945,238**	**7,999,639**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
073	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS.	9,879	9,879
074	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	176,824	176,824
075	0604222F	NUCLEAR WEAPONS SUPPORT	64,425	64,425
076	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,222	2,222
077	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	133,117	133,117
078	0604287F	PHYSICAL SECURITY EQUIPMENT	8,493	8,493
079	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	5,279	5,279
080	0604604F	SUBMUNITIONS	3,273	3,273
081	0604617F	AGILE COMBAT SUPPORT	14,252	14,252
083	0604706F	LIFE SUPPORT SYSTEMS	47,442	47,442
084	0604735F	COMBAT TRAINING RANGES	91,284	91,284
086	0604932F	LONG RANGE STANDOFF WEAPON	928,850	928,850
087	0604933F	ICBM FUZE MODERNIZATION	98,376	98,376
088	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,222	2,222
089	0605056F	OPEN ARCHITECTURE MANAGEMENT	38,222	38,222
090	0605223F	ADVANCED PILOT TRAINING	37,121	37,121

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091	0605229F	HH–60W	58,974	58,974
092	0605238F	GROUND BASED STRATEGIC DETERRENT EMD	3,614,290	3,614,290
094	0207171F	F–15 EPAWSS	67,956	67,956
095	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY.	27,881	27,881
096	0207328F	STAND IN ATTACK WEAPON	283,152	274,152
		Program decrease		[–9,000]
097	0207701F	FULL COMBAT MISSION TRAINING	3,028	12,528
		Airborne Augemented Reality		[9,500]
102	0401221F	KC–46A TANKER SQUADRONS	197,510	188,810
		PACS delays		[–8,700]
103	0401319F	VC–25B	492,932	392,932
		Program decrease		[–100,000]
104	0701212F	AUTOMATED TEST SYSTEMS	16,664	16,664
105	0804772F	TRAINING DEVELOPMENTS	15,138	15,138
107	1206442F	NEXT GENERATION OPIR	148	148
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**6,438,954**	**6,330,754**
		MANAGEMENT SUPPORT		
108	0604256F	THREAT SIMULATOR DEVELOPMENT	21,067	21,067
109	0604759F	MAJOR T&E INVESTMENT	44,714	171,314
		Air Force UFR—Gulf instrumentation for hypersonics testing.		[55,200]
		Air Force UFR—Quick reaction test capability for hypersonics testing.		[14,700]
		Air Force UFR—VKF wind tunnel improvements for hypersonics testing.		[56,700]
110	0605101F	RAND PROJECT AIR FORCE	37,921	37,921
111	0605502F	SMALL BUSINESS INNOVATION RESEARCH	86	0
		Programming error		[–86]
112	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,926	13,926
113	0605807F	TEST AND EVALUATION SUPPORT	826,854	841,854
		Air Force UFR—EDW/Eglin hypersonics testing		[10,000]
		Air Force UFR—VKF wind tunnel throughput for hypersonics testing.		[5,000]
115	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS.	255,995	283,995
		Technical realignment		[28,000]
116	0605828F	ACQ WORKFORCE- GLOBAL REACH	457,589	457,589
117	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS.	459,223	473,423
		Technical realignment		[14,200]
118	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT	3,696	3,696
119	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	229,610	253,610
		Technical realignment		[24,000]
120	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY.	92,648	67,361
		Technical realignment		[–25,287]
121	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	241,226	236,382
		Technical realignment		[–4,844]
122	0605898F	MANAGEMENT HQ—R&D	4,347	5,624
		Technical realignment		[1,277]
123	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	77,820	133,420
		Air Force UFR—Quick reaction test capability for hypersonics testing.		[7,500]
		Air Force UFR—VKF wind tunnel improvements for hypersonics testing.		[48,100]
124	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	31,561	31,561
125	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	101,844	101,844
126	0606398F	MANAGEMENT HQ—T&E	6,285	6,285

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127	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	556	556
128	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	15,559	35,559
		Establishment and initial operations of the NC3 Rapid Engineering Architecture Collaboration Hub (REACH).		[20,000]
129	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	83,231	83,231
130	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	24,306	24,306
131	0804731F	GENERAL SKILL TRAINING	871	871
134	1001004F	INTERNATIONAL ACTIVITIES	2,593	2,593
		SUBTOTAL MANAGEMENT SUPPORT	**3,033,528**	**3,287,988**
		OPERATIONAL SYSTEMS DEVELOPMENT		
136	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING.	18,037	18,037
138	0604617F	AGILE COMBAT SUPPORT	8,199	8,199
139	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D.	156	156
140	0604840F	F–35 C2D2	1,014,708	1,014,708
141	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS).	37,901	37,901
142	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY.	50,066	50,066
143	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION.	80,338	80,338
144	0605278F	HC/MC–130 RECAP RDT&E	47,994	47,994
145	0606018F	NC3 INTEGRATION	23,559	23,559
147	0101113F	B–52 SQUADRONS	770,313	734,807
		Program decrease		[–35,506]
148	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	571	571
149	0101126F	B–1B SQUADRONS	13,144	23,144
		Hypersonic Integration Validation Testing		[10,000]
150	0101127F	B–2 SQUADRONS	111,990	111,990
151	0101213F	MINUTEMAN SQUADRONS	69,650	69,650
152	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS.	22,725	22,725
153	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK.	3,180	3,180
154	0101328F	ICBM REENTRY VEHICLES	118,616	118,616
156	0102110F	UH–1N REPLACEMENT PROGRAM	17,922	17,922
157	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	451	451
158	0102412F	NORTH WARNING SYSTEM (NWS)	76,910	76,910
159	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	12,210	12,210
160	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL.	14,483	14,483
161	0205219F	MQ–9 UAV	98,499	98,499
162	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE.	1,747	1,747
163	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT.	23,195	23,195
164	0207131F	A–10 SQUADRONS	72,393	72,393
165	0207133F	F–16 SQUADRONS	244,696	244,696
166	0207134F	F–15E SQUADRONS	213,272	200,139
		Digital color display delays		[–1,843]
		OFP CD&I carryover		[–11,290]
167	0207136F	MANNED DESTRUCTIVE SUPPRESSION	16,695	16,695
168	0207138F	F–22A SQUADRONS	559,709	559,709
169	0207142F	F–35 SQUADRONS	70,730	70,730
170	0207146F	F–15EX	83,830	83,830
171	0207161F	TACTICAL AIM MISSILES	34,536	34,536

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172	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	52,704	52,704
173	0207227F	COMBAT RESCUE—PARARESCUE	863	863
174	0207247F	AF TENCAP	23,309	23,309
175	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	12,722	12,722
176	0207253F	COMPASS CALL	49,054	49,054
177	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	116,087	116,087
178	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).	117,198	129,198
		INDOPACOM UFR—JASSM software update		[12,000]
179	0207327F	SMALL DIAMETER BOMB (SDB)	27,713	27,713
181	0207412F	CONTROL AND REPORTING CENTER (CRC)	6,615	6,615
182	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).	239,658	539,658
		E–7 acceleration		[301,000]
		Early to need—communication network upgrade		[–1,000]
183	0207418F	AFSPECWAR—TACP	5,982	5,982
185	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES.	23,504	23,504
186	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	5,851	5,851
187	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR).	15,990	15,990
188	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,315	10,315
189	0207452F	DCAPES	8,049	8,049
190	0207521F	AIR FORCE CALIBRATION PROGRAMS	2,123	2,123
192	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	2,039	2,039
193	0207590F	SEEK EAGLE	32,853	32,853
194	0207601F	USAF MODELING AND SIMULATION	19,341	19,341
195	0207605F	WARGAMING AND SIMULATION CENTERS	7,004	7,004
197	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,628	4,628
198	0208006F	MISSION PLANNING SYSTEMS	99,214	99,214
199	0208007F	TACTICAL DECEPTION	17,074	17,074
200	0208064F	OPERATIONAL HQ—CYBER	2,347	5,347
		Program increase—command and control of the information environment.		[3,000]
201	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	76,592	76,592
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	8,367	0
		Programming error		[–8,367]
203	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2).	80,740	80,740
204	0208099F	UNIFIED PLATFORM (UP)	107,548	107,548
208	0208288F	INTEL DATA APPLICATIONS	1,065	1,065
209	0301025F	GEOBASE	2,928	2,928
211	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	8,972	8,972
218	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	3,069	3,069
219	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).	25,701	25,701
220	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	41,171	41,171
221	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	70,582	70,582
224	0303260F	JOINT MILITARY DECEPTION INITIATIVE	2,588	2,588
226	0304260F	AIRBORNE SIGINT ENTERPRISE	108,528	115,528
		Special Mission Airborne SIGINT Enterprise Technology.		[7,000]
227	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,542	4,542
230	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES.	8,097	8,097
231	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY.	1,751	1,751
232	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD).	13,138	13,138

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233	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM) ...	4,895	4,895
234	0305103F	CYBER SECURITY INITIATIVE	91	91
235	0305111F	WEATHER SERVICE	11,716	21,716
		Commercial weather data pilot		[10,000]
236	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS).	8,511	8,511
237	0305116F	AERIAL TARGETS	1,365	1,365
240	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	223	223
241	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.	8,328	8,328
243	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	22,123	22,123
244	0305202F	DRAGON U–2	20,170	20,170
245	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	55,048	60,048
		Wide Area Motion Imagery		[5,000]
246	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,590	14,590
247	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	26,901	26,901
248	0305220F	RQ–4 UAV	68,801	68,801
249	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING.	17,564	17,564
250	0305238F	NATO AGS	826	826
251	0305240F	SUPPORT TO DCGS ENTERPRISE	28,774	28,774
252	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	15,036	15,036
253	0305881F	RAPID CYBER ACQUISITION	3,739	3,739
254	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2).	2,702	2,702
255	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,332	6,332
256	0401115F	C–130 AIRLIFT SQUADRON	407	407
257	0401119F	C–5 AIRLIFT SQUADRONS (IF)	6,100	3,100
		RCMD delays		[–3,000]
258	0401130F	C–17 AIRCRAFT (IF)	25,387	30,387
		IR Suppression		[5,000]
259	0401132F	C–130J PROGRAM	11,060	10,060
		MILSATCOM modernization delays		[–1,000]
260	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM).	2,909	2,909
261	0401218F	KC–135S	12,955	12,955
262	0401318F	CV–22	10,121	10,121
263	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,297	6,297
264	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	19,892	23,892
		CPF—Aviation Training Academy of the Future		[4,000]
265	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT).	5,271	5,271
267	0804743F	OTHER FLIGHT TRAINING	2,214	2,214
269	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,164	2,164
270	0901218F	CIVILIAN COMPENSATION PROGRAM	4,098	4,098
271	0901220F	PERSONNEL ADMINISTRATION	3,191	3,191
272	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY ..	899	899
273	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	5,421	5,421
276	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	13,766	13,766
9999	9999999999	CLASSIFIED PROGRAMS	17,240,641	17,325,641
		Electromagnetic spectrum technology for spectrum sharing, EW protection, and offensive EW capabilities.		[85,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**23,090,569**	**23,470,563**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
278	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYSTEM—SOFTWARE PILOT PROGRAM.	100,167	100,167

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279	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM.	177,827	177,827
280	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO.	136,202	136,202
281	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	37,346	0
		Technical realignment		[–37,346]
282	0308605F	AIR FORCE DEFENSIVE CYBER SYSTEMS (AFDCS)—SOFTWARE PILOT PROGRAM.	240,926	228,880
		Excess to need		[–12,046]
283	0308606F	ALL DOMAIN COMMON PLATFORM (ADCP)—SOFTWARE PILOT PROGRAM.	190,112	180,607
		Excess to need		[–9,505]
284	0308607F	AIR FORCE WEATHER PROGRAMS—SOFTWARE PILOT PROGRAM.	58,063	55,160
		Excess to need		[–2,903]
285	0308608F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)—SOFTWARE PILOT PROGRAM.	5,794	5,598
		Excess to need		[–196]
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**946,437**	**884,441**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED		1,000,847
		Inflation effects		[1,000,847]
		SUBTOTAL UNDISTRIBUTED		**1,000,847**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	**44,134,301**	**45,846,570**
		RDTE, SPACE FORCE		
		APPLIED RESEARCH		
002	1206601SF	SPACE TECHNOLOGY	243,737	270,092
		Advanced Analog Microelectronics		[3,000]
		Technical realignment		[8,355]
		University Consortia for Space Technology		[15,000]
		SUBTOTAL APPLIED RESEARCH	**243,737**	**270,092**
		ADVANCED TECHNOLOGY DEVELOPMENT		
003	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	460,820	478,472
		Defense in depth as mission assurance for spacecraft		[10,000]
		Program increase		[7,652]
004	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO.	103,395	80,168
		Reduce follow-on tranches		[–26,000]
		Technical realignment		[2,773]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**564,215**	**558,640**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
005	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH.	816	816
006	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	382,594	382,594
007	1203622SF	SPACE WARFIGHTING ANALYSIS	44,791	44,791
008	1203710SF	EO/IR WEATHER SYSTEMS	96,519	96,519
010	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING.	986,822	986,822
012	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	230,621	230,621

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013	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT).	106,252	106,252
014	1206438SF	SPACE CONTROL TECHNOLOGY	57,953	59,953
		Program increase		[2,000]
016	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	59,169	59,169
017	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES).	121,069	111,169
		Unjustified increase		[–9,900]
018	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	294,828	279,628
		Unjustified increase		[–15,200]
019	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	565,597	542,097
		Unjustified increase		[–23,500]
020	1206857SF	SPACE RAPID CAPABILITIES OFFICE	45,427	45,427
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**2,992,458**	**2,945,858**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
021	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	325,927	318,727
		Unjustified increase—GPS IIIF		[–7,200]
022	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	49,628	49,628
023	1206421SF	COUNTERSPACE SYSTEMS	21,848	21,848
024	1206422SF	WEATHER SYSTEM FOLLOW-ON	48,870	48,870
025	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	105,140	105,140
026	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	11,701	11,701
027	1206432SF	POLAR MILSATCOM (SPACE)	67,465	67,465
028	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE)	48,438	48,438
029	1206440SF	NEXT-GEN OPIR—GROUND		612,529
		Technical realignment		[612,529]
030	1206442SF	NEXT GENERATION OPIR	3,479,459	253,801
		Technical realignment		[–3,225,658]
031	1206443SF	NEXT-GEN OPIR—GEO		1,713,933
		Technical realignment		[1,713,933]
032	1206444SF	NEXT-GEN OPIR—POLAR		899,196
		Technical realignment		[899,196]
033	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION.	23,513	23,513
034	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO).	499,840	525,637
		Technical realignment		[25,797]
035	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO).	139,131	303,930
		Technical realignment		[164,799]
036	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT.	390,596	0
		Technical realignment		[–390,596]
037	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	124,103	154,103
		Increase EMD for NSSL Phase 3 and beyond activities.		[30,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**5,335,659**	**5,158,459**
039	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT.	21,453	21,453
040	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS.	253,716	253,716
041	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	13,962	13,962
042	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO.	2,773	0
		Technical realignment		[–2,773]
043	1206759SF	MAJOR T&E INVESTMENT—SPACE	89,751	89,751
044	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,922	17,922

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Line	Program Element	Item	FY 2023 Request	Conference Authorized
045	1206862SF	TACTICALLY RESPONSIVE LAUNCH		100,000
		Continue Tactically Responsive Space		[100,000]
046	1206864SF	SPACE TEST PROGRAM (STP)	25,366	25,366
		SUBTOTAL MANAGEMENT SUPPORT	**424,943**	**522,170**
		OPERATIONAL SYSTEM DEVELOPMENT		
048	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN).	5,321	5,321
049	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T).	128,243	128,243
050	1203040SF	DCO-SPACE	28,162	28,162
051	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	165,892	165,892
052	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	42,199	42,199
053	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS).	2,062	2,062
054	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER.	4,157	4,157
055	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	38,103	38,103
056	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,658	11,658
057	1203265SF	GPS III SPACE SEGMENT	1,626	1,626
058	1203330SF	SPACE SUPERIORITY ISR	29,128	29,128
059	1203620SF	NATIONAL SPACE DEFENSE CENTER	2,856	2,856
060	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	18,615	21,615
		Upgrades for Perimeter Acquisition Radar Attack Characterization System (PARCS).		[3,000]
061	1203906SF	NCMC—TW/AA SYSTEM	7,274	7,274
062	1203913SF	NUDET DETECTION SYSTEM (SPACE)	80,429	80,429
063	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	80,903	80,903
064	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	359,720	359,720
068	1206770SF	ENTERPRISE GROUND SERVICES	123,601	123,601
9999	9999999999	CLASSIFIED PROGRAMS	4,973,358	5,306,358
		INDOPACOM UFR—Operationalize near-term space control.		[308,000]
		Program adjustment		[25,000]
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT.	**6,103,307**	**6,439,307**
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
070	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM.	155,053	155,053
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS.	**155,053**	**155,053**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED		539,491
		Inflation effects		[539,491]
		SUBTOTAL UNDISTRIBUTED		**539,491**
		TOTAL RDTE, SPACE FORCE	**15,819,372**	**16,589,070**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	11,584	11,584
002	0601101E	DEFENSE RESEARCH SCIENCES	401,870	494,344
		AI for supply chain		[3,000]
		Math and computer science		[5,000]
		Program increase		[84,474]
003	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	16,257	16,257
004	0601110D8Z	BASIC RESEARCH INITIATIVES	62,386	84,686

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		CPF—FIU/SOUTHCOM Security Research Hub / Enhanced Domain Awareness (EDA) Initiative.		[1,300]
		CPF—HBCU Training for the Future of Aerospace ...		[1,000]
		Defense established program to stimulate competitive research (DEPSCoR).		[20,000]
005	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.	80,874	80,874
006	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	132,347	140,347
		CPF—Florida Memorial Avionics Smart Scholars		[1,000]
		Program increase—Ronald V. Dellums Memorial Fellowship.		[5,000]
		SMART		[2,000]
007	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	33,288	131,711
		CPF—Augmenting Quantum Sensing Research, Education and Training in DoD CoE at DSU.		[1,111]
		CPF—Florida Memorial University Department of Natural Sciences STEM Equipment.		[600]
		Program increase		[66,712]
		Program increase for STEM programs		[30,000]
008	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.	34,734	34,734
		SUBTOTAL BASIC RESEARCH	**773,340**	**994,537**
		APPLIED RESEARCH		
010	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	18,961	18,961
011	0602115E	BIOMEDICAL TECHNOLOGY	106,958	114,658
		Next-Generation Combat Casualty Care		[7,700]
012	0602128D8Z	PROMOTION AND PROTECTION STRATEGIES ...	3,275	3,275
014	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	20,634	60,634
		Open radio access networks for next generation wireless experimentation.		[40,000]
015	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,159	46,159
016	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	67,666	67,666
017	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY.	388,270	513,270
		AI/autonomy to cybersecurity and cyberspace operations challenges.		[30,000]
		National Security Commission on AI recommendations.		[75,000]
		Underexplored systems for utility-scale quantum computing.		[20,000]
018	0602383E	BIOLOGICAL WARFARE DEFENSE	23,059	23,059
019	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.	256,197	256,197
020	0602668D8Z	CYBER SECURITY RESEARCH	17,264	32,264
		Cyber consortium seedling funding		[10,000]
		Program increase—Pacific intelligence and innovation initiative.		[5,000]
021	0602675D8Z	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY.	4,000	4,000
022	0602702E	TACTICAL TECHNOLOGY	221,883	243,383
		MAD-FIRES		[35,000]
		Program reduction		[–13,500]
023	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY ...	352,976	342,776
		Reduce growth		[–12,500]
		ReVector		[2,300]
024	0602716E	ELECTRONICS TECHNOLOGY	557,745	557,745
025	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	192,162	192,162
026	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	11,030	11,030

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027	0602890D8Z	HIGH ENERGY LASER RESEARCH	48,587	48,587
028	1160401BB	SOF TECHNOLOGY DEVELOPMENT	49,174	49,174
		SUBTOTAL APPLIED RESEARCH	**2,386,000**	**2,585,000**
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	34,065	34,065
030	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,919	4,919
031	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT.	72,614	92,614
		United States-Israel Cooperation to Counter Unmanned Aerial Systems.		[15,000]
		VTOL Loitering Munition (ROC-X)		[5,000]
032	0603133D8Z	FOREIGN COMPARATIVE TESTING	26,802	26,802
034	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	395,721	395,721
035	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT.	6,505	6,505
036	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT.	16,737	16,737
037	0603180C	ADVANCED RESEARCH	22,023	40,023
		Benzoxazine High-Mach System Thermal Protection		[4,000]
		High Temperature Nickel Based Alloy research		[4,000]
		Sounding Rocket Testbed Technology Maturation Tests.		[10,000]
038	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION.	52,156	55,156
		Accelerate co-development of key partner programs		[3,000]
039	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.	18,898	18,898
040	0603286E	ADVANCED AEROSPACE SYSTEMS	253,135	350,435
		GlideBreaker		[20,000]
		OpFires		[42,300]
		Tactical Boost Glide (TBG)		[35,000]
041	0603287E	SPACE PROGRAMS AND TECHNOLOGY	81,888	81,888
042	0603288D8Z	ANALYTIC ASSESSMENTS	24,052	24,052
043	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS.	53,890	61,390
		Emerging opportunities		[7,500]
046	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING.	141,561	141,561
047	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	42,925	87,925
		National Security Innovation Capital program increase.		[15,000]
		Program increase		[25,000]
		Small craft electric propulsion		[5,000]
048	0603375D8Z	TECHNOLOGY INNOVATION	109,535	309,535
		Accelerating quantum applications		[100,000]
		Domestic Supply Chain for Microelectronics Critical Element Production.		[100,000]
049	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	238,407	233,262
		Biological Defense Vaccines and Advanced Therapeutics.		[5,000]
		Poor justification		[–10,145]
050	0603527D8Z	RETRACT LARCH	79,493	79,493
051	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	19,218	19,218
052	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS.	114,100	114,100
053	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES.	3,168	3,168
054	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	256,142	743,142
		Advanced textiles		[10,000]

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		Artificial intelligence for predictive maintenance		*[3,000]*
		BioMADE		*[30,000]*
		Biotechnology Manufacturing Institutes		*[300,000]*
		CPF—Future Nano and Micro-Fabrication - Advanced Materials Engineering Research Institute.		*[4,000]*
		CPF—Manufacturing of Advanced Composites for Hypersonics – Aided by Digital Engineering.		*[4,000]*
		CPF—Scalable comprehensive workforce readiness initiatives in bioindustrial manufacturing that lead to regional bioeconomic transformation and growth.		*[4,000]*
		HPC-enabled advanced manufacturing		*[25,000]*
		Increase production capacity for hypersonics		*[12,000]*
		Internet of things and operational technology asset identification and management.		*[5,000]*
		New bioproducts		*[10,000]*
		Robotics supply chain research		*[15,000]*
		Silicon carbide matrix materials for hypersonics		*[50,000]*
		Tools and methods to improve biomanufacturing		*[15,000]*
055	*0603680S*	*MANUFACTURING TECHNOLOGY PROGRAM*	*46,166*	*49,166*
		AI-based market research		*[3,000]*
056	*0603712S*	*GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.*	*13,663*	*13,663*
057	*0603716D8Z*	*STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.*	*58,411*	*63,411*
		SERDP- PFAS remediation technologies		*[5,000]*
058	*0603720S*	*MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.*	*139,833*	*139,833*
059	*0603727D8Z*	*JOINT WARFIGHTING PROGRAM*	*2,411*	*2,411*
060	*0603739E*	*ADVANCED ELECTRONICS TECHNOLOGIES*	*250,917*	*250,917*
061	*0603760E*	*COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS.*	*305,050*	*315,050*
		DARPA LogX advanced supply chain mapping		*[10,000]*
062	*0603766E*	*NETWORK-CENTRIC WARFARE TECHNOLOGY*	*678,562*	*853,562*
		Assault Breaker II		*[120,000]*
		Classified program		*[15,000]*
		DARPA network-centric warfare technology		*[20,000]*
		Non-kinetic/cyber modeling and simulation		*[20,000]*
063	*0603767E*	*SENSOR TECHNOLOGY*	*314,502*	*314,502*
064	*0603769D8Z*	*DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.*	*201*	*201*
065	*0603781D8Z*	*SOFTWARE ENGINEERING INSTITUTE*	*13,417*	*13,417*
066	*0603924D8Z*	*HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM.*	*111,149*	*111,149*
067	*0603941D8Z*	*TEST & EVALUATION SCIENCE & TECHNOLOGY.*	*315,090*	*350,090*
		Program increase		*[35,000]*
068	*0603950D8Z*	*NATIONAL SECURITY INNOVATION NETWORK*	*22,028*	*42,028*
		Mission acceleration centers		*[20,000]*
069	*0604055D8Z*	*OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.*	*180,170*	*179,290*
		Excess growth		*[–10,880]*
		Program increase for tristructural-isotropic fuel		*[10,000]*
072	*1160402BB*	*SOF ADVANCED TECHNOLOGY DEVELOPMENT*	*118,877*	*125,877*
		Next Generation ISR SOF Enhancement/ Technical Support Systems.		*[7,000]*
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	***4,638,401***	***5,765,176***
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
074	*0603161D8Z*	*NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.*	*41,507*	*41,507*

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075	0603600D8Z	WALKOFF	133,795	133,795
076	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	84,638	93,638
		ESTCP—PFAS Disposal		[5,000]
		ESTCP—PFAS free fire fighting turnout gear		[1,000]
		Sustainable Technology Evaluation and Demonstration program.		[3,000]
077	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	190,216	190,216
078	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	667,524	667,524
079	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL.	291,364	252,010
		Poor justification		[–39,354]
080	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	231,134	231,134
081	0603890C	BMD ENABLING PROGRAMS	591,847	591,847
082	0603891C	SPECIAL PROGRAMS—MDA	316,977	316,977
083	0603892C	AEGIS BMD	600,072	600,072
084	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	589,374	589,374
085	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	50,269	50,269
086	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	49,367	49,367
087	0603906C	REGARDING TRENCH	12,146	12,146
088	0603907C	SEA BASED X-BAND RADAR (SBX)	164,668	164,668
089	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
090	0603914C	BALLISTIC MISSILE DEFENSE TEST	367,824	367,824
091	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	559,513	619,513
		Advanced Reactive Target Simulation Development		[20,000]
		Hypersonic Maneuvering Extended Range (HMER) Target System.		[40,000]
092	0603923D8Z	COALITION WARFARE	11,154	11,154
093	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	249,591	329,591
		5G experimentation, transition, and ORAN activities		[80,000]
094	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM.	3,166	3,166
095	0604102C	GUAM DEFENSE DEVELOPMENT	397,936	397,936
096	0604115C	TECHNOLOGY MATURATION INITIATIVES		7,000
		Diode-Pumped Alkali Laser (DPAL) development		[7,000]
097	0604124D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP.	33,950	33,950
099	0604181C	HYPERSONIC DEFENSE	225,477	517,977
		MDA UFR—Glide phase defense weapons systems		[292,500]
100	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,145,358	1,182,622
		Cost overestimation—mission support expenses		[–49,236]
		INDOPACOM UFR—Sea Urchin powered quickstrike mines.		[30,000]
		INDOPACOM UFR—SIGINT upgrades		[9,500]
		Program increase		[40,000]
		Program increase—pele mobile nuclear microreactor		[7,000]
101	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	647,226	672,226
		Program increase—radiation-hardened fully-depleted silicon-on-insulator microelectronics.		[20,000]
		Trusted & Assured Microelectronics		[5,000]
102	0604331D8Z	RAPID PROTOTYPING PROGRAM	179,189	179,189
103	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING.	24,402	24,402
104	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,691	2,691
105	0604551BR	CATAPULT	7,130	7,130

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106	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T.	45,779	45,779
108	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,229	3,229
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	40,699	44,699
		Excess to need		*[–5,000]*
		JADC2 experimentation		*[9,000]*
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	75,120	75,120
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS.	1,833,357	1,833,357
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	69,762	69,762
113	0604878C	AEGIS BMD TEST	182,776	175,619
		Excess growth		*[–7,157]*
114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	88,326	88,326
115	0604880C	LAND-BASED SM–3 (LBSM3)	27,678	27,678
116	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST.	84,075	84,075
117	0202057C	SAFETY PROGRAM MANAGEMENT	2,417	2,417
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS.	2,664	2,664
120	0305103C	CYBER SECURITY INITIATIVE	1,165	1,165
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.	129,957	129,957
276	0604795D8Z	ACCELERATE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT).		100,000
		Realignment of funds		*[100,000]*
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**10,756,509**	**11,324,762**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
124	0604123D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—DEM/VAL ACTIVITIES.	273,340	273,340
125	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	6,482	6,482
127	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD.	312,148	309,073
		Poor justification		*[–3,075]*
128	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	9,120	9,120
129	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,403	14,403
130	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	1,244	1,244
131	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE.	6,191	6,191
132	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	10,145	10,145
133	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	5,938	5,938
136	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM.	23,171	23,171
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	14,093	14,093
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	6,949	6,949
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	302,963	302,963
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS.	3,758	3,758
141	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	8,121	8,121

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142	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	16,048	16,048
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**1,014,114**	**1,011,039**
		MANAGEMENT SUPPORT		
143	0603829J	JOINT CAPABILITY EXPERIMENTATION	12,452	12,452
144	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS).	8,902	8,902
145	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT.	6,610	6,610
146	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	819,358	1,094,358
		Program increase		[275,000]
147	0604942D8Z	ASSESSMENTS AND EVALUATIONS	4,607	4,607
148	0605001E	MISSION SUPPORT	86,869	86,869
149	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).	126,079	151,079
		Joint Mission Environment		[25,000]
150	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	53,278	53,278
152	0605142D8Z	SYSTEMS ENGINEERING	39,009	39,009
153	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,716	5,716
154	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	15,379	15,379
155	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	9,449	9,449
156	0605200D8Z	GENERAL SUPPORT TO OUSD(INTELLIGENCE AND SECURITY).	6,112	6,112
157	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.	124,475	124,475
158	0605502BP	SMALL BUSINESS INNOVATIVE RESEARCH—CHEMICAL BIOLOGICAL DEF.		5,100
		Operational Rapid Multi-Pathogen Diagnostic Tool		[5,100]
165	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,820	3,820
166	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	35,414	35,414
167	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	56,114	56,114
168	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	63,184	63,184
169	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	23,757	23,757
170	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	26,652	26,652
171	0605898E	MANAGEMENT HQ—R&D	14,636	14,636
172	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,518	3,518
173	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	15,244	15,244
174	0606114D8Z	ANALYSIS WORKING GROUP (AWG) SUPPORT	4,700	4,700
175	0606135D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO) ACTIVITIES.	13,132	13,132
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS.	3,323	3,323
177	0606300D8Z	DEFENSE SCIENCE BOARD	2,532	2,532
179	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY.	32,306	32,306
180	0606853BR	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.	12,354	12,354
181	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI).	3,034	3,034
182	0204571J	JOINT STAFF ANALYTICAL SUPPORT	4,332	4,332
183	0208045K	C4I INTEROPERABILITY	69,698	69,698
189	0305172K	COMBINED ADVANCED APPLICATIONS	16,171	16,171

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Conference Authorized
191	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	3,072	3,072
192	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	37,852	37,852
193	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	716	716
194	0901598C	MANAGEMENT HQ—MDA	25,259	25,259
195	0903235K	JOINT SERVICE PROVIDER (JSP)	3,141	3,141
9999	9999999999	CLASSIFIED PROGRAMS	37,841	37,841
		SUBTOTAL MANAGEMENT SUPPORT	**1,830,097**	**2,135,197**
		OPERATIONAL SYSTEMS DEVELOPMENT		
200	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT.	588,094	610,094
		Carbon/carbon industrial base enhancement		[3,000]
		CPF—Critical Non-Destructive Inspection and Training for Key U.S. National Defense Interests through College of the Canyons Advanced Technology Center.		[2,000]
		CPF—Partnerships for Manufacturing Training Innovation.		[4,000]
		Precision optics manufacturing		[5,000]
		RF microelectronics supply chain		[8,000]
201	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT.	15,427	15,427
202	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,317	8,317
203	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	68,030	68,030
209	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	19,145	19,145
210	0303126K	LONG-HAUL COMMUNICATIONS—DCS	13,195	13,195
211	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	5,746	5,746
212	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	92,018	92,018
213	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	43,135	63,135
		NSA CAE Cybersecurity Workforce pilot program		[20,000]
214	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	593,831	593,831
215	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	7,005	7,005
216	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	10,020	10,020
217	0303153K	DEFENSE SPECTRUM ORGANIZATION	19,708	19,708
221	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	5,197	5,197
226	0305104D8Z	DEFENSE INDUSTRIAL BASE (DIB) CYBER SECURITY INITIATIVE.	10,000	10,000
229	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	450	450
230	0305133V	INDUSTRIAL SECURITY ACTIVITIES	1,800	1,800
233	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.	4,622	4,622
234	0305172D8Z	COMBINED ADVANCED APPLICATIONS	49,380	49,380
237	0305186D8Z	POLICY R&D PROGRAMS	6,214	6,214
238	0305199D8Z	NET CENTRICITY	17,917	17,917
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	6,095	6,095
246	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS.	4,575	4,575
247	0305251K	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT.	2,497	2,497
248	0305327V	INSIDER THREAT	9,403	9,403
249	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.	1,864	1,864
257	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,620	1,620

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Conference Authorized
258	0708012S	PACIFIC DISASTER CENTERS	1,875	1,875
259	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM.	3,264	3,264
261	1105219BB	MQ–9 UAV	14,000	29,840
		MQ–9 Mallett reprogramming		[5,840]
		Speed Loader Agile POD		[10,000]
263	1160403BB	AVIATION SYSTEMS	179,499	179,499
264	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	75,136	75,136
265	1160408BB	OPERATIONAL ENHANCEMENTS	142,900	168,810
		Artificial intelligence for Small Unit Maneuver (AISUM).		[15,000]
		CPF—Intercept, Collect, Analyze, and Disrupt (ICAD) Application.		[2,300]
		SOCOM UFR—Switchblade shipboard safety cert		[8,610]
266	1160431BB	WARRIOR SYSTEMS	129,133	146,860
		Counter Unmanned Systems (CUxS) Procurement Acceleration.		[5,400]
		Maritime Scalable Effects (MSE) Electronic Warfare System Acceleration.		[2,397]
		SOCOM UFR—Ground organic precision strike systems.		[9,930]
267	1160432BB	SPECIAL PROGRAMS	518	518
268	1160434BB	UNMANNED ISR	3,354	3,354
269	1160480BB	SOF TACTICAL VEHICLES	13,594	13,594
270	1160483BB	MARITIME SYSTEMS	82,645	112,645
		Dry Combat Submersible (DCS) Next Acceleration		[30,000]
272	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE.	7,583	7,583
273	1203610K	TELEPORT PROGRAM	1,270	1,270
9999	9999999999	CLASSIFIED PROGRAMS	7,854,604	7,854,604
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**10,114,680**	**10,246,157**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
274	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM.	132,524	132,524
275	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM.	17,123	17,123
276	0608775D8Z	ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT).	100,000	0
		Realignment of funds		[–100,000]
277	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	34,987	34,987
282	0308609V	NATIONAL INDUSTRIAL SECURITY SYSTEMS (NISS)—SOFTWARE PILOT PROGRAM.	14,749	14,749
9999	9999999999	CLASSIFIED PROGRAMS	265,028	265,028
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**564,411**	**464,411**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED		849,931
		Inflation effects		[849,931]
		SUBTOTAL UNDISTRIBUTED		**849,931**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	**32,077,552**	**35,376,210**
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	119,529	119,529
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	99,947	99,947
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES.	57,718	57,718

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Conference Authorized
		SUBTOTAL MANAGEMENT SUPPORT	**277,194**	**277,194**
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED		9,485
		Inflation effects		[9,485]
		SUBTOTAL UNDISTRIBUTED		**9,485**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**277,194**	**286,679**
		TOTAL RDT&E	**130,097,410**	**138,862,616**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	4,506,811	4,376,811
	Program decrease		[–130,000]
020	MODULAR SUPPORT BRIGADES	177,136	177,136
030	ECHELONS ABOVE BRIGADE	894,629	879,629
	Unjustified growth		[–15,000]
040	THEATER LEVEL ASSETS	2,570,949	2,569,449
	Increase for Army Caisson platoon facility improvements		[5,000]
	Program decrease		[–6,500]
050	LAND FORCES OPERATIONS SUPPORT	1,184,230	1,144,230
	Program decrease		[–40,000]
060	AVIATION ASSETS	2,220,817	2,185,817
	Program decrease		[–35,000]
070	FORCE READINESS OPERATIONS SUPPORT	7,366,299	7,393,698
	Army UFR—Arctic OCIE for Alaska bases, Fort Drum, Fort Carson		[32,500]
	Army UFR—female/small stature body armor		[32,500]
	Army UFR—initial issue of Extended Cold Weather Clothing System Layer 1 and 2		[8,999]
	Program decrease		[–50,000]
	Service Tactical SIGINT Upgrades—INDOPACOM UPL		[3,400]
080	LAND FORCES SYSTEMS READINESS	483,683	483,683
090	LAND FORCES DEPOT MAINTENANCE	1,399,173	1,399,173
100	MEDICAL READINESS	897,522	897,522
110	BASE OPERATIONS SUPPORT	9,330,325	9,286,325
	Base Operating Support for AFFF Replacement, mobile assets and Disposal		[6,000]
	Program decrease		[–50,000]
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,666,658	5,220,598

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Increase for Army Caisson platoon facility improvements		*[15,000]*
	Increase for FSRM to 100%		*[538,940]*
130	*MANAGEMENT AND OPERATIONAL HEADQUARTERS*	*284,483*	*274,983*
	Program decrease		*[–9,500]*
140	*ADDITIONAL ACTIVITIES*	*450,348*	*450,348*
160	*RESET*	*383,360*	*383,360*
170	*US AFRICA COMMAND*	*385,685*	*445,685*
	AFRICOM UFR—intelligence, surveillance, and reconnaissance		*[50,000]*
	Program increase: USAFRICOM exercise site surveys		*[10,000]*
180	*US EUROPEAN COMMAND*	*359,602*	*359,602*
190	*US SOUTHERN COMMAND*	*204,336*	*208,436*
	SOUTHCOM enhanced domain awareness		*[4,100]*
200	*US FORCES KOREA*	*67,756*	*67,756*
210	*CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS*	*495,066*	*495,066*
220	*CYBERSPACE ACTIVITIES—CYBERSECURITY*	*673,701*	*673,701*
230	*JOINT CYBER MISSION FORCES*	*178,033*	*178,033*
	SUBTOTAL OPERATING FORCES	***39,180,602***	***39,551,041***
	MOBILIZATION		
240	*STRATEGIC MOBILITY*	*434,423*	*453,213*
	INDOPACOM UFR—Theater campaigning		*[18,790]*
250	*ARMY PREPOSITIONED STOCKS*	*378,494*	*378,494*
260	*INDUSTRIAL PREPAREDNESS*	*4,001*	*4,001*
	SUBTOTAL MOBILIZATION	***816,918***	***835,708***
	TRAINING AND RECRUITING		
270	*OFFICER ACQUISITION*	*173,439*	*173,439*
280	*RECRUIT TRAINING*	*78,826*	*78,826*
290	*ONE STATION UNIT TRAINING*	*128,117*	*128,117*
300	*SENIOR RESERVE OFFICERS TRAINING CORPS*	*554,992*	*554,992*
310	*SPECIALIZED SKILL TRAINING*	*1,115,045*	*1,115,045*
320	*FLIGHT TRAINING*	*1,396,392*	*1,396,392*
330	*PROFESSIONAL DEVELOPMENT EDUCATION*	*221,960*	*221,960*
340	*TRAINING SUPPORT*	*717,318*	*701,318*
	Program decrease		*[–16,000]*
350	*RECRUITING AND ADVERTISING*	*691,053*	*691,053*
360	*EXAMINING*	*192,832*	*192,832*
370	*OFF-DUTY AND VOLUNTARY EDUCATION*	*235,340*	*235,340*
380	*CIVILIAN EDUCATION AND TRAINING*	*251,378*	*251,378*
390	*JUNIOR RESERVE OFFICER TRAINING CORPS*	*196,088*	*196,088*
	SUBTOTAL TRAINING AND RECRUITING	***5,952,780***	***5,936,780***
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
410	*SERVICEWIDE TRANSPORTATION*	*662,083*	*655,083*
	Program decrease		*[–7,000]*
420	*CENTRAL SUPPLY ACTIVITIES*	*822,018*	*822,018*
430	*LOGISTIC SUPPORT ACTIVITIES*	*806,861*	*794,861*
	Program decrease		*[–12,000]*
440	*AMMUNITION MANAGEMENT*	*483,187*	*483,187*
450	*ADMINISTRATION*	*486,154*	*486,154*

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
460	SERVICEWIDE COMMUNICATIONS	1,871,173	1,856,173
	Program decrease		[–15,000]
470	MANPOWER MANAGEMENT	344,668	344,668
480	OTHER PERSONNEL SUPPORT	811,999	811,999
490	OTHER SERVICE SUPPORT	2,267,280	2,245,280
	Program decrease		[–22,000]
500	ARMY CLAIMS ACTIVITIES	191,912	191,912
510	REAL ESTATE MANAGEMENT	288,942	288,942
520	FINANCIAL MANAGEMENT AND AUDIT READINESS	410,983	410,983
530	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	38,714	38,714
540	INTERNATIONAL MILITARY HEADQUARTERS	532,377	532,377
550	MISC. SUPPORT OF OTHER NATIONS	35,709	35,709
590A	CLASSIFIED PROGRAMS	2,113,196	2,113,196
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**12,167,256**	**12,111,256**
	UNDISTRIBUTED		
600	UNDISTRIBUTED		790,692
	Foreign currency fluctuations		[–208,000]
	Inflation effects		[1,198,692]
	Program decrease unaccounted for		[–200,000]
	SUBTOTAL UNDISTRIBUTED		**790,692**
	TOTAL OPERATION & MAINTENANCE, ARMY	**58,117,556**	**59,225,477**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	14,404	14,404
020	ECHELONS ABOVE BRIGADE	662,104	662,104
030	THEATER LEVEL ASSETS	133,599	133,599
040	LAND FORCES OPERATIONS SUPPORT	646,693	646,693
050	AVIATION ASSETS	128,883	128,883
060	FORCE READINESS OPERATIONS SUPPORT	409,994	409,994
070	LAND FORCES SYSTEMS READINESS	90,595	90,595
080	LAND FORCES DEPOT MAINTENANCE	44,453	44,453
090	BASE OPERATIONS SUPPORT	567,170	567,170
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	358,772	403,772
	Program increase		[45,000]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,112	22,112
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,929	2,929
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,382	7,382
	SUBTOTAL OPERATING FORCES	**3,089,090**	**3,134,090**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	18,994	18,994
150	ADMINISTRATION	20,670	20,670
160	SERVICEWIDE COMMUNICATIONS	31,652	31,652
170	MANPOWER MANAGEMENT	6,852	6,852
180	RECRUITING AND ADVERTISING	61,246	61,246

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**139,414**	**139,414**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		33,838
	Foreign currency fluctuations		[–10,900]
	Historical unobligated balances		[–18,000]
	Inflation effects		[62,738]
	SUBTOTAL UNDISTRIBUTED		**33,838**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**3,228,504**	**3,307,342**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	964,237	975,737
	Northern Strike		[11,500]
020	MODULAR SUPPORT BRIGADES	214,191	214,191
030	ECHELONS ABOVE BRIGADE	820,752	820,752
040	THEATER LEVEL ASSETS	97,184	97,184
050	LAND FORCES OPERATIONS SUPPORT	54,595	54,595
060	AVIATION ASSETS	1,169,826	1,160,826
	Unjustified growth		[–9,000]
070	FORCE READINESS OPERATIONS SUPPORT	722,788	722,788
080	LAND FORCES SYSTEMS READINESS	46,580	46,580
090	LAND FORCES DEPOT MAINTENANCE	259,765	259,765
100	BASE OPERATIONS SUPPORT	1,151,215	1,151,215
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,053,996	1,184,385
	Program increase		[130,389]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,148,286	1,148,286
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	8,715	8,715
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	8,307	8,307
	SUBTOTAL OPERATING FORCES	**7,720,437**	**7,853,326**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	6,961	6,961
160	ADMINISTRATION	73,641	79,441
	State Partnership Program		[5,800]
170	SERVICEWIDE COMMUNICATIONS	100,389	100,389
180	MANPOWER MANAGEMENT	9,231	9,231
190	OTHER PERSONNEL SUPPORT	243,491	243,491
200	REAL ESTATE MANAGEMENT	3,087	3,087
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**436,800**	**442,600**
	UNDISTRIBUTED		
210	UNDISTRIBUTED		74,698
	Foreign currency fluctuations		[–29,000]
	Inflation effects		[157,698]
	Unobligated balances		[–54,000]
	SUBTOTAL UNDISTRIBUTED		**74,698**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	TOTAL OPERATION & MAINTENANCE, ARNG	**8,157,237**	**8,370,624**
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	358,015	322,204
	Unjustified request		[–35,811]
020	SYRIA	183,677	165,309
	Unjustified request		[–18,368]
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**541,692**	**487,513**
	UNDISTRIBUTED		
030	UNDISTRIBUTED		15,413
	Inflation effects		[15,413]
	SUBTOTAL UNDISTRIBUTED		**15,413**
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**541,692**	**502,926**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	7,334,452	7,260,452
	Costs associated with restoring 5 LCS		[6,000]
	Program decrease		[–80,000]
020	FLEET AIR TRAINING	2,793,739	2,793,739
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	65,248	65,248
040	AIR OPERATIONS AND SAFETY SUPPORT	214,767	214,767
050	AIR SYSTEMS SUPPORT	1,075,365	1,075,365
060	AIRCRAFT DEPOT MAINTENANCE	1,751,737	1,859,137
	Aircraft Depot Maintenance Events (Multiple Type/Model/Series)		[107,100]
	Costs associated with restoring 5 LCS		[300]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	70,319	70,319
080	AVIATION LOGISTICS	1,679,193	1,659,193
	Historical underexecution		[–20,000]
090	MISSION AND OTHER SHIP OPERATIONS	6,454,952	6,624,952
	Costs associated with restoring 5 LCS		[10,400]
	Navy UFR—ship maintenance in support of INDOPACOM training and exercises		[150,000]
	Restore USS Ashland		[14,400]
	Restore USS Germantown		[14,400]
	Restore USS Gunston Hall		[15,400]
	Restore USS Tortuga		[15,400]
	Unjustified growth		[–50,000]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,183,237	1,183,237
110	SHIP DEPOT MAINTENANCE	10,038,261	10,383,061
	Costs associated with restoring 5 LCS		[90,000]
	Navy UFR—ship depot maintenance		[189,000]
	Restore USS Ashland		[12,500]
	Restore USS Germantown		[21,400]
	Restore USS Gunston Hall		[12,700]
	Restore USS Tortuga		[12,600]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Restore USS Vicksburg		*[6,600]*
120	*SHIP DEPOT OPERATIONS SUPPORT*	*2,422,095*	*2,818,495*
	Restore USS Ashland		*[100,000]*
	Restore USS Germantown		*[100,000]*
	Restore USS Gunston Hall		*[100,000]*
	Restore USS Tortuga		*[67,500]*
	Restore USS Vicksburg		*[28,900]*
130	*COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE*	*1,632,824*	*1,633,324*
	INDOPACOM UFR—SIGINT upgrades		*[500]*
140	*SPACE SYSTEMS AND SURVEILLANCE*	*339,103*	*339,103*
150	*WARFARE TACTICS*	*881,999*	*881,999*
160	*OPERATIONAL METEOROLOGY AND OCEANOGRAPHY*	*444,150*	*444,150*
170	*COMBAT SUPPORT FORCES*	*2,274,710*	*2,299,777*
	INDOPACOM UFR—Theater campaigning		*[18,067]*
	INDOPACOM UFR: Stormbreaker		*[22,000]*
	Program decrease		*[–15,000]*
180	*EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT*	*194,346*	*194,346*
190	*CYBER MISSION FORCES*	*101,049*	*101,049*
200	*COMBATANT COMMANDERS CORE OPERATIONS*	*65,893*	*73,893*
	INDOPACOM UFR—Asia Pacific Regional Initiative		*[8,000]*
210	*COMBATANT COMMANDERS DIRECT MISSION SUPPORT*	*282,742*	*316,642*
	INDOPACOM UFR—Pacific Movement Coordination Center		*[2,400]*
	INDOPACOM UFR—PMTEC		*[19,000]*
	MSV—Carolyn Chouest		*[12,500]*
230	*CYBERSPACE ACTIVITIES*	*477,540*	*477,540*
240	*FLEET BALLISTIC MISSILE*	*1,664,076*	*1,664,076*
250	*WEAPONS MAINTENANCE*	*1,495,783*	*1,495,983*
	Costs associated with restoring 5 LCS		*[7,200]*
	Navy UFR—SM–6 expansion of combat usable asset inventory		*[23,000]*
	Program decrease		*[–30,000]*
260	*OTHER WEAPON SYSTEMS SUPPORT*	*649,371*	*649,371*
270	*ENTERPRISE INFORMATION*	*1,647,834*	*1,637,834*
	Unjustified growth		*[–10,000]*
280	*SUSTAINMENT, RESTORATION AND MODERNIZATION*	*3,549,311*	*3,984,311*
	Increase for FSRM to 100%		*[435,000]*
290	*BASE OPERATING SUPPORT*	*5,503,088*	*5,559,688*
	Base Operating Support for AFFF Replacement, mobile assets and Disposal		*[16,600]*
	Historical underexecution		*[–20,000]*
	NAS Fallon Range Expansion		*[60,000]*
	SUBTOTAL OPERATING FORCES	***56,287,184***	***57,761,051***
	MOBILIZATION		
300	*SHIP PREPOSITIONING AND SURGE*	*467,648*	*526,248*
	ESD—restore 2 ships		*[58,600]*
310	*READY RESERVE FORCE*	*683,932*	*683,932*
320	*SHIP ACTIVATIONS/INACTIVATIONS*	*364,096*	*349,596*
	Costs associated with restoring 5 LCS		*[–7,500]*

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Historical underexecution		*[–7,000]*
330	*EXPEDITIONARY HEALTH SERVICES SYSTEMS*	*133,780*	*133,780*
340	*COAST GUARD SUPPORT*	*21,196*	*21,196*
	SUBTOTAL MOBILIZATION	***1,670,652***	***1,714,752***
	TRAINING AND RECRUITING		
350	*OFFICER ACQUISITION*	*190,578*	*190,578*
360	*RECRUIT TRAINING*	*14,679*	*14,679*
370	*RESERVE OFFICERS TRAINING CORPS*	*170,845*	*170,845*
380	*SPECIALIZED SKILL TRAINING*	*1,133,889*	*1,127,389*
	Historical underexecution		*[–6,500]*
390	*PROFESSIONAL DEVELOPMENT EDUCATION*	*334,844*	*339,144*
	Navy O&M Training and Recruiting (Sea Cadets)		*[4,300]*
400	*TRAINING SUPPORT*	*356,670*	*356,670*
410	*RECRUITING AND ADVERTISING*	*204,498*	*229,798*
	Navy UFR—Recruiting Command marketing and advertising		*[25,300]*
420	*OFF-DUTY AND VOLUNTARY EDUCATION*	*89,971*	*89,971*
430	*CIVILIAN EDUCATION AND TRAINING*	*69,798*	*69,798*
440	*JUNIOR ROTC*	*55,194*	*55,194*
	SUBTOTAL TRAINING AND RECRUITING	***2,620,966***	***2,644,066***
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
450	*ADMINISTRATION*	*1,349,966*	*1,274,966*
	Program decrease		*[–75,000]*
460	*CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT*	*227,772*	*227,772*
470	*MILITARY MANPOWER AND PERSONNEL MANAGEMENT*	*667,627*	*637,627*
	Program decrease		*[–30,000]*
480	*MEDICAL ACTIVITIES*	*284,962*	*284,962*
490	*DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT*	*62,824*	*62,824*
500	*SERVICEWIDE TRANSPORTATION*	*207,501*	*207,501*
520	*PLANNING, ENGINEERING, AND PROGRAM SUPPORT*	*554,265*	*539,265*
	Historical underexecution		*[–15,000]*
530	*ACQUISITION, LOGISTICS, AND OVERSIGHT*	*798,473*	*798,473*
540	*INVESTIGATIVE AND SECURITY SERVICES*	*791,059*	*791,059*
720A	*CLASSIFIED PROGRAMS*	*628,700*	*628,700*
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	***5,573,149***	***5,453,149***
	UNDISTRIBUTED		
730	*UNDISTRIBUTED*		*1,048,224*
	Foreign currency fluctuations		*[–263,300]*
	Inflation effects		*[1,431,524]*
	Unobligated balances		*[–120,000]*
	SUBTOTAL UNDISTRIBUTED		***1,048,224***
	TOTAL OPERATION & MAINTENANCE, NAVY	***66,151,951***	***68,621,242***
	OPERATION & MAINTENANCE, MARINE CORPS		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,740,491	1,729,584
	INDOPACOM UFR—Theater campaigning		[14,093]
	Program decrease		[–25,000]
020	FIELD LOGISTICS	1,699,425	1,685,766
	Unjustified growth		[–13,659]
030	DEPOT MAINTENANCE	221,886	221,886
040	MARITIME PREPOSITIONING	139,518	139,518
050	CYBER MISSION FORCES	94,199	94,199
060	CYBERSPACE ACTIVITIES	194,904	194,904
070	SUSTAINMENT, RESTORATION & MODERNIZATION	1,292,219	1,454,219
	Program increase		[162,000]
080	BASE OPERATING SUPPORT	2,699,487	2,680,487
	Historical underexecution		[–19,000]
	SUBTOTAL OPERATING FORCES	**8,082,129**	**8,200,563**
	TRAINING AND RECRUITING		
090	RECRUIT TRAINING	23,217	23,217
100	OFFICER ACQUISITION	1,268	1,268
110	SPECIALIZED SKILL TRAINING	118,638	118,638
120	PROFESSIONAL DEVELOPMENT EDUCATION	64,626	64,626
130	TRAINING SUPPORT	523,603	517,603
	Unjustified growth		[–6,000]
140	RECRUITING AND ADVERTISING	225,759	225,759
150	OFF-DUTY AND VOLUNTARY EDUCATION	51,882	51,882
160	JUNIOR ROTC	27,660	27,660
	SUBTOTAL TRAINING AND RECRUITING	**1,036,653**	**1,030,653**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
170	SERVICEWIDE TRANSPORTATION	78,542	78,542
180	ADMINISTRATION	401,030	401,030
220A	CLASSIFIED PROGRAMS	62,590	62,590
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**542,162**	**542,162**
	UNDISTRIBUTED		
230	UNDISTRIBUTED		168,819
	Foreign currency fluctuations		[–33,800]
	Inflation effects		[222,019]
	Unobligated balances		[–19,400]
	SUBTOTAL UNDISTRIBUTED		**168,819**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**9,660,944**	**9,942,197**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	669,533	669,533
020	INTERMEDIATE MAINTENANCE	11,134	11,134
030	AIRCRAFT DEPOT MAINTENANCE	164,892	164,892
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	494	494
050	AVIATION LOGISTICS	25,843	25,843
060	COMBAT COMMUNICATIONS	20,135	20,135
070	COMBAT SUPPORT FORCES	131,104	131,104

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
080	CYBERSPACE ACTIVITIES	289	289
090	ENTERPRISE INFORMATION	27,189	27,189
100	SUSTAINMENT, RESTORATION AND MODERNIZATION	44,784	50,784
	Program increase		[6,000]
110	BASE OPERATING SUPPORT	116,374	116,374
	SUBTOTAL OPERATING FORCES	**1,211,771**	**1,217,771**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
120	ADMINISTRATION	1,986	1,986
130	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,550	12,550
140	ACQUISITION AND PROGRAM MANAGEMENT	1,993	1,993
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**16,529**	**16,529**
	UNDISTRIBUTED		
160	UNDISTRIBUTED		21,792
	Foreign currency fluctuations		[–3,900]
	Inflation effects		[29,192]
	Unobligated balances		[–3,500]
	SUBTOTAL UNDISTRIBUTED		**21,792**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,228,300**	**1,256,092**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	109,045	109,045
020	DEPOT MAINTENANCE	19,361	19,361
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	45,430	49,811
	Program increase		[4,381]
040	BASE OPERATING SUPPORT	118,364	118,364
	SUBTOTAL OPERATING FORCES	**292,200**	**296,581**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
050	ADMINISTRATION	12,033	12,033
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**12,033**	**12,033**
	UNDISTRIBUTED		
060	UNDISTRIBUTED		1,595
	Foreign currency fluctuations		[–3,900]
	Inflation effects		[7,995]
	Unobligated balances		[–2,500]
	SUBTOTAL UNDISTRIBUTED		**1,595**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**304,233**	**310,209**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	936,731	975,731

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Historical underexecution		*[–21,000]*
	Realignment of funds		*[60,000]*
020	*COMBAT ENHANCEMENT FORCES*	*2,657,865*	*2,497,865*
	Program decrease		*[–100,000]*
	Realignment of funds		*[–60,000]*
030	*AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)*	*1,467,518*	*1,477,518*
	Contract Adversary Air		*[10,000]*
040	*DEPOT PURCHASE EQUIPMENT MAINTENANCE*	*4,341,794*	*4,606,794*
	Historical underexecution		*[–35,000]*
	Increase for Weapon System Sustainment		*[300,000]*
050	*FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION*	*4,091,088*	*4,605,088*
	Program increase		*[514,000]*
060	*CYBERSPACE SUSTAINMENT*	*130,754*	*223,054*
	Air Force UFR—Weapon system sustainment		*[82,300]*
	PACAF cyber operations for base resilient architecture		*[10,000]*
070	*CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT*	*8,782,940*	*8,752,940*
	Historical underexecution		*[–30,000]*
080	*FLYING HOUR PROGRAM*	*5,871,718*	*5,833,718*
	Program decrease		*[–38,000]*
090	*BASE SUPPORT*	*10,638,741*	*10,598,741*
	Base Operating Support for AFFF Replacement, mobile assets, and Disposal		*[10,000]*
	Program decrease		*[–50,000]*
100	*GLOBAL C3I AND EARLY WARNING*	*1,035,043*	*1,033,674*
	Program decrease—early to need		*[–8,500]*
	Technical realignment		*[7,131]*
110	*OTHER COMBAT OPS SPT PROGRAMS*	*1,436,329*	*1,426,329*
	Historical underexecution		*[–10,000]*
120	*CYBERSPACE ACTIVITIES*	*716,931*	*716,931*
140	*LAUNCH FACILITIES*	*690*	*690*
160	*US NORTHCOM/NORAD*	*197,210*	*197,210*
170	*US STRATCOM*	*503,419*	*503,419*
180	*US CYBERCOM*	*436,807*	*595,907*
	Cyber partnership activities with Jordan		*[500]*
	CYBERCOM UFR—Cyber mission force operational support		*[136,900]*
	CYBERCOM UFR—Joint cyberspace warfighting architecture		*[11,400]*
	Hunt Forward operations		*[15,300]*
	Realignment of funds		*[–5,000]*
190	*US CENTCOM*	*331,162*	*331,162*
200	*US SOCOM*	*27,318*	*27,318*
220	*CENTCOM CYBERSPACE SUSTAINMENT*	*1,367*	*1,367*
230	*USSPACECOM*	*329,543*	*329,543*
240	*JOINT CYBER MISSION FORCE PROGRAMS*	*186,759*	*191,759*
	Realignment of funds		*[5,000]*
240A	*CLASSIFIED PROGRAMS*	*1,705,801*	*1,705,801*
	SUBTOTAL OPERATING FORCES	***45,827,528***	***46,632,559***
	MOBILIZATION		
250	*AIRLIFT OPERATIONS*	*2,780,616*	*2,799,533*
	INDOPACOM Theater Campaigning		*[18,917]*

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
260	MOBILIZATION PREPAREDNESS	721,172	706,172
	Historical underexecution		[–15,000]
	SUBTOTAL MOBILIZATION	**3,501,788**	**3,505,705**
	TRAINING AND RECRUITING		
270	OFFICER ACQUISITION	189,721	189,721
280	RECRUIT TRAINING	26,684	26,684
290	RESERVE OFFICERS TRAINING CORPS (ROTC)	135,515	135,515
300	SPECIALIZED SKILL TRAINING	541,511	541,511
310	FLIGHT TRAINING	779,625	779,625
320	PROFESSIONAL DEVELOPMENT EDUCATION	313,556	313,556
330	TRAINING SUPPORT	171,087	171,087
340	RECRUITING AND ADVERTISING	197,956	197,956
350	EXAMINING	8,282	8,282
360	OFF-DUTY AND VOLUNTARY EDUCATION	254,907	254,907
370	CIVILIAN EDUCATION AND TRAINING	355,375	355,375
380	JUNIOR ROTC	69,964	69,964
	SUBTOTAL TRAINING AND RECRUITING	**3,044,183**	**3,044,183**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
390	LOGISTICS OPERATIONS	1,058,129	1,058,129
400	TECHNICAL SUPPORT ACTIVITIES	139,428	139,428
410	ADMINISTRATION	1,283,066	1,274,066
	Program decrease		[–9,000]
420	SERVICEWIDE COMMUNICATIONS	33,222	33,222
430	OTHER SERVICEWIDE ACTIVITIES	1,790,985	1,790,985
440	CIVIL AIR PATROL	30,526	30,526
460	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	42,558	42,558
480	INTERNATIONAL SUPPORT	102,065	102,065
480A	CLASSIFIED PROGRAMS	1,427,764	1,427,764
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**5,907,743**	**5,898,743**
	UNDISTRIBUTED		
490	UNDISTRIBUTED		833,829
	Foreign currency fluctuations		[–208,500]
	Inflation effects		[1,254,129]
	Unobligated balances		[–211,800]
	SUBTOTAL UNDISTRIBUTED		**833,829**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**58,281,242**	**59,915,019**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	472,484	472,484
020	SPACE LAUNCH OPERATIONS	187,832	187,832
030	SPACE OPERATIONS	695,228	695,228
040	EDUCATION & TRAINING	153,135	153,135
060	DEPOT MAINTENANCE	285,863	285,863
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	235,253	309,053
	NORTHCOM UFR—Cheyenne Mountain Complex		[43,800]
	Program increase		[30,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,358,565	1,351,565
	Program decrease		[–7,000]
090	SPACE OPERATIONS -BOS	144,937	144,937
090A	CLASSIFIED PROGRAMS	272,941	272,941
	SUBTOTAL OPERATING FORCES	**3,806,238**	**3,873,038**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
100	ADMINISTRATION	228,420	194,687
	Technical realignment		[–33,733]
110	LOGISTICS OPERATIONS		33,733
	Technical realignment		[33,733]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**228,420**	**228,420**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
120	UNDISTRIBUTED		82,920
	Foreign currency fluctuations		[–14,100]
	Inflation effects		[112,020]
	Unobligated balances		[–15,000]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		**82,920**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**4,034,658**	**4,184,378**
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,743,908	1,732,908
	Unjustified growth		[–11,000]
020	MISSION SUPPORT OPERATIONS	193,568	193,568
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	493,664	507,764
	Air Force UFR—Weapon system sustainment		[14,100]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	133,782	150,782
	Program increase		[17,000]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	341,724	341,724
060	BASE SUPPORT	522,195	522,195
070	CYBERSPACE ACTIVITIES	1,706	1,706
	SUBTOTAL OPERATING FORCES	**3,430,547**	**3,450,647**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
080	ADMINISTRATION	102,038	102,038
090	RECRUITING AND ADVERTISING	9,057	9,057
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	14,896	14,896
110	OTHER PERS SUPPORT (DISABILITY COMP)	7,544	7,544
120	AUDIOVISUAL	462	462
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**133,997**	**133,997**
	UNDISTRIBUTED		
130	UNDISTRIBUTED		27,565

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(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Foreign currency fluctuations		*[–12,500]*
	Inflation effects		*[65,065]*
	Unobligated balances		*[–25,000]*
	SUBTOTAL UNDISTRIBUTED		***27,565***
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	***3,564,544***	***3,612,209***
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	*AIRCRAFT OPERATIONS*	*2,301,784*	*2,301,784*
020	*MISSION SUPPORT OPERATIONS*	*587,793*	*587,793*
030	*DEPOT PURCHASE EQUIPMENT MAINTENANCE*	*1,193,699*	*1,253,699*
	Air Force UFR—Weapon system sustainment		*[60,000]*
040	*FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION*	*437,042*	*492,042*
	Increase for FSRM to 100%		*[55,000]*
050	*CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT*	*1,284,264*	*1,269,264*
	Unjustified growth		*[–15,000]*
060	*BASE SUPPORT*	*967,169*	*967,169*
070	*CYBERSPACE SUSTAINMENT*	*12,661*	*12,661*
080	*CYBERSPACE ACTIVITIES*	*15,886*	*15,886*
	SUBTOTAL OPERATING FORCES	***6,800,298***	***6,900,298***
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	*ADMINISTRATION*	*52,075*	*54,375*
	State Partnership Program		*[2,300]*
100	*RECRUITING AND ADVERTISING*	*48,306*	*48,306*
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	***100,381***	***102,681***
	UNDISTRIBUTED		
110	*UNDISTRIBUTED*		*115,263*
	Foreign currency fluctuations		*[–24,300]*
	Inflation effects		*[149,563]*
	Unobligated balances		*[–10,000]*
	SUBTOTAL UNDISTRIBUTED		***115,263***
	TOTAL OPERATION & MAINTENANCE, ANG	***6,900,679***	***7,118,242***
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	*JOINT CHIEFS OF STAFF*	*445,366*	*437,366*
	Unjustified growth		*[–8,000]*
020	*JOINT CHIEFS OF STAFF—CYBER*	*9,887*	*9,887*
030	*JOINT CHIEFS OF STAFF—JTEEP*	*679,336*	*661,336*
	Program decrease		*[–18,000]*
040	*OFFICE OF THE SECRETARY OF DEFENSE—MISO*	*246,259*	*273,759*
	INDOPACOM UFR—Information operations		*[27,500]*
050	*SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES*	*2,056,291*	*2,056,291*

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
060	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	39,178	39,178
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,513,025	1,523,425
	Counter Unmanned Systems (CUxS) Procurement Acceleration		[10,400]
080	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,207,842	1,247,493
	Advanced Engine Performance and Restoration Program (Nucleated Foam)		[3,000]
	C–130J Power by the Hour (PBTH) CLS		[21,620]
	Combatant Craft Medium (CCM) Loss Refurbishment		[4,250]
	Counter Unmanned Systems (CUxS) Procurement Acceleration		[5,353]
	Maintenance		[–5,000]
	MQ–9 Mallett reprogramming		[–5,840]
	Program increase		[5,000]
	Program increase—multispectral personal signature management		[11,268]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	196,271	196,271
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,299,309	1,328,909
	Advana Authoritative Data Management and Analytics		[8,000]
	Enterprise Data Stewardship Program		[18,000]
	Identity and Signature Management Modernization		[3,600]
110	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,314,770	3,351,761
	Combat Aviation Advisor mission support		[18,000]
	INDOPACOM UFR: Theater Campaigning		[9,034]
	Special Operations support to irregular warfare		[4,246]
	Tactical Mission Network Digital Force Protection		[5,711]
	SUBTOTAL OPERATING FORCES	**11,007,534**	**11,125,676**
	TRAINING AND RECRUITING		
120	DEFENSE ACQUISITION UNIVERSITY	176,454	176,454
130	JOINT CHIEFS OF STAFF	101,492	101,492
140	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DEVELOPMENT EDUCATION	35,279	35,279
	SUBTOTAL TRAINING AND RECRUITING	**313,225**	**313,225**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
150	CIVIL MILITARY PROGRAMS	139,656	273,156
	National Guard Youth Challenge		[83,500]
	STARBASE		[50,000]
170	DEFENSE CONTRACT AUDIT AGENCY	646,072	636,072
	Program decrease		[–10,000]
180	DEFENSE CONTRACT AUDIT AGENCY—CYBER	4,107	4,107
190	DEFENSE CONTRACT MANAGEMENT AGENCY	1,506,300	1,491,300
	Program decrease		[–15,000]
200	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	29,127	29,127

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
210	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	983,133	983,133
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	10,245	10,245
240	DEFENSE HUMAN RESOURCES ACTIVITY	935,241	932,241
	National Language Fellowship Add		[6,000]
	Program decrease		[–9,000]
250	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	26,113	26,113
260	DEFENSE INFORMATION SYSTEMS AGENCY	2,266,729	2,249,729
	Unobligated balances		[–17,000]
270	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	643,643	643,643
300	DEFENSE LEGAL SERVICES AGENCY	233,687	233,687
310	DEFENSE LOGISTICS AGENCY	429,060	422,560
	Unobligated balances		[–6,500]
320	DEFENSE MEDIA ACTIVITY	243,631	236,131
	Program decrease		[–7,500]
330	DEFENSE POW/MIA OFFICE	150,021	150,021
340	DEFENSE SECURITY COOPERATION AGENCY	2,445,669	2,274,134
	International Security Cooperation Programs		[198,465]
	Program adjustment—Border Security		[–75,000]
	Program adjustment—Coalition Support Funds		[–5,000]
	Program increase: Irregular Warfare Functional Center		[10,000]
	Transfer to Ukraine Security Assistance Initiative		[–300,000]
350	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	40,063	40,063
360	DEFENSE THREAT REDUCTION AGENCY	941,763	941,763
380	DEFENSE THREAT REDUCTION AGENCY—CYBER	56,052	56,052
390	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,276,276	3,346,276
	Department of Defense Education Activity (Impact Aid Students with Disabilities)		[20,000]
	Department of Defense Education Activity (Impact Aid)		[50,000]
400	MISSILE DEFENSE AGENCY	541,787	541,787
430	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION	108,697	128,697
	Defense Community Infrastructure Program		[20,000]
440	OFFICE OF THE SECRETARY OF DEFENSE	2,239,072	2,242,072
	Bien Hoa dioxin cleanup		[15,000]
	CDC nationwide human health assessment		[20,000]
	Civilian Harm Mitigation and Response Action Plan Implementation		[25,000]
	Program decrease		[–63,000]
	Readiness Environmental Protection Integration Program		[6,000]
450	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	55,255	55,255
500	WASHINGTON HEADQUARTERS SERVICES	369,943	359,943
	Program decrease		[–10,000]
500A	CLASSIFIED PROGRAMS	18,764,415	18,764,415
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**37,085,757**	**37,071,722**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	UNDISTRIBUTED		
510	UNDISTRIBUTED		308,472
	Historical unobligated balances		[–487,500]
	Inflation effects		[765,972]
	Program increase: Congressionally mandated commissions		[30,000]
	SUBTOTAL UNDISTRIBUTED		**308,472**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**48,406,516**	**48,819,095**
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE		800,000
	Program increase		[500,000]
	Transfer from Defense Security Cooperation Agency		[300,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		**800,000**
	TOTAL UKRAINE SECURITY ASSISTANCE		**800,000**
	US COURT OF APPEALS FOR ARMED FORCES, DEF		
	ADMINISTRATION AND ASSOCIATED ACTIVITIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	16,003	16,187
	Inflation effects		[184]
	SUBTOTAL ADMINISTRATION AND ASSOCIATED ACTIVITIES	**16,003**	**16,187**
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	**16,003**	**16,187**
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	53,791	53,791
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	**53,791**	**53,791**
	TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	**53,791**	**53,791**
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	112,800	150,000
	Program increase		[37,200]
	SUBTOTAL HUMANITARIAN ASSISTANCE	**112,800**	**150,000**
	TOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	**112,800**	**150,000**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	341,598	354,394
	Inflation effects		*[12,796]*
	SUBTOTAL COOPERATIVE THREAT REDUCTION	**341,598**	**354,394**
	TOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	**341,598**	**354,394**
	ENVIRONMENTAL RESTORATION, ARMY		
	DEPARTMENT OF THE ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	196,244	201,828
	Inflation effects		*[5,584]*
	SUBTOTAL DEPARTMENT OF THE ARMY	**196,244**	**201,828**
	TOTAL ENVIRONMENTAL RESTORATION, ARMY	**196,244**	**201,828**
	ENVIRONMENTAL RESTORATION, NAVY		
	DEPARTMENT OF THE NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	359,348	399,573
	Inflation effects		*[10,225]*
	Program increase		*[30,000]*
	SUBTOTAL DEPARTMENT OF THE NAVY	**359,348**	**399,573**
	TOTAL ENVIRONMENTAL RESTORATION, NAVY	**359,348**	**399,573**
	ENVIRONMENTAL RESTORATION, AIR FORCE		
	DEPARTMENT OF THE AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	314,474	353,423
	Inflation effects		*[8,949]*
	Program increase		*[30,000]*
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	**314,474**	**353,423**
	TOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	**314,474**	**353,423**
	ENVIRONMENTAL RESTORATION, DEFENSE		
	DEFENSE-WIDE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,924	9,178
	Inflation effects		*[254]*
	SUBTOTAL DEFENSE-WIDE	**8,924**	**9,178**
	TOTAL ENVIRONMENTAL RESTORATION, DEFENSE	**8,924**	**9,178**
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
	DEFENSE-WIDE		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	227,262	258,728
	Inflation effects		*[6,466]*

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Conference Authorized
	Military Munitions Response Program		*[25,000]*
	SUBTOTAL DEFENSE-WIDE	***227,262***	***258,728***
	TOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	***227,262***	***258,728***
	SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS , DEFENSE		
	OPERATIONS SUPPORT		
100	*SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS, DEFENSE*	*10,377*	*10,673*
	Inflation effects		*[296]*
	SUBTOTAL OPERATIONS SUPPORT	***10,377***	***10,673***
	TOTAL SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS , DEFENSE	***10,377***	***10,673***
	RED HILL RECOVERY FUND		
010	*RED HILL RECOVERY FUND*	*1,000,000*	*1,000,000*
	SUBTOTAL RED HILL RECOVERY FUND	***1,000,000***	***1,000,000***
	TOTAL RED HILL RECOVERY FUND	***1,000,000***	***1,000,000***
	TOTAL OPERATION & MAINTENANCE	***271,218,877***	***278,792,827***

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2023 Request	Conference Authorized
Military Personnel Appropriations	*164,139,628*	*162,279,628*
Additional BAH Absorption Restoration (2%)		*[250,000]*
BAH Absorption Restoration (1%)		*[244,000]*
Historical underexecution		*[–700,000]*
Military Personnel, Navy—Restore Navy Force Structure Cuts (Manpower)		*[190,000]*
Additional special incentive pays		*[100,000]*
Air Force end strength—E–10 Sentry AWACS and medical billets		*[234,000]*
Army end strength reduction		*[–2,200,000]*
Basic needs allowance		*[12,000]*
Home leave demonstration program		*[10,000]*
Medicare-Eligible Retiree Health Care Fund Contributions	*9,743,704*	*9,743,704*
TOTAL, Military Personnel	***173,883,332***	***172,023,332***

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2023 Request	Conference Authorized
NATIONAL DEFENSE STOCKPILE TRANSACTION FUND		
DEFENSE STOCKPILE	253,500	1,003,500
Program increase		[750,000]
TOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND	**253,500**	**1,003,500**
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE	28,448	28,448
ARMY SUPPLY MANAGEMENT	1,489	1,489
TOTAL WORKING CAPITAL FUND, ARMY	**29,937**	**29,937**
WORKING CAPITAL FUND, AIR FORCE TRANSPORTATION		
SUPPLIES AND MATERIALS	80,448	80,448
TOTAL WORKING CAPITAL FUND, AIR FORCE	**80,448**	**80,448**
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE AUTOMATION & PRODUCTION SERVICES	2	2
DEFENSE INFORMATION SYSTEMS AGENCY		
WORKING CAPITAL FUND SUPPORT	8,300	2,508,300
Fuel inflation		[2,500,000]
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**8,302**	**2,508,302**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND SUPPORT	1,211,208	1,435,333
Inflation effects		[14,125]
Program increase		[210,000]
TOTAL WORKING CAPITAL FUND, DECA	**1,211,208**	**1,435,333**
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	84,612	84,612
CHEM DEMILITARIZATION—RDT&E	975,206	975,206
CHEM DEMILITARIZATION—PROC		
UNDISTRIBUTED		28,929
Inflation effects		[28,929]
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**1,059,818**	**1,088,747**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	619,474	619,474
DRUG DEMAND REDUCTION PROGRAM	130,060	130,060
NATIONAL GUARD COUNTER-DRUG PROGRAM	100,316	100,316
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,878	5,878
UNDISTRIBUTED		18,898
Inflation effects		[18,898]
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**855,728**	**874,626**
OFFICE OF THE INSPECTOR GENERAL		

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2023 Request	Conference Authorized
OFFICE OF THE INSPECTOR GENERAL—O&M	474,650	474,650
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,321	1,321
OFFICE OF THE INSPECTOR GENERAL—RDT&E	1,864	1,864
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	1,524	1,524
UNDISTRIBUTED		4,932
Inflation effects		[4,932]
TOTAL OFFICE OF THE INSPECTOR GENERAL	**479,359**	**484,291**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,906,943	9,866,753
Medical care contracts excess growth		[–25,082]
Unjustified growth		[–15,108]
PRIVATE SECTOR CARE	18,455,209	18,442,709
Program decrease		[–12,500]
CONSOLIDATED HEALTH SUPPORT	1,916,366	1,875,949
Unjustified growth		[–40,417]
INFORMATION MANAGEMENT	2,251,151	2,247,789
Unjustified growth		[–3,362]
MANAGEMENT ACTIVITIES	338,678	338,678
EDUCATION AND TRAINING	334,845	341,845
TriService Nursing Research Program		[7,000]
BASE OPERATIONS/COMMUNICATIONS	2,111,558	2,108,900
Excess growth		[–2,658]
R&D RESEARCH	39,568	44,568
CRDMP Program for Pancreatic Cancer Research		[5,000]
R&D EXPLORATRY DEVELOPMENT	175,477	175,477
R&D ADVANCED DEVELOPMENT	320,862	333,362
Combat triple negative breast cancer		[10,000]
Post-traumatic stress disorder		[2,500]
R&D DEMONSTRATION/VALIDATION	166,960	166,960
R&D ENGINEERING DEVELOPMENT	103,970	103,970
R&D MANAGEMENT AND SUPPORT	85,186	85,186
R&D CAPABILITIES ENHANCEMENT	17,971	17,971
PROC INITIAL OUTFITTING	21,625	21,625
PROC REPLACEMENT & MODERNIZATION	234,157	234,157
PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	1,467	1,467
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	72,601	72,601
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	240,224	240,224
SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	137,356	137,356
TOTAL DEFENSE HEALTH PROGRAM	**36,932,174**	**36,857,547**
TOTAL OTHER AUTHORIZATIONS	**40,910,474**	**44,362,731**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
ARMY				
	Alabama			
Army	Anniston Army Depot	General Purpose Warehouse (P&D)	0	2,400
Army	Redstone Arsenal	Building 6231	0	6,000
Army	Redstone Arsenal	Physics Lab	0	44,000
Army	Redstone Arsenal	Warehouse	0	52,000
	Alaska			
Army	Fort Wainwright	Physical Fitness Center	0	50,000
	Arizona			
Army	Yuma Proving Ground	Cost to Complete: Ready Building	0	6,500
	Arkansas			
Army	Pine Bluff Arsenal	Access Control Point (P&D)	0	1,800
	Bulgaria			
Army	Novo Selo Training Area	Cost to Complete: EDI- Ammunition Holding Area.	0	3,640
	Colorado			
Army	Fort Carson	Fire Station Support Building	14,200	14,200
	Florida			
Army	Camp Bull Simons	Child Development Center (P&D)	0	4,750
	Georgia			
Army	Fort Gillem	Cost to Complete: Forensic Laboratory	0	24,700
Army	Fort Gordon	Child Development Center (P&D)	0	5,000
	Germany			
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplx1 (Brks/Veh Maint).	104,000	104,000
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplx2 (OPS/Veh Maint).	64,000	64,000
	Hawaii			
Army	Fort Shafter	Water System Upgrade	0	33,000
Army	Schofield Barracks	Company Operations Facilities	0	25,000
Army	Tripler Army Medical Center	Upgrade Potable Water System	0	38,000
	Japan			
Army	Kadena Air Force Base	Vehicle Maintenance Shop	0	80,000
	Kansas			
Army	Fort Riley (Custer Hill)	Unaccompanied Enlisted Barracks (P&D).	0	15,930
	Kentucky			
Army	Fort Campbell	Cost to Complete: Vehicle Maintenance Shop.	0	13,650
	Kwajalein			
Army	Kwajalein Atoll	Medical Clinic	69,000	69,000
	Louisiana			
Army	Fort Polk	Child Development Center	32,000	32,000
Army	Fort Polk	Cost to Complete: Child Development Center.	0	9,000
Army	Fort Polk	Cost to Complete: Information System Facility.	0	35,360
Army	Fort Polk	Cost to Complete: Joint Operations Center.	0	61,000
	Maryland			
Army	Aberdeen Proving Ground	Cost to Complete: Test Maintenance Fabrication Facility.	0	0

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Army	Aberdeen Proving Ground	Test Maintenance Fabrication Facility	0	30,000
Army	Aberdeen Proving Ground	Test Maintenance Fabrication Facility (P&D).	0	7,600
Army	Fort Meade	Cost to Complete: Cantonment Area Roads.	0	17,550
	Mississippi			
Army	Engineer Research and Development Center	Lab and Test Building	0	20,000
	Missouri			
Army	Fort Leonard Wood	Central Issue Facility (P&D)	0	5,300
	New Jersey			
Army	Picatinny Arsenal	Precision Munitions Test Tower	0	3,654
	New Jersey			
Army	Picatinny Arsenal	Igloo Storage Installation	0	12,000
	New Mexico			
Army	White Sands Missile Range	Missile Assembly Building (P&D)	0	3,600
	New York			
Army	Fort Drum	Automated Record Fire Plus Range	0	3,600
Army	Fort Drum	Physical Fitness Testing Facility (P&D)	0	5,300
Army	U.S. Military Academy	Engineering Center	39,800	39,800
	North Carolina			
Army	Fort Bragg	Automated Infantry Platoon Battle Course (P&D).	0	1,350
Army	Fort Bragg	Automated Record Fire Range (P&D)	0	2,000
Army	Fort Bragg	Child Development Center (P&D)	0	3,600
Army	Fort Bragg	Multipurpose Machine Gun Range (MPMG 2) (P&D).	0	1,600
Army	Fort Bragg	Multipurpose Training Range	34,000	34,000
	Oklahoma			
Army	Fort Sill	Cost to Complete: Advanced Individual Training Barracks, Phase 2.	0	85,800
Army	McAlester Army Ammunition Plant	Cost to Complete: Ammunition Demolition Shop.	0	39,000
	Pennsylvania			
Army	Letterkenny Army Depot	Shipping and Receiving Building	38,000	38,000
	Texas			
Army	Corpus Christi Army Depot	Powertrain Facility (Engine Assembly) ...	103,000	55,000
Army	Fort Bliss	Fire Station	15,000	15,000
Army	Fort Hood	Automated Infantry Platoon Battle Course (P&D).	0	1,220
Army	Fort Hood	Automated Infantry Squad Battle Course (P&D).	0	600
Army	Fort Hood	Automated Multipurpose Machine Gun Range (P&D).	0	1,240
Army	Fort Hood	Barracks	0	19,000
	Washington			
Army	Joint Base Lewis-McChord	Barracks	49,000	49,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Child Development Center Planning & Design Fund.	0	15,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Army	Unspecified Worldwide Locations	Cost to Complete: FY21 Inflation Effects	0	251,860
Army	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	85,200
Army	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	541,080
Army	Unspecified Worldwide Locations	Exercise-Related Minor Construction (USARPAC).	0	10,500
Army	Unspecified Worldwide Locations	Host Nation Support	26,000	26,000
Army	Unspecified Worldwide Locations	Improving Military Installation Resilience.	0	20,000
Army	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Army	Unspecified Worldwide Locations	Lab Revitalization	0	30,000
Army	Unspecified Worldwide Locations	Planning & Design	167,151	192,151
Army	Unspecified Worldwide Locations	Unaccompanied Barracks Planning and Design.	0	0
Army	Unspecified Worldwide Locations	Unspecified Minor Military Construction	90,414	110,414
Military Construction, Army Total			845,565	2,571,949
NAVY				
	Arizona			
Navy	Marine Corps Air Station Yuma	Water Treatment (P&D)	0	5,000
	Australia			
Navy	Royal Australian Air Force Base Darwin	PDI: Aircraft Parking Apron (INC)	72,446	72,446
	California			
Navy	Marine Corps Air Ground Combat Center Twentynine Palms	Range Simulation Training & Operations Fac..	120,382	10,382
Navy	Marine Corps Base Camp Pendleton	Basilone Road Realignment	85,210	14,768
Navy	Marine Corps Base Camp Pendleton	Child Development Center	0	32,100
Navy	Marine Corps Recruit Depot San Diego	Recruit Barracks	0	94,848
Navy	Naval Air Station Lemoore	F–35C Aircraft Maint. Hangar & Airfield Pave.	201,261	41,261
Navy	Naval Base Point Loma Annex	Child Development Center	56,450	64,353

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Navy	Naval Base San Diego	Floating Dry Dock Mooring Facility	0	9,000
Navy	Naval Base San Diego	Pier 6 Replacement (INC)	15,565	15,565
Navy	Naval Surface Warfare Center Corona Division	Data Science Analytics and Innovation (P&D).	0	2,845
Navy	Naval Surface Warfare Center Corona Division	Performance Assessment Communications Laboratory.	0	15,000
Connecticut				
Navy	Naval Submarine Base New London	Relocate Underwater Electromagnetic Measure..	15,514	15,514
Djibouti				
Navy	Camp Lemonnier	Electrical Power Plant	0	12,000
Florida				
Navy	Marine Corps Support Facility Blount Island	Communications Infrastructure Modernization (P&D).	0	5,949
Navy	Naval Air Station Jacksonville	Engine Test Cells Modifications	86,232	36,232
Navy	Naval Air Station Whiting Field	Advanced Helicopter Training System Hangar.	0	141,500
Navy	Naval Air Station Whiting Field	AHTS Aircraft Flight Simulator Facility	57,789	57,789
Georgia				
Navy	Marine Corps Base Albany	Consolidated Communication Facility (P&D).	0	6,400
Navy	Naval Submarine Base Kings Bay	Nuclear Regional Maintenance Facility ..	213,796	13,796
Navy	Naval Submarine Base Kings Bay	Trident Training Fac. Columbia Trainer Expan..	65,375	65,375
Guam				
Navy	Marine Corps Base Camp Blaz	PDI: 9th Eng Supp Battalion Equip & Main Fac.	131,590	41,590
Navy	Marine Corps Base Camp Blaz	PDI: 9th Engineer Support Battalion Ops. Fac..	35,188	35,188
Navy	Marine Corps Base Camp Blaz	PDI: Brown Tree Snake Exclusion Barrier South.	14,497	14,497
Navy	Marine Corps Base Camp Blaz	PDI: Ground Combat Element Inf Btn 1 & 2 Fac.	149,314	69,314
Hawaii				
Navy	Joint Base Pearl Harbor-Hickam	Dry Dock 3 Replacement (INC)	621,185	446,185
Navy	Joint Base Pearl Harbor-Hickam	Missile Magazines	0	10,000
Navy	Joint Base Pearl Harbor-Hickam	Upgrade Main Water Lines—DA	0	15,000
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Production Facility (P&D)	0	40,000
Navy	Marine Corps Base Kaneohe Bay	Bachelor Enlisted Quarters	0	57,900
Idaho				
Navy	Naval Surface Warfare Center Carderock Division	ARD Range Craft Berthing Facility (P&D).	0	707

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
	Japan			
Navy	Kadena Air Base	PDI: Marine Corps Bachelor Enlisted Quarters.	94,100	29,100
Navy	Kadena Air Base	PDI: Marine Corps Barracks Complex	101,300	31,300
	Maine			
Navy	Portsmouth Naval Shipyard	Child Development Center (P&D)	0	2,500
Navy	Portsmouth Naval Shipyard	Multi-Mission Drydock #1 Extension (INC).	503,282	503,282
	Maryland			
Navy	Naval Surface Warfare Center Carderock Division	SFOMF Storage Laboratory	0	2,073
Navy	Naval Surface Warfare Center Carderock Division	Ship Systems Integration and Design Facility (P&D).	0	2,650
Navy	Naval Surface Warfare Center Indian Head Division	Combustion Laboratory	0	6,000
Navy	Naval Surface Warfare Center Indian Head Division	Contained Burn Facility (P&D)	0	0
Navy	Naval Surface Warfare Center Indian Head Division	Contained Burn Facility (P&D)	0	5,415
Navy	Naval Surface Warfare Center Indian Head Division	EOD Explosive Testing Range 2 Expansion at SN, Building 2107.	0	2,039
	Nevada			
Navy	Naval Air Station Fallon	F–35C Aircraft Maintenance Hangar	97,865	30,865
Navy	Naval Air Station Fallon	Fallon Range Training Complex Land Acquisition Phase 2.	0	48,300
	North Carolina			
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar (INC)	106,000	21,000
Navy	Marine Corps Air Station Cherry Point	CH–53K Gearbox Repair and Test Facility.	38,415	38,415
Navy	Marine Corps Air Station Cherry Point	F–35 Flightline Util Modernization PH 2 (INC).	58,000	58,000
Navy	Marine Corps Air Station New River	Three Module Type II Hangar	0	21,000
Navy	Marine Corps Base Camp Lejeune	Regional Communications Station, Hadnot Point.	47,475	47,475
	Pennsylvania			
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Control Developmental Center	0	92,547
	South Carolina			

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Navy	Marine Corps Recruit Depot Parris Island	Recruit Barracks	0	37,600
Navy	Marine Corps Recruit Depot Parris Island	Recruit Barracks	0	38,300
	Spain			
Navy	Naval Station Rota	EDI: Missile Magazines	0	92,323
	Virginia			
Navy	Naval Air Station Oceana	Child Development Center (P&D)	0	1,200
Navy	Naval Station Norfolk	Child Development Center (P&D)	0	2,300
Navy	Naval Station Norfolk	Submarine Logistics Support Facilities	16,863	16,863
Navy	Naval Station Norfolk	Submarine Pier 3 (INC)	155,000	125,000
Navy	Naval Surface Warfare Center Dahlgren Division	Weapons Integration and Test Campus (P&D).	0	1,237
Navy	Norfolk Naval Shipyard	Dry Dock Saltwater System for CVN–78 (INC).	47,718	47,718
Navy	Naval Surface Warfare Center Dahlgren Division	Upgrade Electrical Substation 1	0	2,503
	Washington			
Navy	Naval Air Station Whidbey Island	E/A–18G Aircraft Flt. Read. Squad. Train. Fac.	37,461	37,461
Navy	Naval Air Station Whidbey Island	P–8A Aircraft Airfield Pavements Improvements.	0	68,100
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Child Development Center Planning & Design Fund.	0	15,000
Navy	Unspecified Worldwide Locations	Cost to Complete: FY21 Inflation Effects	0	99,384
Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	514,892
Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (P&D).	0	0
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	298,433
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D).	0	0
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC).	0	0
Navy	Unspecified Worldwide Locations	Improving Military Installation Resilience.	0	20,000
Navy	Unspecified Worldwide Locations	INDOPACOM (P&D)	0	50,000

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Navy	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Navy	Unspecified Worldwide Locations	Lab Revitalization	0	20,000
Navy	Unspecified Worldwide Locations	MCON Planning and Funds	397,124	422,124
Navy	Unspecified Worldwide Locations	Planning & Design	0	63,400
Navy	Unspecified Worldwide Locations	Red Hill (P&D)	0	0
Navy	Unspecified Worldwide Locations	SIOP Planning & Design	0	75,000
Navy	Unspecified Worldwide Locations	Unspecified Minor Military Construction	109,994	129,994
Navy	Unspecified Worldwide Locations	USMC Planning & Design	0	37,800
Navy	Unspecified Worldwide Locations	Water Treatment and Distribution Infrastructure.	0	0
Military Construction, Navy Total			3,752,391	4,621,097
AIR FORCE				
	Alabama			
Air Force	Maxwell Air Force Base	Commercial Vehicle Inspection Gate	0	15,000
	Alaska			
Air Force	Clear Space Force Station	LRDR Dormitory	68,000	68,000
Air Force	Joint Base Elmendorf-Richardson	Extend Runway 16/34 (INC)	100,000	100,000
Air Force	Joint Base Elmendorf-Richardson	PFAS: Contaminated Soil Removal	0	5,200
	Arizona			
Air Force	Davis-Monthan Air Force Base	Combat Rescue Helicopter Simulator	0	7,500
Air Force	Luke Air Force Base	Child Development Center (P&D)	0	4,750
	California			
Air Force	Air Force Test Center—Edwards Air Force Base	Munitions Igloo—East (P&D)	0	650
Air Force	Travis Air Force Base	KC–46A ADAL B179, Simulator Facility	0	7,500
Air Force	Vandenberg Space Force Base	GBSD Consolidated Maintenance Facility.	89,000	14,000
	Florida			
Air Force	Air Force Research Laboratory—Eglin Air Force Base	Shock and Applied Impact Laboratory (SAIL) (P&D).	0	530
Air Force	Eglin Air Force Base	F–35A ADAL Squadron Operations (P&D).	0	2,500

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Air Force	Eglin Air Force Base	F–35A Developmental Test 2–Bay MX Hangar (P&D).	0	4,100
Air Force	Eglin Air Force Base	F–35A Developmental Test 2–Bay Test Hangar (P&D).	0	3,700
Air Force	Patrick Space Force Base	Consolidated Communications Center	0	97,000
Air Force	Tyndall Air Force Base	Cost to Complete—Natural Disaster Recovery.	0	66,000
	Georgia			
Air Force	Moody Air Force Base	23d Security Forces Squadron Operations Facility (P&D).	0	1,100
Air Force	Moody Air Force Base	Rescue Squadron Guardian Angel Operations Facility (P&D).	0	5,770
	Hawaii			
Air Force	Air Force Research Laboratory—Maui Experimental Site #1	Secure Integration Support Lab W/ Land Acquisition.	0	89,000
	Hungary			
Air Force	Pápa Air Base	EDI: DABS-FEV Storage	71,000	71,000
	Iceland			
Air Force	Naval Air Station Keflavik	EDI: DABS-FEV Storage	94,000	94,000
	Illinois			
Air Force	Scott Air Force Base	Child Development Center	0	19,893
	Italy			
Air Force	Aviano Air Base	Combat Rescue Helicopter Simulator Facility.	15,500	15,500
Air Force	Aviano Air Base	EDI: RADR Storage Facility	31,000	31,000
	Japan			
Air Force	Kadena Air Base	Helicopter Rescue OPS Maintenance Hangar (INC).	71,000	71,000
Air Force	Kadena Air Base	PDI: Theater A/C Corrosion Control Ctr (INC).	77,000	17,000
Air Force	Yokota Air Base	Cost to Complete: PDI: C–130J Corrosion Control Hangar.	0	10,000
	Jordan			
Air Force	Muwaffaq Salti Air Base	Bulk Petroleum/Oil/Lubricants Storage	32,000	32,000
Air Force	Muwaffaq Salti Air Base	Fuel Cell and Phase Maintenance Hangars.	18,000	18,000
	Louisiana			
Air Force	Barksdale Air Force Base	Weapons Generation Facility (INC)	125,000	126,500
	Mariana Islands			
Air Force	Tinian	PDI: Airfield Development Phase 1 (INC)	58,000	58,000
Air Force	Tinian	PDI: Fuel Tanks W/Pipeline & Hydrant Sys, INC.	92,000	92,000
Air Force	Tinian	PDI: Parking Apron (INC)	41,000	41,000
	Maryland			
Air Force	Joint Base Andrews	Cost to Complete: PAR Relocate Haz Cargo Pad and EOD Range.	0	28,200
	Massachusetts			
Air Force	Hanscom Air Force Base	MIT-Lincoln Lab (West Lab CSL/MIF), INC.	30,200	30,200
	Nebraska			
Air Force	Offutt Air Force Base	Cost to Complete—Natural Disaster Recovery.	0	235,000
	Nevada			
Air Force	Nellis Air Force Base	Dormitory (P&D)	0	7,200

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
	New Mexico			
Air Force	Cannon Air Force Base	Soft Construct Munitions Storage Area (P&D).	0	8,000
Air Force	Holloman Air Force Base	F–16 Formal Training Unit Airfield Requirements (P&D).	0	4,140
Air Force	Holloman Air Force Base	High Speed Test Track (P&D)	0	15,000
Air Force	Kirtland Air Force Base	58th SOW/PJ/CRO Pipeline Dorm (432 RM) (P&D).	0	11,160
Air Force	Kirtland Air Force Base	ADAL Systems & Digital Engineering Lab (P&D).	0	2,000
Air Force	Kirtland Air Force Base	Explosives Operations Building (P&D)	0	540
Air Force	Kirtland Air Force Base	Joint Navigational Warfare Center (P&D).	0	4,700
Air Force	Kirtland Air Force Base	Space Rapid Capabilities Office (SPRCO) Headquarters Facility (P&D).	0	4,400
	New York			
Air Force	Air Force Research Laboratory—Rome Research Site	HF Antennas, Newport and Stockbridge Test Annexes.	0	4,200
	North Carolina			
Air Force	Seymour Johnson Air Force Base	Combat Arms and Maintenance Complex (P&D).	0	3,300
Air Force	Seymour Johnson Air Force Base	KC–46 Alert Facility (P&D)	0	530
	Norway			
Air Force	Rygge Air Station	EDI: Base Perimeter Security Fence	8,200	8,200
	Ohio			
Air Force	Wright Patterson Air Force Base	Child Development Center/School Age Center.	0	29,000
Air Force	Wright Patterson Air Force Base	Human Performance Wing Laboratory (P&D).	0	4,000
	Oklahoma			
Air Force	Altus Air Force Base	South Gate	0	4,750
Air Force	Tinker Air Force Base	E–7 Operations Center (P&D)	0	15,000
Air Force	Tinker Air Force Base	Facility and Land Acquisition (MROTC)	30,000	30,000
Air Force	Tinker Air Force Base	KC–46A 1–Bay Depot Corrosion Control Hangar.	0	80,000
Air Force	Tinker Air Force Base	KC–46A 2–Bay Program Depot Maintenance Hangar.	0	90,000
Air Force	Tinker Air Force Base	KC–46A 3–Bay Depot Maintenance Hangar (INC).	49,000	49,000
Air Force	Tinker Air Force Base	KC–46A Fuel POL Infrastructure	13,600	13,600
	South Carolina			
Air Force	Shaw Air Force Base	RAPCON Facility	10,000	10,000
	South Dakota			
Air Force	Ellsworth Air Force Base	B–21 2–Bay LO Restoration Facility (INC).	91,000	41,000
Air Force	Ellsworth Air Force Base	B–21 Radio Frequency Facility	77,000	84,900
Air Force	Ellsworth Air Force Base	B–21 Weapons Generation Facility (INC)	50,000	50,000
	Spain			
Air Force	Morón Air Base	EDI: RADR Storage Facility	29,000	29,000
	Tennessee			

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Air Force	Arnold Air Force Base	ARC Heater Test Facility Dragon Fire	38,000	38,000
	Texas			
Air Force	Joint Base San Antonio	BMT Recruit Dormitory 7 (INC)	90,000	0
Air Force	Joint Base San Antonio-Lackland	Cost to Complete: BMT Recruit Dormitory 8.	0	5,400
Air Force	Joint Base San Antonio-Randolph	Child Development Center	0	29,000
	United Kingdom			
Air Force	Royal Air Force Lakenheath	Cost to Complete: F–35 PGM Facility	0	3,100
Air Force	Royal Air Force Molesworth	Cost to Complete: Joint Intelligence Analysis Complex.	0	421,000
Air Force	Royal Air Force Molesworth	Cost to Complete: Joint Intelligence Analysis Complex Consolidation, PH3.	0	0
	Utah			
Air Force	Hill Air Force Base	GBSD Organic Software Sustain Ctr (INC).	95,000	95,000
Air Force	Hill Air Force Base	GBSD Technology and Collaboration Center.	84,000	44,000
	Washington			
Air Force	Fairchild Air Force Base	ADAL KC–135 Flight Simulator	0	8,000
Air Force	Fairchild Air Force Base	Cost to Complete: Consolidate TFI Base Operations.	0	8,000
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Child Development Center Planning & Design Fund.	0	15,000
Air Force	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	291,818
Air Force	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	309,441
Air Force	Unspecified Worldwide Locations	Cost to Complete: Natural Disaster Recovery.	0	0
Air Force	Unspecified Worldwide Locations	Improving Military Installation Resilience.	0	20,000
Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Air Force	Unspecified Worldwide Locations	Lab Revitalization	0	50,000
Air Force	Unspecified Worldwide Locations	Planning & Design	135,794	160,794
Air Force	Unspecified Worldwide Locations	VARLOCS CTC	0	0
Air Force	Various Worldwide Locations	Unspecified Minor Military Construction	66,162	81,162
	Wyoming			
Air Force	F.E. Warren Air Force Base	Cost to Complete: Weapons Storage Facility.	0	26,000

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Air Force	F.E. Warren Air Force Base	GBSD Integrated Command Center Wing A.	95,000	45,000
Air Force	F.E. Warren Air Force Base	GBSD Land Acquisition	34,000	34,000
Air Force	F.E. Warren Air Force Base	GBSD Missile Handling Complex Wing A.	47,000	47,000
Air Force	F.E. Warren Air Force Base	Military Working Dog Kennel	0	10,000
Military Construction, Air Force Total			2,055,456	3,827,928
DEFENSE-WIDE				
	Alabama			
Defense-Wide	Redstone Arsenal	MSIC Advanced Analysis Facility Phase 2 (INC).	0	15,000
Defense-Wide	Redstone Arsenal (Missile and Space Intelligence Center)	Backup Power Generation	0	10,700
	California			
Defense-Wide	Marine Corps Mountain Warfare Training Center Bridgeport	Microgrid and Backup Power	0	25,560
Defense-Wide	Naval Base Coronado	SOF Operations Support Facility	75,712	75,712
Defense-Wide	Naval Base Ventura County, Point Mugu	Ground Mounted Solar Photovoltaic System.	0	13,360
	Delaware			
Defense-Wide	Dover Air Force Base	Armed Services Whole Blood Processing Laboratory-East Replacement (P&D).	0	350
	Djibouti			
Defense-Wide	Camp Lemonnier	Enhanced Energy Security and Control Systems.	0	24,000
	Florida			
Defense-Wide	Hurlburt Field	SOF Human Performance Training Center.	9,100	9,100
Defense-Wide	MacDill Air Force Base	SOF Joint MISO Web Operations Facility (P&D).	0	8,730
Defense-Wide	MacDill Air Force Base	SOF Operations Integration Facility	0	50,000
Defense-Wide	Naval Air Station Jacksonville	Facility Energy Operations Center Renovation.	0	2,400
Defense-Wide	Patrick Space Force Base	Underground Electric Distribution System.	0	8,400
Defense-Wide	Patrick Space Force Base	Water Distribution Loop	0	7,300
	Georgia			
Defense-Wide	Fort Stewart-Hunter Army Airfield	Power Generation and Microgrid	0	25,400
Defense-Wide	Naval Submarine Base Kings Bay	SCADA Modernization	0	11,200
	Germany			
Defense-Wide	Baumholder	Baumholder Elementary School	71,000	106,700
Defense-Wide	Baumholder	SOF Battalion Annex	22,468	22,468
Defense-Wide	Baumholder	SOF Communications Annex	9,885	9,885
Defense-Wide	Baumholder	SOF Operations Annex	23,768	23,768
Defense-Wide	Baumholder	SOF Support Annex	21,902	21,902
Defense-Wide	Rhine Ordnance Barracks	Medical Center Replacement (INC 10)	299,790	299,790

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Defense-Wide	Wiesbaden	Clay Kaserne Elementary School	60,000	104,779
	Guam			
Defense-Wide	Naval Base Guam	Electrical Distribution System	0	34,360
	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam	Primary Electrical Distribution	0	25,000
	Japan			
Defense-Wide	Fleet Activities Yokosuka	Kinnick High School (INC 2)	20,000	20,000
Defense-Wide	Iwakuni	PDI: Bulk Storage Tanks PH 1	85,000	85,000
Defense-Wide	Kadena Air Base	Lighting Upgrades	0	780
Defense-Wide	Yokota Air Base	PDI: Bulk Storage Tanks PH I (INC)	44,000	44,000
Defense-Wide	Yokota Air Base	PDI: Operations and Warehouse Facilities.	72,154	72,154
	Kansas			
Defense-Wide	Fort Riley	Power Generation and Microgrid	0	25,780
	Kuwait			
Defense-Wide	Camp Arifjan	Power Generation and Microgrid	0	26,850
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration (INC 6)	75,500	75,500
Defense-Wide	Fort Meade	NSAW Mission OPS and Records Center (INC).	140,000	80,000
Defense-Wide	Fort Meade	NSAW Recap Building 4 (INC)	378,000	318,000
Defense-Wide	Fort Meade	Reclaimed Water Infrastructure Expansion.	0	23,310
	North Carolina			
Defense-Wide	Camp Lejeune	Lejeune Schools Modernization (P&D)	0	6,600
Defense-Wide	Fort Bragg	Albritton Middle School Addition (P&D)	0	7,500
Defense-Wide	Fort Bragg	SOF Operations Building	18,870	18,870
Defense-Wide	Fort Bragg	SOF Supply Support Activity	15,600	15,600
	South Carolina			
Defense-Wide	Marine Corps Air Station Beaufort	Fuel Pier Replacement (P&D)	0	900
Defense-Wide	Marine Corps Recruit Depot Parris Island	Ambulatory Care Center Replacement (Dental) (P&D).	0	4,800
	Texas			
Defense-Wide	Fort Hood	Power Generation and Microgrid	0	31,500
Defense-Wide	Joint Base San Antonio	Ambulatory Care Center Replacement (Dental).	58,600	58,600
Defense-Wide	U.S. Army Reserve Center, Conroe	Power Generation and Microgrid	0	9,600
	Virginia			
Defense-Wide	Dam Neck	SOF Operations Building Addition	26,600	26,600
Defense-Wide	Naval Support Activity Hampton Roads	Backup Power Generation	0	3,400
Defense-Wide	Naval Support Activity Hampton Roads	Primary Distribution Substation	0	19,000
Defense-Wide	NCE Springfield, Ft Belvoir	Chilled Water Redundancy	0	1,100
Defense-Wide	Pentagon	Commercial Vehicle Inspection Facility	18,000	18,000
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	233,520

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Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (DHA).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (DIA).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (DLA).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (DODEA).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (ERCIP).	0	81,070
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (NSA).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (OSD).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (SOCOM).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (WHS).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	120,730
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (DHA).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (DLA).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (DODEA).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (ERCIP).	0	65,800
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (OSD).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (SOCOM).	0	0
Defense-Wide	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (WHS).	0	0
Defense-Wide	Unspecified Worldwide Locations	DLA Planning & Design (DLA)	30,000	30,000
Defense-Wide	Unspecified Worldwide Locations	EDI: NATO Eastern Flank Infrastructure Support (P&D).	0	50,000
Defense-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog..	329,000	0
Defense-Wide	Unspecified Worldwide Locations	Exercise-Related Minor Construction	0	16,130

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Defense-Wide	Unspecified Worldwide Locations	Exercise-Related Minor Construction (EUCOM).	0	10,100
Defense-Wide	Unspecified Worldwide Locations	Exercise-Related Minor Construction (INDOPACOM).	0	33,360
Defense-Wide	Unspecified Worldwide Locations	Exercise-Related Minor Construction (TJS).	18,644	18,644
Defense-Wide	Unspecified Worldwide Locations	Exercise-Related Minor Construction P&D (EUCOM).	0	500
Defense-Wide	Unspecified Worldwide Locations	Improving Military Installation Resilience.	0	15,000
Defense-Wide	Unspecified Worldwide Locations	INDOPACOM- Red Hill Fuel Distribution (P&D).	0	25,000
Defense-Wide	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (Defense-Wide)	26,689	51,689
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (DHA)	33,227	33,227
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (DODEA)	20,086	20,086
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (ERCIP)	224,250	224,250
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (MDA)	47,063	47,063
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (NSA)	9,618	9,618
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (SOCOM)	26,978	26,978
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (TJS)	2,360	2,360
Defense-Wide	Unspecified Worldwide Locations	Planning & Design (WHS)	2,106	2,106
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (Defense-Wide).	3,000	23,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (DHA).	15,000	15,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (DODEA).	8,000	8,000
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (INDOPACOM).	0	16,130
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (NSA).	6,000	6,000

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Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction (SOCOM).	36,726	36,726
Defense-Wide	Various Worldwide Locations	Unspecified Minor Military Construction (DLA).	31,702	31,702
Military Construction, Defense-Wide Total			2,416,398	3,183,097
ARMY NATIONAL GUARD				
	Alaska			
Army National Guard	Joint Base Elmendorf-Richardson	Aircraft Maintenance Hangar	0	63,000
	Arkansas			
Army National Guard	Camp Robinson	Automated Multipurpose Machine Gun Range.	0	9,500
	Delaware			
Army National Guard	River Road Training Site	National Guard Readiness Center	16,000	16,000
	Florida			
Army National Guard	Camp Blanding	Automated Multipurpose Machine Gun Range.	0	8,500
Army National Guard	Camp Blanding	Scout Recce Gunnery Complex	0	16,200
Army National Guard	Gainesville	National Guard Readiness Center	0	21,000
Army National Guard	Palm Coast Flagler Rc Fms 9	National Guard Vehicle Maintenance Shop.	12,000	12,000
	Georgia			
Army National Guard	Fort Gordon	National Guard/Reserve Center Building (P&D).	0	2,100
	Hawaii			
Army National Guard	Kalaeloa	National Guard Readiness Center Addition.	29,000	29,000
	Illinois			
Army National Guard	Chicago	National Guard Readiness Center Alteration (P&D).	0	3,500
	Indiana			
Army National Guard	Atlanta Readiness Center	National Guard Readiness Center	20,000	20,000
	Iowa			
Army National Guard	West Des Moines Armory	National Guard Readiness Center	15,000	15,000
	Louisiana			
Army National Guard	Abbeville	National Guard Readiness Center (P&D)	0	1,650
Army National Guard	Camp Beauregard	Energy Resilience Conservation Investment Program Project (P&D).	0	765
	Maine			
Army National Guard	Saco	Southern Maine Readiness Center (P&D)	0	3,000
Army National Guard	Woodville Training Center	Range Complex (P&D)	0	1,400
	Michigan			
Army National Guard	Grayling Airfield	National Guard Readiness Center	16,000	16,000
	Minnesota			
Army National Guard	New Ulm Armory and Fms	National Guard Readiness Center	17,000	17,000
	Missouri			
Army National Guard	Aviation Classification Repair Activity Depot	Aircraft Maintenance Hangar Addition Phase IV (P&D).	0	5,600

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
	Nevada			
Army National Guard	Harry Reid Training Center	National Guard Readiness Center Add/Alt.	18,000	18,000
	New Hampshire			
Army National Guard	Concord	National Guard Wellness Center (P&D)	0	2,000
	New Mexico			
Army National Guard	Rio Rancho	Vehicle Maintenance Shop (P&D)	0	600
	New York			
Army National Guard	Glenmore Rd Armory/Fms 17	National Guard Vehicle Maintenance Shop.	17,000	17,000
Army National Guard	Lexington Armory	National Guard Readiness Center Addition/ Alteration (P&D).	0	3,580
	North Carolina			
Army National Guard	Mcleansville Camp Burton Road	National Guard Vehicle Maintenance Shop.	15,000	15,000
Army National Guard	Morrisville	Army Aviation Flight Facility #1 (P&D)	0	4,500
	Oregon			
Army National Guard	Camp Umatilla	Collective Training Unaccompanied Housing.	0	14,243
	Pennsylvania			
Army National Guard	Fort Indiantown Gap	Eastern ARNG Aviation Training Site (EAATS) Post-Initial Military Training Unaccompanied Housing (P&D).	0	2,700
Army National Guard	New Castle	National Guard Readiness Center (P&D)	0	2,360
	Puerto Rico			
Army National Guard	Camp Santiago Joint Maneuver Training Center	Engineering/Housing Maintenance Shops (DPW).	14,500	14,500
	Tennessee			
Army National Guard	Smyrna Volunteer Training Site	Army Maintenance Hangar (P&D)	0	780
	Vermont			
Army National Guard	Bennington	National Guard Readiness Center	14,800	0
Army National Guard	Ethan Allen Air Force Base	Civil Support Team Facility (P&D)	0	1,300
Army National Guard	Ethan Allen Air Force Base	Micro-Grid System (P&D)	0	1,170
Army National Guard	Ethan Allen Firing Range	Cantonment Area for Training (P&D)	0	3,500
Army National Guard	Ethan Allen Firing Range	Castle Trail Bypass (All Season Road) (P&D).	0	500
	West Virginia			
Army National Guard	Buckhannon Brushy Fork	National Guard Readiness Center Add/Alt.	14,000	14,000
Army National Guard	Martinsburg	National Guard Readiness Center (P&D)	0	1,500
	Worldwide Unspecified			
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY21 Inflation Effects	0	63,825
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	89,786
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	137,339

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D).	0	0
Army National Guard	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC).	0	0
Army National Guard	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Army National Guard	Unspecified Worldwide Locations	Planning & Design	28,245	38,245
Army National Guard	Unspecified Worldwide Locations	Unaccompanied Barracks Planning and Design.	0	15,243
Army National Guard	Unspecified Worldwide Locations	Unspecified Minor Military Construction	35,933	55,933
	Wyoming			
Army National Guard	Camp Guernsey	Aviation Operations and Fire Rescue Building.	0	19,500
Army National Guard	TS NG Sheridan	National Guard Vehicle Maintenance Shop.	14,800	14,800
	Military Construction, Army National Guard Total		297,278	813,119
ARMY RESERVE				
	California			
Army Reserve	Camp Pendleton	Area Maintenance Support Activity	0	13,000
	Florida			
Army Reserve	Perrine	Army Reserve Center/AMSA	46,000	46,000
	Georgia			
Army Reserve	Dobbins Air Reserve Base	Army Reserve Center (P&D)	0	5,000
	Massachusetts			
Army Reserve	Fort Devens	Cost to Complete: Multi-Purpose Machine Gun Range.	0	3,000
	Michigan			
Army Reserve	Southfield	Cost to Complete: Area Maintenance Shop.	0	1,600
	North Carolina			
Army Reserve	Asheville	Cost to Complete: Army Reserve Center ..	0	2,000
	Ohio			
Army Reserve	Wright-Patterson Air Force Base	Area Maintenance Support Activity	0	16,000
Army Reserve	Wright-Patterson Air Force Base	Cost to Complete: Army Reserve Center ..	0	2,000
	Puerto Rico			
Army Reserve	Fort Buchanan	Army Reserve Center	24,000	24,000
	Washington			
Army Reserve	Yakima	Equipment Concentration Site Warehouse.	0	22,000
	Wisconsin			
Army Reserve	Fort McCoy	Transient Training Enlisted Barracks	0	38,000
Army Reserve	Fort McCoy	Transient Training Officer Barracks	0	26,000
	Worldwide Unspecified			
Army Reserve	Unspecified Worldwide Locations	Barracks Planning and Design	0	3,000
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY21 Inflation Effects	0	28,950

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	16,000
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	93,000
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D).	0	0
Army Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC).	0	0
Army Reserve	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Army Reserve	Unspecified Worldwide Locations	Planning & Design	0	20,000
Army Reserve	Unspecified Worldwide Locations	Planning & Design	9,829	29,829
Army Reserve	Unspecified Worldwide Locations	Unaccompanied Barracks Planning and Design.	0	20,000
Army Reserve	Unspecified Worldwide Locations	Unspecified Minor Military Construction	20,049	40,049
		Military Construction, Army Reserve Total	99,878	449,428
NAVY RESERVE & MARINE CORPS RESERVE				
	Hawaii			
Navy/Marine Corps Reserve	Marine Corps Base Kaneohe Bay	C–40 Aircraft Maintenance Hangar	0	40,000
	Michigan			
Navy/Marine Corps Reserve	Marine Forces Reserve Battle Creek	Organic Supply Facilities	0	24,300
	Virginia			
Navy/Marine Corps Reserve	Marine Forces Reserve Dam Neck Virginia Beach	G/ATOR Support Facilities	0	10,400
	Worldwide Unspecified			
Navy/Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	7,854
Navy/Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	0
Navy/Marine Corps Reserve	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Navy/Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC).	0	0
Navy/Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (P&D).	0	0
Navy/Marine Corps Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D).	0	0

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Navy/Marine Corps Reserve	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction ..	27,747	18,747
Navy/Marine Corps Reserve	Unspecified Worldwide Locations	USMCR Planning & Design	2,590	2,590
	Military Construction, Navy Reserve Total		30,337	103,891
AIR NATIONAL GUARD				
	Alabama			
Air National Guard	Birmingham International Airport	Security and Services Training Facility ..	7,500	0
Air National Guard	Montgomery Regional Airport	F–35 Weapons Load Crew Training	0	9,200
	Arizona			
Air National Guard	Morris Air National Guard Base	Base Entry Complex	0	12,000
Air National Guard	Tucson International Airport	Land Acquisition	10,000	10,000
	Florida			
Air National Guard	Jacksonville International Airport	F–35 Construct Flight Simulator Facility	22,200	22,200
Air National Guard	Jacksonville International Airport	F–35 Munitions Maintenance & Inspection Facility (P&D).	0	530
Air National Guard	Jacksonville International Airport	F–35 Munitions Storage Area Administration & Pad (P&D).	0	770
	Illinois			
Air National Guard	Scott Air Force Base	Maintenance Hangar & Shops (P&D)	0	2,500
	Indiana			
Air National Guard	Fort Wayne International Airport	Munitions Maintenance & Storage Complex.	12,800	12,800
	Louisiana			
Air National Guard	New Orleans	Munitions Administrative Facility (P&D)	0	1,650
	Missouri			
Air National Guard	Jefferson Barracks Air Guard Station	Combat Arms Training and Maintenance Facility (P&D).	0	730
Air National Guard	Jefferson Barracks Air Guard Station	Consolidated Air Operations Group (157th Air Operations Group) (P&D).	0	2,100
Air National Guard	Rosecrans Air National Guard Base	Maintenance Hangar (P&D)	0	3,400
Air National Guard	Rosecrans Air National Guard Base	Parking Apron (P&D)	0	2,000
	New Hampshire			
Air National Guard	Pease Air National Guard Base	Small Arms Range (P&D)	0	2,000
	New Jersey			
Air National Guard	Atlantic City International Airport	ADAL Main Hangar (P&D)	0	3,000
	Ohio			
Air National Guard	Rickenbacker Air National Guard Base	Small Arms Range	0	8,000

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
	Rhode Island			
Air National Guard	Quonset State Airport	Consolidated Headquarters Medical & Dining Facility.	0	35,000
	Tennessee			
Air National Guard	McGhee Tyson Airport	KC–135 Maintenance Shops	23,800	23,800
	Vermont			
Air National Guard	Burlington International Airport	Cyber Operations Squadron Building (P&D).	0	1,000
	West Virginia			
Air National Guard	Mclaughlin Air National Guard Base	C–130J Apron Expansion	0	10,000
Air National Guard	Mclaughlin Air National Guard Base	Indoor Small Arms Range (P&D)	0	640
Air National Guard	Mclaughlin Air National Guard Base	Squadron Operations Building (P&D)	0	1,500
	Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	67,800
Air National Guard	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	33,900
Air National Guard	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Air National Guard	Unspecified Worldwide Locations	Planning & Design	28,412	40,412
Air National Guard	Unspecified Worldwide Locations	Unspecified Minor Military Construction	44,171	57,171
	Military Construction, Air National Guard Total		148,883	364,103
AIR FORCE RESERVE				
	Arizona			
Air Force Reserve	Davis Monthan Air Force Base	610th CACS Command & Control Facility.	0	8,000
	California			
Air Force Reserve	Beale Air Force Base	940 ARW Squad OPS/AMU	33,000	0
	Massachusetts			
Air Force Reserve	Westover Air Reserve Base	Taxiway Golf Extension (P&D)	0	1,900
	Mississippi			
Air Force Reserve	Keesler Air Force Base	Aeromedical Evacuation Training Facility.	0	10,000
	New York			
Air Force Reserve	Niagara Falls Arsenal	Combined Operations and Alert Facility (P&D).	0	2,800
	Oklahoma			
Air Force Reserve	Tinker Air Force Base	10th Flight Test Squadron Facility	0	12,500
	Virginia			
Air Force Reserve	Langley Air Force Base	Intelligence Group Facility	0	10,500
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
Air Force Reserve	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	11,800
Air Force Reserve	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	37,500
Air Force Reserve	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Air Force Reserve	Unspecified Worldwide Locations	Planning & Design	11,773	21,773
Air Force Reserve	Unspecified Worldwide Locations	Unspecified Minor Military Construction	11,850	31,850
Air Force Reserve	Unspecified Worldwide Locations	Unspecified UPL Project	0	0
Military Construction, Air Force Reserve Total			56,623	148,623
NATO SECURITY INVESTMENT PROGRAM				
	Worldwide Unspecified			
NATO	NATO Security Investment Program	Inflation & Market Adjustment Fund	0	0
NATO	NATO Security Investment Program	NATO Security Investment Program	210,139	210,139
NATO Security Investment Program Total			210,139	210,139
FAMILY HOUSING CONSTRUCTION, ARMY				
	Germany			
FH Con, Army	Baumholder	Cost to Complete: FY19 Family Housing New Construction.	0	48,100
FH Con, Army	Baumholder	Cost to Complete: FY20 Family Housing New Construction.	0	57,222
FH Con, Army	Baumholder	Cost to Complete: FY23 Family Housing New Construction.	0	16,500
FH Con, Army	Baumholder	Family Housing Improvements	0	20,000
FH Con, Army	Baumholder	Family Housing Replacement Construction.	57,000	57,000
FH Con, Army	Vilseck	Cost to Complete: Family Housing New Construction.	0	13,000
	Italy			
FH Con, Army	Vicenza	Cost to Complete: FY21 Family Housing New Construction.	0	16,510
FH Con, Army	Vicenza	Cost to Complete: FY22 Family Housing New Construction.	0	7,280
FH Con, Army	Vicenza	Cost to Complete: FY23 Family Housing New Construction.	0	27,750
FH Con, Army	Vicenza	Family Housing New Construction	95,000	40,000
	Kwajalein			
FH Con, Army	Kwajalein Atoll	Cost to Complete: Family Housing Replacement.	0	47,060
FH Con, Army	Kwajalein Atoll	Cost to Complete: Family Housing Replacement (FY21).	0	39,400
	Worldwide Unspecified			

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
FH Con, Army	Unspecified Worldwide Locations	Cost to Complete: Family Housing Construction.	0	138,783
FH Con, Army	Unspecified Worldwide Locations	Cost to Complete: FY21 Inflation Effects	0	202,682
FH Con, Army	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	29,800
FH Con, Army	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	73,050
FH Con, Army	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D).	0	0
FH Con, Army	Unspecified Worldwide Locations	Family Housing P&D	17,339	17,339
FH Con, Army	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
		Family Housing Construction, Army Total	169,339	851,476
FAMILY HOUSING O&M, ARMY				
	Worldwide Unspecified			
FH Ops, Army	Unspecified Worldwide Locations	Furnishings	22,911	22,911
FH Ops, Army	Unspecified Worldwide Locations	Housing Privatization Support	65,740	70,740
FH Ops, Army	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
FH Ops, Army	Unspecified Worldwide Locations	Leasing	127,499	127,499
FH Ops, Army	Unspecified Worldwide Locations	Maintenance	117,555	117,555
FH Ops, Army	Unspecified Worldwide Locations	Management	45,718	50,718
FH Ops, Army	Unspecified Worldwide Locations	Miscellaneous	559	559
FH Ops, Army	Unspecified Worldwide Locations	Services	9,580	9,580
FH Ops, Army	Unspecified Worldwide Locations	Utilities	46,849	46,849
		Family Housing Operation and Maintenance, Army Total	436,411	446,411
FAMILY HOUSING CONSTRUCTION, NAVY & MARINE CORPS				
	District of Columbia			
FH Con, Navy	United States Marine Corps Headquarters	Design	7,043	7,043

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
FH Con, Navy	United States Marine Corps Headquarters Guam	Improvements	74,540	74,540
FH Con, Navy	Naval Support Activity Andersen	Replace Andersen Housing PH IV	86,390	98,485
FH Con, Navy	Naval Support Activity Andersen	Replace Andersen Housing PH V	93,259	106,315
FH Con, Navy	Naval Support Activity Andersen	Replace Andersen Housing PH VI	68,985	68,985
	Worldwide Unspecified			
FH Con, Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	0
FH Con, Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	45,244
FH Con, Navy	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
FH Con, Navy	Unspecified Worldwide Locations	USMC DPRI/Guam Planning & Design	7,080	7,080
	Family Housing Construction, Navy and Marine Corps Total		337,297	407,692
FAMILY HOUSING O&M, NAVY & MARINE CORPS				
	Worldwide Unspecified			
FH Ops, Navy	Unspecified Worldwide Locations	Furnishings	16,182	16,182
FH Ops, Navy	Unspecified Worldwide Locations	Housing Privatization Support	61,605	66,605
FH Ops, Navy	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
FH Ops, Navy	Unspecified Worldwide Locations	Leasing	66,333	66,333
FH Ops, Navy	Unspecified Worldwide Locations	Maintenance	105,470	105,470
FH Ops, Navy	Unspecified Worldwide Locations	Management	59,312	64,312
FH Ops, Navy	Unspecified Worldwide Locations	Miscellaneous	411	411
FH Ops, Navy	Unspecified Worldwide Locations	Services	16,494	16,494
FH Ops, Navy	Unspecified Worldwide Locations	Utilities	42,417	42,417
	Family Housing Operation and Maintenance, Navy and Marine Corps Total		368,224	378,224
FAMILY HOUSING CONSTRUCTION, AIR FORCE				
	Delaware			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
FH Con, Air Force	Dover Air Force Base Florida	MHPI Restructure	25,492	25,492
FH Con, Air Force	Tyndall Air Force Base Illinois	AETC Restructuring	150,685	150,685
FH Con, Air Force	Scott Air Force Base Japan	MHPI Restructure	52,003	52,003
FH Con, Air Force	Kadena Air Base Maryland	Family Housing North Terrance Improvement, Phase 2 (4 Units).	0	3,800
FH Con, Air Force	Andrews Air Force Base Worldwide Unspecified	MHPI Equity Contribution CMSSF House.	1,878	1,878
FH Con, Air Force	Unspecified Worldwide	Family Housing Construction P&D	0	15,000
FH Con, Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
FH Con, Air Force	Unspecified Worldwide Locations	Planning & Design	2,730	2,730
		Family Housing Construction, Air Force Total	232,788	251,588
FAMILY HOUSING O&M, AIR FORCE				
	Worldwide Unspecified			
FH Ops, Air Force	Unspecified Worldwide Locations	Furnishings	27,379	27,379
FH Ops, Air Force	Unspecified Worldwide Locations	Housing Privatization	33,517	38,517
FH Ops, Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
FH Ops, Air Force	Unspecified Worldwide Locations	Leasing	7,882	7,882
FH Ops, Air Force	Unspecified Worldwide Locations	Maintenance	150,375	150,375
FH Ops, Air Force	Unspecified Worldwide Locations	Management	77,042	82,042
FH Ops, Air Force	Unspecified Worldwide Locations	Miscellaneous	2,240	2,240
FH Ops, Air Force	Unspecified Worldwide Locations	Services	10,570	10,570
FH Ops, Air Force	Unspecified Worldwide Locations	Utilities	46,217	46,217
		Family Housing Operation and Maintenance, Air Force Total	355,222	365,222
FAMILY HOUSING O&M, DEFENSE-WIDE				
	Worldwide Unspecified			

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(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
FH Ops, Defense-Wide	Unspecified Worldwide Locations	Furnishings	87	87
FH Ops, Defense-Wide	Unspecified Worldwide Locations	Furnishings	656	656
FH Ops, Defense-Wide	Unspecified Worldwide Locations	Leasing	13,306	13,306
FH Ops, Defense-Wide	Unspecified Worldwide Locations	Leasing	31,849	31,849
FH Ops, Defense-Wide	Unspecified Worldwide Locations	Maintenance	34	34
FH Ops, Defense-Wide	Unspecified Worldwide Locations	Utilities	15	15
FH Ops, Defense-Wide	Unspecified Worldwide Locations	Utilities	4,166	4,166
Family Housing Operation and Maintenance, Defense-Wide Total			50,113	50,113
FAMILY HOUSING IMPROVEMENT FUND				
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	6,442	6,442
FHIF	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Family Housing Improvement Fund Total			6,442	6,442
UNACCOMPANIED HOUSING IMPROVEMENT FUND				
	Worldwide Unspecified			
UHIF	Unspecified Worldwide Locations	Administrative Expenses—UHIF	494	494
Unaccompanied Housing Improvement Fund Total			494	494
BASE REALIGNMENT AND CLOSURE, ARMY				
	Worldwide Unspecified			
BRAC, Army	Unspecified Worldwide Locations	Base Realignment & Closure	67,706	117,706
BRAC, Army	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Base Realignment and Closure—Army Total			67,706	117,706
BASE REALIGNMENT AND CLOSURE, NAVY				
	Worldwide Unspecified			
BRAC, Navy	Unspecified Worldwide Locations	Base Realignment & Closure	106,664	156,664

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Account	State/Country and Installation	Project Title	FY 2023 Request	Conference Authorized
BRAC, Navy	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Base Realignment and Closure—Navy Total			106,664	156,664
BASE REALIGNMENT AND CLOSURE, AIR FORCE				
	Worldwide Unspecified			
BRAC, Air Force	Unspecified Worldwide Locations	Base Realignment & Closure	107,311	157,311
BRAC, Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
Base Realignment and Closure—Air Force Total			107,311	157,311
BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE				
	Worldwide Unspecified			
BRAC, Defense-Wide	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	0
BRAC, Defense-Wide	Unspecified Worldwide Locations	INT–4: DLA Activities	3,006	3,006
Base Realignment and Closure—Defense-wide Total			3,006	3,006
Total, Military Construction			**12,153,965**	**19,485,723**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Conference Authorized
Discretionary Summary by Appropriation		
Energy and Water Development and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	156,600	156,600
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Weapons Activities	16,486,298	17,359,798
Defense Nuclear Nonproliferation	2,346,257	2,353,257
Naval Reactors	2,081,445	2,081,445
Federal Salaries and Expenses	496,400	496,400
Total, National Nuclear Security Administration	**21,410,400**	**22,290,900**
Defense Environmental Cleanup	6,914,532	6,802,611

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Conference Authorized
Defense Uranium Enrichment D&D	0	0
Other Defense Activities	978,351	978,351
Total, Atomic Energy Defense Activities	**29,303,283**	**30,071,862**
Total, Discretionary Funding	**29,459,883**	**30,228,462**
Nuclear Energy		
Safeguards and security	156,600	156,600
Total, Nuclear Energy	**156,600**	**156,600**
National Nuclear Security Administration		
Weapons Activities		
Stockpile management		
Stockpile major modernization		
B61 Life extension program	672,019	672,019
W88 Alteration program	162,057	162,057
W80–4 Life extension program	1,122,451	1,122,451
W80–4 ALT SLCM	0	20,000
Research and development for a nuclear warhead for a nuclear-capable sea-launched cruise missile		(20,000)
W87–1 Modification Program	680,127	680,127
W93	240,509	240,509
Subtotal, Stockpile major modernization	**2,877,163**	**2,897,163**
Stockpile sustainment	1,321,139	1,321,139
Weapons dismantlement and disposition	50,966	50,966
Production operations	630,894	630,894
Nuclear enterprise assurance	48,911	48,911
Total, Stockpile management	**4,929,073**	**4,949,073**
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	767,412	767,412
21–D–512, Plutonium Pit Production Project, LANL	588,234	588,234
15–D–302, TA–55 Reinvestments Project, Phase 3, LANL	30,002	30,002
07–D–220-04, Transuranic Liquid Waste Facility, LANL	24,759	24,759
04–D–125, Chemistry and Metallurgy Research Replacement Project, LANL	162,012	162,012
Subtotal, Los Alamos Plutonium Modernization	**1,572,419**	**1,572,419**
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	58,300	58,300
21–D–511, Savannah River Plutonium Processing Facility, SRS	700,000	1,200,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Conference Authorized
Program increase—glovebox long lead procurement		*(200,000)*
Program increase—long lead items		*(100,000)*
Program increase—demolition of MOX buildling		*(165,000)*
Program increase—site prep		*(35,000)*
Subtotal, Savannah River Plutonium Modernization	***758,300***	***1,258,300***
Enterprise Plutonium Support	*88,993*	*88,993*
Total, Plutonium Modernization	***2,419,712***	***2,919,712***
High Explosives & Energetics		
High Explosives & Energetics	*101,380*	*101,380*
23–D–516, Energetic Materials Characterization Facility, LANL	*19,000*	*19,000*
21–D–510, HE Synthesis, Formulation, and Production, PX	*108,000*	*133,000*
Project risk reduction		*(25,000)*
15–D–301, HE Science & Engineering Facility, PX	*20,000*	*30,000*
Project risk reduction		*(10,000)*
Subtotal, High Explosives & Energetics	***248,380***	***283,380***
Total, Primary Capability Modernization	***2,668,092***	***3,203,092***
Secondary Capability Modernization		
Secondary Capability Modernization	*536,363*	*544,363*
Program increase—calciner		*(8,000)*
18–D–690, Lithium Processing Facility, Y–12	*216,886*	*216,886*
06–D–141, Uranium Processing Facility, Y–12	*362,000*	*362,000*
Total, Secondary Capability Modernization	***1,115,249***	***1,123,249***
Tritium and Domestic Uranium Enrichment		
Tritium and Domestic Uranium Enrichment	*506,649*	*506,649*
18–D–650, Tritium Finishing Facility, SRS	*73,300*	*73,300*
Total, Tritium and Domestic Uranium Enrichment	***579,949***	***579,949***
Non-Nuclear Capability Modernization	*123,084*	*123,084*
Capability Based Investments	*154,220*	*154,220*
Total, Production Modernization	***4,640,594***	***5,183,594***
Stockpile research, technology, and engineering		
Assessment Science		
Assessment Science	*801,668*	*861,668*
Enhanced Capability for Subcritical Experiments (ECSE) and Hydrodynamic and Subcritical Experiment Execution Support		*(60,000)*
17–D–640, U1a Complex Enhancements Project, NNSS	*53,130*	*53,130*
Total, Assessment Science	***854,798***	***914,798***
Engineering and integrated assessments	*366,455*	*366,455*
Inertial confinement fusion	*544,095*	*624,095*
Program increase		*(80,000)*
Advanced simulation and computing	*742,646*	*842,146*
Program increase		*(99,500)*
Weapon technology and manufacturing maturation	*286,165*	*296,165*
Program increase		*(10,000)*
Academic programs	*100,499*	*100,499*
Total, Stockpile research, technology, and engineering	***2,894,658***	***3,144,158***
Infrastructure and operations		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Conference Authorized
Operating		
Operations of facilities	1,038,000	1,046,000
Program increase		(8,000)
Safety and Environmental Operations	162,000	162,000
Maintenance and Repair of Facilities	680,000	725,000
Deferred maintenance		(45,000)
Recapitalization		
Infrastructure and Safety	561,663	561,663
Planning for Programmatic Construction (Pre-CD–1)	0	0
Subtotal, Recapitalization	**561,663**	**561,663**
Total, Operating	**2,441,663**	**2,494,663**
Mission enabling construction		
22–D–514 Digital Infrastructure Capability Expansion	67,300	67,300
22–D–517 Electrical Power Capacity Upgrade, LANL	24,000	24,000
22–D–518 Plutonium Modernization Ops & Waste Mngmt Office Bldg, LANL	48,500	48,500
23–D–519 Special Material Facility, Y–12	49,500	49,500
Total, Mission enabling construction	**189,300**	**189,300**
Total, Infrastructure and operations	**2,630,963**	**2,683,963**
Secure transportation asset		
Operations and equipment	214,367	214,367
Program direction	130,070	130,070
Total, Secure transportation asset	**344,437**	**344,437**
Defense nuclear security		
Operations and maintenance	878,363	878,363
Construction:		
17–D–710, West end protected area reduction project, Y–12	3,928	11,928
Program increase		(8,000)
Subtotal, Construction	**3,928**	**11,928**
Total, Defense nuclear security	**882,291**	**890,291**
Information technology and cybersecurity	**445,654**	445,654
Legacy contractor pensions and settlement payments	**114,632**	114,632
Total, Weapons Activities	**16,882,302**	**17,755,802**
Adjustments		
Use of prior year balances	–396,004	–396,004
Total, Adjustments	**–396,004**	**–396,004**
Total, Weapons Activities	**16,486,298**	**17,359,798**
Defense Nuclear Nonproliferation		
Material management and minimization		
Conversion (formerly HEU Reactor Conversion)	153,260	153,260
Nuclear material removal	41,600	41,600
Material disposition	256,025	256,025
Total, Material management & minimization	**450,885**	**450,885**
Global material security		
International nuclear security	81,155	81,155
Radiological security	244,827	244,827
Nuclear smuggling detection and deterrence	178,095	178,095

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Conference Authorized
Total, Global material security	**504,077**	**504,077**
Nonproliferation and arms control	207,656	207,656
Defense nuclear nonproliferation R&D		
Proliferation detection	287,283	287,283
Nonproliferation stewardship program	109,343	109,343
Nuclear detonation detection	279,205	279,205
Forensics R&D	44,414	44,414
Nonproliferation fuels development	0	0
Nuclear Fuels Development	0	20,000
Total, Defense Nuclear Nonproliferation R&D	**720,245**	**740,245**
Nonproliferation construction		
18–D–150 Surplus Plutonium Disposition Project, SRS	71,764	71,764
Total, Nonproliferation construction	**71,764**	**71,764**
NNSA Bioassurance Program	20,000	5,000
Program reduction		(–15,000)
Legacy contractor pensions and settlement payments	55,708	55,708
Nuclear counterterrorism and incident response program		
Emergency Operations	29,896	29,896
Counterterrorism and Counterproliferation	409,074	409,074
NA–82 Counterproliferation classified program increase	0	2,000
Total, Nuclear counterterrorism and incident response program	**438,970**	**438,970**
Subtotal, Defense Nuclear Nonproliferation	**2,469,305**	**2,476,305**
Adjustments		
Use of prior year balances	–123,048	–123,048
Total, Adjustments	**–123,048**	**–123,048**
Total, Defense Nuclear Nonproliferation	**2,346,257**	**2,353,257**
Naval Reactors		
Naval reactors development	798,590	798,590
Columbia-Class reactor systems development	53,900	53,900
S8G Prototype refueling	20,000	20,000
Naval reactors operations and infrastructure	695,165	695,165
Program direction	58,525	58,525
Construction:		
23–D–533 BL Component Test Complex	57,420	57,420
22–D–532 Security Upgrades KL	0	0
22–D–531 KL Chemistry & Radiological Health Building	0	0
14–D–901 Spent Fuel Handling Recapitalization Project, NRF	397,845	397,845
21–D–530 KL Steam and Condensate Upgrades	0	0
Total, Construction	**455,265**	**455,265**
Total, Naval Reactors	**2,081,445**	**2,081,445**
Federal Salaries and Expenses		
Program direction	513,200	513,200
Use of prior year balances	–16,800	–16,800
Total, Federal Salaries and Expenses	**496,400**	**496,400**
TOTAL, National Nuclear Security Administration	**21,410,400**	**22,290,900**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Conference Authorized
Defense Environmental Cleanup		
Closure sites administration	4,067	4,067
Richland		
River corridor and other cleanup operations	135,000	221,000
Program increase		(86,000)
Central plateau remediation	650,240	672,240
Program increase		(22,000)
Richland community and regulatory support	10,013	10,013
18–D–404 Modification of Waste Encapsulation and Storage Facility	3,100	3,100
22–D–401 L–888, 400 Area Fire Station	3,100	3,100
22–D–402 L–897, 200 Area Water Treatment Facility	8,900	8,900
23–D–404 181D Export Water System Reconfiguration and Upgrade	6,770	6,770
23–D–405 181B Export Water System Reconfiguration and Upgrade	480	480
Total, Richland	**817,603**	**925,603**
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	462,700	462,700
Rad liquid tank waste stabilization and disposition	801,100	811,100
Program increase		(10,000)
Construction		
23–D–403 Hanford 200 West Area Tank Farms Risk Management Project	4,408	4,408
18–D–16 Waste treatment and immobilization plant—LBL/Direct feed LAW	0	0
01–D–16D, High-level waste facility	316,200	358,939
Program increase		(42,739)
01–D–16E, Pretreatment Facility	20,000	20,000
Subtotal, Construction	**340,608**	**383,347**
ORP Low-level waste offsite disposal	0	0
Total, Office of River Protection	**1,604,408**	**1,657,147**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	350,658	350,658
Idaho community and regulatory support	2,705	2,705
Construction		
22–D–403 Idaho Spent Nuclear Fuel Staging Facility	8,000	8,000
22–D–404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project	8,000	8,000
22–D–402 Calcine Construction	10,000	10,000
Subtotal, Construction	**26,000**	**26,000**
Total, Idaho National Laboratory	**379,363**	**379,363**
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,842	1,842
LLNL Excess Facilities D&D	12,004	22,004
Program increase		(10,000)
Separations Processing Research Unit	15,300	15,300
Nevada Test Site	62,652	62,652
Sandia National Laboratory	4,003	4,003
Los Alamos National Laboratory	286,316	286,316
Los Alamos Excess Facilities D&D	40,519	40,519
Total, NNSA sites and Nevada off-sites	**422,636**	**432,636**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Conference Authorized
Oak Ridge Reservation:		
OR Nuclear Facility D&D	334,221	339,221
Program increase		(5,000)
U233 Disposition Program	47,628	47,628
OR cleanup and waste disposition	62,000	62,000
Construction		
17–D–401 On-site waste disposal facility	35,000	35,000
14–D–403 Outfall 200 Mercury Treatment Facility	0	0
Subtotal, Construction	**35,000**	**35,000**
OR community & regulatory support	5,300	5,300
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	**487,149**	**492,149**
Savannah River Site:		
Savannah River risk management operations	416,317	460,317
Program increase		(44,000)
Savannah River legacy pensions	132,294	132,294
Savannah River community and regulatory support	12,137	12,137
Savannah River National Laboratory O&M	41,000	41,000
Construction:		
20-D–401 Saltstone Disposal Unit #10, 11, 12	37,668	37,668
19–D–701 SR Security systems replacement	5,000	5,000
18–D–402 Saltstone Disposal Unit #8, 9	49,832	49,832
18–D–402 Emergency Operations Center Replacement, SR	25,568	25,568
Subtotal, Construction	**118,068**	**118,068**
Radioactive liquid tank waste stabilization	851,660	931,000
Program increase		(79,340)
Total, Savannah River Site	**1,571,476**	**1,694,816**
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	371,943	371,943
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	59,073	59,073
15–D–412 Exhaust shaft, WIPP	25,000	25,000
Program increase		6,000
Total, Construction	**84,073**	**90,073**
Total, Waste Isolation Pilot Plant	**456,016**	**462,016**
Program direction—Defense Environmental Cleanup	317,002	317,002
Program support—Defense Environmental Cleanup	103,239	103,239
Safeguards and Security—Defense Environmental Cleanup	309,573	309,573
Technology development and deployment	25,000	25,000
Federal contribution to the Uranium Enrichment D&D Fund	417,000	0
Program reduction		(–417,000)
Subtotal, Defense Environmental Cleanup	**6,914,532**	**6,802,611**
TOTAL, Defense Environmental Cleanup	**6,914,532**	**6,802,611**
Defense Uranium Enrichment D&D	0	0
Other Defense Activities		
Environment, health, safety and security		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Conference Authorized
Environment, health, safety and security mission support	*138,854*	*138,854*
Program direction	*76,685*	*76,685*
Total, Environment, health, safety and security	***215,539***	***215,539***
Office of Enterprise Assessments		
Enterprise assessments	*27,486*	*27,486*
Program direction	*57,941*	*57,941*
Total, Office of Enterprise Assessments	***85,427***	***85,427***
Specialized security activities	*306,067*	*306,067*
Legacy Management		
Legacy Management Activities—Defense	*174,163*	*174,163*
Program Direction	*21,983*	*21,983*
Total, Legacy Management	***196,146***	***196,146***
Defense-related administrative support	*170,695*	*170,695*
Office of hearings and appeals	*4,477*	*4,477*
Subtotal, Other defense activities	***978,351***	***978,351***
Use of prior year balances	*0*	*0*
Total, Other Defense Activities	***978,351***	***978,351***

DIVISION E—NON-DEPARTMENT OF DEFENSE MATTERS

TITLE LI—VETERANS AFFAIRS MATTERS

Subtitle A—Advisory Committees

Sec. 5101. Annual report from Advisory Committee on Women Veterans.
Sec. 5102. Department of Veterans Affairs Advisory Committee on United States Outlying Areas and Freely Associated States.

Subtitle B—Studies and Reports

Sec. 5111. Secretary of Veterans Affairs study on dissemination of information on Department of Veterans Affairs home loan benefits.
Sec. 5112. GAO study on post-market surveillance of medical devices by Department of Veterans Affairs.
Sec. 5113. Department of Veterans Affairs report on supportive services and housing insecurity.
Sec. 5114. Report on handling of certain records of the Department of Veterans Affairs.

Subtitle C—Other Matters

Sec. 5121. Improved application of employment and reemployment rights of all members of uniformed services.
Sec. 5122. Competitive pay for health care providers of Department of Veterans Affairs.
Sec. 5123. Definition of land use revenue under West Los Angeles Leasing Act of 2016.
Sec. 5124. Technical corrections to Honoring our PACT Act of 2022.
Sec. 5125. Improving pilot program on acceptance by the Department of Veterans Affairs of donated facilities and related improvements.
Sec. 5126. Improvement of Vet Centers at Department of Veterans Affairs.

Sec. 5127. Information on certain veterans with prior medical occupations; program on intermediate care technicians of Department of Veterans Affairs.

Subtitle A—Advisory Committees

SEC. 5101. ANNUAL REPORT FROM ADVISORY COMMITTEE ON WOMEN VETERANS.

Section 542(c)(1) of title 38, United States Code, is amended by striking "even-numbered year" and inserting "year".

SEC. 5102. DEPARTMENT OF VETERANS AFFAIRS ADVISORY COMMITTEE ON UNITED STATES OUTLYING AREAS AND FREELY ASSOCIATED STATES.

(a) ESTABLISHMENT OF ADVISORY COMMITTEE.—Subchapter III of chapter 5 of title 38, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

"§ 548. Advisory Committee on United States Outlying Areas and Freely Associated States

"(a) ESTABLISHMENT.—The Secretary shall establish an advisory committee, to be known as the 'Advisory Committee on United States Outlying Areas and Freely Associated States', to provide advice and guidance to the Secretary on matters relating to covered veterans.

"(b) DUTIES.—The duties of the Committee shall be the following:

"(1) To advise the Secretary on matters relating to covered veterans, including how the Secretary may improve the programs and services of the Department to better serve such veterans.

"(2) To identify for the Secretary evolving issues of relevance to covered veterans.

"(3) To propose clarifications, recommendations, and solutions to address issues raised by covered veterans.

"(4) To provide a forum for covered veterans, veterans service organizations serving covered veterans, and the Department to discuss issues and proposals for changes to regulations, policies, and procedures of the Department.

"(5) To identify priorities for and provide advice to the Secretary on appropriate strategies for consultation with veterans service organizations serving covered veterans.

"(6) To encourage the Secretary to work with the heads of other Federal departments and agencies, and Congress, to ensure covered veterans are provided the full benefits of their status as covered veterans.

"(7) To highlight contributions of covered veterans in the Armed Forces.

"(8) To conduct other duties as determined appropriate by the Secretary.

"(c) MEMBERSHIP.—(1) The Committee shall be comprised of 15 voting members appointed by the Secretary.

"(2) In appointing members pursuant to paragraph (1), the Secretary shall ensure the following:

"(A) At least one member is appointed to represent covered veterans in each of the following areas:

"(i) American Samoa.
"(ii) Guam.
"(iii) Puerto Rico.
"(iv) The Commonwealth of the Northern Mariana Islands.
"(v) The Virgin Islands of the United States.
"(vi) The Federated States of Micronesia.
"(vii) The Republic of the Marshall Islands.
"(viii) The Republic of Palau.

"(B) Not fewer than half of the members appointed are covered veterans, unless the Secretary determines that an insufficient number of qualified covered veterans are available.

"(C) Each member appointed resides in an area specified in subparagraph (A).

"(3) In appointing members pursuant to paragraph (1), the Secretary may consult with any Member of Congress who represents an area specified in paragraph (2)(A).

"(4) In addition to the members appointed pursuant to paragraph (1), the Committee shall be comprised of such ex officio members as the Secretary of State and the Secretary of the Interior shall appoint from among employees of the Department of State and the Department of the Interior, respectively.

"(d) TERMS; VACANCIES.—(1) A member of the Committee—
"(A) shall be appointed for a term of two years; and
"(B) may be reappointed to serve an additional two-year term.

"(2) Not later than 180 days after the Secretary (or in the case of an ex officio member, the Secretary of State or the Secretary of the Interior, as the case may be) receives notice of a vacancy in the Committee, the vacancy shall be filled in the same manner as the original appointment.

"(e) MEETING FORMAT AND FREQUENCY.—(1) Except as provided in paragraph (2), the Committee shall meet in-person with the Secretary not less frequently than once each year and hold monthly conference calls as necessary.

"(2) Meetings held under paragraph (1) may be conducted virtually if determined necessary based on—
"(A) Department protocols; and
"(B) timing and budget considerations.

"(f) ADDITIONAL REPRESENTATION.—(1) Representatives of relevant Federal departments and agencies may attend meetings of the Committee and provide information to the Committee.

"(2) One representative of the Department shall attend each meeting of the Committee.

"(3) Representatives attending meetings under this subsection—
"(A) may not be considered voting members of the Committee; and
"(B) may not receive additional compensation for services performed with respect to the Committee.

"(g) SUBCOMMITTEES.—(1) The Committee may establish subcommittees.

"(2) The Secretary may, in consultation with the Committee, appoint a member to a subcommittee established under paragraph (1) who is not a member of the Committee.

"(3) A subcommittee established under paragraph (1) may enhance the function of the Committee, but may not supersede the authority of the Committee or provide direct advice or work products to the Secretary.

"(h) REPORTS.—(1) Not less frequently than once every two years, the Committee shall submit to the Secretary and the appropriate congressional committees a report—

"(A) containing such recommendations as the Committee may have for legislative or administrative action; and

"(B) describing the activities of the Committee during the previous two years.

"(2) Not later than 120 days after the date on which the Secretary receives a report under paragraph (1), the Secretary shall submit to the appropriate congressional committees a written response to the report after—

"(A) giving the Committee an opportunity to review such written response; and

"(B) including in such written response any comments the Committee considers appropriate.

"(3) The Secretary shall make publicly available on an internet website of the Department—

"(A) each report the Secretary receives under paragraph (1); and

"(B) each written response the Secretary submits under paragraph (2).

"(i) COMMITTEE PERSONNEL MATTERS.—A member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5 while away from the home or regular place of business of the member in the performance of the duties of the Committee.

"(j) CONSULTATION.—In carrying out this section, the Secretary shall consult with veterans service organizations serving covered veterans.

"(k) TERMINATION.—The Committee shall terminate on the date that is 10 years after the date of the enactment of this section.

"(l) DEFINITIONS.—In this section:

"(1) The term 'appropriate congressional committees' means—

"(A) the Committee on Veterans' Affairs of the House of Representatives; and

"(B) the Committee on Veterans' Affairs of the Senate.

"(2) The term 'Committee' means the Advisory Committee on United States Outlying Areas and Freely Associated States established under subsection (a).

"(3) The term 'covered veteran' means a veteran residing in an area specified in subsection (c)(2)(A).

"(4) The term 'veterans service organization serving covered veterans' means any organization that—

"(A) serves the interests of covered veterans;

"(B) has covered veterans in substantive and policy-making positions within the organization; and

"(C) has demonstrated experience working with covered veterans.".

(b) DEADLINE FOR ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish the advisory committee required by section 548 of title 38, United States Code, as added by subsection (a) of this section.

(c) DEADLINE FOR INITIAL APPOINTMENTS.—Not later than 90 days after the date on which the Secretary establishes the advisory committee required by such section 548, the members of such advisory committee shall be appointed.

(d) INITIAL MEETING.—Not later than 180 days after the date on which the Secretary establishes the advisory committee required by such section 548, such advisory committee shall hold its first meeting.

Subtitle B—Studies and Reports

SEC. 5111. SECRETARY OF VETERANS AFFAIRS STUDY ON DISSEMINATION OF INFORMATION ON DEPARTMENT OF VETERANS AFFAIRS HOME LOAN BENEFITS.

(a) STUDY.—The Secretary of Veterans Affairs shall conduct a study to identify the means by which the Secretary informs lenders and veterans about the availability of loans guaranteed by the Department of Veterans Affairs under chapter 37 of title 38, United States Code, for any purpose described in section 3710(a) of such title.

(b) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study conducted under subsection (a); and

(2) make such report publicly available on an appropriate website of the Department of Veterans Affairs.

SEC. 5112. GAO STUDY ON POST-MARKET SURVEILLANCE OF MEDICAL DEVICES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the efforts of the Under Secretary of Veterans Affairs for Health relating to post-market surveillance of implantable medical devices.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the findings of the study under subsection (a). Such report shall include the following:

(1) A description of the process used by the Under Secretary of Veterans Affairs for Health for documenting implantable medical devices issued to patients.

(2) An evaluation of the capability of the Under Secretary of Veterans Affairs for Health to identify, in a timely manner, adverse events and safety issues relating to implantable medical devices.

(3) An evaluation of the process for, and potential barriers to, the Under Secretary of Veterans Affairs for Health notifying patients of an implantable medical device recall.

(4) An evaluation of the accessibility of the adverse event reporting systems of the Veterans Health Administration for patients with disabilities.

(5) Recommendations to address gaps in such adverse event reporting systems, to better identify adverse events and safety issues from implantable medical devices.

SEC. 5113. DEPARTMENT OF VETERANS AFFAIRS REPORT ON SUPPORTIVE SERVICES AND HOUSING INSECURITY.

Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Secretary of Housing and Urban Development and the Secretary of Labor, shall submit to Congress a report on how often and what type of supportive services (including career transition and mental health services and services for elderly veterans) are being offered to and used by veterans, and any correlation between a lack of supportive services programs and the likelihood of veterans falling back into housing insecurity. The Secretary of Veterans Affairs shall ensure that any medical information included in the report is de-identified.

SEC. 5114. REPORT ON HANDLING OF CERTAIN RECORDS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs, in coordination with the Secretary of Defense, shall submit to Congress a report on the extent to which the procedures outlined in provision M21-1 III.ii.2.F.1 of the Adjudication Procedures Manual of the Department of Veterans Affairs, or any successor document, are followed in assisting veterans obtain or reconstruct service records or medical information damaged or destroyed in the fire that occurred at the National Processing Records Center in St. Louis, Missouri, in July of 1973.

(b) ELEMENTS.—The report under subsection (a) shall include the following elements:

(1) The determination of the Inspector General as to whether employees of the Department of Veterans Affairs receive sufficient training on the procedures specified in such subsection.

(2) The determination of the Inspector General as to whether veterans are informed of actions necessary to adhere to such procedures.

(3) The percentage of cases regarding such service records and medical information in which employees of the Department of Veterans Affairs follow such procedures.

(4) The average duration of time to resolve an issue using such procedures.

(5) Recommendations on how to improve the implementation of such procedures.

Subtitle C—Other Matters

SEC. 5121. IMPROVED APPLICATION OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF ALL MEMBERS OF UNIFORMED SERVICES.

(a) IN GENERAL.—Paragraph (5) of section 4303 of title 38, United States Code, is amended to read as follows:

"(5) The term 'Federal executive agency'—

"(A) except as provided in subparagraph (B), includes—

"(i) the United States Postal Service;

"(ii) the Postal Regulatory Commission;

"(iii) any nonappropriated fund instrumentality of the United States;

"(iv) any Executive agency (as defined in section 105 of title 5); and

"(v) any military department (as defined in section 102 of title 5) with respect to the civilian employees of that department; and

"(B) does not include—

"(i) an agency referred to in section 2302(a)(2)(C)(ii) of title 5;

"(ii) the National Oceanic and Atmospheric Administration with respect to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration; or

"(iii) the Public Health Service with respect to members of the Commissioned Corps of the Public Health Service serving on active duty, active duty for training, or inactive duty training.".

(b) TECHNICAL CORRECTION.—Paragraph (17) of such section is amended by striking "commissioned corps of the Public Health Service" and inserting "Commissioned Corps of the Public Health Service".

SEC. 5122. COMPETITIVE PAY FOR HEALTH CARE PROVIDERS OF DEPARTMENT OF VETERANS AFFAIRS.

Section 7451(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(4)(A) The director of each medical center of the Department shall submit to the Secretary an annual locality pay survey and rates of basic pay for covered positions at such medical center to ensure that pay rates remain competitive in the local labor market.

"(B) Not less than once per fiscal year, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on rates of basic pay for covered positions at medical centers of the Department.".

SEC. 5123. DEFINITION OF LAND USE REVENUE UNDER WEST LOS ANGELES LEASING ACT OF 2016.

Section 2(d)(2) of the West Los Angeles Leasing Act of 2016 (Public Law 114–226) is amended—

(1) in subparagraph (A), by striking "; and" and inserting a semicolon;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

"(B) to the extent specified in advance in an appropriations Act for a fiscal year, any funds received as compensation for an easement described in subsection (e); and".

SEC. 5124. TECHNICAL CORRECTIONS TO HONORING OUR PACT ACT OF 2022.

(a) PRESUMPTION OF SERVICE CONNECTION FOR CERTAIN DISEASES ASSOCIATED WITH EXPOSURE TO BURN PITS AND OTHER TOXINS.—Section 1120(b)(2) of title 38, United States Code, is amended—

(1) by striking subparagraph (G); and

(2) by redesignating subparagraphs (H) through (K) as subparagraphs (G) through (J), respectively.

(b) CONGRESSIONAL APPROVAL OF CERTAIN MEDICAL FACILITY ACQUISITIONS.—Section 703(c)(5)(C) of the Honoring our PACT Act of 2022 (Public Law 117–168; 136 Stat. 1797) is amended to read as follows:

"(C) by striking 'or a major medical facility lease (as defined in subsection (a)(3)(B))';".

(c) USE OF COMPETITIVE PROCEDURES TO ACQUIRE SPACE FOR THE PURPOSE OF PROVIDING HEALTH-CARE RESOURCES TO VETERANS.—Section 8103(h)(1) of title 38, United States Code, is amended by striking "section 2304 of title 10" and inserting "section 3301 of title 41".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Honoring our PACT Act of 2022 (Public Law 117–168).

SEC. 5125. IMPROVING PILOT PROGRAM ON ACCEPTANCE BY THE DEPARTMENT OF VETERANS AFFAIRS OF DONATED FACILITIES AND RELATED IMPROVEMENTS.

(a) IN GENERAL.—Section 2 of the Communities Helping Invest through Property and Improvements Needed for Veterans Act of 2016 (Public Law 114–294; 38 U.S.C. 8103 note) is amended—

(1) in subsection (b)(1)(A), by inserting before the semicolon the following: "or for which funds are available from the Construction, Minor Projects, or Construction, Major Projects appropriations accounts";

(2) in subsection (e)(1)—

(A) in subparagraph (A)—

(i) by striking "The Secretary" and inserting "Except as otherwise provided in this paragraph, the Secretary"; and

(ii) by inserting "or funds already generally available in the Construction, Minor Projects, or Construction, Major Projects appropriations accounts" after "that are in addition to the funds appropriated for the facility";

(B) in subparagraph (B), by striking "subparagraph (A)" and inserting "this paragraph";

(C) by redesignating subparagraph (B) as subparagraph (F); and

(D) by inserting after subparagraph (A) the following new subparagraphs:

"(B) UNOBLIGATED AMOUNTS.—The Secretary may provide additional funds to help an entity described in subsection (a)(2) finance, design, or construct a facility in connection with real property and improvements to be donated under the pilot program and proposed to be accepted by the Secretary under subsection (b)(1)(B) if—

"(i) the Secretary determines that doing so is in the best interest of the Department and consistent with the mission of the Department; and

"(ii) funding provided under this subparagraph—

"(I) is in addition to amounts that have been appropriated for the facility before the date on which the Secretary and the entity enter into a formal agreement under subsection (c) for the construction and donation of the real property and improvements; and

"(II) is derived only from amounts that—

"(aa) are unobligated balances available in the Construction, Minor Projects, or Construction, Major Projects appropriations accounts of the Department that—

"(AA) are not associated with a specific project; or

"(BB) are amounts that are associated with a specific project, but are unobligated because they are the result of bid savings; and

"(bb) were appropriated to such an account before the date described in subclause (I).

"(C) ESCALATION CLAUSES.—

"(i) IN GENERAL.—The Secretary may include an escalation clause in a formal agreement under subsection (c) that authorizes an escalation of not more than an annual amount based on a rate established in the formal agreement and mutually agreed upon by the Secretary and an entity to account for inflation for an area if the Secretary determines, after consultation with the head of an appropriate Federal entity that is not part of the Department, that such escalation is necessary and in the best interest of the Department.

"(ii) USE OF EXISTING AMOUNTS.—The Secretary may obligate funds pursuant to clause (i) in connection with a formal agreement under subsection (c) using amounts that—

"(I) are unobligated balances available in the Construction, Minor Projects, or Construction, Major Projects appropriations accounts of the Department that—

"(aa) are not associated with a specific project; or

"(bb) are amounts that are associated with a specific project, but are unobligated because they are the result of bid savings; and

"(II) were appropriated to such an account before the date on which the Secretary and the entity entered into the formal agreement.

"(D) AVAILABILITY.—Unobligated amounts shall be available pursuant to subparagraphs (B) and (C) only to the extent and in such amounts as provided in advance in appro-

priations Acts subsequent to the date of the enactment of this subparagraph, subject to subparagraph (E).

"(E) LIMITATION.—Unobligated amounts made available pursuant to subparagraphs (B) and (C) may not exceed 40 percent of the amount appropriated for the facility before the date on which the Secretary and the entity entered into a formal agreement under subsection (c)."; and

(3) in subsection (j)—

(A) by striking "RULE" and inserting "RULES";

(B) by striking "Nothing in" and inserting the following: "(1) ENTERING ARRANGEMENTS AND AGREEMENTS.—Nothing in"; and

(C) by adding at the end the following new paragraph: "(2) TREATMENT OF ASSISTANCE.—Nothing provided under this section shall be treated as Federal financial assistance as defined in section 200.40 of title 2, Code of Federal Regulations, as in effect on February 21, 2021.".

(b) AMENDMENTS TO EXISTING AGREEMENTS.—Each agreement entered into under section (2)(c) of such Act before the date of the enactment of this Act that was in effect on the date of the enactment of this Act may be amended to incorporate terms authorized by subparagraphs (B) and (C) of section 2(e)(1) of such Act, as added by subsection (a)(2)(D) of this section.

SEC. 5126. IMPROVEMENT OF VET CENTERS AT DEPARTMENT OF VETERANS AFFAIRS.

(a) PRODUCTIVITY EXPECTATIONS FOR READJUSTMENT COUNSELORS OF VET CENTERS.—

(1) EVALUATION OF PRODUCTIVITY EXPECTATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall evaluate productivity expectations for readjustment counselors of Vet Centers, including by obtaining systematic feedback from counselors on such expectations, including with respect to following:

(A) Any potential effects of productivity expectations, whether positive or negative, on client care and the welfare of readjustment counselors.

(B) Distances readjustment counselors may travel to appointments, especially with respect to serving rural veterans.

(C) The possibility that some veterans may not want to use nor benefit from telehealth or group counseling.

(D) Availability and access of veteran populations to broadband and telehealth.

(E) Any effect of productivity expectations on readjustment counselors, including with respect to recruitment, retention, and welfare.

(F) Whether productivity expectations provide incentives or pressure to inaccurately report client visits.

(G) Whether directors and readjustment counselors of Vet Centers need additional training or guidance on how productivity expectations are calculated.

(H) Such other criteria as the Secretary considers appropriate.

(2) SYSTEMATIC FEEDBACK.—

(A) IN GENERAL.—The Secretary shall—

(i) make every effort to ensure that all readjustment counselors of Vet Centers are given the opportunity to fully provide feedback, positive or negative, including through a survey containing open- and close-ended questions, on all items under paragraph (1);

(ii) in obtaining feedback under paragraph (1), ensure that the items under paragraph (1) are adequately and completely addressed in a way that permits responses to be relevant to the evaluation of productivity expectations;

(iii) collect and safely store the feedback obtained under paragraph (1)—

(I) in an electronic database that cannot be altered by any party;

(II) in an anonymized manner, in order to protect the privacy of each respondent; and

(III) in a manner that allows for evaluation by third parties of the feedback, such as audit of the feedback by the Government Accountability Office; and

(iv) provide the feedback obtained under paragraph (1) in an anonymized manner to the working group established under subsection (c).

(B) GOVERNMENT ACCOUNTABILITY OFFICE AUDIT.—Not less frequently than once each year during the five-year period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall audit the feedback obtained from readjustment counselors of Vet Centers under paragraph (1).

(3) IMPLEMENTATION OF CHANGES.—Not later than 90 days after the date of the completion of the evaluation required by paragraph (1), the Secretary shall implement any needed changes to the productivity expectations described in such paragraph in order to ensure—

(A) quality of care and access to care for veterans; and

(B) the welfare of readjustment counselors.

(4) REPORT TO CONGRESS.—Not later than 180 days after the date of the completion of the evaluation required by paragraph (1), the Secretary shall submit to Congress a report on—

(A) the findings of the evaluation; and

(B) any planned or implemented changes described in paragraph (3).

(5) PLAN FOR REASSESSMENT AND IMPLEMENTATION.—

(A) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary shall develop and implement a plan for—

(i) reassessing productivity expectations for readjustment counselors of Vet Centers, in consultation with such counselors; and

(ii) implementing any needed changes to such expectations, as the Secretary determines appropriate.

(B) REASSESSMENTS.—Under the plan required by subparagraph (A), the Secretary shall conduct a reassessment

described in such paragraph not less frequently than once each year.

(b) STAFFING MODEL FOR VET CENTERS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and implement a staffing model for Vet Centers that incorporates key practices in the design of such staffing model.

(2) ELEMENTS.—In developing the staffing model under paragraph (1), the Secretary shall—

(A) involve key stakeholders, including readjustment counselors, outreach specialists, and directors of Vet Centers;

(B) incorporate key work activities and the frequency and time required to conduct such activities;

(C) ensure the data used in the model is high quality to provide assurance that staffing estimates are reliable; and

(D) incorporate—

(i) risk factors, including case complexity;

(ii) geography;

(iii) availability, advisability, and willingness of veterans to use telehealth or group counseling; and

(iv) such other factors as the Secretary considers appropriate.

(3) PLAN FOR ASSESSMENTS AND UPDATES.—Not later than one year after the date of the enactment of this Act, the Secretary shall develop a plan for—

(A) assessing and updating the staffing model developed and implemented under paragraph (1) not less frequently than once every four years; and

(B) implementing any needed changes to such model, as the Secretary determines appropriate.

(c) WORKING GROUP OF READJUSTMENT COUNSELORS, OUTREACH SPECIALISTS, AND DIRECTORS OF VET CENTERS.—

(1) IN GENERAL.—In conducting the evaluation of productivity expectations under subsection (a) (1) and developing the staffing model for Vet Centers under subsection (b)(1), the Secretary of Veterans Affairs shall establish a working group to assess—

(A) the efficacy, impact, and composition of performance metrics for such expectations with respect to—

(i) quality of care and access to care for veterans; and

(ii) the welfare of readjustment counselors and other employees of Vet Centers; and

(B) key considerations for the development of such staffing model, including with respect to—

(i) quality of care and access to care for veterans and other individuals eligible for care through Vet Centers; and

(ii) recruitment, retention, and welfare of employees of Vet Centers.

(2) MEMBERSHIP.—The working group established under paragraph (1) shall be composed of readjustment counselors, outreach specialists, and directors of Vet Centers.

(3) FEEDBACK AND RECOMMENDATIONS.—The working group established under paragraph (1) shall provide to the Secretary—

(A) feedback from readjustment counselors, outreach specialists, and directors of Vet Centers; and

(B) recommendations on how to improve—

(i) quality of care and access to care for veterans; and

(ii) the welfare of readjustment counselors and other employees of Vet Centers.

(d) IMPROVEMENTS OF HIRING PRACTICES AT VET CENTERS.—

(1) STANDARDIZATION OF POSITION DESCRIPTIONS.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall standardize descriptions of position responsibilities at Vet Centers.

(B) REPORTING REQUIREMENT.—In each of the first two annual reports submitted under section 7309(e) of title 38, United States Code, after the date of the enactment of this Act, the Secretary shall include a description of the actions taken by the Secretary to carry out subparagraph (A).

(2) EXPANSION OF REPORTING REQUIREMENTS ON READJUSTMENT COUNSELING TO INCLUDE ACTIONS TO REDUCE STAFFING VACANCIES AND TIME TO HIRE.—Section 7309(e)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

"(D) A description of actions taken by the Secretary to reduce—

"(i) vacancies in counselor positions in the Readjustment Counseling Service; and

"(ii) the time it takes to hire such counselors.".

(e) REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE ON VET CENTER INFRASTRUCTURE AND FUTURE INVESTMENTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on physical infrastructure and future investments with respect to Vet Centers.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of—

(i) the condition of the physical infrastructure of all assets of Vet Centers, whether owned or leased by the Department of Veterans Affairs; and

(ii) the short-, medium-, and long-term plans of the Department to maintain and upgrade the physical infrastructure of Vet Centers to address the operational needs of Vet Centers as of the date of the submittal of the report and future needs.

(B) An assessment of management and strategic planning for the physical infrastructure of Vet Centers, including whether the Department should buy or lease existing or additional locations in areas with stable or growing populations of veterans.

(C) An assessment of whether, as of the date of the submittal of the report, Vet Center buildings, mobile Vet Centers, community access points, and similar infrastructure are sufficient to care for veterans or if such infrastructure is negatively affecting care due to limited space for veterans and Vet Center personnel or other factors.

(D) An assessment of the areas with the greatest need for investments in—

(i) improved physical infrastructure, including upgraded Vet Centers; or

(ii) additional physical infrastructure for Vet Centers, including new Vet Centers owned or leased by the Department.

(E) A description of the authorities and resources that may be required for the Secretary to make such investments.

(F) A review of all annual reports submitted under 7309(e) of title 38, United States Code, before the date of the submittal of the report under paragraph (1).

(f) PILOT PROGRAM TO COMBAT FOOD INSECURITY AMONG VETERANS AND FAMILY MEMBERS OF VETERANS.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program to award grants to eligible entities to support partnerships that address food insecurity among veterans and family members of veterans who receive services through Vet Centers or other facilities of the Department as determined by the Secretary.

(2) DURATION OF PILOT.—The Secretary shall carry out the pilot program for a three-year period beginning on the date of the establishment of the pilot program.

(3) TRAINING AND TECHNICAL ASSISTANCE.—The Secretary may provide eligible entities receiving grant funding under the pilot program with training and technical assistance on the provision of food insecurity assistance services to veterans and family members of veterans.

(4) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is—

(A) a nonprofit organization;

(B) an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code;

(C) a public agency;

(D) a community-based organization; or

(E) an institution of higher education.

(5) APPLICATION.—An eligible entity seeking a grant under the pilot program shall submit to the Secretary an application therefor at such time, in such manner, and containing such information and commitments as the Secretary may require.

(6) SELECTION.—The Secretary shall select eligible entities that submit applications under paragraph (5) for the award of grants under the pilot program using a competitive process that takes into account the following:

(A) Capacity of the applicant entity to serve veterans and family members of veterans.

(B) Demonstrated need of the population the applicant entity would serve.

(C) Demonstrated need of the applicant entity for assistance from the grant.

(D) Such other criteria as the Secretary considers appropriate.

(7) DISTRIBUTION.—The Secretary shall ensure, to the extent practicable, an equitable geographic distribution of grants awarded under this subsection.

(8) MINIMUM PROGRAM REQUIREMENTS.—Any grant awarded under this subsection shall be used—

(A) to coordinate with the Secretary with respect to the provision of assistance to address food insecurity among veterans and family members of veterans described in paragraph (1);

(B) to increase participation in nutrition counseling programs and provide educational materials and counseling to veterans and family members of veterans to address food insecurity and healthy diets among those individuals;

(C) to increase access to and enrollment in Federal assistance programs, including the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), the low-income home energy assistance program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), and any other assistance program that the Secretary considers advisable; and

(D) to fulfill such other criteria as the Secretary considers appropriate to further the purpose of the grant and serve veterans.

(9) PROVISION OF INFORMATION.—Each entity that receives a grant under this subsection shall provide to the Secretary, at least once each year during the duration of the grant term, data on—

(A) the number of veterans and family members of veterans screened for, and enrolled in, programs described in subparagraphs (B) and (C) of paragraph (8);

(B) other services provided by the entity to veterans and family members of veterans using funds from the grant; and

(C) such other data as the Secretary may require.

(10) REPORT ON DATA COLLECTED.—For each year of operation of the pilot program, the Secretary shall submit to the appropriate committees of Congress a report on the data collected under paragraph (9) during such year.

(11) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(A) IN GENERAL.—Not later than one year after the date on which the pilot program terminates, the Comptroller General of the United States shall submit to Congress a report evaluating the effectiveness and outcomes of the activi-

ties carried out under this subsection in reducing food insecurity among veterans and family members of veterans.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A summary of the activities carried out under this subsection.

(ii) An assessment of the effectiveness and outcomes of the grants awarded under this subsection, including with respect to eligibility screening contacts, application assistance consultations, and changes in food insecurity among the population served by the grant.

(iii) Best practices regarding the use of partnerships to improve the effectiveness and outcomes of public benefit programs to address food insecurity among veterans and family members of veterans.

(iv) An assessment of the feasibility and advisability of making the pilot program permanent and expanding to other locations.

(12) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out the pilot program established under paragraph (1) $15,000,000 for each fiscal year in which the program is carried out, beginning with the fiscal year in which the program is established.

(B) ADMINISTRATIVE EXPENSES.—Of the amounts authorized to be appropriated under subparagraph (A), not more than ten percent may be used for administrative expenses of the Department of Veterans Affairs associated with administering grants under this subsection.

(13) DEFINITIONS.—In this subsection:

(A) The term "appropriate committees of Congress" means—

(i) the Committee on Veterans' Affairs, the Committee on Appropriations, and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(ii) the Committee on Veterans' Affairs, the Committee on Appropriations, and the Committee on Agriculture of the House of Representatives.

(B) The term "facilities of the Department" has the meaning given that term in section 1701(3) of title 38, United States Code.

(C) The term "institution of higher education" has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(D) The term "public agency" means a department, agency, other unit, or instrumentality of Federal, State, Tribal, or local government.

(E) The term "State" has the meaning given that term in section 101(20) of title 38, United States Code.

(F) The term "veteran" means an individual who served in the Armed Forces, including an individual who served in a reserve component of the Armed Forces, and who was discharged or released therefrom, regardless of the conditions of such discharge or release.

(g) DEFINITION OF VET CENTER.—In this section, the term "Vet Center" has the meaning given that term in section 1712A(h) of title 38, United States Code.

SEC. 5127. INFORMATION ON CERTAIN VETERANS WITH PRIOR MEDICAL OCCUPATIONS; PROGRAM ON INTERMEDIATE CARE TECHNICIANS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) UPDATE OF WEB PORTAL TO IDENTIFY CERTAIN VETERANS.—

(1) UPDATE.—The Secretary of Veterans Affairs shall update web portals of the Department of Veterans Affairs to provide for a method by which a veteran who served in a medical occupation while serving as a member of the Armed Forces may elect to provide the information described in paragraph (2).

(2) INFORMATION IN PORTAL.—The information described in this paragraph is the following:

(A) Contact information for the veteran.

(B) A history of the medical experience and trained competencies of the veteran.

(3) INCLUSIONS IN HISTORY.—To the extent practicable, the history of a veteran provided under paragraph (2)(B) shall include individual critical task lists specific to the military occupational specialty of the veteran that align with standard occupational codes maintained by the Commissioner of the Bureau of Labor Statistics.

(4) SHARING OF INFORMATION.—For purposes of facilitating civilian medical credentialing and hiring opportunities for veterans seeking to respond to a national emergency, including a public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary of Veterans Affairs, in coordination with the Secretary of Defense and the Secretary of Labor, shall establish a program to share the information described in paragraph (2) with the following:

(A) State departments of veterans affairs.

(B) Veterans service organizations.

(C) State credentialing bodies.

(D) State homes.

(E) Other stakeholders involved in State-level credentialing, as determined appropriate by the Secretary of Veterans Affairs.

(b) PROGRAM ON TRAINING OF INTERMEDIATE CARE TECHNICIANS OF DEPARTMENT OF VETERANS AFFAIRS.—

(1) ESTABLISHMENT.—The Secretary of Veterans Affairs shall establish a program to train, certify, and employ covered veterans as intermediate care technicians of the Department of Veterans Affairs.

(2) LOCATIONS.—The Secretary of Veterans Affairs may assign an intermediate care technician of the Department of Veterans Affairs trained under the program under paragraph (1) to any medical center of the Department of Veterans Affairs, giving priority to locations with a significant staffing shortage.

(3) INCLUSION OF INFORMATION IN TRANSITION ASSISTANCE PROGRAM.—As part of the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code, the Secretary of Veterans Affairs shall conduct a communications cam-

paign to convey to appropriate members of the Armed Forces separating from active duty opportunities for training, certification, and employment under the program under paragraph (1).

(4) REPORT ON EXPANSION OF PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on whether the program under paragraph (1) may be replicated for other medical positions within the Department of Veterans Affairs.

(c) NOTIFICATION OF OPPORTUNITIES FOR VETERANS.—The Secretary of Veterans Affairs shall notify veterans service organizations and, in coordination with the Secretary of Defense, members of the reserve components of the Armed Forces of opportunities for veterans under this section.

(d) DEFINITIONS.—In this section:

(1) The term "covered veteran" means a veteran whom the Secretary of Veterans Affairs determines served as a basic health care technician while serving in the Armed Forces.

(2) The terms "State home" and "veteran" have the meanings given those terms in section 101 of title 38, United States Code.

(3) The term "veterans service organization" means an organization that provides services to veterans, including organizations recognized by the Secretary of Veterans Affairs under section 5902 of title 38, United States Code.

TITLE LII—INSPECTOR GENERAL INDEPENDENCE AND EMPOWERMENT MATTERS

Subtitle A—Inspector General Independence

Sec. 5201. Short title.
Sec. 5202. Removal or transfer of Inspectors General; placement on non-duty status.
Sec. 5203. Vacancy in position of Inspector General.
Sec. 5204. Office of Inspector General whistleblower complaints.

Subtitle B—Presidential Explanation of Failure to Nominate an Inspector General

Sec. 5221. Presidential explanation of failure to nominate an Inspector General.

Subtitle C—Integrity Committee of the Council of Inspectors General on Integrity and Efficiency Transparency

Sec. 5231. Short title.
Sec. 5232. Additional information to be included in requests and reports to Congress.
Sec. 5233. Availability of information to Congress on certain allegations of wrongdoing closed without referral.
Sec. 5234. Semiannual report.
Sec. 5235. Additional reports.
Sec. 5236. Requirement to report final disposition to Congress.
Sec. 5237. Investigations of Offices of Inspector General of establishments by the Integrity Committee.

Subtitle D—Notice of Ongoing Investigations When There Is a Change in Status of Inspector General

Sec. 5241. Notice of ongoing investigations when there is a change in status of Inspector General.

Subtitle E—Council of the Inspectors General on Integrity and Efficiency Report on Expenditures

Sec. 5251. CIGIE report on expenditures.

Subtitle F—Notice of Refusal to Provide Inspectors General Access

Sec. 5261. Notice of refusal to provide information or assistance to Inspectors General.

Subtitle G—Training Resources for Inspectors General and Other Matters

Sec. 5271. Training resources for Inspectors General.
Sec. 5272. Definition of appropriate congressional committees.
Sec. 5273. Semiannual reports.
Sec. 5274. Submission of reports that specifically identify non-governmental organizations or business entities.
Sec. 5275. Review relating to vetting, processing, and resettlement of evacuees from Afghanistan and the Afghanistan special immigrant visa program.

Subtitle A—Inspector General Independence

SEC. 5201. SHORT TITLE.

This subtitle may be cited as the "Securing Inspector General Independence Act of 2022".

SEC. 5202. REMOVAL OR TRANSFER OF INSPECTORS GENERAL; PLACEMENT ON NON-DUTY STATUS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by inserting "(1)(A)" after "(b)";

(B) in paragraph (1), as so designated—

(i) in subparagraph (A), as so designated, in the second sentence—

(I) by striking "reasons" and inserting the following: "substantive rationale, including detailed and case-specific reasons,"; and

(II) by inserting "(including to the appropriate congressional committees)" after "Houses of Congress"; and

(ii) by adding at the end the following:

"(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

"(i) identify each entity that is conducting, or that conducted, the inquiry; and

"(ii) in the case of a completed inquiry, contain the findings made during the inquiry."; and

(C) by adding at the end the following:

"(2)(A) Subject to the other provisions of this paragraph, only the President may place an Inspector General on non-duty status.

"(B) If the President places an Inspector General on non-duty status, the President shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including

to the appropriate congressional committees) not later than 15 days before the date on which the change in status takes effect, except that the President may submit that communication not later than the date on which the change in status takes effect if—

"(i) the President has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

"(ii) in the communication, the President includes a report on the determination described in clause (i), which shall include—

"(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the President has determined applies under clause (i) of this subparagraph;

"(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

"(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

"(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

"(C) The President may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1)(A) unless the President—

"(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

"(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the appropriate congressional committees) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

"(D) For the purposes of this paragraph—

"(i) the term 'Inspector General'—

"(I) means an Inspector General who was appointed by the President, without regard to whether the Senate provided advice and consent with respect to that appointment; and

"(II) includes the Inspector General of an establishment, the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for the Troubled Asset Relief Program, and the Special Inspector General for Pandemic Recovery; and

"(ii) a reference to the removal or transfer of an Inspector General under paragraph (1), or to the written communication described in that paragraph, shall be considered to be—

"(I) in the case of the Special Inspector General for Afghanistan Reconstruction, a reference to section 1229(c)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 378);

"(II) in the case of the Special Inspector General for the Troubled Asset Relief Program, a reference to section 121(b)(4) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231(b)(4)); and

"(III) in the case of the Special Inspector General for Pandemic Recovery, a reference to section 4018(b)(3) of the CARES Act (15 U.S.C. 9053(b)(3)).";

(2) in section 8G(e)—

(A) in paragraph (1), by inserting "or placement on non-duty status" after "a removal";

(B) in paragraph (2)—

(i) by inserting "(A)" after "(2)";

(ii) in subparagraph (A), as so designated, in the first sentence—

(I) by striking "reasons" and inserting the following: "substantive rationale, including detailed and case-specific reasons,"; and

(II) by inserting "(including to the appropriate congressional committees)" after "Houses of Congress"; and

(iii) by adding at the end the following:

"(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

"(i) identify each entity that is conducting, or that conducted, the inquiry; and

"(ii) in the case of a completed inquiry, contain the findings made during the inquiry."; and

(C) by adding at the end the following:

"(3)(A) Subject to the other provisions of this paragraph, only the head of the applicable designated Federal entity (referred to in this paragraph as the 'covered official') may place an Inspector General on non-duty status.

"(B) If a covered official places an Inspector General on non-duty status, the covered official shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the appropriate congressional committees) not later than 15 days before the date on which the change in status takes effect, except that the covered official may submit that communication not later than the date on which the change in status takes effect if—

"(i) the covered official has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

"(ii) in the communication, the covered official includes a report on the determination described in clause (i), which shall include—

"(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the covered official has determined applies under clause (i) of this subparagraph;

"(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

"(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

"(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

"(C) A covered official may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2)(A) unless the covered official—

"(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

"(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the appropriate congressional committees) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

"(D) Nothing in this paragraph may be construed to limit or otherwise modify—

"(i) any statutory protection that is afforded to an Inspector General; or

"(ii) any other action that a covered official may take under law with respect to an Inspector General.";

(3) in section 103H(c) of the National Security Act (50 U.S.C. 3033(c))—

(A) in paragraph (4)—

(i) by inserting "(A)" after "(4)";

(ii) in subparagraph (A), as so designated, in the second sentence, by striking "reasons" and inserting "substantive rationale, including detailed and case-specific reasons,"; and

(iii) by adding at the end the following:

"(B) If there is an open or completed inquiry into the Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

"(i) identify each entity that is conducting, or that conducted, the inquiry; and

"(ii) in the case of a completed inquiry, contain the findings made during the inquiry."; and

(B) by adding at the end the following:

"(5)(A) Subject to the other provisions of this paragraph, only the President may place the Inspector General on nonduty status.

"(B) If the President places the Inspector General on nonduty status, the President shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to the congressional intelligence committees not later than 15 days before the date on which the change in status takes effect, except that the President may submit that communication not later than the date on which the change in status takes effect if—

"(i) the President has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

"(ii) in the communication, the President includes a report on the determination described in clause (i), which shall include—

"(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the President has determined applies under clause (i);

"(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

"(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

"(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

"(C) The President may not place the Inspector General on nonduty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (4)(A) unless the President—

"(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

"(ii) not later than the date on which the change in status takes effect, submits to the congressional intelligence committees a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph."; and

(4) in section 17(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(b))—

(A) in paragraph (6)—

(i) by inserting "(A)" after "(6)";

(ii) in subparagraph (A), as so designated, in the second sentence, by striking "reasons" and inserting "substantive rationale, including detailed and case-specific reasons,"; and

(iii) by adding at the end the following:

"(B) If there is an open or completed inquiry into the Inspector General that relates to the removal or transfer of the Inspec-

tor General under subparagraph (A), the written communication required under that subparagraph shall—

"(i) identify each entity that is conducting, or that conducted, the inquiry; and

"(ii) in the case of a completed inquiry, contain the findings made during the inquiry."; and

(B) by adding at the end the following:

"(7)(A) Subject to the other provisions of this paragraph, only the President may place the Inspector General on nonduty status.

"(B) If the President places the Inspector General on nonduty status, the President shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to the congressional intelligence committees not later than 15 days before the date on which the change in status takes effect, except that the President may submit that communication not later than the date on which the change in status takes effect if—

"(i) the President has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

"(ii) in the communication, the President includes a report on the determination described in clause (i), which shall include—

"(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the President has determined applies under clause (i);

"(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

"(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

"(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

"(C) The President may not place the Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (6)(A) unless the President—

"(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

"(ii) not later than the date on which the change in status takes effect, submits to the congressional intelligence committees a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.".

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 12(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting "except as otherwise expressly provided," before "the term".

SEC. 5203. VACANCY IN POSITION OF INSPECTOR GENERAL.

(a) IN GENERAL.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

"(h)(1) In this subsection—

"(A) the term 'first assistant to the position of Inspector General' means, with respect to an Office of Inspector General—

"(i) an individual who, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position—

"(I) is serving in a position in that Office; and

"(II) has been designated in writing by the Inspector General, through an order of succession or otherwise, as the first assistant to the position of Inspector General; or

"(ii) if the Inspector General has not made a designation described in clause (i)(II)—

"(I) the Principal Deputy Inspector General of that Office, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position; or

"(II) if there is no Principal Deputy Inspector General of that Office, the Deputy Inspector General of that Office, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position; and

"(B) the term 'Inspector General'—

"(i) means an Inspector General who is appointed by the President, by and with the advice and consent of the Senate; and

"(ii) includes the Inspector General of an establishment, the Special Inspector General for the Troubled Asset Relief Program, and the Special Inspector General for Pandemic Recovery.

"(2) If an Inspector General dies, resigns, or is otherwise unable to perform the functions and duties of the position—

"(A) section 3345(a) of title 5, United States Code, and section 103(e) of the National Security Act of 1947 (50 U.S.C. 3025(e)) shall not apply;

"(B) subject to paragraph (4), the first assistant to the position of Inspector General shall perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

"(C) notwithstanding subparagraph (B), and subject to paragraphs (4) and (5), the President (and only the President) may direct an officer or employee of any Office of an Inspector General to perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code, only if—

"(i) during the 365-day period preceding the date of death, resignation, or beginning of inability to serve of the

Inspector General, the officer or employee served in a position in an Office of an Inspector General for not less than 90 days, except that—

"(I) the requirement under this clause shall not apply if the officer is an Inspector General; and

"(II) for the purposes of this subparagraph, performing the functions and duties of an Inspector General temporarily in an acting capacity does not qualify as service in a position in an Office of an Inspector General;

"(ii) the rate of pay for the position of the officer or employee described in clause (i) is equal to or greater than the minimum rate of pay payable for a position at GS–15 of the General Schedule;

"(iii) the officer or employee has demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations; and

"(iv) not later than 30 days before the date on which the direction takes effect, the President communicates in writing to both Houses of Congress (including to the appropriate congressional committees) the substantive rationale, including the detailed and case-specific reasons, for such direction, including the reason for the direction that someone other than the individual who is performing the functions and duties of the Inspector General temporarily in an acting capacity (as of the date on which the President issues that direction) perform those functions and duties temporarily in an acting capacity.

"(3) Notwithstanding section 3345(a) of title 5, United States Code, and subparagraphs (B) and (C) of paragraph (2), and subject to paragraph (4), during any period in which an Inspector General is on non-duty status—

"(A) the first assistant to the position of Inspector General shall perform the functions and duties of the position temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

"(B) if the first assistant described in subparagraph (A) dies, resigns, or becomes otherwise unable to perform those functions and duties, the President (and only the President) may direct an officer or employee in that Office of Inspector General to perform those functions and duties temporarily in an acting capacity, subject to the time limitations of section 3346 of title 5, United States Code, if—

"(i) that direction satisfies the requirements under clauses (ii), (iii), and (iv) of paragraph (2)(C); and

"(ii) that officer or employee served in a position in that Office of Inspector General for not fewer than 90 of the 365 days preceding the date on which the President makes that direction.

"(4) An individual may perform the functions and duties of an Inspector General temporarily and in an acting capacity under subparagraph (B) or (C) of paragraph (2), or under paragraph (3), with respect to only 1 Inspector General position at any given time.

"(5) If the President makes a direction under paragraph (2)(C), during the 30-day period preceding the date on which the direction of the President takes effect, the functions and duties of the position of the applicable Inspector General shall be performed by—

"(A) the first assistant to the position of Inspector General; or

"(B) the individual performing those functions and duties temporarily in an acting capacity, as of the date on which the President issues that direction, if that individual is an individual other than the first assistant to the position of Inspector General.".

(b) AMENDMENT TO NATIONAL SECURITY ACT.—Section 103H(c) of the National Security Act (50 U.S.C. 3033(c)), as amended by section 5202, is further amended by adding at the end the following:

"(6)(A) In this subsection, the term 'first assistant to the position of Inspector General' has the meaning given in section 3 of the Inspector General Act of 1978 (5 U.S.C. App.).

"(B) If the Inspector General dies, resigns, or is otherwise unable to perform the functions and duties of the position—

"(i) section 3345(a) of title 5, United States Code, and section 103(e) of the National Security Act of 1947 (50 U.S.C. 3025(e)) shall not apply;

"(ii) subject to subparagraph (D), the first assistant to the position of Inspector General shall perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

"(iii) notwithstanding clause (ii), and subject to subparagraphs (D) and (E), the President (and only the President) may direct an officer or employee of any Office of an Inspector General to perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code, only if—

"(I) during the 365-day period preceding the date of death, resignation, or beginning of inability to serve of the Inspector General, the officer or employee served in a position in an Office of an Inspector General for not less than 90 days, except that—

"(aa) the requirement under this subclause shall not apply if the officer is an Inspector General; and

"(bb) for the purposes of this clause, performing the functions and duties of an Inspector General temporarily in an acting capacity does not qualify as service in a position in an Office of an Inspector General;

"(II) the rate of pay for the position of the officer or employee described in subclause (I) is equal to or greater than the minimum rate of pay payable for a position at GS–15 of the General Schedule;

"(III) the officer or employee has demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations; and

"(IV) not later than 30 days before the date on which the direction takes effect, the President communicates in writing to the congressional intelligence committees the substantive rationale, including the detailed and case-specific reasons, for such direction, including the reason for the direction that someone other than the individual who is performing the functions and duties of the Inspector General temporarily in an acting capacity (as of the date on which the President issues that direction) perform those functions and duties temporarily in an acting capacity.

"(C) Notwithstanding section 3345(a) of title 5, United States Code, section 103(e) of the National Security Act of 1947 (50 U.S.C. 3025(e)), and clauses (ii) and (iii) of subparagraph (B), and subject to subparagraph (D), during any period in which the Inspector General is on nonduty status—

"(i) the first assistant to the position of Inspector General shall perform the functions and duties of the position temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

"(ii) if the first assistant described in clause (i) dies, resigns, or becomes otherwise unable to perform those functions and duties, the President (and only the President) may direct an officer or employee in the Office of Inspector General to perform those functions and duties temporarily in an acting capacity, subject to the time limitations of section 3346 of title 5, United States Code, if—

"(I) that direction satisfies the requirements under subclauses (II), (III), and (IV) of subparagraph (B)(iii); and

"(II) that officer or employee served in a position in that Office of Inspector General for not fewer than 90 of the 365 days preceding the date on which the President makes that direction.

"(D) An individual may perform the functions and duties of the Inspector General temporarily and in an acting capacity under clause (ii) or (iii) of subparagraph (B), or under subparagraph (C), with respect to only 1 Inspector General position at any given time.

"(E) If the President makes a direction under subparagraph (B)(iii), during the 30-day period preceding the date on which the direction of the President takes effect, the functions and duties of the position of the Inspector General shall be performed by—

"(i) the first assistant to the position of Inspector General; or

"(ii) the individual performing those functions and duties temporarily in an acting capacity, as of the date on which the President issues that direction, if that individual is an individual other than the first assistant to the position of Inspector General.".

(c) AMENDMENT TO CENTRAL INTELLIGENCE AGENCY ACT.—Section 17(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C.

3517(b)), as amended by section 5202, is further amended by adding at the end the following:

"(8)(A) In this subsection, the term 'first assistant to the position of Inspector General' has the meaning given in section 3 of the Inspector General Act of 1978 (5 U.S.C. App.).

"(B) If the Inspector General dies, resigns, or is otherwise unable to perform the functions and duties of the position—

"(i) section 3345(a) of title 5, United States Code shall not apply;

"(ii) subject to subparagraph (D), the first assistant to the position of Inspector General shall perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

"(iii) notwithstanding clause (ii), and subject to subparagraphs (D) and (E), the President (and only the President) may direct an officer or employee of any Office of an Inspector General to perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code, only if—

"(I) during the 365-day period preceding the date of death, resignation, or beginning of inability to serve of the Inspector General, the officer or employee served in a position in an Office of an Inspector General for not less than 90 days, except that—

"(aa) the requirement under this subclause shall not apply if the officer is an Inspector General; and

"(bb) for the purposes of this clause, performing the functions and duties of an Inspector General temporarily in an acting capacity does not qualify as service in a position in an Office of an Inspector General;

"(II) the rate of pay for the position of the officer or employee described in subclause (I) is equal to or greater than the minimum rate of pay payable for a position at GS–15 of the General Schedule;

"(III) the officer or employee has demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations; and

"(IV) not later than 30 days before the date on which the direction takes effect, the President communicates in writing to the congressional intelligence committees the substantive rationale, including the detailed and case-specific reasons, for such direction, including the reason for the direction that someone other than the individual who is performing the functions and duties of the Inspector General temporarily in an acting capacity (as of the date on which the President issues that direction) perform those functions and duties temporarily in an acting capacity.

"(C) Notwithstanding section 3345(a) of title 5, United States Code and clauses (ii) and (iii) of subparagraph (B), and subject

to subparagraph (D), during any period in which the Inspector General is on nonduty status—

"(i) the first assistant to the position of Inspector General shall perform the functions and duties of the position temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

"(ii) if the first assistant described in clause (i) dies, resigns, or becomes otherwise unable to perform those functions and duties, the President (and only the President) may direct an officer or employee in the Office of Inspector General to perform those functions and duties temporarily in an acting capacity, subject to the time limitations of section 3346 of title 5, United States Code, if—

"(I) that direction satisfies the requirements under subclauses (II), (III), and (IV) of subparagraph (B)(iii); and

"(II) that officer or employee served in a position in that Office of Inspector General for not fewer than 90 of the 365 days preceding the date on which the President makes that direction.

"(D) An individual may perform the functions and duties of the Inspector General temporarily and in an acting capacity under clause (ii) or (iii) of subparagraph (B), or under subparagraph (C), with respect to only 1 Inspector General position at any given time.

"(E) If the President makes a direction under subparagraph (B)(iii), during the 30-day period preceding the date on which the direction of the President takes effect, the functions and duties of the position of the Inspector General shall be performed by—

"(i) the first assistant to the position of Inspector General; or

"(ii) the individual performing those functions and duties temporarily in an acting capacity, as of the date on which the President issues that direction, if that individual is an individual other than the first assistant to the position of Inspector General.".

(d) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) may be construed to limit the applicability of sections 3345 through 3349d of title 5, United States Code (commonly known as the "Federal Vacancies Reform Act of 1998"), other than with respect to section 3345(a) of that title.

(e) EFFECTIVE DATE.—

(1) DEFINITION.—In this subsection, the term "Inspector General" has the meaning given the term in subsection (h)(1)(B) of section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as added by subsection (a) of this section.

(2) APPLICABILITY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), this section, and the amendments made by this section, shall take effect on the date of enactment of this Act.

(B) EXISTING VACANCIES.—If, as of the date of enactment of this Act, an individual is performing the functions and duties of an Inspector General temporarily in an acting ca-

pacity, this section, and the amendments made by this section, shall take effect with respect to that Inspector General position on the date that is 30 days after the date of enactment of this Act.

SEC. 5204. OFFICE OF INSPECTOR GENERAL WHISTLEBLOWER COMPLAINTS.

(a) WHISTLEBLOWER PROTECTION COORDINATOR.—Section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in clause (i), in the matter preceding subclause (I), by inserting ", including employees of that Office of Inspector General" after "employees"; and

(2) in clause (iii), by inserting "(including the Integrity Committee of that Council)" after "and Efficiency".

(b) COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.—Section 11(c)(5)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ", allegations of reprisal," and inserting the following: "and allegations of reprisal (including the timely and appropriate handling and consideration of protected disclosures and allegations of reprisal that are internal to an Office of Inspector General)".

Subtitle B—Presidential Explanation of Failure to Nominate an Inspector General

SEC. 5221. PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL.

(a) IN GENERAL.—Subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after section 3349d the following:

"§ 3349e. Presidential explanation of failure to nominate an inspector general

"If the President fails to make a formal nomination for a vacant inspector general position that requires a formal nomination by the President to be filled within the period beginning on the later of the date on which the vacancy occurred or on which a nomination is rejected, withdrawn, or returned, and ending on the day that is 210 days after that date, the President shall communicate, within 30 days after the end of such period and not later than June 1 of each year thereafter, to the appropriate congressional committees, as defined in section 12 of the Inspector General Act of 1978 (5 U.S.C. App.)—

"(1) the reasons why the President has not yet made a formal nomination; and

"(2) a target date for making a formal nomination.".

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3349d the following:

"3349e. Presidential explanation of failure to nominate an Inspector General.".

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect—

(1) on the date of enactment of this Act with respect to any vacancy first occurring on or after that date; and

(2) on the day that is 210 days after the date of enactment of this Act with respect to any vacancy that occurred before the date of enactment of this Act.

Subtitle C—Integrity Committee of the Council of Inspectors General on Integrity and Efficiency Transparency

SEC. 5231. SHORT TITLE.

This subtitle may be cited as the "Integrity Committee Transparency Act of 2022".

SEC. 5232. ADDITIONAL INFORMATION TO BE INCLUDED IN REQUESTS AND REPORTS TO CONGRESS.

Section 11(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (5)(B)(ii), by striking the period at the end and inserting ", the length of time the Integrity Committee has been evaluating the allegation of wrongdoing, and a description of any previous written notice provided under this clause with respect to the allegation of wrongdoing, including the description provided for why additional time was needed."; and

(2) in paragraph (8)(A)(ii), by inserting "or corrective action" after "disciplinary action".

SEC. 5233. AVAILABILITY OF INFORMATION TO CONGRESS ON CERTAIN ALLEGATIONS OF WRONGDOING CLOSED WITHOUT REFERRAL.

Section 11(d)(5)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

"(iii) AVAILABILITY OF INFORMATION TO CONGRESS ON CERTAIN ALLEGATIONS OF WRONGDOING CLOSED WITHOUT REFERRAL.—With respect to an allegation of wrongdoing made by a member of Congress that is closed by the Integrity Committee without referral to the Chairperson of the Integrity Committee to initiate an investigation, the Chairperson of the Integrity Committee shall, not later than 60 days after closing the allegation of wrongdoing, provide a written description of the nature of the allegation of wrongdoing and how the Integrity Committee evaluated the allegation of wrongdoing to—

"(I) the Chair and Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(II) the Chair and Ranking Minority Member of the Committee on Oversight and Reform of the House of Representatives.".

SEC. 5234. SEMIANNUAL REPORT.

Section 11(d)(9) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended to read as follows:

"(9) SEMIANNUAL REPORT.—On or before May 31, 2023, and every 6 months thereafter, the Council shall submit to Congress and the President a report on the activities of the Integrity Committee during the immediately preceding 6-month periods ending March 31 and September 30, which shall include the following with respect to allegations of wrongdoing that are made against Inspectors General and staff members of the various Offices of Inspector General described in paragraph (4)(C):

"(A) An overview and analysis of the allegations of wrongdoing disposed of by the Integrity Committee, including—

"(i) analysis of the positions held by individuals against whom allegations were made, including the duties affiliated with such positions;

"(ii) analysis of the categories or types of the allegations of wrongdoing; and

"(iii) a summary of disposition of all the allegations.

"(B) The number of allegations received by the Integrity Committee.

"(C) The number of allegations referred to the Department of Justice or the Office of Special Counsel, including the number of allegations referred for criminal investigation.

"(D) The number of allegations referred to the Chairperson of the Integrity Committee for investigation, a general description of the status of such investigations, and a summary of the findings of investigations completed.

"(E) An overview and analysis of allegations of wrongdoing received by the Integrity Committee during any previous reporting period, but remained pending during some part of the six months covered by the report, including—

"(i) analysis of the positions held by individuals against whom allegations were made, including the duties affiliated with such positions;

"(ii) analysis of the categories or types of the allegations of wrongdoing; and

"(iii) a summary of disposition of all the allegations.

"(F) The number and category or type of pending investigations.

"(G) For each allegation received—

"(i) the date on which the investigation was opened;

"(ii) the date on which the allegation was disposed of, as applicable; and

"(iii) the case number associated with the allegation.

"(H) The nature and number of allegations to the Integrity Committee closed without referral, including the justification for why each allegation was closed without referral.

"(I) A brief description of any difficulty encountered by the Integrity Committee when receiving, evaluating, investigating, or referring for investigation an allegation re-

ceived by the Integrity Committee, including a brief description of—

"(i) any attempt to prevent or hinder an investigation; or

"(ii) concerns about the integrity or operations at an Office of Inspector General.

"(J) Other matters that the Council considers appropriate.".

SEC. 5235. ADDITIONAL REPORTS.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subsections (e) and (f) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (d) the following:

"(e) ADDITIONAL REPORTS.—

"(1) REPORT TO INSPECTOR GENERAL.—The Chairperson of the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency shall, immediately whenever the Chairperson of the Integrity Committee becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of programs and operations of an Office of Inspector General for which the Integrity Committee may receive, review, and refer for investigation allegations of wrongdoing under section 11(d), submit a report to the Inspector General who leads the Office at which the serious or flagrant problems, abuses, or deficiencies were alleged.

"(2) REPORT TO PRESIDENT, CONGRESS, AND THE ESTABLISHMENT.—Not later than 7 days after the date on which an Inspector General receives a report submitted under paragraph (1), the Inspector General shall submit to the President, the appropriate congressional committees, and the head of the establishment—

"(A) the report received under paragraph (1); and

"(B) a report by the Inspector General containing any comments the Inspector General determines appropriate.".

SEC. 5236. REQUIREMENT TO REPORT FINAL DISPOSITION TO CONGRESS.

Section 11(d)(8)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting "and the appropriate congressional committees" after "Integrity Committee".

SEC. 5237. INVESTIGATIONS OF OFFICES OF INSPECTOR GENERAL OF ESTABLISHMENTS BY THE INTEGRITY COMMITTEE.

Section 11(d)(7)(B)(i)(V) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting ", and that an investigation of an Office of Inspector General of an establishment is conducted by another Office of Inspector General of an establishment" after "size".

Subtitle D—Notice of Ongoing Investigations When There Is a Change in Status of Inspector General

SEC. 5241. NOTICE OF ONGOING INVESTIGATIONS WHEN THERE IS A CHANGE IN STATUS OF INSPECTOR GENERAL.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting after subsection (e), as added by section 5625 of this title, the following:

"(f)(1) Except as provided in paragraph (2), not later than 15 days after an Inspector General is removed, placed on paid or unpaid nonduty status, or transferred to another position or location within an establishment, the officer or employee performing the functions and duties of the Inspector General temporarily in an acting capacity shall submit to the appropriate congressional committees information regarding work being conducted by the Office as of the date on which the Inspector General was removed, placed on paid or unpaid non-duty status, or transferred, which shall include—

"(A) for each investigation—

"(i) the type of alleged offense;

"(ii) the fiscal quarter in which the Office initiated the investigation;

"(iii) the relevant Federal agency, including the relevant component of that Federal agency for any Federal agency listed in section 901(b) of title 31, United States Code, under investigation or affiliated with the individual or entity under investigation; and

"(iv) whether the investigation is administrative, civil, criminal, or a combination thereof, if known; and

"(B) for any work not described in subparagraph (A)—

"(i) a description of the subject matter and scope;

"(ii) the relevant agency, including the relevant component of that Federal agency, under review;

"(iii) the date on which the Office initiated the work; and

"(iv) the expected time frame for completion.

"(2) With respect to an inspector general of an element of the intelligence community specified in section 8G(d)(2) of the Inspector General Act of 1978 (5 U.S.C. App.), the submission required by paragraph (1) shall only be made to the committees of Congress specified in section 8G(d)(2)(E).".

Subtitle E—Council of the Inspectors General on Integrity and Efficiency Report on Expenditures

SEC. 5251. CIGIE REPORT ON EXPENDITURES.

Section 11(c)(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

"(D) REPORT ON EXPENDITURES.—Not later than November 30 of each year, the Chairperson shall submit to the appropriate committees or subcommittees of Congress, includ-

ing the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, a report on the expenditures of the Council for the preceding fiscal year, including from direct appropriations to the Council, interagency funding pursuant to subparagraph (A), a revolving fund pursuant to subparagraph (B), or any other source.".

Subtitle F—Notice of Refusal to Provide Inspectors General Access

SEC. 5261. NOTICE OF REFUSAL TO PROVIDE INFORMATION OR ASSISTANCE TO INSPECTORS GENERAL.

Section 6(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

"(3) If the information or assistance that is the subject of a report under paragraph (2) is not provided to the Inspector General by the date that is 30 days after the report is made, the Inspector General shall submit a notice that the information or assistance requested has not been provided by the head of the establishment involved or the head of the Federal agency involved, as applicable, to the appropriate congressional committees.".

Subtitle G—Training Resources for Inspectors General and Other Matters

SEC. 5271. TRAINING RESOURCES FOR INSPECTORS GENERAL.

Section 11(c)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subparagraphs (E) through (I) as subparagraphs (F) through (J), respectively; and

(2) by inserting after subparagraph (D) the following:

"(E) support the professional development of Inspectors General, including by providing training opportunities on the duties, responsibilities, and authorities under this Act and on topics relevant to Inspectors General and the work of Inspectors General, as identified by Inspectors General and the Council.".

SEC. 5272. DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 5—

(A) in subsection (b), in the matter preceding paragraph (1), by striking "committees or subcommittees of the Congress" and inserting "congressional committees"; and

(B) in subsection (d), by striking "committees or subcommittees of Congress" and inserting "congressional committees";

(2) in section 6(h)(4)—

(A) in subparagraph (B), by striking "Government"; and

(B) by amending subparagraph (C) to read as follows:

"(C) Any other relevant congressional committee or subcommittee of jurisdiction.";

(3) in section 8—

(A) in subsection (b)—

(i) in paragraph (3), by striking "the Committees on Armed Services and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Government Reform and Oversight of the House of Representatives and to other appropriate committees or subcommittees of the Congress" and inserting "the appropriate congressional committees, including the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives"; and

(ii) in paragraph (4), by striking "and to other appropriate committees or subcommittees"; and

(B) in subsection (f)—

(i) in paragraph (1), by striking "the Committees on Armed Services and on Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and on Oversight and Government Reform of the House of Representatives and to other appropriate committees or subcommittees of Congress" and inserting "the appropriate congressional committees, including the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives"; and

(ii) in paragraph (2), by striking "committees or subcommittees of the Congress" and inserting "congressional committees";

(4) in section 8D—

(A) in subsection (a)(3), by striking "Committees on Governmental Affairs and Finance of the Senate and the Committees on Government Operations and Ways and Means of the House of Representatives, and to other appropriate committees or subcommittees of the Congress" and inserting "appropriate congressional committees, including the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives"; and

(B) in subsection (g)—

(i) in paragraph (1)—

(I) by striking "committees or subcommittees of the Congress" and inserting "congressional committees"; and

(II) by striking "Committees on Governmental Affairs and Finance of the Senate and the Committees on Government Reform and Oversight and Ways and Means of the House of Representatives" and inserting "Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives"; and

(ii) in paragraph (2), by striking "committees or subcommittees of Congress" and inserting "congressional committees";

(5) in section 8E—

(A) in subsection (a)(3), by striking "Committees on Governmental Affairs and Judiciary of the Senate and the Committees on Government Operations and Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress" and inserting "appropriate congressional committees, including the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives"; and

(B) in subsection (c)—

(i) by striking "committees or subcommittees of the Congress" and inserting "congressional committees"; and

(ii) by striking "Committees on the Judiciary and Governmental Affairs of the Senate and the Committees on the Judiciary and Government Operations of the House of Representatives" and inserting "Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives";

(6) in section 8G(f)(3)—

(A) in subparagraph (A)(iii), by striking "Committee on Governmental Affairs of the Senate and the Committee on Government Reform and Oversight of the House of Representatives, and to other appropriate committees or subcommittees of the Congress" and inserting "the appropriate congressional committees"; and

(B) by striking subparagraph (C);

(7) in section 8I—

(A) in subsection (a)(3), in the matter preceding subparagraph (A), by striking "committees and subcommittees of Congress" and inserting "congressional committees"; and

(B) in subsection (d), by striking "committees and subcommittees of Congress" each place it appears and inserting "congressional committees";

(8) in section 8N(b), by striking "committees of Congress" and inserting "congressional committees";

(9) in section 11—

(A) in subsection (b)(3)(B)(viii)—

(i) by striking subclauses (III) and (IV);

(ii) in subclause (I), by adding "and" at the end; and

(iii) by amending subclause (II) to read as follows:

"(II) the appropriate congressional committees."; and

(B) in subsection (d)(8)(A)(iii), by striking "to the" and all that follows through "jurisdiction" and inserting "to the appropriate congressional committees"; and

(10) in section 12—

(A) in paragraph (4), by striking "and" at the end;

(B) in paragraph (5), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(6) the term 'appropriate congressional committees' means—

"(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

"(B) the Committee on Oversight and Reform of the House of Representatives; and

"(C) any other relevant congressional committee or subcommittee of jurisdiction.".

SEC. 5273. SEMIANNUAL REPORTS.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 4(a)(2)—

(A) by inserting ", including" after "to make recommendations"; and

(B) by inserting a comma after "section 5(a)";

(2) in section 5—

(A) in subsection (a)—

(i) by striking paragraphs (1) through (12) and inserting the following:

"(1) a description of significant problems, abuses, and deficiencies relating to the administration of programs and operations of the establishment and associated reports and recommendations for corrective action made by the Office;

"(2) an identification of each recommendation made before the reporting period, for which corrective action has not been completed, including the potential costs savings associated with the recommendation;

"(3) a summary of significant investigations closed during the reporting period;

"(4) an identification of the total number of convictions during the reporting period resulting from investigations;

"(5) information regarding each audit, inspection, or evaluation report issued during the reporting period, including—

"(A) a listing of each audit, inspection, or evaluation;

"(B) if applicable, the total dollar value of questioned costs (including a separate category for the dollar value of unsupported costs) and the dollar value of recommendations that funds be put to better use, including whether a management decision had been made by the end of the reporting period;

"(6) information regarding any management decision made during the reporting period with respect to any audit, inspection, or evaluation issued during a previous reporting period;";

(ii) by redesignating paragraphs (13) through (22) as paragraphs (7) through (16), respectively;

(iii) by amending paragraph (13), as so redesignated, to read as follows:

"(13) a report on each investigation conducted by the Office where allegations of misconduct were substantiated involving a senior Government employee or senior official (as defined by the Office) if the establishment does not have senior Government employees, which shall include—

"(A) the name of the senior Government employee, if already made public by the Office; and

"(B) a detailed description of—

"(i) the facts and circumstances of the investigation; and

"(ii) the status and disposition of the matter, including—

"(I) if the matter was referred to the Department of Justice, the date of the referral; and

"(II) if the Department of Justice declined the referral, the date of the declination;"; and

(iv) by amending paragraph (15), as so redesignated, to read as follows:

"(15) information related to interference by the establishment, including—

"(A) a detailed description of any attempt by the establishment to interfere with the independence of the Office, including—

"(i) with budget constraints designed to limit the capabilities of the Office; and

"(ii) incidents where the establishment has resisted or objected to oversight activities of the Office or restricted or significantly delayed access to information, including the justification of the establishment for such action; and

"(B) a summary of each report made to the head of the establishment under section 6(c)(2) during the reporting period;"; and

(B) in subsection (b)—

(i) by striking paragraphs (2) and (3) and inserting the following:

"(2) where final action on audit, inspection, and evaluation reports had not been taken before the commencement of the reporting period, statistical tables showing—

"(A) with respect to management decisions—

"(i) for each report, whether a management decision was made during the reporting period;

"(ii) if a management decision was made during the reporting period, the dollar value of disallowed costs and funds to be put to better use as agreed to in the management decision; and

"(iii) total number of reports where a management decision was made during the reporting period and the total corresponding dollar value of disallowed costs and funds to be put to better use as agreed to in the management decision; and

"(B) with respect to final actions—

"(i) whether, if a management decision was made before the end of the reporting period, final action was taken during the reporting period;

"(ii) if final action was taken, the dollar value of—

"(I) disallowed costs that were recovered by management through collection, offset, property in lieu of cash, or otherwise;

"(II) disallowed costs that were written off by management;

"(III) disallowed costs and funds to be put to better use not yet recovered or written off by management;

"(IV) recommendations that were completed; and

"(V) recommendations that management has subsequently concluded should not or could not be implemented or completed; and

"(iii) total number of reports where final action was not taken and total number of reports where final action was taken, including the total corresponding dollar value of disallowed costs and funds to be put to better use as agreed to in the management decisions;";

(ii) by redesignating paragraph (4) as paragraph (3);

(iii) in paragraph (3), as so redesignated, by striking "subsection (a)(20)(A)" and inserting "subsection (a)(14)(A)"; and

(iv) by striking paragraph (5) and inserting the following:

"(4) a statement explaining why final action has not been taken with respect to each audit, inspection, and evaluation report in which a management decision has been made but final action has not yet been taken, except that such statement—

"(A) may exclude reports if—

"(i) a management decision was made within the preceding year; or

"(ii) the report is under formal administrative or judicial appeal or management of the establishment has agreed to pursue a legislative solution; and

"(B) shall identify the number of reports in each category so excluded.";

(C) by redesignating subsection (h), as so redesignated by section 5625 of this title, as subsection (i); and

(D) by inserting after subsection (g), as so redesignated by section 5625 of this title, the following:

"(h) If an Office has published any portion of the report or information required under subsection (a) to the website of the Office or on oversight.gov, the Office may elect to provide links to the relevant webpage or website in the report of the Office under subsection (a) in lieu of including the information in that report.".

SEC. 5274. SUBMISSION OF REPORTS THAT SPECIFICALLY IDENTIFY NON-GOVERNMENTAL ORGANIZATIONS OR BUSINESS ENTITIES.

(a) IN GENERAL.—Section 5(g) of the Inspector General Act of 1978 (5 U.S.C. App.), as so redesignated by section 5625 of this title, is amended by adding at the end the following:

"(6)(A) Except as provided in subparagraph (B), if an audit, evaluation, inspection, or other non-investigative report prepared by an Inspector General specifically identifies a specific non-governmental organization or business entity, whether or not the non-governmental organization or business entity is the subject of that audit, evaluation, inspection, or non-investigative report—

"(i) the Inspector General shall notify the non-governmental organization or business entity;

"(ii) the non-governmental organization or business entity shall have—

"(I) 30 days to review the audit, evaluation, inspection, or non-investigative report beginning on the date of publication of the audit, evaluation, inspection, or non-investigative report; and

"(II) the opportunity to submit a written response for the purpose of clarifying or providing additional context as it directly relates to each instance wherein an audit, evaluation, inspection, or non-investigative report specifically identifies that non-governmental organization or business entity; and

"(iii) if a written response is submitted under clause (ii)(II) within the 30-day period described in clause (ii)(I)—

"(I) the written response shall be attached to the audit, evaluation, inspection, or non-investigative report; and

"(II) in every instance where the report may appear on the public-facing website of the Inspector General, the website shall be updated in order to access a version of the audit, evaluation, inspection, or non-investigative report that includes the written response.

"(B) Subparagraph (A) shall not apply with respect to a non-governmental organization or business entity that refused to provide information or assistance sought by an Inspector General during the creation of the audit, evaluation, inspection, or non-investigative report.

"(C) An Inspector General shall review any written response received under subparagraph (A) for the purpose of preventing the improper disclosure of classified information or other non-public information, consistent with applicable laws, rules, and regulations, and, if necessary, redact such information.".

(b) RETROACTIVE APPLICABILITY.—During the 30-day period beginning on the date of enactment of this Act—

(1) the amendment made by subsection (a) shall apply upon the request of a non-governmental organization or business entity named in an audit, evaluation, inspection, or other non-investigative report prepared on or after January 1, 2019; and

(2) any written response submitted under clause (iii) of section 5(g)(6)(A) of the Inspector General Act of 1978 (5 U.S.C. App.), as added by subsection (a), with respect to such an audit, evaluation, inspection, or other non-investigative report shall attach to the original report in the manner described in that clause.

SEC. 5275. REVIEW RELATING TO VETTING, PROCESSING, AND RESETTLEMENT OF EVACUEES FROM AFGHANISTAN AND THE AFGHANISTAN SPECIAL IMMIGRANT VISA PROGRAM.

(a) IN GENERAL.—In accordance with the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General of the Department of Homeland Security, jointly with the Inspector General of the Department of State, and in coordination with the Inspector General of the Department of Defense and any appropriate Inspector General established by that Act or section 103H of the National Security Act of 1947 (50 U.S.C. 3033), shall conduct a thorough review of efforts to support and process evacuees from Afghanistan and the Afghanistan special immigrant visa program.

(b) ELEMENTS.—The review required by subsection (a) shall include an assessment of the systems, staffing, policies, and programs used—

(1) to screen and vet such evacuees, including—

(A) an assessment of whether personnel conducting such screening and vetting were appropriately authorized and provided with training, including training in the detection of fraudulent personal identification documents;

(B) an analysis of the degree to which such screening and vetting deviated from United States law, regulations, policy, and best practices relating to the screening and vetting of parolees, refugees, and applicants for United States visas that have been in use at any time since January 1, 2016, particularly for individuals from countries containing any active terrorist organizations; and

(C) an identification of any risk to the national security of the United States posed by any such deviations;

(D) an analysis of the processes used for evacuees traveling without personal identification records, including the creation or provision of any new identification records to such evacuees; and

(E) an analysis of the degree to which such screening and vetting process was capable of detecting—

(i) instances of human trafficking and domestic abuse;

(ii) evacuees who are unaccompanied minors; and

(iii) evacuees with a spouse who is a minor;

(2) to admit and process such evacuees at United States ports of entry;

(3) to temporarily house such evacuees prior to resettlement;

(4) to account for the total number of individuals evacuated from Afghanistan in 2021 with support of the United States Government, disaggregated by—

(A) country of origin;

(B) citizenship, only if different from country of origin;

(C) age;

(D) gender;

(E) the number of individuals who were holders of a special immigrant visa issued pursuant to the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8) or section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109–163) at the time of evacuation;

(F) the number of individuals who were applicants for a special immigrant visas pursuant to the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8) or section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109–163) at the time of evacuation;

(G) the number who were in possession of a valid nonimmigrant visa to enter the United States at the time of evacuation; and

(H) familial relationship to individuals described in subparagraphs (E) through (G).

(c) INTERIM REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State shall submit to the appropriate congressional committees not fewer than one interim report on the review conducted under this section.

(2) FORM.—Any report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(i) the Committee on Homeland Security and Governmental Affairs, the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate; and

(ii) the Committee on Oversight and Reform, the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives.

(B) SCREEN; SCREENING.—The terms "screen" and "screening", with respect to an evacuee, mean the process by which a Federal official determines—

(i) the identity of the evacuee;

(ii) whether the evacuee has a valid identification documentation; and

(iii) whether any database of the United States Government contains derogatory information about the evacuee.

(C) VET; VETTING.—The term "vet" and "vetting", with respect to an evacuee, means the process by which a Federal official interviews the evacuee to determine whether the evacuee is who they purport to be, including whether the evacuee poses a national security risk.

(d) DISCHARGE OF RESPONSIBILITIES.—The Inspector General of the Department of Homeland Security and the Inspector General of the Department of State shall discharge the responsibilities under this section in a manner consistent with the authorities and requirements of the Inspector General Act of 1978 (5 U.S.C. App.) and the authorities and requirements applicable to the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State under that Act.

(e) COORDINATION.—Upon request of an Inspector General for information or assistance under subsection (a), the head of any Federal agency involved shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the Federal agency from which the information is requested, furnish to such Inspector General, or to an authorized designee, such information or assistance.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Inspector General of the Department

of Homeland Security or the Inspector General of the Department of State to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of the oversight responsibilities of the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State, in accordance with the Inspector General Act of 1978 (5 U.S.C. App.), with respect to oversight of the evacuation from Afghanistan, the selection, vetting, and processing of applicants for special immigrant visas and asylum, and any resettlement in the United States of such evacuees.

TITLE LIII—OVERSIGHT AND REFORM MATTERS

Subtitle A—General Provisions

Sec. 5301. Access for Veterans to Records.
Sec. 5302. ONDCP supplemental strategies.
Sec. 5303. Performance Enhancement.
Sec. 5304. Appeals to merit systems protection board relating to FBI reprisal allegations; salary of Special Counsel.
Sec. 5305. Fairness for Federal firefighters.

Subtitle B—PLUM Act of 2022

Sec. 5321. Short title.
Sec. 5322. Establishment of public website on government policy and supporting positions.

Subtitle A—General Provisions

SEC. 5301. ACCESS FOR VETERANS TO RECORDS.

(a) PLAN TO ELIMINATE RECORDS BACKLOG AT THE NATIONAL PERSONNEL RECORDS CENTER.—

(1) PLAN REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Archivist of the United States shall submit to the appropriate congressional committees a comprehensive plan for reducing the backlog of requests for records from the National Personnel Records Center and improving the efficiency and responsiveness of operations at the National Personnel Records Center, that includes, at a minimum, the following:

(A) An estimate of the number of backlogged record requests for veterans.

(B) Target timeframes to reduce the backlog.

(C) A detailed plan for using existing funds to improve the information technology infrastructure, including secure access to appropriate agency Federal records, to prevent future backlogs.

(D) Actions to improve customer service for requesters.

(E) Measurable goals with respect to the comprehensive plan and metrics for tracking progress toward such goals.

(F) Strategies to prevent future record request backlogs, including backlogs caused by an event that prevents employees of the Center from reporting to work in person.

(2) UPDATES.—Not later than 90 days after the date on which the comprehensive plan is submitted under paragraph (1), and

biannually thereafter until the response rate by the National Personnel Records Center reaches 90 percent of all requests in 20 days or less, not including any request involving a record damaged or lost in the National Personnel Records Center fire of 1973 or any request that is subject to a fee that has not been paid in a timely manner by the requestor (provided the National Personnel Records Center issues an invoice within 20 days after the date on which the request is made), the Archivist of the United States shall submit to the appropriate congressional committees an update of such plan that—

(A) describes progress made by the National Personnel Records Center during the preceding 90-day period with respect to record request backlog reduction and efficiency and responsiveness improvement;

(B) provides data on progress made toward the goals identified in the comprehensive plan; and

(C) describes any changes made to the comprehensive plan.

(3) CONSULTATION REQUIREMENT.—In carrying out paragraphs (1) and (2), the Archivist of the United States shall consult with the Secretary of Veterans Affairs.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means—

(A) the Committee on Oversight and Reform, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate.

(b) ADDITIONAL FUNDING TO ADDRESS RECORDS BACKLOG.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available, there is authorized to be appropriated to the National Archives and Records Administration, $60,000,000 to address backlogs in responding to requests from veterans for military personnel records, improve cybersecurity, improve digital preservation and access to archival Federal records, and address backlogs in requests made under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act). Such amounts may also be used for the Federal Records Center Program.

(2) REQUIREMENT TO MAINTAIN IN-PERSON STAFFING LEVELS.—Subject to the availability of appropriations, and not later than 30 days after the date of the enactment of this Act, the Archivist of the United States shall ensure, to the extent practicable, that the National Personnel Records Center maintains staffing levels and telework arrangements that enable the maximum processing of records requests possible in order to achieve the performance goal of responding to 90 percent of all requests in 20 days or less, not including any request involving a record damaged or lost in the National Personnel Records Center fire of 1973 or any request that is subject to a fee that has not been paid in a timely manner by the requestor (pro-

vided the National Personnel Records Center issues an invoice within 20 days after the date on which the request is made).

(3) INSPECTOR GENERAL REPORTING.—The Inspector General for the National Archives and Records Administration shall, for two years following the date of the enactment of this Act, include in every semiannual report submitted to Congress pursuant to the Inspector General Act of 1978 (5 U.S.C. App.), a detailed summary of—

(A) efforts taken by the National Archives and Records Administration to address the backlog of records requests at the National Personnel Records Center; and

(B) any recommendations for action proposed by the Inspector General related to reducing the backlog of records requests at the National Personnel Records Center and the status of compliance with those recommendations by the National Archives and Records Administration.

SEC. 5302. ONDCP SUPPLEMENTAL STRATEGIES.

Section 706(h) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1705(h)) is amended—

(1) in paragraph (5), by striking "; and" and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(7) develops performance measures and targets for the National Drug Control Strategy for supplemental strategies (the Southwest Border, Northern Border, and Caribbean Border Counternarcotics Strategies) to effectively evaluate region- specific goals, to the extent the performance measurement system does not adequately measure the effectiveness of the strategies, as determined by the Director, such strategies may evaluate interdiction efforts at and between ports of entry, interdiction technology, intelligence sharing, diplomacy, and other appropriate metrics, specific to each supplemental strategies region, as determined by the Director.".

SEC. 5303. PERFORMANCE ENHANCEMENT.

(a) SHORT TITLE.—This section may be cited as the "Performance Enhancement Reform Act".

(b) IN GENERAL.—Section 1115 of title 31, United States Code, is amended—

(1) by amending subsection (b)(5) to read as follows:

"(5) provide a description of how the performance goals are to be achieved, including—

"(A) the human capital, training, data and evidence, information technology, and skill sets required to meet the performance goals;

"(B) the technology modernization investments, system upgrades, staff technology skills and expertise, stakeholder input and feedback, and other resources and strategies needed and required to meet the performance goals;

"(C) clearly defined milestones;

"(D) an identification of the organizations, program activities, regulations, policies, operational processes, and

other activities that contribute to each performance goal, both within and external to the agency;

"(E) a description of how the agency is working with other agencies and the organizations identified in subparagraph (D) to measure and achieve its performance goals as well as relevant Federal Government performance goals; and

"(F) an identification of the agency officials responsible for the achievement of each performance goal, who shall be known as goal leaders;"; and

(2) by amending subsection (g) to read as follows:

"(g) PREPARATION OF PERFORMANCE PLAN.—The Performance Improvement Officer of each agency (or the functional equivalent) shall collaborate with the Chief Human Capital Officer (or the functional equivalent), the Chief Information Officer (or the functional equivalent), the Chief Data Officer (or the functional equivalent), and the Chief Financial Officer (or the functional equivalent) of that agency to prepare that portion of the annual performance plan described under subsection (b)(5) for that agency.".

SEC. 5304. APPEALS TO MERIT SYSTEMS PROTECTION BOARD RELATING TO FBI REPRISAL ALLEGATIONS; SALARY OF SPECIAL COUNSEL.

(a) APPEALS TO MSPB.—Section 2303 of title 5, United States Code, is amended by adding at the end the following:

"(d)(1) An employee of the Federal Bureau of Investigation who makes an allegation of a reprisal under regulations promulgated under this section may appeal a final determination or corrective action order by the Bureau under those regulations to the Merit Systems Protection Board pursuant to section 1221.

"(2) If no final determination or corrective action order has been made or issued for an allegation described in paragraph (1) before the expiration of the 180-day period beginning on the date on which the allegation is received by the Federal Bureau of Investigation, the employee described in that paragraph may seek corrective action directly from the Merit Systems Protection Board pursuant to section 1221.".

(b) SPECIAL COUNSEL SALARY.—

(1) IN GENERAL.—Subchapter II of chapter 53 of title 5, United States Code, is amended—

(A) in section 5314, by adding at the end the following new item: "Special Counsel of the Office of Special Counsel."; and

(B) in section 5315, by striking "Special Counsel of the Merit Systems Protection Board.".

(2) APPLICATION.—The rate of pay applied under the amendments made by paragraph (1) shall begin to apply on the first day of the first pay period beginning after date of enactment of this Act.

SEC. 5305. FAIRNESS FOR FEDERAL FIREFIGHTERS.

(a) CERTAIN ILLNESSES AND DISEASES PRESUMED TO BE WORK-RELATED CAUSE OF DISABILITY OR DEATH FOR FEDERAL EMPLOYEES IN FIRE PROTECTION ACTIVITIES.—

(1) PRESUMPTION RELATING TO EMPLOYEES IN FIRE PROTECTION ACTIVITIES.—

(A) IN GENERAL.—Subchapter I of chapter 81 of title 5, United States Code, is amended by inserting after section 8143a the following:

"§ 8143b. Employees in fire protection activities

"(a) DEFINITIONS.—In this section:

"(1) EMPLOYEE IN FIRE PROTECTION ACTIVITIES.—The term 'employee in fire protection activities' means an employee employed as a firefighter (including a wildland firefighter), paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous material worker who—

"(A) is trained in fire suppression;

"(B) has the legal authority and responsibility to engage in fire suppression;

"(C) is engaged in the prevention, control, or extinguishment of fires or response to emergency situations in which life, property, or the environment is at risk, including the prevention, control, suppression, or management of wildland fires; and

"(D) performs the activities described in subparagraph (C) as a primary responsibility of the job of the employee.

"(2) RULE.—The term 'rule' has the meaning given the term in section 804.

"(3) SECRETARY.—The term 'Secretary' means the Secretary of Labor.

"(b) CERTAIN ILLNESSES AND DISEASED DEEMED TO BE PROXIMATELY CAUSED BY EMPLOYMENT IN FIRE PROTECTION ACTIVITIES.—

"(1) IN GENERAL.—For a claim under this subchapter of disability or death of an employee who has been employed for not less than 5 years in aggregate as an employee in fire protection activities, an illness or disease specified on the list established under paragraph (2) shall be deemed to be proximately caused by the employment of that employee, if the employee is diagnosed with that illness or disease not later than 10 years after the last activedate of employment as an employee in fire protection activities.

"(2) ESTABLISHMENT OF INITIAL LIST.—There is established under this section the following list of illnesses and diseases:

"(A) Bladder cancer.

"(B) Brain cancer.

"(C) Chronic obstructive pulmonary disease.

"(D) Colorectal cancer.

"(E) Esophageal cancer.

"(F) Kidney cancer.

"(G) Leukemias.

"(H) Lung cancer.

"(I) Mesothelioma.

"(J) Multiple myeloma.

"(K) Non-Hodgkin lymphoma.

"(L) Prostate cancer.

"(M) Skin cancer (melanoma).

"(N) A sudden cardiac event or stroke suffered while, or not later than 24 hours after, engaging in the activities described in subsection (a)(1)(C).

"(O) Testicular cancer.

"(P) Thyroid cancer.

"(3) ADDITIONS TO THE LIST.—

"(A) IN GENERAL.—

"(i) PERIODIC REVIEW.—The Secretary shall—

"(I) in consultation with the Director of the National Institute for Occupational Safety and Health and any advisory committee determined appropriate by the Secretary, periodically review the list established under paragraph (2); and

"(II) if the Secretary determines that the weight of the best available scientific evidence warrants adding an illness or disease to the list established under paragraph (2), as described in subparagraph (B) of this paragraph, make such an addition through a rule that clearly identifies that scientific evidence.

"(ii) CLASSIFICATION.—A rule issued by the Secretary under clause (i) shall be considered to be a major rule for the purposes of chapter 8.

"(B) BASIS FOR DETERMINATION.—The Secretary shall add an illness or disease to the list established under paragraph (2) based on the weight of the best available scientific evidence that there is a significant risk to employees in fire protection activities of developing that illness or disease.

"(C) AVAILABLE EXPERTISE.—In determining significant risk for purposes of subparagraph (B), the Secretary may accept as authoritative, and may rely upon, recommendations, risk assessments, and scientific studies (including analyses of National Firefighter Registry data pertaining to Federal firefighters) by the National Institute for Occupational Safety and Health, the National Toxicology Program, the National Academies of Sciences, Engineering, and Medicine, and the International Agency for Research on Cancer.".

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 81 of title 5, United States Code, is amended by inserting after the item relating to section 8143a the following:

"8143b. Employees in fire protection activities.".

(C) APPLICATION.—The amendments made by this paragraph shall apply to claims for compensation filed on or after the date of enactment of this Act.

(2) RESEARCH COOPERATION.—Not later than 120 days after the date of enactment of this Act, the Secretary of Labor (referred to in this subsection as the "Secretary") shall establish a process by which an employee in fire protection activities, as defined in subsection (a) of section 8143b of title 5, United States Code, as added by paragraph (1) of this subsection (referred to in this subsection as an "employee in fire protection activities")

filing a claim under chapter 81 of title 5, United States Code, as amended by this subsection, relating to an illness or disease on the list established under subsection (b)(2) of such section 8143b (referred to in this subsection as "'the list") as the list may be updated under such section 8143b, shall be informed about, and offered the opportunity to contribute to science by voluntarily enrolling in, the National Firefighter Registry or a similar research or public health initiative conducted by the Centers for Disease Control and Prevention.

(3) AGENDA FOR FURTHER REVIEW.—Not later than 3 years after the date of enactment of this Act, the Secretary shall—

(A) evaluate the best available scientific evidence of the risk to an employee in fire protection activities of developing breast cancer, gynecological cancers, and rhabdomyolysis;

(B) add breast cancer, gynecological cancers, and rhabdomyolysis to the list, by rule in accordance with subsection (b)(3) of section 8143b of title 5, United States Code, as added by paragraph (1) of this subsection, if the Secretary determines that such evidence supports that addition; and

(C) submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Education and Labor of the House of Representatives a report containing—

(i) the findings of the Secretary after making the evaluation required under subparagraph (A); and

(ii) the determination of the Secretary under subparagraph (B).

(4) REPORT ON FEDERAL WILDLAND FIREFIGHTERS.—

(A) DEFINITION.—In this paragraph, the term "Federal wildland firefighter" means an individual occupying a position in the occupational series developed pursuant to section 40803(d)(1) of the Infrastructure Investment and Jobs Act (16 U.S.C. 6592(d)(1)).

(B) STUDY.—The Secretary of the Interior and the Secretary of Agriculture, in consultation with the Director of the National Institute for Occupational Safety and Health and the Secretary, shall conduct a comprehensive study on long-term health effects that Federal wildland firefighters who are eligible to receive compensation for work injuries under chapter 81 of title 5, United States Code, as amended by this subsection, experience after being exposed to fires, smoke, and toxic fumes when in service.

(C) REQUIREMENTS.—The study required under subparagraph (B) shall include—

(i) the race, ethnicity, age, gender, and time of service of the Federal wildland firefighters participating in the study; and

(ii) recommendations to Congress regarding what legislative actions are needed to support the Federal wildland firefighters described in clause (i) in preventing health issues from the toxic exposure described

in subparagraph (B), similar to veterans who are exposed to burn pits.

(D) SUBMISSION AND PUBLICATION.—The Secretary of the Interior and the Secretary of Agriculture shall submit the results of the study conducted under this paragraph to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Education and Labor of the House of Representatives and make those results publicly available.

(5) REPORT ON AFFECTED EMPLOYEES.—Beginning on the date that is 1 year after the date of enactment of this Act, with respect to each annual report required under section 8152 of title 5, United States Code, the Secretary—

(A) shall include in the report the total number of, and demographics regarding, employees in fire protection activities with illnesses and diseases described in the list (as the list may be updated under this subsection and the amendments made by this subsection), as of the date on which that annual report is submitted, which shall be disaggregated by the specific illness or disease for the purposes of understanding the scope of the problem facing those employees; and

(B) may—

(i) include in the report any information with respect to employees in fire protection activities that the Secretary determines to be necessary; and

(ii) as appropriate, make recommendations in the report for additional actions that could be taken to minimize the risk of adverse health impacts for employees in fire protection activities.

(b) SUBROGATION OF CONTINUATION OF PAY.—

(1) SUBROGATION OF THE UNITED STATES.—Section 8131 of title 5, United States Code, is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting "continuation of pay or" before "compensation"; and

(B) in subsection (c), in the second sentence, by inserting "continuation of pay or" before "compensation already paid".

(2) ADJUSTMENT AFTER RECOVER FROM THIRD PERSON.—Section 8132 of title 5, United States Code, is amended—

(A) in the first sentence—

(i) by inserting "continuation of pay or" before "compensation is payable";

(ii) by inserting "continuation of pay or" before "compensation from the United States";

(iii) by striking "in his behalf" and inserting "on his behalf"; and

(iv) by inserting "continuation of pay or" before"'compensation paid by the United States"; and

(B) by striking the fourth sentence and inserting the following: "If continuation of pay or compensation has not been paid to the beneficiary, the money or property shall be

credited against continuation of pay or compensation payable to him by the United States for the same injury.".

(c) INCREASE IN TIME-PERIOD FOR FECA CLAIMANT SUPPLY SUPPORTING DOCUMENTATION TO OFFICE OF WORKER'S COMPENSATION.—Not later than 16 days after the date of enactment of this Act, the Secretary of Labor shall—

(1) amend section 10.121 of title 20, Code of Federal Regulations, or any successor regulation, by striking "30 days" and inserting "60 days"; and

(2) modify the Federal Employees' Compensation Act manual to reflect the changes made by the Secretary pursuant to paragraph (1).

Subtitle B—PLUM Act of 2022

SEC. 5321. SHORT TITLE.

This subtitle may be cited as the "Periodically Listing Updates to Management Act of 2022" or the "PLUM Act of 2022".

SEC. 5322. ESTABLISHMENT OF PUBLIC WEBSITE ON GOVERNMENT POLICY AND SUPPORTING POSITIONS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

"§ 3330f. Government policy and supporting position data

"(a) DEFINITIONS.—In this section:

"(1) AGENCY.—The term 'agency' means—

"(A) any Executive agency, the United States Postal Service, and the Postal Regulatory Commission;

"(B) the Architect of the Capitol, the Government Accountability Office, the Government Publishing Office, and the Library of Congress; and

"(C) the Executive Office of the President and any component within that Office (including any successor component), including—

"(i) the Council of Economic Advisors;

"(ii) the Council on Environmental Quality;

"(iii) the National Security Council;

"(iv) the Office of the Vice President;

"(v) the Office of Policy Development;

"(vi) the Office of Administration;

"(vii) the Office of Management and Budget;

"(viii) the Office of the United States Trade Representative;

"(ix) the Office of Science and Technology Policy;

"(x) the Office of National Drug Control Policy; and

"(xi) the White House Office, including the White House Office of Presidential Personnel.

"(2) APPOINTEE.—The term 'appointee'—

"(A) means an individual serving in a policy and supporting position; and

"(B) includes an individual serving in such a position temporarily in an acting capacity in accordance with—

"(i) sections 3345 through 3349d (commonly referred to as the 'Federal Vacancies Reform Act of 1998');

"(ii) any other statutory provision described in section 3347(a)(1); or

"(iii) a Presidential appointment described in section 3347(a)(2).

"(3) COVERED WEBSITE.—The term 'covered website' means the website established and maintained by the Director under subsection (b).

"(4) DIRECTOR.—The term 'Director' means the Director of the Office of Personnel Management.

"(5) POLICY AND SUPPORTING POSITION.—The term 'policy and supporting position'—

"(A) means any position at an agency, as determined by the Director, that, but for this section and section 2(b)(3) of the PLUM Act of 2022, would be included in the publication entitled 'United States Government Policy and Supporting Positions', (commonly referred to as the 'Plum Book'); and

"(B) may include—

"(i) a position on any level of the Executive Schedule under subchapter II of chapter 53, or another position with an equivalent rate of pay;

"(ii) a general position (as defined in section 3132(a)(9)) in the Senior Executive service;

"(iii) a position in the Senior Foreign Service;

"(iv) a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, or any successor regulation; and

"(v) any other position classified at or above level GS–14 of the General Schedule (or equivalent) that is excepted from the competitive service by law because of the confidential or policy-determining nature of the position duties.

"(b) ESTABLISHMENT OF WEBSITE.—Not later than 1 year after the date of enactment of the PLUM Act of 2022, the Director shall establish, and thereafter the Director shall maintain, a public website containing the following information for the President in office on the date of establishment and for each subsequent President:

"(1) Each policy and supporting position in the Federal Government, including any such position that is vacant.

"(2) The name of each individual who—

"(A) is serving in a position described in paragraph (1); or

"(B) previously served in a position described in such paragraph under the applicable President.

"(3) Information on—

"(A) any Government-wide or agency-wide limitation on the total number of positions in the Senior Executive Service under section 3133 or 3134 or the total number of positions under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations; and

"(B) the total number of individuals occupying such positions.

"(c) CONTENTS.—With respect to any policy and supporting position listed on the covered website, the Director shall include—

"(1) the agency, and agency component, (including the agency and bureau code used by the Office of Management and Budget) in which the position is located;

"(2) the name of the position;

"(3) the name of the individual occupying the position (if any);

"(4) the geographic location of the position, including the city, State or province, and country;

"(5) the pay system under which the position is paid;

"(6) the level, grade, or rate of pay;

"(7) the term or duration of the appointment (if any);

"(8) the expiration date, in the case of a time-limited appointment;

"(9) a unique identifier for each appointee;

"(10) whether the position is vacant; and

"(11) for any position that is vacant—

"(A) for a position for which appointment is required to be made by the President, by and with the advice and consent of the Senate, the name of the acting official; and

"(B) for other positions, the name of the official performing the duties of the vacant position.

"(d) CURRENT DATA.—For each agency, the Director shall indicate in the information on the covered website the date that the agency last updated the data.

"(e) FORMAT.—The Director shall make the data on the covered website available to the public at no cost over the internet in a searchable, sortable, downloadable, and machine-readable format so that the data qualifies as an open Government data asset, as defined in section 3502 of title 44.

"(f) AUTHORITY OF DIRECTOR.—

"(1) INFORMATION REQUIRED.—Each agency shall provide to the Director any information that the Director determines necessary to establish and maintain the covered website, including the information uploaded under paragraph (4).

"(2) REQUIREMENTS FOR AGENCIES.—Not later than 1 year after the date of enactment of the PLUM Act of 2022, the Director shall issue instructions to agencies with specific requirements for the provision or uploading of information required under paragraph (1), including—

"(A) specific data standards that an agency shall follow to ensure that the information is complete, accurate, and reliable;

"(B) data quality assurance methods; and

"(C) the timeframe during which an agency shall provide or upload the information, including the timeframe described under paragraph (4).

"(3) PUBLIC ACCOUNTABILITY.—The Director shall identify on the covered website any agency that has failed to provide—

"(A) the information required by the Director;

"(B) complete, accurate, and reliable information; or

"(C) the information during the timeframe specified by the Director.

"(4) ANNUAL UPDATES.—

"(A) IN GENERAL.—Not later than 90 days after the date on which the covered website is established, and not less than once during each year thereafter, the head of each agency shall upload to the covered website updated information (if any) on—

"(i) the policy and supporting positions in the agency;

"(ii) the appointees occupying such positions in the agency; and

"(iii) the former appointees who served in such positions in the agency under the President then in office.

"(B) SUPPLEMENT NOT SUPPLANT.—Information provided under subparagraph (A) shall supplement, not supplant, previously provided information under that subparagraph.

"(5) OPM HELP DESK.—The Director shall establish a central help desk, to be operated by not more than 1 full-time employee, to assist any agency with implementing this section.

"(6) COORDINATION.—The Director may designate 1 or more agencies to participate in the development, establishment, operation, and support of the covered website. With respect to any such designation, the Director may specify the scope of the responsibilities of the agency so designated.

"(7) DATA STANDARDS AND TIMING.—The Director shall make available on the covered website information regarding data collection standards, quality assurance methods, and time frames for reporting data to the Director.

"(8) REGULATIONS.—The Director may prescribe regulations necessary for the administration of this section.

"(g) RESPONSIBILITY OF AGENCIES.—

"(1) PROVISION OF INFORMATION.—Each agency shall comply with the instructions and guidance issued by the Director to carry out this section, and, upon request of the Director, shall provide appropriate assistance to the Director to ensure the successful operation of the covered website in the manner and within the timeframe specified by the Director under subsection (f)(2).

"(2) ENSURING COMPLETENESS, ACCURACY, AND RELIABILITY.—With respect to any submission of information described in paragraph (1), the head of an agency shall include—

"(A) an explanation of how the agency ensured the information is complete, accurate, and reliable; and

"(B) a certification that the information is complete, accurate, and reliable.

"(h) INFORMATION VERIFICATION.—

"(1) CONFIRMATION.—

"(A) IN GENERAL.—On the date that is 90 days after the date on which the covered website is established, the Director, in coordination with the White House Office of Presidential Personnel, shall confirm that the information on the covered website is complete, accurate, reliable, and up-to-date.

"(B) CERTIFICATION.—On the date on which the Director makes a confirmation under subparagraph (A), the Director shall publish on the covered website a certification that the confirmation has been made.

"(2) AUTHORITY OF DIRECTOR.—In carrying out paragraph (1), the Director may—

"(A) request additional information from an agency; and

"(B) use any additional information provided to the Director or the White House Office of Presidential Personnel for the purposes of verification.

"(3) PUBLIC COMMENT.—The Director shall establish a process under which members of the public may provide feedback regarding the accuracy of the information on the covered website.

"(i) DATA ARCHIVING.—

"(1) IN GENERAL.—As soon as practicable after a transitional inauguration day (as defined in section 3349a), the Director, in consultation with the Archivist of the United States, shall archive the data that was compiled on the covered website for the preceding presidential administration.

"(2) PUBLIC AVAILABILITY.—The Director shall make the data described in paragraph (1) publicly available over the internet—

"(A) on, or through a link on, the covered website;

"(B) at no cost; and

"(C) in a searchable, sortable, downloadable, and machine-readable format.".

(2) CLERICAL AMENDMENT.—The table of sections for subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

"3330f. Government policy and supporting position data.".

(b) OTHER MATTERS.—

(1) DEFINITIONS.—In this subsection, the terms "agency", "covered website", "Director", and "policy and supporting position" have the meanings given those terms in section 3330f of title 5, United States Code, as added by subsection (a).

(2) GAO REVIEW AND REPORT.—Not later than 1 year after the date on which the Director establishes the covered website, the Comptroller General of the United States shall conduct a review of, and issue a briefing or report on, the implementation of this subtitle and the amendments made by this subtitle, which shall include—

(A) the quality of data required to be collected and whether the data is complete, accurate, timely, and reliable;

(B) any challenges experienced by agencies in implementing this subtitle and the amendments made by this subtitle; and

(C) any suggestions or modifications to enhance compliance with this subtitle and the amendments made by this subtitle, including best practices for agencies to follow.

(3) SUNSET OF PLUM BOOK.—Beginning on January 1, 2026—

(A) the covered website shall serve as the public directory for policy and supporting positions in the Government; and

(B) the publication entitled "United States Government Policy and Supporting Positions", commonly referred to as the "Plum Book", shall no longer be issued or published.

(4) FUNDING.—

(A) IN GENERAL.—No additional amounts are authorized to be appropriated to carry out this subtitle or the amendments made by this subtitle.

(B) OTHER FUNDING.—The Director shall carry out this subtitle and the amendments made by this subtitle using amounts otherwise available to the Director.

TITLE LIV—21ST CENTURY ASSISTIVE TECHNOLOGY ACT

Sec. 5401. Short title.
Sec. 5402. Reauthorization.
Sec. 5403. Effective date.

This title may be cited as the "21st Century Assistive Technology Act".

SEC. 5402. REAUTHORIZATION.

The Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) is amended to read as follows:

"SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

"(a) SHORT TITLE.—This Act may be cited as the 'Assistive Technology Act of 1998'.

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

"Sec. 1. Short title; table of contents.
"Sec. 2. Purposes.
"Sec. 3. Definitions.
"Sec. 4. Grants for State assistive technology programs.
"Sec. 5. Grants for protection and advocacy services related to assistive technology.
"Sec. 6. Technical assistance and data collection support.
"Sec. 7. Projects of national significance.
"Sec. 8. Administrative provisions.
"Sec. 9. Authorization of appropriations; reservations and distribution of funds.

"SEC. 2. PURPOSES.

"The purposes of this Act are to—

"(1) to support State efforts to improve the provision of assistive technology to individuals with disabilities of all ages, including underrepresented populations, through comprehensive statewide programs of technology-related assistance that are designed to—

"(A) increase the availability of, funding for, access to, provision of, and education about assistive technology devices and assistive technology services;

"(B) increase the ability of individuals with disabilities to secure and maintain possession of assistive technology devices as such individuals make the transition between services offered by educational or human service agencies or between settings of daily living (for example, between home and work);

"(C) increase the capacity of public agencies and private entities to provide and pay for assistive technology devices

and assistive technology services on a statewide basis for individuals with disabilities;

"(D) increase the involvement of individuals with disabilities and, if appropriate, their family members, guardians, advocates, and authorized representatives, in decisions related to the provision of assistive technology devices and assistive technology services;

"(E) increase and promote coordination among and between State and local agencies and private entities (such as managed care providers), that are involved in carrying out activities under this Act;

"(F) increase the awareness and facilitate the change of laws, regulations, policies, practices, procedures, and organizational structures that facilitate the availability or provision of assistive technology devices and assistive technology services; and

"(G) increase awareness and knowledge of the benefits of assistive technology devices and assistive technology services among targeted individuals and entities and the general population; and

"(2) to provide States and protection and advocacy systems with financial assistance that supports programs designed to maximize the ability of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to obtain assistive technology devices and assistive technology services.

"SEC. 3. DEFINITIONS.

"In this Act:

"(1) ADULT SERVICE PROGRAM.—The term 'adult service program' means a program that provides services to, or is otherwise substantially involved with the major life functions of, individuals with disabilities. Such term includes—

"(A) a program providing residential, supportive, or employment-related services, to individuals with disabilities;

"(B) a program carried out by a center for independent living, such as a center described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);

"(C) a program carried out by an employment support agency connected to adult vocational rehabilitation, such as a one-stop partner, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

"(D) a program carried out by another organization or vender licensed or registered by the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705).

"(2) AMERICAN INDIAN CONSORTIUM.—The term 'American Indian consortium' means an entity that is an American Indian Consortium (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)), and that is established to provide protection and advocacy services for purposes of receiving funding under subtitle C of title I of such Act (42 U.S.C. 15041 et seq.).

"(3) ASSISTIVE TECHNOLOGY.—The term 'assistive technology' means technology designed to be utilized in an assistive technology device or assistive technology service.

"(4) ASSISTIVE TECHNOLOGY DEVICE.—The term 'assistive technology device' means any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

"(5) ASSISTIVE TECHNOLOGY SERVICE.—The term 'assistive technology service' means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. Such term includes—

"(A) the evaluation of the assistive technology needs of an individual with a disability, including a functional evaluation of the impact of the provision of appropriate assistive technology devices and services to the individual in the customary environment of the individual;

"(B) a service consisting of purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;

"(C) a service consisting of selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, replacing, or donating assistive technology devices;

"(D) coordination and use of necessary therapies, interventions, or services with assistive technology devices, such as therapies, interventions, or services associated with education and rehabilitation plans and programs;

"(E) instruction or technical assistance for an individual with a disability or, where appropriate, the family members, guardians, advocates, or authorized representatives of such an individual;

"(F) instruction or technical assistance for professionals (including individuals providing education and rehabilitation services and entities that manufacture or sell assistive technology devices), employers, providers of employment and training services, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities; and

"(G) a service consisting of expanding the availability of access to technology, including electronic and information technology, to individuals with disabilities.

"(6) CAPACITY BUILDING AND ADVOCACY ACTIVITIES.—The term 'capacity building and advocacy activities' means efforts that—

"(A) result in laws, regulations, policies, practices, procedures, or organizational structures that promote consumer-responsive programs or entities; and

"(B) facilitate and increase access to, provision of, and funding for assistive technology devices and assistive technology services, in order to empower individuals with disabilities to achieve greater independence, productivity, and integration and inclusion within the community and the workforce.

"(7) COMPREHENSIVE STATEWIDE PROGRAM OF TECHNOLOGY-RELATED ASSISTANCE.—The term 'comprehensive statewide program of technology-related assistance' means a consumer-responsive program of technology-related assistance for individuals with disabilities that—

"(A) is implemented by a State;

"(B) is equally available to all individuals with disabilities residing in the State, regardless of their type of disability, age, income level, or location of residence in the State, or the type of assistive technology device or assistive technology service required; and

"(C) incorporates all the activities described in section 4(e) (unless excluded pursuant to section 4(e)(5)).

"(8) CONSUMER-RESPONSIVE.—The term 'consumer-responsive'—

"(A) with regard to policies, means that the policies are consistent with the principles of—

"(i) respect for individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers, based on informed choice, of individuals with disabilities;

"(ii) respect for the privacy, rights, and equal access (including the use of accessible formats) of such individuals;

"(iii) inclusion, integration, and full participation of such individuals in society;

"(iv) support for the involvement in decisions of a family member, a guardian, an advocate, or an authorized representative, if an individual with a disability requests, desires, or needs such involvement; and

"(v) support for individual and systems advocacy and community involvement; and

"(B) with respect to an entity, program, or activity, means that the entity, program, or activity—

"(i) is easily accessible to, and usable by, individuals with disabilities and, when appropriate, their family members, guardians, advocates, or authorized representatives;

"(ii) responds to the needs of individuals with disabilities in a timely and appropriate manner; and

"(iii) facilitates the full and meaningful participation of individuals with disabilities and their family members, guardians, advocates, and authorized representatives, in—

"(I) decisions relating to the provision of assistive technology devices and assistive technology services to such individuals; and

"(II) decisions related to the maintenance, improvement, and evaluation of the comprehensive statewide program of technology-related assistance, including decisions that affect capacity building and advocacy activities.

"(9) DISABILITY.—The term 'disability' has the meaning given the term under section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

"(10) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means any individual—

"(A) who has a disability; and

"(B) who is or would be enabled by an assistive technology device or an assistive technology service to minimize deterioration in functioning, to maintain a level of functioning, or to achieve a greater level of functioning in any major life activity.

"(11) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), and includes a community college receiving funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.).

"(12) PROTECTION AND ADVOCACY SERVICES.—The term 'protection and advocacy services' means services that—

"(A) are described in subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.), the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10801 et seq.), or section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e); and

"(B) assist individuals with disabilities with respect to assistive technology devices and assistive technology services.

"(13) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services, acting through the Administrator of the Administration for Community Living.

"(14) STATE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'State' means each of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"(B) OUTLYING AREAS.—In section 4(b):

"(i) OUTLYING AREA.—The term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"(ii) STATE.—The term 'State' does not include the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"(15) STATE ASSISTIVE TECHNOLOGY PROGRAM.—The term 'State assistive technology program' means a program authorized under section 4.

"(16) TARGETED INDIVIDUALS AND ENTITIES.—The term 'targeted individuals and entities' means—

"(A) individuals with disabilities and their family members, guardians, advocates, and authorized representatives;

"(B) underrepresented populations;

"(C) individuals who work for public or private entities (including centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), insurers, or managed care providers) that have contact with, or provide services to, individuals with disabilities;

"(D) educators and related services personnel, including personnel in elementary, secondary, and postsecondary schools, and in vocational and early intervention programs;

"(E) technology experts (including web designers and procurement officials);

"(F) health, allied health, and rehabilitation professionals, and employees of hospitals, skilled nursing, intermediate care, and assisted living facilities (including discharge planners);

"(G) employers, especially small business employers, and providers of employment and training services;

"(H) entities that manufacture or sell assistive technology devices;

"(I) entities that carry out community programs designed to develop essential community services in rural and urban areas; and

"(J) other appropriate individuals and entities, including public and private entities involved in housing and transportation, as determined for a State by the State.

"(17) UNDERREPRESENTED POPULATION.—The term 'underrepresented population' means a population that is typically underrepresented in service provision, and includes populations such as individuals who have low-incidence disabilities, racial and ethnic minorities, low income individuals, homeless individuals (including children and youth), children in foster care, individuals with limited English proficiency, individuals living in institutions seeking to transition to the community from institutional settings, youth with disabilities aging into adulthood, older individuals, or individuals living in rural areas.

"(18) UNIVERSAL DESIGN.—The term 'universal design' means a concept or philosophy for designing and delivering products and services that are usable by people with the widest possible range of functional capabilities, which include products and services that are directly accessible (without requiring assistive technologies) and products and services that are interoperable with assistive technologies.

"SEC. 4. GRANTS FOR STATE ASSISTIVE TECHNOLOGY PROGRAMS.

"(a) GRANTS TO STATES.—The Secretary shall award grants under subsection (b) to States to maintain a comprehensive statewide program of assistive technology-related assistance described in subsection (e) through State assistive technology programs that are designed to—

"(1) maximize the ability of individuals with disabilities across the human lifespan and across the wide array of disabilities, and their family members, guardians, advocates, and authorized representatives, to obtain assistive technology; and

"(2) increase access to assistive technology.

"(b) AMOUNT OF FINANCIAL ASSISTANCE.—

"(1) IN GENERAL.—From funds made available to carry out this section, the Secretary shall award a grant to each State, and outlying area, that meets the requirements of this section from an allotment determined in accordance with paragraph (2).

"(2) CALCULATION OF STATE GRANTS.—

"(A) BASE YEAR.—Except as provided in subparagraphs (B) and (C), the Secretary shall allot to each State and outlying area for a fiscal year an amount that is not less than the amount the State or outlying area received under the grants provided under section 4 of this Act (as in effect on the day before the effective date of the 21st Century Assistive Technology Act) for fiscal year 2022.

"(B) RATABLE REDUCTION.—

"(i) IN GENERAL.—If funds made available to carry out this section for any fiscal year are insufficient to make the allotments required for each State and outlying area under subparagraph (A) for such fiscal year, the Secretary shall ratably reduce the allotments for such fiscal year.

"(ii) ADDITIONAL FUNDS.—If, after the Secretary makes the reductions described in clause (i), additional funds become available to carry out this section for the fiscal year, the Secretary shall ratably increase the allotments, until the Secretary has allotted the entire base year amount under subparagraph (A).

"(C) APPROPRIATION HIGHER THAN BASE YEAR AMOUNT.—For a fiscal year for which the amount of funds made available to carry out this section is greater than the base year amount under subparagraph (A) and no greater than $40,000,000, the Secretary shall—

"(i) make the allotments described in subparagraph (A);

"(ii) from a portion of the remainder of the funds after the Secretary makes the allotments described in clause (i), the Secretary shall—

"(I) from 50 percent of the portion, allot to each State an equal amount; and

"(II) from 50 percent of the portion, allot to each State an amount that bears the same relationship to such 50 percent as the population of the State bears to the population of all States,

until each State has received an allotment of not less than $410,000 under clause (i) and this clause; and

"(iii) from the remainder of the funds after the Secretary makes the allotments described in clause (ii), the Secretary shall—

"(I) from 80 percent of the remainder, allot to each State an amount that bears the same relationship to such 80 percent as the population of the State bears to the population of all States; and

"(II) from 20 percent of the remainder, allot to each State an equal amount.

"(D) APPROPRIATION HIGHER THAN THRESHOLD AMOUNT.—For a fiscal year for which the amount of funds made available to carry out this section is $40,000,000 or greater, the Secretary shall—

"(i) make the allotments described in subparagraph (A);

"(ii) from the funds remaining after the allotment described in clause (i), allot to each outlying area an amount of such funds until each outlying area has received an allotment of exactly $150,000 under clause (i) and this clause;

"(iii) from a portion of the remainder of the funds after the Secretary makes the allotments described in clauses (i) and (ii), the Secretary shall—

"(I) from 50 percent of the portion, allot to each State an equal amount; and

"(II) from 50 percent of the portion, allot to each State an amount that bears the same relationship to such 50 percent as the population of the State bears to the population of all States,

until each State has received an allotment of not less than $450,000 under clause (i) and this clause; and

"(iv) from the remainder of the funds after the Secretary makes the allotments described in clause (iii), the Secretary shall—

"(I) from 80 percent of the remainder, allot to each State an amount that bears the same relationship to such 80 percent as the population of the State bears to the population of all States; and

"(II) from 20 percent of the remainder, allot to each State an equal amount.

"(3) AVAILABILITY OF FUNDS.—Amounts made available for a fiscal year under this section shall be available for the fiscal year and the year following the fiscal year.

"(c) LEAD AGENCY, IMPLEMENTING ENTITY, AND ADVISORY COUNCIL.—

"(1) LEAD AGENCY AND IMPLEMENTING ENTITY.—

"(A) LEAD AGENCY.—

"(i) IN GENERAL.—The Governor of a State shall designate a public agency as a lead agency—

"(I) to control and administer the funds made available through the grant awarded to the State under this section; and

"(II) to submit the application described in subsection (d) on behalf of the State, to ensure conformance with Federal and State accounting requirements.

"(ii) DUTIES.—The duties of the lead agency shall include—

"(I) preparing the application described in subsection (d) and carrying out State activities described in that application, including making programmatic and resource allocation decisions nec-

essary to implement the comprehensive statewide program of technology-related assistance;

"(II) coordinating the activities of the comprehensive statewide program of technology-related assistance among public and private entities, including coordinating efforts related to entering into interagency agreements and maintaining and evaluating the program; and

"(III) coordinating efforts, in a way that acknowledges the demographic characteristics of individuals, related to the active, timely, and meaningful participation by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out through the grant.

"(B) IMPLEMENTING ENTITY.—The Governor may designate an agency, office, or other entity to carry out State activities under this section (referred to in this section as the 'implementing entity'), if such implementing entity is different from the lead agency. The implementing entity shall carry out responsibilities under this Act through a subcontract or another administrative agreement with the lead agency.

"(C) CHANGE IN AGENCY OR ENTITY.—

"(i) IN GENERAL.—On obtaining the approval of the Secretary—

"(I) the Governor may redesignate the lead agency of a State, if the Governor shows to the Secretary, in accordance with subsection (d)(2)(B), good cause why the agency designated as the lead agency should not serve as that agency; and

"(II) the Governor may redesignate the implementing entity of a State, if the Governor shows to the Secretary in accordance with subsection (d)(2)(B), good cause why the entity designated as the implementing entity should not serve as that entity.

"(ii) CONSTRUCTION.—Nothing in this paragraph shall be construed to require the Governor of a State to change the lead agency or implementing entity of the State to an agency other than the lead agency or implementing entity of such State as of the date of enactment of the '21st Century Assistive Technology Act'.

"(2) ADVISORY COUNCIL.—

"(A) IN GENERAL.—There shall be established an advisory council to provide consumer-responsive, consumer-driven advice to the State for planning, implementation, and evaluation of the activities carried out through the grant, including setting the measurable goals described in subsection (d)(3)(C).

"(B) COMPOSITION AND REPRESENTATION.—

"(i) COMPOSITION.—The advisory council shall be composed of—

"(I) individuals with disabilities who use assistive technology or the family members or guardians of the individuals;

"(II) a representative of the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705);

"(III) a representative of the designated State agency for individuals who are blind or that provides assistance or services to adults who are blind (within the meaning of section 101 of that Act (29 U.S.C. 721)), if such agency is separate from the agency described in subclause (II);

"(IV) a representative of a State center for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), or the Statewide Independent Living Council established under section 705 of such Act (29 U.S.C. 796d);

"(V) a representative of the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111);

"(VI) a representative of the State educational agency, as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801);

"(VII) a representative of an alternative financing program for assistive technology if—

"(aa) there is an alternative financing program for assistive technology in the State;

"(bb) such program is separate from the State assistive technology program supported under subsection (e)(2); and

"(cc) the program described in item (aa) is operated by a nonprofit entity;

"(VIII) a representative of 1 or more of—

"(aa) the agency responsible for administering the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

"(bb) the designated State agency for purposes of section 124 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15024);

"(cc) the State agency designated under section 305(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)(1)), or an organization that receives assistance under such Act (42 U.S.C. 3001 et seq.);

"(dd) an organization representing disabled veterans;

"(ee) a University Center for Excellence in Developmental Disabilities Education, Research, and Service designated under section

151(a) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15061(a));

"(ff) the State protection and advocacy system established in accordance with section 143 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15043); or

"(gg) the State Council on Developmental Disabilities established under section 125 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15025); and

"(IX) representatives of other State agencies, public agencies, or private organizations, as determined by the State.

"(ii) MAJORITY.—

"(I) IN GENERAL.—Not less than 51 percent of the members of the advisory council shall be members appointed under clause (i)(I), a majority of whom shall be individuals with disabilities.

"(II) REPRESENTATIVES OF AGENCIES.—Members appointed under subclauses (II) through (IX) of clause (i) shall not count toward the majority membership requirement established in subclause (I).

"(iii) REPRESENTATION.—The advisory council shall be geographically representative of the State and reflect the diversity of the State with respect to race, ethnicity, age, and types of disabilities, and users of types of services that an individual with a disability may receive, including home and community-based services (as defined in section 9817(a)(2) of the American Rescue Plan Act of 2021 (42 U.S.C. 1396d note)), vocational rehabilitation services (as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705)), and services through the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

"(C) EXPENSES.—The members of the advisory council shall receive no compensation for their service on the advisory council, but shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of official duties for the advisory council.

"(D) IMPACT ON EXISTING STATUTES, RULES, OR POLICIES.—Nothing in this paragraph shall be construed to affect State statutes, rules, or official policies relating to advisory bodies for State assistive technology programs or require changes to governing bodies of incorporated agencies that carry out State assistive technology programs.

"(d) APPLICATION.—

"(1) IN GENERAL.—Any State that desires to receive a grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require.

"(2) LEAD AGENCY AND IMPLEMENTING ENTITY.—

"(A) IN GENERAL.—The application shall contain—

"(i) information identifying and describing the lead agency referred to in subsection (c)(1)(A);

"(ii) information identifying and describing the implementing entity referred to in subsection (c)(1)(B), if the Governor of the State designates such an entity; and

"(iii) a description of how individuals with disabilities were involved in the development of the application and will be involved in the implementation of the activities to be carried out through the grant and through the advisory council established in accordance with subsection (c)(2).

"(B) CHANGE IN LEAD AGENCY OR IMPLEMENTING ENTITY.—In any case where—

"(i) the Governor requests to redesignate a lead agency, the Governor shall include in, or amend, the application to request the redesignation and provide a written description of the rationale for the requested change; or

"(ii) the Governor requests to redesignate an implementing entity, the Governor shall include in, or amend, the application to request the redesignation and provide a written description of the rationale for the requested change.

"(3) STATE PLAN.—The application under this subsection shall include a State plan for assistive technology consisting of—

"(A) a description of how the State will carry out a comprehensive statewide program that provides assistive technology activities described in subsection (e) (unless excluded by the State pursuant to subsection (e)(5));

"(B) a description of how the State will allocate and utilize grant funds to implement the activities described in subparagraph (A), including describing proposed budget allocations and planned procedures for tracking expenditures for the activities;

"(C) measurable goals, and a timeline for meeting the goals, that the State has set for addressing the assistive technology needs of individuals with disabilities in the State related to—

"(i) education, including goals involving the provision of assistive technology to individuals with disabilities who receive services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

"(ii) employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

"(iii) access to teleassistive technology to aid in the access of health care services, including mental health and substance use disorder services;

"(iv) accessible information and communication technology instruction for individuals with disabilities receiving assistive technology under this section; and

"(v) community living;

"(D) information describing how the State will quantifiably measure the goals, in a manner consistent with the data submitted through the progress reports under subsection (f), to determine whether the goals have been achieved; and

"(E) a description of any activities described in subsection (e) that the State will support with State or other non-Federal funds.

"(4) INVOLVEMENT OF PUBLIC AND PRIVATE ENTITIES.—The application shall describe how various public and private entities, including individuals with disabilities and their families, were involved in the development of the application, including the measurable goals and timeline described in paragraph (3)(C) and the description of how the goals will be quantifiably measured described in paragraph (3)(D), and will be involved in the implementation of the activities to be carried out through the grant, including—

"(A) in cases determined to be appropriate by the State, a description of the nature and extent of resources that will be committed by public and private partners to assist in accomplishing identified goals; and

"(B) a description of the mechanisms established to ensure coordination of activities and collaboration between the implementing entity, if any, and the State.

"(5) ASSURANCES.—The application shall include assurances that—

"(A) the State will annually collect data related to the required activities implemented by the State under this section in order to prepare the progress reports required under subsection (f);

"(B) funds received through the grant—

"(i) will be expended in accordance with this section; and

"(ii) will be used to supplement, and not supplant, funds available from other sources for technology-related assistance, including the provision of assistive technology devices and assistive technology services;

"(C) the lead agency will control and administer the funds received through the grant;

"(D) the State will adopt such fiscal control and accounting procedures as may be necessary to ensure proper disbursement of and accounting for the funds received through the grant;

"(E) the physical facility of the lead agency and implementing entity, if any, meets the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding accessibility for individuals with disabilities;

"(F) a public agency or an individual with a disability holds title to any property purchased with funds received under the grant and administers that property;

"(G) activities carried out in the State that are authorized under this Act, and supported by Federal funds received under this Act, will comply with the standards established by the Architectural and Transportation Barriers Compliance Board under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

"(H) the State will—

"(i) prepare reports to the Secretary in such form and containing such information as the Secretary may require to carry out the Secretary's functions under this Act; and

"(ii) keep such records and allow access to such records as the Secretary may require to ensure the correctness and verification of information provided to the Secretary under this subparagraph.

"(e) USE OF FUNDS.—

"(1) REQUIRED ACTIVITIES.—

"(A) IN GENERAL.—Except as provided in subparagraph (B) and paragraph (5), any State that receives a grant under this section shall—

"(i) use a portion of not more than 40 percent of the funds made available through the grant to carry out all activities described in paragraph (3), of which not less than 5 percent of such portion shall be available for activities described in paragraph (3)(A)(iii); and

"(ii) use a portion of the funds made available through the grant to carry out all of the activities described in paragraph (2).

"(B) STATE OR OTHER NON-FEDERAL FINANCIAL SUPPORT.—A State receiving a grant under this section shall not be required to use grant funds to carry out the category of activities described in subparagraph (A), (B), (C), or (D) of paragraph (2) in that State if, for such category of activities, financial support is provided in that State—

"(i) from State or other non-Federal resources or entities; and

"(ii) in an amount that is comparable to, or greater than, the amount of the portion of the funds made available through the grant that the State would have expended for such category of activities, in the absence of this subparagraph.

"(2) STATE-LEVEL ACTIVITIES.—

"(A) STATE FINANCING ACTIVITIES.—The State shall support State financing activities to increase access to, and funding for, assistive technology devices and assistive technology services (which shall not include direct payment for such a device or service for an individual with a disability but may include support and administration of a program to provide such payment), including development of systems to provide and pay for such devices and services, for targeted individuals and entities described in section 3(16)(A), including—

"(i) support for the development of systems for the purchase, lease, or other acquisition of, or payment for,

assistive technology devices and assistive technology services;

"(ii) another mechanism that is approved by the Secretary; or

"(iii) support for the development of a State-financed or privately financed alternative financing program engaged in the provision of assistive technology devices, such as—

"(I) a low-interest loan fund;

"(II) an interest buy-down program;

"(III) a revolving loan fund; or

"(IV) a loan guarantee or insurance program.

"(B) DEVICE REUTILIZATION PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out assistive technology device reutilization programs that provide for the exchange, repair, recycling, or other reutilization of assistive technology devices, which may include redistribution through device sales, loans, rentals, or donations.

"(C) DEVICE LOAN PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out device loan programs that provide short-term loans of assistive technology devices to individuals, employers, public agencies, or others seeking to meet the needs of targeted individuals and entities, including others seeking to comply with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

"(D) DEVICE DEMONSTRATIONS.—

"(i) IN GENERAL.—The State shall directly, or in collaboration with public and private entities, such as one-stop partners, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102), demonstrate a variety of assistive technology devices and assistive technology services (including assisting individuals in making informed choices regarding, and providing experiences with, the devices and services), using personnel who are familiar with such devices and services and their applications.

"(ii) COMPREHENSIVE INFORMATION.—The State shall directly, or through referrals, provide to individuals, to the extent practicable, comprehensive information about State and local assistive technology venders, providers, and repair services.

"(3) STATE LEADERSHIP ACTIVITIES.—

"(A) EDUCATIONAL ACTIVITIES AND TECHNICAL ASSISTANCE.—

"(i) IN GENERAL.—The State shall, directly or through the provision of support to public or private entities with demonstrated expertise in collaborating with public or private agencies that serve individuals with disabilities, develop and disseminate training materials, conduct educational activities, and provide

technical assistance, for individuals statewide, including representatives of State and local educational agencies, State vocational rehabilitation programs, other State and local agencies, early intervention programs, adult service programs, hospitals and other health care facilities, institutions of higher education, and businesses.

"(ii) AUTHORIZED ACTIVITIES.—In carrying out activities under clause (i), the State shall carry out activities that enhance the knowledge, skills, and competencies of individuals from local settings described in such clause, which may include—

"(I) raising awareness and providing instruction on the benefits of assistive technology and the Federal, State, and private funding sources available to assist targeted individuals and entities in acquiring assistive technology;

"(II) skills development in assessing the need for assistive technology devices and assistive technology services;

"(III) instruction to ensure the appropriate application and use of assistive technology devices, assistive technology services, and accessible information and communication technology for e-government functions;

"(IV) instruction in the importance of multiple approaches to assessment and implementation necessary to meet the individualized needs of individuals with disabilities; and

"(V) technical instruction on integrating assistive technology into the development and implementation of service plans, including any education, health, discharge, Olmstead, employment, or other plan required under Federal or State law.

"(iii) TRANSITION ASSISTANCE TO INDIVIDUALS WITH DISABILITIES.—The State shall (directly or through the provision of support to public or private entities) develop and disseminate educational materials, conduct educational activities, facilitate access to assistive technology, and provide technical assistance, to assist—

"(I) students with disabilities, within the meaning of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), that receive transition services; and

"(II) adults who are individuals with disabilities maintaining or transitioning to community living.

"(B) PUBLIC-AWARENESS ACTIVITIES.—

"(i) IN GENERAL.—The State shall conduct public-awareness activities designed to provide information to targeted individuals and entities relating to the availability, benefits, appropriateness, and costs of assistive technology devices and assistive technology services, including—

"(I) the development of procedures for providing direct communication between providers of assistive technology and targeted individuals and entities, which may include partnerships with entities in the statewide and local workforce development systems established under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), State vocational rehabilitation programs, public and private employers, centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), Aging and Disability Resource Centers (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)), or elementary schools and secondary schools (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

"(II) the development and dissemination, to targeted individuals and entities, of information about State efforts related to assistive technology; and

"(III) the distribution of materials to appropriate public and private agencies that provide social, medical, educational, employment, housing, and transportation services to individuals with disabilities.

"(ii) STATEWIDE INFORMATION AND REFERRAL SYSTEM.—

"(I) IN GENERAL.—The State shall directly, or in collaboration with public or private entities (including nonprofit organizations), provide for the continuation and enhancement of a statewide information and referral system designed to meet the needs of targeted individuals and entities.

"(II) CONTENT.—The system shall deliver information on assistive technology devices, assistive technology services (with specific data regarding provider availability within the State), and the availability of resources, including funding through public and private sources, to obtain assistive technology devices and assistive technology services. The system shall also deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities to perform activities of daily living.

"(C) COORDINATION AND COLLABORATION.—The State shall coordinate activities described in paragraph (2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to improve access to such devices and services in the State.

"(4) FUNDING RULES.—

"(A) PROHIBITION.—Funds made available through a grant to a State under this section shall not be used for direct payment for an assistive technology device for an individual with a disability.

"(B) FEDERAL PARTNER COLLABORATION.—In order to coordinate efforts regarding the availability of funding to access and acquire assistive technology through device demonstration, loan, reuse, and State financing activities, a State receiving a grant under this section shall ensure that the lead agency or implementing entity is conducting outreach to and, as appropriate, collaborating with, other State agencies that receive Federal funding for assistive technology, including—

"(i) the State educational agency receiving assistance under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

"(ii) the State vocational rehabilitation agency receiving assistance under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

"(iii) the agency responsible for administering the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

"(iv) the State agency receiving assistance under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.); and

"(v) any other agency in a State that funds assistive technology.

"(C) INDIRECT COSTS.—Not more than 10 percent of the funds made available through a grant to a State under this section may be used for indirect costs.

"(5) STATE FLEXIBILITY.—

"(A) IN GENERAL.—Notwithstanding paragraph (1)(A) and subject to subparagraph (B), a State may use funds that the State receives under a grant awarded under this section to carry out any 2 or more of the activities described in paragraph (2).

"(B) SPECIAL RULE.—Notwithstanding paragraph (1)(A), any State that exercises its authority under subparagraph (A)—

"(i) shall carry out each of the required activities described in paragraph (3); and

"(ii) shall use not more than 30 percent of the funds made available through the grant to carry out such activities.

"(6) ASSISTIVE TECHNOLOGY DEVICE DISPOSITION.—Notwithstanding other equipment disposition policy under Federal law, an assistive technology device purchased to be used in activities authorized under this section may be reutilized to the maximum extent possible and then donated to a public agency, private nonprofit agency, or individual with a disability in need of such device.

"(f) ANNUAL PROGRESS REPORTS.—

"(1) DATA COLLECTION.—Each State receiving a grant under this section shall participate in data collection as required by

law, including data collection required for preparation of the reports described in paragraph (2).

"(2) REPORTS.—

"(A) IN GENERAL.—Each State shall prepare and submit to the Secretary an annual progress report on the activities carried out by the State in accordance with subsection (e), including activities funded by State or other non-Federal sources under subsection (e)(1)(B) at such time, and in such manner, as the Secretary may require.

"(B) CONTENTS.—The report shall include data collected pursuant to this section. The report shall document, with respect to activities carried out under this section in the State—

"(i) the type of State financing activities described in subsection (e)(2)(A) used by the State;

"(ii) the amount and type of assistance given to consumers of the State financing activities described in subsection (e)(2)(A) (which shall be classified by type of assistive technology device or assistive technology service financed through the State financing activities, and geographic distribution within the State), including—

"(I) the number of applications for assistance received;

"(II) the number of applications—

"(aa) approved;

"(bb) denied; or

"(cc) withdrawn;

"(III) the number, percentage, and dollar amount of defaults for the financing activities;

"(IV) the range and average interest rate for the financing activities;

"(V) the range and average income of approved applicants for the financing activities; and

"(VI) the types and dollar amounts of assistive technology financed;

"(iii) the number, type, and length of time of loans of assistive technology devices provided to individuals with disabilities, employers, public agencies, or public accommodations through the device loan program described in subsection (e)(2)(C), and an analysis of the types of such devices provided through the program, and how each device benefitted the individual who received such device;

"(iv) the number, type, estimated value, and scope of assistive technology devices exchanged, repaired, recycled, or reutilized (including redistributed through device sales, loans, rentals, or donations) through the device reutilization program described in subsection (e)(2)(B), and an analysis of the individuals with disabilities who have benefited from the device reutilization program;

"(v) the number and type of device demonstrations and referrals provided under subsection (e)(2)(D), and

an analysis of individuals with disabilities who have benefited from the demonstrations and referrals;

"(vi)(I) the number and general characteristics of individuals who participated in educational activities under subsection (e)(3)(A) (such as individuals with disabilities, parents, educators, employers, providers of employment services, health care workers, counselors, other service providers, or venders) and the topics of such educational activities; and

"(II) to the extent practicable, the geographic distribution of individuals who participated in the educational activities;

"(vii) the frequency of provision and nature of technical assistance provided to State and local agencies and other entities;

"(viii) the number of individuals assisted through the statewide information and referral system described in subsection (e)(3)(B)(ii) and descriptions of the public awareness activities under subsection (e)(3)(B);

"(ix) the outcomes of any improvement initiatives carried out by the State as a result of activities funded under this section, including a description of any written policies, practices, and procedures that the State has developed and implemented regarding access to, provision of, and funding for, assistive technology devices, and assistive technology services, in the contexts of education, health care, employment, community living, and accessible information and communication technology, including e-government;

"(x) the source of leveraged funding or other contributed resources, including resources provided through subcontracts or other collaborative resource-sharing agreements, from and with public and private entities to carry out State activities described in subsection (e)(3)(C), the number of individuals served with the contributed resources for which information is not reported under clauses (i) through (ix) or clause (xi), and other outcomes accomplished as a result of such activities carried out with the contributed resources; and

"(xi) the level of customer satisfaction with the services provided.

"SEC. 5. GRANTS FOR PROTECTION AND ADVOCACY SERVICES RELATED TO ASSISTIVE TECHNOLOGY.

"(a) GRANTS.—

"(1) IN GENERAL.—The Secretary shall make grants under subsection (b) to protection and advocacy systems in each State for the purpose of enabling such systems to assist in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services for individuals with disabilities.

"(2) GENERAL AUTHORITIES.—In providing the assistance described under paragraph (1), protection and advocacy systems shall have the same general authorities as the systems are afforded under subtitle C of title I of the Developmental Disabil-

ities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

"(b) RESERVATION; DISTRIBUTION.—

"(1) RESERVATION.—For each fiscal year, the Secretary shall reserve, from the amounts made available to carry out this section under section 9(b)(2)(B), such sums as may be necessary to carry out paragraph (4).

"(2) POPULATION BASIS.—From the amounts appropriated to carry out this section for a fiscal year that remain after the reservation required under paragraph (1) has been made, the Secretary shall make a grant to a protection and advocacy system within each State in an amount bearing the same ratio to the remaining amounts as the population of the State bears to the population of all States.

"(3) MINIMUMS.—Subject to the availability of appropriations and paragraph (5), the amount of a grant to a protection and advocacy system under paragraph (2) for a fiscal year shall—

"(A) in the case of a protection and advocacy system located in American Samoa, Guam, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, not be less than $30,000; and

"(B) in the case of a protection and advocacy system located in a State not described in subparagraph (A), not be less than $50,000.

"(4) PAYMENT TO THE SYSTEM SERVING THE AMERICAN INDIAN CONSORTIUM.—

"(A) IN GENERAL.—The Secretary shall make grants to the protection and advocacy system serving the American Indian consortium to provide services in accordance with this section.

"(B) AMOUNT OF GRANTS.—The amount of a grant under subparagraph (A) shall be the same as the amount provided under paragraph (3)(A).

"(5) ADJUSTMENTS.—For each fiscal year for which the total amount appropriated under section 9(b)(2)(B) to carry out this section is $8,000,000 or more and such appropriated amount exceeds the total amount appropriated to carry out this section for the preceding fiscal year, the Secretary shall increase each of the minimum grant amounts described in subparagraphs (A) and (B) of paragraph (3) and paragraph (4)(B) by a percentage equal to the percentage increase in the total amount appropriated under section 9 to carry out this section for the preceding fiscal year and such total amount for the fiscal year for which the determination is being made.

"(c) DIRECT PAYMENT.—Notwithstanding any other provision of law, the Secretary shall pay directly to any protection and advocacy system that complies with this section, the total amount of the grant made for such system under this section, unless the system provides otherwise for payment of the grant amount.

"(d) CARRYOVER; PROGRAM INCOME.—

"(1) CARRYOVER.—Any amount paid to a protection and advocacy system for a fiscal year under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the subsequent fiscal year.

"(2) PROGRAM INCOME.—Program income generated from any amount paid to a protection and advocacy system for a fiscal year shall—

"(A) remain available to the protection and advocacy system for 5 additional fiscal years after the year in which such amount was paid to the protection and advocacy system and be considered an addition to the grant; and

"(B) only be used to improve the awareness of individuals with disabilities about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

"(e) REPORT TO SECRETARY.—A protection and advocacy system that receives a grant under this section shall annually prepare and submit to the Secretary a report that contains documentation of the progress of the protection and advocacy system in—

"(1) conducting consumer-responsive activities, including activities that will lead to increased access for individuals with disabilities to funding for assistive technology devices and assistive technology services;

"(2) engaging in informal advocacy to assist in securing assistive technology devices and assistive technology services for individuals with disabilities;

"(3) engaging in formal representation for individuals with disabilities to secure systems change, and in advocacy activities to secure assistive technology devices and assistive technology services for individuals with disabilities;

"(4) developing and implementing strategies to enhance the long-term abilities of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to advocate the provision of assistive technology devices and assistive technology services to which the individuals with disabilities are entitled under law other than this Act;

"(5) coordinating activities with protection and advocacy services funded through sources other than this Act, and coordinating activities with the capacity building and advocacy activities carried out by the lead agency; and

"(6) effectively allocating funds made available under this section to improve the awareness of individuals with disabilities about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

"(f) REPORTS AND UPDATES TO STATE AGENCIES.—A protection and advocacy system that receives a grant under this section shall prepare and submit to the lead agency of the State designated under section 4(c)(1) the report described in subsection (e) and quarterly updates concerning the activities described in such subsection.

"(g) COORDINATION.—On making a grant under this section to a protection and advocacy system in a State, the Secretary shall solicit and consider the opinions of the lead agency of the State with respect to efforts at coordination of activities, collaboration, and promoting outcomes between the lead agency and the protection and advocacy system that receives the grant under this section.

"SEC. 6. TECHNICAL ASSISTANCE AND DATA COLLECTION SUPPORT.

"(a) DEFINITIONS.—In this section:

"(1) QUALIFIED DATA COLLECTION AND REPORTING ENTITY.—The term 'qualified data collection and reporting entity' means an entity with demonstrated expertise in data collection and reporting as described in section 4(f)(2)(B), in order to—

"(A) provide recipients of grants under this Act with instruction and technical assistance; and

"(B) assist such recipients with data collection and data requirements.

"(2) QUALIFIED PROTECTION AND ADVOCACY SYSTEM TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified protection and advocacy system technical assistance provider' means an entity that has experience in—

"(A) working with protection and advocacy systems established in accordance with section 143 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15043); and

"(B) providing technical assistance to protection and advocacy agencies.

"(3) QUALIFIED TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified technical assistance provider' means an entity with demonstrated expertise in assistive technology and that has (directly or through grant or contract)—

"(A) experience and expertise in administering programs, including developing, implementing, and administering all of the activities described in section 4(e); and

"(B) documented experience in and knowledge about—

"(i) assistive technology device loan and demonstration;

"(ii) assistive technology device reuse;

"(iii) financial loans and microlending, including the activities of alternative financing programs for assistive technology; and

"(iv) State leadership activities.

"(b) TECHNICAL ASSISTANCE AND DATA COLLECTION SUPPORT AUTHORIZED.—

"(1) SUPPORT FOR ASSISTIVE TECHNOLOGY EDUCATIONAL ACTIVITIES AND TECHNICAL ASSISTANCE.—From amounts made available under section 9(b)(1), the Secretary shall award, on a competitive basis, grants, contracts, or cooperative agreements—

"(A) to qualified technical assistance providers to support activities described in subsection (d)(1) for States receiving grants under section 4; and

"(B) to qualified protection and advocacy system technical assistance providers to support activities described in subsection (d)(1) for protection and advocacy systems receiving grants under section 5.

"(2) SUPPORT FOR DATA COLLECTION AND REPORTING ASSISTANCE.—From amounts made available under section 9(b)(1), the Secretary shall award, on a competitive basis, grants, contracts, or cooperative agreements—

"(A) to qualified data collection and reporting entities, to enable the qualified data collection and reporting entities to

carry out the activities described in subsection (d)(2) for States receiving grants under section 4; and

"(B) to qualified protection and advocacy system technical assistance providers, to enable the providers to carry out the activities described in subsection (d)(2) for protection and advocacy systems receiving grants under section 5.

"(c) APPLICATION.—

"(1) IN GENERAL.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing the following information:

"(A) A description of the activities such entity will carry out with the grant, contract, or cooperative agreement under subsection (d).

"(B) A description of the expertise such entity has to carry out such activities.

"(C) In the case of an entity applying to receive a grant, contract, or cooperative agreement under subsection (b)(1), a description of such entity's plan for complying with the requirements described in subsection (d)(1)(B).

"(D) A description of such entity's plan to comply with all relevant State and Federal laws, regulations, and policies with respect to data privacy and security.

"(E) Such other information as the Secretary may require.

"(2) INPUT.—In developing grants, contracts, or cooperative agreements under this section, the Secretary shall consider the input of the recipients of grants under sections 4 and 5 and other individuals the Secretary determines to be appropriate, especially—

"(A) individuals with disabilities who use assistive technology and understand the barriers to the acquisition of such technology and assistive technology services;

"(B) family members, guardians, advocates, and authorized representatives of such individuals;

"(C) relevant employees from Federal departments and agencies, other than the Department of Health and Human Services;

"(D) representatives of businesses; and

"(E) venders and public and private researchers and developers.

"(d) AUTHORIZED ACTIVITIES.—

"(1) USE OF FUNDS FOR ASSISTIVE TECHNOLOGY TECHNICAL ASSISTANCE.—

"(A) TECHNICAL ASSISTANCE EFFORTS.—A qualified technical assistance provider or qualified protection and advocacy system technical assistance provider receiving a grant, contract, or cooperative agreement under subsection (b)(1) shall support a technical assistance program for States or protection and advocacy systems receiving a grant under section 4 or 5, respectively, that—

"(i) addresses State-specific information requests concerning assistive technology from entities funded under

this Act and public entities not funded under this Act, including—

"(I) effective approaches to Federal-State coordination of programs for individuals with disabilities related to improving funding for or access to assistive technology devices and assistive technology services for individuals with disabilities;

"(II) model State and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services;

"(III) effective approaches to developing, implementing, evaluating, and sustaining activities described in section 4 or 5, as the case may be, and related to improving acquisition and access to assistive technology devices and assistive technology services for individuals with disabilities, and requests for assistance in developing corrective action plans;

"(IV) policies, practices, procedures, regulations, or judicial decisions related to access to and acquisition of assistive technology devices and assistive technology services for individuals with disabilities;

"(V) effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services; and

"(VI) other requests for information and technical assistance from entities funded under this Act; and

"(ii) in the case of a program that will serve States receiving grants under section 4—

"(I) assists targeted individuals and entities by disseminating information and responding to requests relating to assistive technology by providing referrals to recipients of grants under section 4 or other public or private resources; and

"(II) provides State-specific, regional, and national technical assistance concerning assistive technology to entities funded under this Act, and public and private entities not funded under this Act, including—

"(aa) annually providing a forum for exchanging information concerning, and promoting program and policy improvements in, required activities of the State assistive technology programs;

"(bb) facilitating onsite and electronic information sharing using state-of-the-art internet technologies such as real-time online discussions, multipoint video conferencing, and web-

based audio or video broadcasts, on emerging topics that affect State assistive technology programs;

"(cc) convening experts from State assistive technology programs to discuss and make recommendations with regard to national emerging issues of importance to individuals with assistive technology needs;

"(dd) sharing best practice and evidence-based practices among State assistive technology programs;

"(ee) developing or maintaining an accessible, national, and public website that includes information, tools, and resources on assistive technology devices and assistive technology services and links to State assistive technology programs, appropriate Federal departments and agencies, and private resources;

"(ff) developing a resource that connects individuals from a State with the State assistive technology program in their State;

"(gg) providing access to experts in the State-level activities described in section 4(e)(2) through site visits, teleconferences, and other means, to ensure access to information for entities that are carrying out new programs or programs that are not making progress in achieving the objectives of the programs; and

"(hh) supporting and coordinating activities designed to reduce the financial costs of purchasing assistive technology for the activities described in section 4(e), and reducing duplication of activities among State assistive technology programs.

"(B) COLLABORATION.—In developing and providing technical assistance under this paragraph, a qualified technical assistance provider or qualified protection and advocacy system technical assistance provider receiving a grant, contract, or cooperative agreement under subsection (b)(1) shall—

"(i) collaborate with—

"(I) organizations representing individuals with disabilities;

"(II) national organizations representing State assistive technology programs;

"(III) organizations representing State officials and agencies engaged in the delivery of assistive technology;

"(IV) other qualified protection and advocacy system technical assistance providers and qualified technical assistance providers;

"(V) providers of State financing activities, including alternative financing programs for assistive technology;

"(VI) providers of device loans, device demonstrations, and device reutilization; and

"(VII) any other organizations determined appropriate by the provider or the Secretary; and

"(ii) in the case of a qualified technical assistance provider, include activities identified as priorities by State advisory councils and lead agencies and implementing entities for grants under section 4.

"(2) USE OF FUNDS FOR ASSISTIVE TECHNOLOGY DATA COLLECTION AND REPORTING ASSISTANCE.—A qualified data collection and reporting entity or a qualified protection and advocacy system technical assistance provider receiving a grant, contract, or cooperative agreement under subsection (b)(2) shall assist States or protection and advocacy systems receiving a grant under section 4 or 5, respectively, to develop and implement effective and accessible data collection and reporting systems that—

"(A) focus on quantitative and qualitative data elements;

"(B) help measure the impact of the activities to individuals who need assistive technology;

"(C) in the case of systems that will serve States receiving grants under section 4—

"(i) measure the outcomes of all activities described in section 4(e) and the progress of the States toward achieving the measurable goals described in section 4(d)(3)(C); and

"(ii) provide States with the necessary information required under this Act or by the Secretary for reports described in section 4(f)(2); and

"(D) are in full compliance with all relevant State and Federal laws, regulations, and policies with respect to data privacy and security.

"SEC. 7. PROJECTS OF NATIONAL SIGNIFICANCE.

"(a) DEFINITION OF PROJECT OF NATIONAL SIGNIFICANCE.—In this section, the term 'project of national significance'—

"(1) means a project that—

"(A) increases access to, and acquisition of, assistive technology; and

"(B) creates opportunities for individuals with disabilities to directly and fully contribute to, and participate in, all facets of education, employment, community living, and recreational activities; and

"(2) may—

"(A) develop and expand partnerships between State Medicaid agencies and recipients of grants under section 4 to reutilize durable medical equipment;

"(B) increase collaboration between the recipients of grants under section 4 and States receiving grants under the Money Follows the Person Rebalancing Demonstration under section 6071 of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note);

"(C) increase collaboration between recipients of grants under section 4 and area agencies on aging, as such term is defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002), which may include collaboration on emergency preparedness, safety equipment, or assistive technology toolkits;

"(D) provide aid to assist youth with disabilities to transition from school to adult life, especially in—

"(i) finding employment and postsecondary education opportunities; and

"(ii) upgrading and changing any assistive technology devices that may be needed as a youth matures;

"(E) increase access to and acquisition of assistive technology addressing the needs of aging individuals and aging caregivers in the community;

"(F) increase effective and efficient use of assistive technology as part of early intervention for infants and toddlers with disabilities from birth to age 3;

"(G) increase awareness of and access to the Disability Funds-Financial Assistance funding provided by the Community Development Financial Institutions Fund that supports acquisition of assistive technology; and

"(H) increase awareness of and access to assistive technology, such as through models described in subclauses (I) through (IV) of section 4(e)(2)(A)(iii) and other Federally funded disability programs.

"(b) PROJECTS AUTHORIZED.—If funds are available pursuant to section 9(c) to carry out this section for a fiscal year, the Secretary may award, on a competitive basis, grants, contracts, and cooperative agreements to public or private nonprofit entities to enable the entities to carry out projects of national significance.

"(c) APPLICATION.—A public or private nonprofit entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing a description of the project of national significance the entity proposes to carry out under this section.

"(d) AWARD PREFERENCE.—For each grant award period, the Secretary may give preference for 1 or more categories of projects of national significance described in subparagraphs (A) through (H) of subsection (a)(2).

"(e) MINIMUM FUNDING LEVEL REQUIRED.—The Secretary may only award grants, contracts, or cooperative agreements under this section if the amount made available under section 9 to carry out sections 4, 5, and 6 is equal to or greater than $49,000,000.

"SEC. 8. ADMINISTRATIVE PROVISIONS.

"(a) GENERAL ADMINISTRATION.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Administration for Community Living of the Department of Health and Human Services (referred to in this section as the 'Administrator') shall be responsible for the administration of this Act.

"(2) COLLABORATION.—The Administrator shall consult with the Office of Special Education Programs of the Department of Education, the Rehabilitation Services Administration of the

Department of Education, the Office of Disability Employment Policy of the Department of Labor, and other appropriate Federal entities in the administration of this Act.

"(3) ADMINISTRATION.—

"(A) IN GENERAL.—In administering this Act, the Administrator shall ensure that programs funded under this Act will address—

"(i) the needs of individuals with all types of disabilities and across the lifespan; and

"(ii) the use of assistive technology in all potential environments, including employment, education, and community living.

"(B) FUNDING LIMITATIONS.—For each fiscal year, not more than ½ of 1 percent of the total funding appropriated for this Act shall be used by the Administrator to support the administration of this Act.

"(b) REVIEW OF PARTICIPATING ENTITIES.—

"(1) IN GENERAL.—The Secretary shall assess the extent to which entities that receive grants under this Act are complying with the applicable requirements of this Act and achieving measurable goals that are consistent with the requirements of the grant programs under which the entities received the grants.

"(2) PROVISION OF INFORMATION.—To assist the Secretary in carrying out the responsibilities of the Secretary under this section, the Secretary may require States to provide relevant information, including the information required under subsection (d).

"(c) CORRECTIVE ACTION AND SANCTIONS.—

"(1) CORRECTIVE ACTION.—If the Secretary determines that an entity that receives a grant under this Act fails to substantially comply with the applicable requirements of this Act, or to make substantial progress toward achieving the measurable goals described in subsection (b)(1) with respect to the grant program, the Secretary shall assist the entity, through technical assistance funded under section 6 or other means, within 90 days after such determination, to develop a corrective action plan.

"(2) SANCTIONS.—If the entity fails to develop and comply with a corrective action plan described in paragraph (1) during a fiscal year, the entity shall be subject to 1 of the following corrective actions selected by the Secretary:

"(A) Partial or complete termination of funding under the grant program, until the entity develops and complies with such a plan.

"(B) Ineligibility to participate in the grant program in the following fiscal year.

"(C) Reduction in the amount of funding that may be used for indirect costs under section 4 for the following fiscal year.

"(D) Required redesignation of the lead agency designated under section 4(c)(1) or an entity responsible for administering the grant program.

"(3) APPEALS PROCEDURES.—The Secretary shall establish appeals procedures for entities that are determined to be in non-

compliance with the applicable requirements of this Act, or have not made substantial progress toward achieving the measurable goals described in subsection (b)(1).

"(4) SECRETARIAL ACTION.—As part of the annual report required under subsection (d), the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

"(5) PUBLIC NOTIFICATION.—Not later than 30 days after taking an action under paragraph (1) or (2), the Secretary shall notify the public, by posting on an easily accessible portion of the internet website of the Department of Health and Human Services, notification of each action taken by the Secretary under paragraph (1) or (2). As a part of such notification, the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

"(d) ANNUAL REPORT TO CONGRESS.—

"(1) IN GENERAL.—Not later than December 31 of each year, the Secretary shall prepare and submit to the President, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and Labor of the House of Representatives a report on the activities funded under this Act to improve the access of assistive technology devices and assistive technology services to individuals with disabilities.

"(2) CONTENTS.—Each report described in paragraph (1) shall include—

"(A) a compilation and summary of the information provided by the States in annual progress reports submitted under section 4(f); and

"(B) a summary of the State applications described in section 4(d) and an analysis of the progress of the States in meeting the measurable goals established in State applications under section 4(d)(3)(C).

"(e) CONSTRUCTION.—Nothing in this section shall be construed to affect the enforcement authority of the Secretary, another Federal officer, or a court under any other applicable law.

"(f) EFFECT ON OTHER ASSISTANCE.—This Act may not be construed as authorizing a Federal or State agency to reduce medical or other assistance available, or to alter eligibility for a benefit or service, under any other Federal law.

"SEC. 9. AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS AND DISTRIBUTION OF FUNDS.

"(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act—

"(1) $44,000,000 for fiscal year 2023;
"(2) $45,980,000 for fiscal year 2024;
"(3) $48,049,100 for fiscal year 2025;
"(4) $50,211,310 for fiscal year 2026; and
"(5) $52,470,819 for fiscal year 2027.

"(b) RESERVATIONS AND DISTRIBUTION OF FUNDS.—Subject to subsection (c), for each fiscal year for which funds are made available under subsection (a) to carry out this Act, the Secretary shall—

"(1) reserve an amount equal to 3 percent of the funds made available for each such fiscal year to carry out paragraphs (1) and (2) of section 6(b); and

"(2) from the amounts remaining after making the reservation under paragraph (1)—

"(A) use 85.5 percent of such amounts to carry out section 4; and

"(B) use 14.5 percent of such amounts to carry out section 5.

"(c) LIMIT FOR PROJECTS OF NATIONAL SIGNIFICANCE.—For any fiscal year for which the amount made available under subsection (a) exceeds $49,000,000 the Secretary may—

"(1) reserve for section 7, an amount of such available funds that does not exceed the lesser of—

"(A) the excess amount made available; or

"(B) $2,000,000; and

"(2) make the reservation under paragraph (1) before carrying out subsection (b).".

SEC. 5403. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect on the day that is 6 months after the date of enactment of this Act.

TITLE LV—FOREIGN AFFAIRS MATTERS

TITLE LV—FOREIGN AFFAIRS MATTERS

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Sec. 5503. Increase in annual regional contingency stockpile additions and support for Taiwan.
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Sec. 5505. Additional authorities to support Taiwan.
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Sec. 5508. Arms exports delivery solutions for Taiwan and United States allies in the Indo-Pacific.
Sec. 5509. Assessment of Taiwan's needs for civilian defense and resilience.
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PART 2—COUNTERING PEOPLE'S REPUBLIC OF CHINA'S COERCION AND INFLUENCE CAMPAIGNS

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Sec. 5527. Findings.
Sec. 5528. Purposes.
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PART 6—UNITED STATES-TAIWAN PUBLIC HEALTH PROTECTION

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PART 7—RULES OF CONSTRUCTION

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Subtitle B—United States-Ecuador Partnership Act of 2022

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Sec. 5542. Sense of Congress.
Sec. 5543. Facilitating economic and commercial ties.
Sec. 5544. Promoting inclusive economic development.
Sec. 5545. Combating illicit economies, corruption, and negative foreign influence.
Sec. 5546. Strengthening democratic governance.
Sec. 5547. Fostering conservation and stewardship.
Sec. 5548. Authorization to transfer excess Coast Guard vessels.
Sec. 5549. Reporting requirements.
Sec. 5550. Sunset.

Subtitle C—FENTANYL Results Act

Sec. 5551. Short title.
Sec. 5552. Prioritization of efforts of the Department of State to combat international trafficking in covered synthetic drugs.
Sec. 5553. Program to provide assistance to build the capacity of foreign law enforcement agencies with respect to covered synthetic drugs.
Sec. 5554. Exchange program on demand reduction matters relating to illicit use of covered synthetic drugs.
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Sec. 5556. Sense of Congress.
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Sec. 5561. Enhancing the United States' international response to pandemics.
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Sec. 5563. Financial Intermediary Fund for Pandemic Prevention, Preparedness, and Response.
Sec. 5564. General provisions.
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PART 5—SANCTIONS EXCEPTION RELATING TO IMPORTATION OF GOODS

Sec. 5579. Sanctions exception relating to importation of goods.

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Subtitle A—Taiwan Enhanced Resilience Act

SEC. 5501. SHORT TITLE.

This subtitle may be cited as the "Taiwan Enhanced Resilience Act".

PART 1—IMPLEMENTATION OF AN ENHANCED DEFENSE PARTNERSHIP BETWEEN THE UNITED STATES AND TAIWAN

SEC. 5502. MODERNIZING TAIWAN'S SECURITY CAPABILITIES TO DETER AND, IF NECESSARY, DEFEAT AGGRESSION BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

(b) TAIWAN SECURITY PROGRAMS.—The Secretary of State, in consultation with the Secretary of Defense, shall use the authorities under this section to strengthen the United States-Taiwan defense relationship, and to support the acceleration of the modernization of Taiwan's defense capabilities, consistent with the Taiwan Relations Act (Public Law 96–8).

(c) PURPOSE.—In addition to the purposes otherwise authorized for Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), a purpose of the Foreign Military Financing Program should be to provide assistance, including equipment, training, and other support, to build the civilian and defensive military capabilities of Taiwan—

(1) to accelerate the modernization of capabilities that will enable Taiwan to delay, degrade, and deny attempts by People's Liberation Army forces—

(A) to conduct coercive or grey zone activities;

(B) to blockade Taiwan; or

(C) to secure a lodgment on any islands administered by Taiwan and expand or otherwise use such lodgment to seize control of a population center or other key territory in Taiwan; and

(2) to prevent the People's Republic of China from decapitating, seizing control of, or otherwise neutralizing or rendering ineffective Taiwan's civilian and defense leadership.

(d) REGIONAL CONTINGENCY STOCKPILE.—Of the amounts authorized to be appropriated pursuant to subsection (h), not more than $100,000,000 may be used during each of the fiscal years 2023 through 2032 to maintain a stockpile (if established pursuant to section 5503(b)), in accordance with section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h).

(e) AVAILABILITY OF FUNDS.—

(1) ANNUAL SPENDING PLAN.—Not later than March 1, 2023, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, shall submit a plan to the appropriate congressional committees describing how amounts authorized to be appropriated pursuant to subsection (h), if made available, would be used to achieve the purpose described in subsection (c).

(2) CERTIFICATION.—

(A) IN GENERAL.—Amounts authorized to be appropriated for each fiscal year pursuant to subsection (h) are authorized to be made available after the Secretary of State, in coordination with the Secretary of Defense, certifies not less than annually to the appropriate committees of Congress that Taiwan has increased its defense spending relative to Taiwan's defense spending in its prior fiscal year, which includes support for an asymmetric strategy, excepting accounts in Taiwan's defense budget related to personnel expenditures, (other than military training and education and any funding related to the All-Out Defense Mobilization Agency).

(B) WAIVER.—The Secretary of State may waive the certification requirement under subparagraph (A) if the Secretary, in consultation with the Secretary of Defense, certifies to the appropriate congressional committees that for any given year—

(i) Taiwan is unable to increase its defense spending relative to its defense spending in its prior fiscal year due to severe hardship; and

(ii) making available the amounts authorized under subparagraph (A) is in the national interests of the United States.

(3) REMAINING FUNDS.—Amounts authorized to be appropriated for a fiscal year pursuant to subsection (h) that are not obligated and expended during such fiscal year shall be added

to the amount that may be used for Foreign Military Financing to Taiwan in the subsequent fiscal year.

(f) ANNUAL REPORT ON ADVANCING THE DEFENSE OF TAIWAN.—

(1) INITIAL REPORT.—Concurrently with the first certification required under subsection (e)(2), the Secretary of State and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that describes steps taken to enhance the United States-Taiwan defense relationship and Taiwan's modernization of its defense capabilities.

(2) MATTERS TO BE INCLUDED.—Each report required under paragraph (1) shall include—

(A) an assessment of the commitment of Taiwan to implement a military strategy that will deter and, if necessary, defeat military aggression by the People's Republic of China, including the steps that Taiwan has taken and the steps that Taiwan has not taken towards such implementation;

(B) an assessment of the efforts of Taiwan to acquire and employ within its forces counterintervention capabilities, including—

(i) long-range precision fires;

(ii) integrated air and missile defense systems;

(iii) anti-ship cruise missiles;

(iv) land-attack cruise missiles;

(v) coastal defense;

(vi) anti-armor;

(vii) undersea warfare, including manned and unmanned systems;

(viii) survivable swarming maritime assets;

(ix) manned and unmanned aerial systems;

(x) mining and countermining capabilities;

(xi) intelligence, surveillance, and reconnaissance capabilities;

(xii) command and control systems;

(xiii) defensive cybersecurity capabilities; and

(xiv) any other defense capabilities that the United States determines, including jointly with Taiwan, are crucial to the defense of Taiwan, consistent with the joint consultative mechanism with Taiwan created pursuant to section 5506;

(C) an evaluation of the balance between conventional and counter intervention capabilities in the defense force of Taiwan as of the date on which the report is submitted;

(D) an assessment of steps taken by Taiwan to enhance the overall readiness of its defense forces, including—

(i) the extent to which Taiwan is requiring and providing regular and relevant training to such forces;

(ii) the extent to which such training is realistic to the security environment that Taiwan faces; and

(iii) the sufficiency of the financial and budgetary resources Taiwan is putting toward readiness of such forces;

(E) an assessment of steps taken by Taiwan to ensure that the Taiwan's reserve forces and All-Out Defense Mobi-

lization Agency can recruit, train, equip, and mobilize its forces;

(F) an evaluation of—

(i) the severity of manpower shortages in the military of Taiwan, including in the reserve forces;

(ii) the impact of such shortages in the event of a conflict scenario; and

(iii) the efforts made by Taiwan to address such shortages;

(G) an assessment of the efforts made by Taiwan to boost its civilian defenses, including any informational campaigns to raise awareness among the population of Taiwan of the risks Taiwan faces;

(H) an assessment of the efforts made by Taiwan to secure its critical infrastructure, including in transportation, telecommunications networks, satellite communications, and energy;

(I) an assessment of the efforts made by Taiwan to enhance its cybersecurity, including the security and survivability of official civilian and military networks;

(J) an assessment of the efforts made by Taiwan to improve the image and prestige of its defense forces among the population of Taiwan;

(K) an assessment of any significant gaps in any of the matters described in subparagraphs (A) through (J) with respect to which the United States assesses that additional action is needed;

(L) a description of cooperative efforts between the United States and Taiwan on the matters described in subparagraphs (A) through (K); and

(M) a description of any challenge in Taiwan to—

(i) implement the matters described in subparagraphs (A) through (J); or

(ii) United States support or engagement with regard to such matters.

(3) SUBSEQUENT REPORTS.—Concurrently with subsequent certifications required under subsection (e)(2), the Secretary of State and the Secretary of Defense shall jointly submit updates to the initial report required under paragraph (1) that provides a description of changes and developments that occurred in the prior year.

(4) FORM.—The reports required under paragraphs (1) and (3) shall be submitted in an unclassified form, but may contain a classified annex.

(5) SHARING OF SUMMARY.—The Secretary of State and the Secretary of Defense shall jointly share any unclassified portions of the reports, pursuant to paragraph (4), with Taiwan, as appropriate.

(g) FOREIGN MILITARY FINANCING LOAN AND LOAN GUARANTEE AUTHORITY.—

(1) DIRECT LOANS.—

(A) IN GENERAL.—Notwithstanding section 23(c)(1) of the Arms Export Control Act (22 U.S.C. 2763), during fiscal years 2023 through 2027, the Secretary of State is author-

ized to make direct loans available for Taiwan pursuant to section 23 of such Act.

(B) MAXIMUM OBLIGATIONS.—Gross obligations for the principal amounts of loans authorized under subparagraph (A) may not exceed $2,000,000,000.

(C) SOURCE OF FUNDS.—

(i) DEFINED TERM.—In this subparagraph, the term "cost"—

(I) has the meaning given such term in section 502(5) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(5));

(II) shall include the cost of modifying a loan authorized under subparagraph (A); and

(III) may include the costs of selling, reducing, or cancelling any amounts owed to the United States or to any agency of the United States.

(ii) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available to pay for the cost of loans authorized under subparagraph (A).

(D) FEES AUTHORIZED.—

(i) IN GENERAL.—The Government of the United States may charge processing and origination fees for a loan made pursuant to subparagraph (A), not to exceed the cost to the Government of making such loan, which shall be collected from borrowers through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(7)).

(ii) LIMITATION ON FEE PAYMENTS.—Amounts made available under any appropriations Act for any fiscal year may not be used to pay any fees associated with a loan authorized under subparagraph (A).

(E) REPAYMENT.—Loans made pursuant to subparagraph (A) shall be repaid not later than 12 years after the loan is received by the borrower, including a grace period of not more than 1 year on repayment of principal.

(F) INTEREST.—

(i) IN GENERAL.—Notwithstanding section 23(c)(1) of the Arms Export Control Act (22 U.S.C. 2763(c)(1)), interest for loans made pursuant to subparagraph (A) may be charged at a rate determined by the Secretary of State, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity.

(ii) TREATMENT OF LOAN AMOUNTS USED TO PAY INTEREST.—Amounts made available under this paragraph for interest costs shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.

(2) LOAN GUARANTEES.—

(A) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (g) may be made available for the costs of loan guarantees for Taiwan under section 24 of the Arms Export Control Act (22 U.S.C. 2764) for Taiwan to

subsidize gross obligations for the principal amount of commercial loans and total loan principal, any part of which may be guaranteed, not to exceed $2,000,000,000.

(B) MAXIMUM AMOUNTS.—A loan guarantee authorized under subparagraph (A)—

(i) may not guarantee a loan that exceeds $2,000,000,000; and

(ii) may not exceed 80 percent of the loan principal with respect to any single borrower.

(C) SUBORDINATION.—Any loan guaranteed pursuant to subparagraph (A) may not be subordinated to—

(i) another debt contracted by the borrower; or

(ii) any other claims against the borrower in the case of default.

(D) REPAYMENT.—Repayment in United States dollars of any loan guaranteed under this paragraph shall be required not later than 12 years after the loan agreement is signed.

(E) FEES.—Notwithstanding section 24 of the Arms Export Control Act (22 U.S.C. 2764), the Government of the United States may charge processing and origination fees for a loan guarantee authorized under subparagraph (A), not to exceed the cost to the Government of such loan guarantee, which shall be collected from borrowers, or from third parties on behalf of such borrowers, through a financing account (as defined in section 502(7) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(7)).

(F) TREATMENTS OF LOAN GUARANTEES.—Amounts made available under this paragraph for the costs of loan guarantees authorized under subparagraph (A) shall not be considered assistance for the purposes of any statutory limitation on assistance to a country.

(3) NOTIFICATION REQUIREMENT.—Amounts authorized to be appropriated to carry out this subsection may not be expended without prior notification of the appropriate committees of Congress.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for Foreign Military Financing, there is authorized to be appropriated to the Department of State for Taiwan Foreign Military Finance grant assistance up to $2,000,000,000 for each of the fiscal years 2023 through 2027.

(2) TRAINING AND EDUCATION.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary of State should use not less than $2,000,000 per fiscal year for one or more blanket order Foreign Military Financing training programs related to the defense needs of Taiwan.

(3) DIRECT COMMERCIAL CONTRACTING.—The Secretary of State may use amounts authorized to be appropriated under paragraph (1) for the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(4) PROCUREMENT IN TAIWAN.—Of the amounts authorized to be appropriated for Foreign Military Financing and made available for Taiwan, not more than 15 percent of the amount made available for each fiscal year may be available for the procurement by Taiwan in Taiwan of defense articles and defense services, including research and development, as agreed by the United States and Taiwan.

(i) SUNSET PROVISION.—Assistance may not be provided under this section after September 30, 2032.

SEC. 5503. INCREASE IN ANNUAL REGIONAL CONTINGENCY STOCKPILE ADDITIONS AND SUPPORT FOR TAIWAN.

(a) IN GENERAL.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking "$200,000,000" and all that follows and inserting "$500,000,000 for any of the fiscal years 2023, 2024, or 2025.".

(b) ESTABLISHMENT.—Subject to section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President may establish a regional contingency stockpile for Taiwan that consists of munitions and other appropriate defense articles.

(c) INCLUSION OF TAIWAN AMONG OTHER ALLIES ELIGIBLE FOR DEFENSE ARTICLES.—Chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) is amended—

(1) in section 514(c)(2) (22 U.S.C. 2321h(c)(2)), by inserting "Taiwan," after "Thailand,"; and

(2) in section 516(c)(2) (22 U.S.C. 2321j(c)(2)), by inserting "to Taiwan," after "major non-NATO allies on such southern and southeastern flank,".

(d) ANNUAL BRIEFING.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 7 years, the President shall provide a briefing to the appropriate committees of Congress regarding the status of a regional contingency stockpile established under subsection (b).

SEC. 5504. INTERNATIONAL MILITARY EDUCATION AND TRAINING COOPERATION WITH TAIWAN.

(a) IN GENERAL.—The Secretary of State and the Secretary of Defense shall establish or expand a comprehensive training program with Taiwan designed to—

(1) enhance interoperability and capabilities for joint operations between the United States and Taiwan;

(2) enhance rapport and deepen partnership between the militaries of the United States and Taiwan, and foster understanding of the United States among individuals in Taiwan;

(3) improve Taiwan's defense capabilities; and

(4) train future leaders of Taiwan, promote professional military education, civilian control of the military, and protection of human rights.

(b) ELEMENTS.—The training program required by subsection (a) should prioritize relevant and realistic training, including as necessary joint United States-Taiwan contingency tabletop exercises, war games, full-scale military exercises, and an enduring rotational United States military presence that assists Taiwan in maintaining force readiness and utilizing United States defense articles and services transferred from the United States to Taiwan.

(c) AUTHORIZATION OF PARTICIPATION OF TAIWAN IN THE INTERNATIONAL MILITARY EDUCATION AND TRAINING PROGRAM.—The Secretary of State is authorized to provide training and education to relevant entities in Taiwan through the International Military Education and Training program authorized under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq).

SEC. 5505. ADDITIONAL AUTHORITIES TO SUPPORT TAIWAN.

(a) DRAWDOWN AUTHORITY.—Section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)) is amended by adding at the end the following paragraph:

"(3) In addition to amounts already specified in this section, the President may direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value of not to exceed $1,000,000,000 per fiscal year, to be provided to Taiwan.".

(b) EMERGENCY AUTHORITY.—Section 552(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)) is amended by adding at the end the following: "In addition to the aggregate value of $25,000,000 authorized in paragraph (2) of the preceding sentence, the President may direct the drawdown of commodities and services from the inventory and resources of any agency of the United States Government for the purposes of providing necessary and immediate assistance to Taiwan of a value not to exceed $25,000,000 in any fiscal year.".

(c) USE OF SPECIAL DEFENSE ACQUISITION FUND.—The Secretary of Defense, in consultation with the Secretary of State, shall seek to utilize the Special Defense Acquisition Fund established under chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.) to expedite the procurement and delivery of defense articles and defense services for the purpose of assisting and supporting the armed forces of Taiwan.

SEC. 5506. MULTI-YEAR PLAN TO FULFILL DEFENSIVE REQUIREMENTS OF MILITARY FORCES OF TAIWAN.

(a) MULTI-YEAR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State, in consultation with the Director of National Intelligence, shall engage for the purposes of establishing a joint consultative mechanism with appropriate officials of Taiwan to develop and implement a multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined training, exercises, and planning activities consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

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

(1) An identification of the defensive military capability gaps and capacity shortfalls of Taiwan that are required to—

(A) allow Taiwan to respond effectively to aggression by the People's Liberation Army or other actors from the People's Republic of China; and

(B) advance a strategy of denial, reduce the threat of conflict, thwart an invasion, and mitigate other risks to the United States and Taiwan.

(2) An assessment of the relative priority assigned by appropriate departments and agencies of Taiwan to include its military to address such capability gaps and capacity shortfalls.

(3) An explanation of the annual resources committed by Taiwan to address such capability gaps and capacity shortfalls.

(4) A description and justification of the relative importance of overcoming each identified capability gap and capacity shortfall for deterring, delaying, or defeating military aggression by the People's Republic of China;

(5) An assessment of—

(A) the capability gaps and capacity shortfalls that could be addressed in a sufficient and timely manner by Taiwan; and

(B) the capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner solely by Taiwan.

(6) An assessment of the capability gaps and capacity shortfalls described in paragraph (5)(B) that could be addressed in a sufficient and timely manner by—

(A) the Foreign Military Financing, Foreign Military Sales, and Direct Commercial Sales programs of the Department of State;

(B) Department of Defense security assistance authorized by chapter 16 of title 10, United States Code;

(C) Department of State training and education programs authorized by chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.);

(D) section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318);

(E) the provision of excess defense articles pursuant to the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.); or

(F) any other authority available to the Secretary of Defense or the Secretary of State.

(7) A description of United States or Taiwan engagement with other countries that could assist in addressing in a sufficient and timely manner the capability gaps and capacity shortfalls identified pursuant to paragraph (1).

(8) An identification of opportunities to build interoperability, combined readiness, joint planning capability, and shared situational awareness between the United States, Taiwan, and other foreign partners and allies, as appropriate, through combined training, exercises, and planning events, including—

(A) table-top exercises and wargames that allow operational commands to improve joint and combined planning for contingencies involving a well-equipped adversary in a counter-intervention campaign;

(B) joint and combined exercises that test the feasibility of counter-intervention strategies, develop interoperability across services, and develop the lethality and survivability of combined forces against a well-equipped adversary;

(C) logistics exercises that test the feasibility of expeditionary logistics in an extended campaign with a well-equipped adversary;

(D) service-to-service exercise programs that build functional mission skills for addressing challenges posed by a well-equipped adversary in a counter-intervention campaign; and

(E) any other combined training, exercises, or planning with Taiwan's military forces that the Secretary of Defense and Secretary of State consider relevant.

(9) An identification of options for the United States to use, to the maximum extent practicable, existing authorities or programs to expedite military assistance to Taiwan in the event of a crisis or conflict, including—

(A) a list of defense articles of the United States that may be transferred to Taiwan during a crisis or conflict;

(B) a list of authorities that may be used to provide expedited military assistance to Taiwan during a crisis or conflict;

(C) an assessment of methods that could be used to deliver such assistance to Taiwan during a crisis or conflict, including—

(i) the feasibility of employing such methods in different scenarios; and

(ii) recommendations for improving the ability of the Armed Forces to deliver such assistance to Taiwan; and

(D) an assessment of any challenges in providing such assistance to Taiwan in the event of a crisis or conflict and recommendations for addressing such challenges.

(c) RECURRENCE.—The joint consultative mechanism required in subsection (a) shall convene on a recurring basis and not less than annually.

SEC. 5507. FAST-TRACKING SALES TO TAIWAN UNDER FOREIGN MILITARY SALES PROGRAM.

(a) PRECLEARANCE OF CERTAIN FOREIGN MILITARY SALES ITEMS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, and in conjunction with coordinating entities such as the National Disclosure Policy Committee, the Arms Transfer and Technology Release Senior Steering Group, and other appropriate entities, shall compile a list of available and emerging military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Taiwan through the Foreign Military Sales program.

(2) RULES OF CONSTRUCTION.—

(A) SELECTION OF ITEMS.—The list compiled pursuant to paragraph (1) shall not be construed as limiting the type, timing, or quantity of items that may be requested by, or sold to, Taiwan under the Foreign Military Sales program.

(B) NOTIFICATIONS REQUIRED.—Nothing in this Act may be construed to supersede congressional notification re-

quirements under the Arms Export Control Act (22 U.S.C. 2751 et. seq.).

(b) PRIORITIZED PROCESSING OF FOREIGN MILITARY SALES REQUESTS FROM TAIWAN.—

(1) REQUIREMENT.—The Secretary of State and the Secretary of Defense shall prioritize and expedite the processing of requests from Taiwan under the Foreign Military Sales program, and may not delay the processing of requests for bundling purposes.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of State determines and certifies to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the threat to Taiwan has significantly abated.

(c) INTERAGENCY POLICY.—The Secretary of State and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to Foreign Military Sales requests from Taiwan, including incorporating the preclearance provisions of this section.

SEC. 5508. ARMS EXPORTS DELIVERY SOLUTIONS FOR TAIWAN AND UNITED STATES ALLIES IN THE INDO-PACIFIC.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(b) REPORT REQUIRED.—Not later than March 1, 2023, and annually thereafter for a period of 5 years, the Secretary of State, in coordination with the Secretary of Defense, shall transmit to the appropriate committees of Congress a report with respect to the transfer of all defense articles or defense services that have yet to be completed pursuant to the authorities provided by—

(1) section 3, 21, or 36 of the Arms Export Control Act (22 U.S.C. 2753, 2761, or 2776); or

(2) section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)).

(c) ELEMENTS.—The report required by subsection (b) shall include the following elements:

(1) A list of all approved transfers of defense articles and services authorized by Congress pursuant to sections 25 and 36 of the Arms Export Control Act (22 U.S.C. 2765, 2776) with a total value of $25,000,000 or more, to Taiwan, Japan, South Korea, Australia, the Philippines, Thailand, or New Zealand, that have not been fully delivered by the start of the fiscal year in which the report is being submitted.

(2) The estimated start and end dates of delivery for each approved and incomplete transfer listed pursuant to paragraph (1), including additional details and dates for any transfers that involve multiple tranches of deliveries.

(3) With respect to each approved and incomplete transfer listed pursuant to paragraph (1), a detailed description of—

(A) any changes in the delivery dates of defense articles or services relative to the dates anticipated at the time of

congressional approval of the transfer, including specific reasons for any delays related to the United States Government, defense suppliers, or a foreign partner;

(B) the feasibility and advisability of providing the partner subject to such delayed delivery with an interim capability or solution, including drawing from United States stocks, and the mechanisms under consideration for doing so as well as any challenges to implementing such a capability or solution;

(C) authorities, appropriations, or waiver requests that Congress could provide to improve delivery timelines or authorize the provision of interim capabilities or solutions identified pursuant to subparagraph (B); and

(D) a description of which countries are ahead of Taiwan for delivery of each item listed pursuant to paragraph (1).

(4) A description of ongoing interagency efforts to support attainment of operational capability of the corresponding defense articles and services once delivered, including advance training with United States or armed forces of partner countries on the systems to be received. The description of any such training shall also include an identification of the training implementer.

(5) If a transfer listed pursuant to paragraph (1) has been terminated prior to the date of the submission of the report for any reason—

(A) the case information for such transfer, including the date of congressional notification, delivery date of the Letter of Offer and Acceptance (LOA), final signature of the LOA, and information pertaining to delays in delivering LOAs for signature;

(B) a description of the reasons for which the transfer is no longer in effect; and

(C) the impact this termination will have on the intended end-user and the consequent implications for regional security, including the impact on deterrence of military action by countries hostile to the United States, the military balance in the Taiwan Strait, and other factors.

(6) A separate description of the actions the United States is taking to expedite and prioritize deliveries of defense articles and services to Taiwan, including—

(A) a description of what actions the Department of State and the Department of Defense have taken or are planning to take to prioritize Taiwan's Foreign Military Sales cases;

(B) current procedures or mechanisms for determining that a Foreign Military Sales case for Taiwan should be prioritized above a sale to another country of the same or similar item; and

(C) whether the United States intends to divert defense articles from United States stocks to provide an interim capability or solution with respect to any delayed deliveries to Taiwan and the plan, if applicable, to replenish any such diverted stocks.

(7) A description of other actions already undertaken by or currently under consideration by the Department of State and

the Department of Defense to improve delivery timelines for the transfers listed pursuant to paragraph (1).

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form but may include a classified annex.

SEC. 5509. ASSESSMENT OF TAIWAN'S NEEDS FOR CIVILIAN DEFENSE AND RESILIENCE.

(a) ASSESSMENT REQUIRED.—Not later than 120 days after the date of enactment of this Act, the Secretary of State and the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit a written assessment, with a classified annex, of Taiwan's needs in the areas of civilian defense and resilience to—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) MATTERS TO BE INCLUDED.—The assessment required under subsection (a) shall—

(1) analyze the potential role of Taiwan's public and civilian assets in defending against various scenarios for foreign militaries to coerce or conduct military aggression against Taiwan;

(2) carefully analyze Taiwan's needs for enhancing its defensive capabilities through the support of civilians and civilian sectors, including—

(A) greater utilization of Taiwan's high tech labor force;

(B) the creation of clear structures and logistics support for civilian defense role allocation;

(C) recruitment and skills training for Taiwan's defense and civilian sectors; and

(D) other defense needs and considerations at the provincial, city, and neighborhood levels;

(3) analyze Taiwan's needs for enhancing resiliency among its people and in key economic sectors;

(4) identify opportunities for Taiwan to enhance communications at all levels to strengthen trust and understanding between the military, other government departments, civilian agencies and the general public, including—

(A) communications infrastructure necessary to ensure reliable communications in response to a conflict or crisis; and

(B) a plan to effectively communicate to the general public in response to a conflict or crisis;

(5) identify the areas and means through which the United States could provide training, exercises, and assistance at all levels to support the needs discovered through the assessment and fill any critical gaps where capacity falls short of such needs; and

(6) review existing United States Government and non-United States Government programmatic and funding modalities that are meant to support Taiwan's civilian defense professionals in pursuing professional development, educational, and cultural exchanges in the United States, including—

(A) opportunities through Department of State-supported programs, such as the International Visitor Leaders Program;

(B) opportunities offered through non-governmental institutions, such as think tanks, to the extent the review can practicably make such an assessment;

(C) a description of the frequency that civilian defense professionals from Taiwan pursue or are selected for the programs reviewed in subparagraph (A);

(D) an analysis of any funding, policy, administrative, or other barriers preventing greater participation from Taiwan's civilian defense professionals in the opportunities identified in subparagraph (A);

(E) an evaluation of the value expanding the opportunities reviewed in subparagraph (A) would offer for strengthening Taiwan's existing civilian defense community, and for increasing the perceived value of the field for young professionals in Taiwan;

(F) an assessment of options the United States Government could take individually, with partners in Taiwan, or with foreign governments or non-governmental partners, to expand the opportunities reviewed in subparagraph (A); and

(G) a description of additional resources and authorities that may be required to execute the options described in subparagraph (E).

(c) SHARING OF REPORT.—The assessment required by subsection (a) shall be shared with appropriate officials of Taiwan to facilitate cooperation, as appropriate.

SEC. 5510. ANNUAL REPORT ON TAIWAN DEFENSIVE MILITARY CAPABILITIES AND INTELLIGENCE SUPPORT.

Section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988) is amended to read as follows:

"SEC. 1248. ANNUAL REPORT ON TAIWAN CAPABILITIES AND INTELLIGENCE SUPPORT.

"(a) IN GENERAL.—Through fiscal year 2027, the Secretary of State and the Secretary of Defense, in coordination with the Director of National Intelligence and the heads of other relevant Federal departments and agencies, shall jointly perform an annual assessment, consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3302(c)), of security matters related to Taiwan, including intelligence matters, Taiwan's defensive military capabilities, and how defensive shortcomings or vulnerabilities of Taiwan could be mitigated through cooperation, modernization, or integration. At a minimum, the assessment shall include the following:

"(1) An intelligence assessment regarding—

"(A) conventional military and nuclear threats to Taiwan from the People's Republic of China, including exercises, patrols, and presence intended to intimidate or coerce Taiwan; and

"(B) irregular warfare activities, including influence operations, conducted by the People's Republic of China to

interfere in or undermine the peace and stability of the Taiwan Strait.

"(2) The current military capabilities of Taiwan and the ability of Taiwan to defend itself from external conventional and irregular military threats across a range of scenarios.

"(3) The interoperability of current and future defensive capabilities of Taiwan with the military capabilities of the United States and its allies and partners.

"(4) The plans, tactics, techniques, and procedures underpinning an effective defense strategy for Taiwan, including how addressing identified capability gaps and capacity shortfalls will improve the effectiveness of such strategy.

"(5) A description of additional personnel, resources, and authorities in Taiwan or in the United States that may be required to meet any shortcomings in the development of Taiwan's military capabilities identified pursuant to this section.

"(6) With respect to materiel capabilities and capacities the Secretary of Defense and Secretary of State jointly assess to be most effective in deterring, defeating, or delaying military aggression by the People's Republic of China, a prioritized list of capability gaps and capacity shortfalls of the military forces of Taiwan, including—

"(A) an identification of—

"(i) any United States, Taiwan, or ally or partner country defense production timeline challenge related to potential materiel and solutions to such capability gaps;

"(ii) the associated investment costs of enabling expanded production for items currently at maximum production;

"(iii) the associated investment costs of, or mitigation strategies for, enabling export for items currently not exportable; and

"(iv) existing stocks of such capabilities in the United States and ally and partner countries;

"(B) the feasibility and advisability of procuring solutions to such gaps and shortfalls through United States allies and partners, including through co-development or co-production;

"(C) the feasibility and advisability of assisting Taiwan in the domestic production of solutions to capability gaps, including through—

"(i) the transfer of intellectual property; and

"(ii) co-development or co-production arrangements;

"(D) the estimated costs, expressed in a range of options, of procuring sufficient capabilities and capacities to address such gaps and shortfalls;

"(E) an assessment of the relative priority assigned by appropriate officials of Taiwan to each such gap and shortfall; and

"(F) a detailed explanation of the extent to which Taiwan is prioritizing the development, production, or fielding of solutions to such gaps and shortfalls within its overall defense budget.

"(7) The applicability of Department of State and Department of Defense authorities for improving the defensive military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act.

"(8) A description of any security assistance provided or Foreign Military Sales and Direct Commercial Sales activity with Taiwan over the past year.

"(9) A description of each engagement between the United States and Taiwan personnel related to planning over the past year.

"(10) With respect to each to training and exercises—

"(A) a description of each such instance over the past year;

"(B) a description of how each such instance—

"(i) sought to achieve greater interoperability, improved readiness, joint planning capability, and shared situational awareness between the United States and Taiwan, or among the United States, Taiwan, and other countries;

"(ii) familiarized the militaries of the United States and Taiwan with each other; and

"(iii) improved Taiwan's defense capabilities.

"(11) A description of the areas and means through which the United States is assisting and supporting training, exercises, and assistance to support Taiwan's requirements related to civilian defense and resilience, and how the United States is seeking to assist Taiwan in addressing any critical gaps where capacity falls short of meeting such requirements, including those elements identified in the assessment required by section 5502(f) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.

"(12) An assessment of the implications of current levels of pre-positioned war reserve materiel on the ability of the United States to respond to a crisis or conflict involving Taiwan with respect to—

"(A) providing military or non-military aid to Taiwan; and

"(B) sustaining military installations and other infrastructure of the United States in the Indo-Pacific region.

"(13) An assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report.

"(14) A summary of changes to pre-positioned war reserve materiel of the United States in the Indo-Pacific region since the preceding report.

"(15) Any other matters the Secretary of Defense or the Secretary of State considers appropriate.

"(b) PLAN.—The Secretary of Defense and the Secretary of State shall jointly develop a plan for assisting Taiwan in improving its defensive military capabilities and addressing vulnerabilities identified pursuant to subsection (a) that includes—

"(1) recommendations, if any, for new Department of State or Department of Defense authorities, or modifications to existing

Department of State or Department of Defense authorities, necessary to improve the defensive military capabilities of Taiwan in a manner consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.);

"(2) an identification of opportunities for key leader and subject matter expert engagement between Department personnel and military and civilian counterparts in Taiwan; and

"(3) an identification of challenges and opportunities for leveraging authorities, resources, and capabilities outside the Department of Defense and the Department of State to improve the defensive capabilities of Taiwan in accordance with the Taiwan Relations Act.

"(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through fiscal year 2027, the Secretary of State and the Secretary of Defense, in consultation with the Director of National Intelligence, shall jointly submit to the appropriate committees of Congress—

"(1) a report on the results of the assessment required by subsection (a);

"(2) the plan required by subsection (b); and

"(3) a report on—

"(A) the status of efforts to develop and implement the joint multi-year plan required under section 5506 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 to provide for the acquisition of appropriate defensive military capabilities by Taiwan and to engage with Taiwan in a series of combined training and planning activities consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.); and

"(B) any other matters the Secretary of State and the Secretary of Defense consider necessary.

"(d) FORM.—The reports required by subsection (c) shall be submitted in unclassified form, but may include a classified annex.

"(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—For purposes of this section, the term 'appropriate committees of Congress' means—

"(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

"(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.".

SEC. 5511. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Advancing peace and stability in the Indo-Pacific has been a central element of United States foreign policy toward the region.

(2) The Government of the People's Republic of China (PRC), especially since the election of Tsai Ing-Wen in 2016, has conducted a coordinated campaign to weaken Taiwan diplomatically, economically, and militarily in a manner that threatens to erode United States policy and create a fait accompli on questions surrounding Taiwan's future.

(3) To secure United States interests and preserve the ability of the people of Taiwan to determine their own future, it is necessary to reinforce Taiwan's diplomatic, economic, and territorial space.

(b) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) maintain the position that peace and stability in the Western Pacific are in the political, security, and economic interests of the United States, and are matters of international concern; and

(2) work with allies and partners to promote peace and stability in the Indo-Pacific and deter military acts or other forms of coercive behavior that would undermine regional stability.

SEC. 5512. SENSE OF CONGRESS ON TAIWAN DEFENSE RELATIONS.

It is the sense of Congress that—

(1) the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. et seq.) and the Six Assurances provided by the United States to Taiwan in July 1982 are the foundation for United States-Taiwan relations;

(2) as set forth in the Taiwan Relations Act, the United States decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means, and that any effort to determine the future of Taiwan by other than peaceful means, including boycotts and embargoes, is of grave concern to the United States;

(3) the increasingly coercive and aggressive behavior of the People's Republic of China toward Taiwan is contrary to the expectation of the peaceful resolution of the future of Taiwan;

(4) as set forth in the Taiwan Relations Act, the capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan should be maintained;

(5) the United States should continue to support the development of capable, ready, and modern defense forces necessary for Taiwan to maintain sufficient defensive capabilities, including by—

(A) supporting acquisition by Taiwan of defense articles and services through foreign military sales, direct commercial sales, and industrial cooperation, with an emphasis on capabilities that support an asymmetric strategy;

(B) ensuring timely review of and response to requests of Taiwan for defense articles and services;

(C) conducting practical training and military exercises with Taiwan that enable Taiwan to maintain sufficient defensive capabilities, as described in the Taiwan Relations Act;

(D) exchanges between defense officials and officers of the United States and Taiwan at the strategic, policy, and functional levels, consistent with the Taiwan Travel Act (Public Law 115–135; 132 Stat. 341), especially for the purposes of—

(i) enhancing cooperation on defense planning;

(ii) improving the interoperability of the military forces of the United States and Taiwan; and

(iii) improving the reserve force of Taiwan;

(E) cooperating with Taiwan to improve its ability to employ military capabilities in asymmetric ways, as described in the Taiwan Relations Act; and

(F) expanding cooperation in humanitarian assistance and disaster relief; and

(6) the United States should increase its support to a free and open society in the face of aggressive efforts by the Government of the People's Republic of China to curtail or influence the free exercise of rights and democratic franchise.

PART 2—COUNTERING PEOPLE'S REPUBLIC OF CHINA'S COERCION AND INFLUENCE CAMPAIGNS

SEC. 5513. STRATEGY TO RESPOND TO INFLUENCE AND INFORMATION OPERATIONS TARGETING TAIWAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following 5 years, the Secretary of State, in coordination with the Director of National Intelligence, shall develop and implement a strategy to respond to—

(1) covert, coercive, and corrupting activities carried out to advance the Chinese Communist Party's "United Front" work related to Taiwan, including activities directed, coordinated, or otherwise supported by the United Front Work Department or its subordinate or affiliated entities; and

(2) information and disinformation campaigns, cyber attacks, and nontraditional propaganda measures supported by the Government of the People's Republic of China and the Chinese Communist Party that are directed toward persons or entities in Taiwan.

(b) ELEMENTS.—The strategy required under subsection (a) shall include descriptions of—

(1) the proposed response to propaganda and disinformation campaigns by the People's Republic of China and cyber-intrusions targeting Taiwan, including—

(A) assistance in building the capacity of Taiwan's public and private-sector entities to document and expose propaganda and disinformation supported by the Government of the People's Republic of China, the Chinese Communist Party, or affiliated entities;

(B) assistance to enhance Taiwan's ability to develop a holistic strategy to respond to sharp power operations, including election interference; and

(C) media training for Taiwan officials and other Taiwan entities targeted by disinformation campaigns;

(2) the proposed response to political influence operations that includes an assessment of the extent of influence exerted by the Government of the People's Republic of China and the Chinese Communist Party in Taiwan on local political parties, financial institutions, media organizations, and other entities;

(3) support for exchanges and other technical assistance to strengthen the Taiwan legal system's ability to respond to sharp power operations; and

(4) programs carried out by the Global Engagement Center to expose misinformation and disinformation in the Chinese Communist Party's propaganda.

SEC. 5514. TASK FORCE TO COUNTER ECONOMIC COERCION BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the People's Republic of China's (PRC) increasing use of economic coercion against foreign governments, companies, organizations, other entities, and individuals requires that the United States devise a comprehensive, effective, and multilateral response;

(2) the private sector is a crucial partner in helping the United States Government respond to the PRC's coercive economic practices and hold the PRC accountable;

(3) improved engagement and communication with the private sector, including receiving information from the United States private sector about the PRC's coercive economic practices would help the United States Government and private sector stakeholders conduct early assessments of potential pressure points and vulnerabilities; and

(4) PRC coercive economic practices create pressures for the private sector to behave in ways antithetical to United States national interests and competitiveness.

(b) ESTABLISHMENT OF TASK FORCE.—Not later than 180 days after the date of the enactment of this Act, the President shall establish an interagency task force to be known as the "Countering Economic Coercion Task Force" (referred to in this section as the "Task Force").

(c) DUTIES.—

(1) IN GENERAL.—The Task Force shall—

(A) oversee the development and implementation of an integrated United States Government strategy to respond to People's Republic of China (PRC) coercive economic practices, which shall include—

(i) systematically monitoring and evaluating—

(I) the costs of such practices on United States businesses and overall United States economic performance;

(II) instances in which such practices taken against a non-PRC entity has benefitted other parties; and

(III) the impacts such practices have had on United States national interests; and

(ii) facilitating coordination among Federal departments and agencies when responding to such practices as well as proactively deterring such economic coercion, including by clarifying the roles for Federal departments and agencies identified in subsection (d) in implementing the strategy; and

(iii) forming policy recommendations for the implementation of relevant United States authorities to respond to instances of PRC coercive economic practices;

(B) consult with United States allies and partners on the feasibility and desirability of collectively identifying, assessing, and responding to PRC coercive economic practices, as well as actions that could be taken to expand coordination with the goal of ensuring a consistent, coherent, and collective response to such practices and establishing long-term deterrence of such practices;

(C) effectively engage the United States private sector, particularly sectors, groups, or other entities that are susceptible to such PRC coercive economic practices, on concerns related to such practices; and

(D) develop and implement a process for regularly sharing relevant information, including classified information to the extent appropriate and practicable, on such PRC coercive economic practices with United States allies, partners, and the private sector.

(2) CONSULTATION.—In carrying out its duties under this subsection, the Task Force should regularly consult, to the extent necessary and appropriate, with the following:

(A) Relevant stakeholders in the private sector.

(B) Federal departments and agencies that are not represented on the Task Force.

(C) United States allies and partners.

(d) MEMBERSHIP.—The President shall—

(1) appoint the chair of the Task Force from among the staff of the National Security Council;

(2) appoint the vice chair of the Task Force from among the staff of the National Economic Council; and

(3) determine the Federal departments and agencies that will serve on the task force, and direct the head of those agencies to appoint personnel at the level of Assistant Secretary or above to participate in the Task Force.

(e) REPORTS.—

(1) INITIAL REPORT.—Not later than 1 year after the date of the enactment of this Act, the Task Force shall submit to Congress a report that includes the following elements:

(A) A comprehensive review of the array of economic tools the Government of the People's Republic of China (PRC) employs or could employ in the future to coerce other governments and non-PRC companies (including United States companies) including the Government of the PRC's continued efforts to codify informal practices into its domestic law.

(B) The strategy required by subsection (c)(1)(A).

(C) An interagency definition of PRC coercive economic practices that captures both—

(i) the use of informal or extralegal PRC coercive economic practices; and

(ii) the inappropriate use of economic tools, including those authorized under the laws and regulations of the PRC.

(D) A comprehensive review of the array of tools the United States Government employs or could employ to respond to economic coercion against the government, companies, and other entities of the United States or its allies and partners.

(E) A list of unilateral or multilateral—

(i) preemptive practices to defend or deter against PRC coercive economic practices; and

(ii) actions taken in response to the Government of the PRC's general use of coercive economic practices, including the imposition of costs on the PRC.

(F) An assessment of United States allies and partners key vulnerabilities to PRC coercive economic practices.

(G) A description of gaps in existing resources or capabilities for United States Government departments and agencies to respond effectively to PRC coercive economic practices directed at United States entities and assist United States allies and partners in their responses to PRC coercive economic practices.

(H) An analysis of the circumstances under which the PRC employs different types of economic coercion and against what kinds of targets.

(I) An assessment of United States and international rules and norms as well as any treaty obligations the PRC has stretched, circumvented, or broken through its economically coercive practices and the United States response in each instance.

(2) INTERIM REPORTS.—

(A) FIRST INTERIM REPORT.—Not later than 1 year after the date on which the report required by paragraph (1) is submitted to Congress, the Task Force shall submit to Congress a report that includes the following elements:

(i) Updates to information required by subparagraphs (A) through (G) of paragraph (1).

(ii) A description of activities conducted by the Task Force to implement the strategy required by subsection (c)(1)(A).

(iii) An assessment of the implementation and effectiveness of the strategy, lessons learned from the past year and planned changes to the strategy.

(B) SECOND INTERIM REPORT.—Not later than 1 year after the date on which the report required by subparagraph (A) is submitted to Congress, the Task Force shall submit to the appropriate congressional committees a report that includes an update to the elements required under the report required by subparagraph (A).

(3) FINAL REPORT.—Not later than 30 days after the date on which the report required by paragraph (2)(B) is submitted to Congress, the Task Force shall submit to Congress a final report that includes the following elements:

(A) An analysis of PRC coercive economic practices and the cost of such coercive practices to United States businesses.

(B) A description of areas of possible vulnerability for United States businesses and businesses of United States partners and allies.

(C) Recommendations on how to continue the effort to counter PRC coercive economic practices, including through further coordination with United States allies and partners.

(D) Illustrative examples.

(4) FORM.—The reports required by this subsection shall be submitted in classified form, but may include an unclassified summary.

(f) SUNSET.—

(1) IN GENERAL.—The Task Force shall terminate at the end of the 60-day period beginning on the date on which the final report required by subsection (e)(3) is submitted to Congress.

(2) ADDITIONAL ACTIONS.—The Task force may use the 60-day period referred to in paragraph (1) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report required by subsection (e)(3).

(g) ASSISTANCE FOR COUNTRIES AND ENTITIES TARGETED BY THE PEOPLE'S REPUBLIC OF CHINA FOR ECONOMIC COERCION.—The Secretary of State, the Administrator of the United States Agency for International Development, the United States International Development Finance Corporation, the Secretary of Commerce, and the Secretary of the Treasury shall provide appropriate assistance to countries and entities that are subject to coercive economic practices by the People's Republic of China.

SEC. 5515. CHINA CENSORSHIP MONITOR AND ACTION GROUP.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) QUALIFIED RESEARCH ENTITY.—The term "qualified research entity" means an entity that—

(A) is a nonpartisan research organization or a Federally funded research and development center;

(B) has appropriate expertise and analytical capability to write the report required under subsection (c); and

(C) is free from any financial, commercial, or other entanglements, which could undermine the independence of such report or create a conflict of interest or the appearance of a conflict of interest, with—

(i) the Government of the People's Republic of China;

(ii) the Chinese Communist Party;

(iii) any company incorporated in the People's Republic of China or a subsidiary of such company; or

(iv) any company or entity incorporated outside of the People's Republic of China that is believed to have

a substantial financial or commercial interest in the People's Republic of China.

(3) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

(b) CHINA CENSORSHIP MONITOR AND ACTION GROUP.—

(1) IN GENERAL.—The President shall establish an interagency task force, which shall be known as the "China Censorship Monitor and Action Group" (referred to in this subsection as the "Task Force").

(2) MEMBERSHIP.—The President shall take the following actions with respect to the membership of, and participation in, the Task Force:

(A) Appoint the chair of the Task Force from among the staff of the National Security Council.

(B) Appoint the vice chair of the Task Force from among the staff of the National Economic Council.

(C) Determine the Federal departments and agencies that will serve on the Task Force, and direct the head of those agencies to appoint personnel at the level of Assistant Secretary or above to participate in the Task Force.

(3) RESPONSIBILITIES.—The Task Force shall—

(A) oversee the development and execution of an integrated Federal Government strategy to monitor and address the impacts of efforts directed, or directly supported, by the Government of the People's Republic of China to censor or intimidate, in the United States or in any of its possessions or territories, any United States person, including United States companies that conduct business in the People's Republic of China, which are exercising their right to freedom of speech; and

(B) submit the strategy developed pursuant to subparagraph (A) to the appropriate congressional committees not later than 120 days after the date of the enactment of this Act.

(4) MEETINGS.—The Task Force shall meet not less frequently than twice per year.

(5) CONSULTATIONS.—The Task Force should regularly consult, to the extent necessary and appropriate, with—

(A) Federal agencies that are not represented on the Task Force;

(B) independent agencies of the United States Government that are not represented on the Task Force;

(C) relevant stakeholders in the private sector and the media; and

(D) relevant stakeholders among United States allies and partners facing similar challenges related to censorship or intimidation by the Government of the People's Republic of China.

(6) REPORTING REQUIREMENTS.—

(A) ANNUAL REPORT.—The Task Force shall submit an annual report to the appropriate congressional committees that describes, with respect to the reporting period—

(i) the strategic objectives and policies pursued by the Task Force to address the challenges of censorship and intimidation of United States persons while in the United States or any of its possessions or territories, which is directed or directly supported by the Government of the People's Republic of China;

(ii) the activities conducted by the Task Force in support of the strategic objectives and policies referred to in clause (i); and

(iii) the results of the activities referred to in clause (ii) and the impact of such activities on the national interests of the United States.

(B) FORM OF REPORT.—Each report submitted pursuant to subparagraph (A) shall be unclassified, but may include a classified annex.

(C) CONGRESSIONAL BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Task Force shall provide briefings to the appropriate congressional committees regarding the activities of the Task Force to execute the strategy developed pursuant to paragraph (3)(A).

(c) REPORT ON CENSORSHIP AND INTIMIDATION OF UNITED STATES PERSONS BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall select and seek to enter into an agreement with a qualified research entity that is independent of the Department of State to write a report on censorship and intimidation in the United States and its possessions and territories of United States persons, including United States companies that conduct business in the People's Republic of China, which is directed or directly supported by the Government of the People's Republic of China.

(B) MATTERS TO BE INCLUDED.—The report required under subparagraph (A) shall—

(i) assess major trends, patterns, and methods of the Government of the People's Republic of China's efforts to direct or directly support censorship and intimidation of United States persons, including United States companies that conduct business in the People's Republic of China, which are exercising their right to freedom of speech;

(ii) assess, including through the use of illustrative examples, as appropriate, the impact on and consequences for United States persons, including United States companies that conduct business in the People's Republic of China, that criticize—

(I) the Chinese Communist Party;

(II) the Government of the People's Republic of China;

(III) the authoritarian model of government of the People's Republic of China; or

(IV) a particular policy advanced by the Chinese Communist Party or the Government of the People's Republic of China;

(iii) identify the implications for the United States of the matters described in clauses (i) and (ii);

(iv) assess the methods and evaluate the efficacy of the efforts by the Government of the People's Republic of China to limit freedom of expression in the private sector, including media, social media, film, education, travel, financial services, sports and entertainment, technology, telecommunication, and internet infrastructure interests;

(v) include policy recommendations for the United States Government, including recommendations regarding collaboration with United States allies and partners, to address censorship and intimidation by the Government of the People's Republic of China; and

(vi) include policy recommendations for United States persons, including United States companies that conduct business in China, to address censorship and intimidation by the Government of the People's Republic of China.

(C) APPLICABILITY TO UNITED STATES ALLIES AND PARTNERS.—To the extent practicable, the report required under subparagraph (A) should identify implications and policy recommendations that are relevant to United States allies and partners facing censorship and intimidation directed or directly supported by the Government of the People's Republic of China.

(2) SUBMISSION OF REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit the report written by the qualified research entity selected pursuant to paragraph (1)(A) to the appropriate congressional committees.

(B) PUBLICATION.—The report referred to in subparagraph (A) shall be made accessible to the public online through relevant United States Government websites.

(d) SUNSET.—This section shall terminate on the date that is 5 years after the date of enactment of this Act.

PART 3—INCLUSION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS

SEC. 5516. FINDINGS.

Congress makes the following findings:

(1) Since 2016, the Gambia, Sao Tome and Principe, Panama, the Dominican Republic, Burkina Faso, El Salvador, the Solomon Islands, and Kiribati have severed diplomatic relations with Taiwan in favor of diplomatic relations with China.

(2) Taiwan was invited to participate in the World Health Assembly (WHA), the decision-making body of the World Health Organization (WHO), as an observer annually between 2009 and 2016. Since the 2016 election of President Tsai, the PRC has increasingly resisted Taiwan's participation in the WHA. Taiwan was not invited to attend the WHA in 2017, 2018, 2019, 2020, or 2021.

(3) The Taipei Flight Information Region reportedly served 1,750,000 flights and 68,900,000 passengers in 2018, and is home to Taiwan Taoyuan International Airport, the eleventh busiest airport in the world. Taiwan has been excluded from participating at the International Civil Aviation Organization (ICAO) since 2013.

(4) United Nations (UN) General Assembly Resolution 2758 does not address the issue of representation of Taiwan and its people at the United Nations, nor does it give the PRC the right to represent the people of Taiwan.

SEC. 5517. SENSE OF CONGRESS ON TAIWAN'S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL COMMUNITY.

It is the sense of Congress that—

(1) Taiwan is an important contributor to the global community, as a model for democracy, and by providing expertise in global health, international aviation security, emerging technology development, and high environmental standards;

(2) multiple United States Government administrations of both political parties have taken important steps to advance Taiwan's meaningful participation in international organizations;

(3) existing efforts to enhance United States cooperation with Taiwan to provide global public goods, including through development assistance, humanitarian assistance, and disaster relief, in trilateral and multilateral fora are laudable and should continue;

(4) nonetheless, significant structural, policy, and legal barriers remain to advancing Taiwan's meaningful participation in the international community; and

(5) efforts to share Taiwan's expertise with other parts of the global community could be further enhanced through a systematic approach, along with greater attention from Congress and the American public to such efforts.

SEC. 5518. STRATEGY TO SUPPORT TAIWAN'S MEANINGFUL PARTICIPATION IN INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with other Federal departments and agencies as appropriate, shall submit to the appropriate congressional committees a strategy—

(1) to advance Taiwan"s meaningful participation in a prioritized set of international organizations (IOs); and

(2) that responds to growing pressure from the PRC on foreign governments, IOs, commercial actors, and civil society organizations to comply with its "One-China Principle", with respect to Taiwan.

(b) MATTERS TO BE INCLUDED.—The strategy required under subsection (a) should include the following elements:

(1) An assessment of the methods the PRC uses to coerce actors to into adhering to its "One-China Principle." The methods should include those employed against governments, IOs, and civil society organizations. The assessment should also include pressure on commercial actors, to the extent it is relevant in the context of Taiwan's meaningful participation in IOs.

(2) An assessment of the policies of foreign governments toward the PRC and Taiwan, to identify likeminded allies and partners who might become public or private partners in the strategy.

(3) A systematic analysis of all IOs, as practicable, to identify IOs that best lend themselves to advancing Taiwan's participation.

(4) A plan to expand economic, security, and diplomatic engagement with nations that have demonstrably strengthened, enhanced, or upgraded relations with Taiwan, in accordance with United States interests.

(5) A survey of IOs that have allowed Taiwan's meaningful participation, including an assessment of whether any erosion in Taiwan's engagement has occurred within those organizations and how Taiwan's participation has positively strengthened the capacity and activity of these organizations, thereby providing positive models for Taiwan's inclusion in other similar forums.

(6) A list of no more than 20 IOs at which the United States Government will prioritize for using its voice, vote, and influence to advance Taiwan's meaningful participation over the three-year period following the date of enactment of this Act. The list should be derived from the IOs identified in paragraph (3).

(7) A description of the diplomatic strategies and the coalitions the United States Government plans to develop to implement paragraph (6).

(c) FORM OF REPORT.—The strategy required in subsection (a) shall be classified, but it may include an unclassified summary.

(d) SUPPORT FOR MEANINGFUL PARTICIPATION.—The Permanent Representative of the United States to the United Nations and other relevant United States officials shall actively support Taiwan's meaningful participation in all appropriate international organizations.

SEC. 5519. MEANINGFUL PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the International Civil Aviation Organization (ICAO) should allow Taiwan to meaningfully participate in the organization, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;

(2) Taiwan is a global leader and hub for international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International Airport), and its meaningful participation in ICAO would significantly enhance the ability of ICAO to ensure the safety and security of global aviation; and

(3) coercion by the Chinese Communist Party and the People's Republic of China has ensured the systematic exclusion of Taiwan from meaningful participation in ICAO, significantly undermining the ability of ICAO to ensure the safety and security of global aviation.

(b) PLAN FOR TAIWAN'S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.—The Secretary of State, in coordination with the Secretary of Commerce and the Secretary of Transportation, is authorized—

(1) to initiate a United States plan to secure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(2) to instruct the United States representative to the ICAO to—

(A) use the voice and vote of the United States to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(B) seek to secure a vote at the next ICAO triennial assembly session on the question of Taiwan's participation in that session.

(c) REPORT CONCERNING TAIWAN'S MEANINGFUL PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.—Not later than 90 days after the date of the enactment of this Act, and not later than April 1 of each year thereafter for the following 6 years, the Secretary of State, in coordination with the Secretary of Commerce, shall submit to the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Foreign Affairs, the Committee on Transportation and Infrastructure, and the Committee on Energy and Commerce of the House of Representatives an unclassified report that—

(1) describes the United States plan to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms;

(2) includes an account of the efforts made by the Secretary of State and the Secretary of Commerce to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(3) identifies the steps the Secretary of State and the Secretary of Commerce will take in the next year to ensure Taiwan's meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms.

PART 4—MISCELLANEOUS PROVISIONS

SEC. 5520. REPORT ON TAIWAN TRAVEL ACT.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

(b) LIST OF HIGH-LEVEL VISITS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State, in accordance with the Taiwan Travel Act (Public Law 115–135), shall submit to the appropriate committees of Congress—

(1) a list of high-level officials from the United States Government who have traveled to Taiwan on or after the date of the enactment of the Taiwan Travel Act; and

(2) a list of high-level officials of Taiwan who have entered the United States on or after such date of enactment.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State shall submit to the appropriate committees of Congress a report on the implementation of the Taiwan Travel Act (Public Law 115–135; 132 Stat. 341), including a discussion of its positive effects on United States interests in the region.

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

SEC. 5521. AMENDMENTS TO THE TAIWAN ALLIES INTERNATIONAL PROTECTION AND ENHANCEMENT INITIATIVE (TAIPEI) ACT OF 2019.

The Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019 (Public Law 116–135) is amended—

(1) in section 2(5), by striking "and Kiribati" and inserting "Kiribati, and Nicaragua,";

(2) in section 4—

(A) in the matter preceding paragraph (1), by striking "should be" and inserting "is";

(B) in paragraph (2), by striking "and" at the end;

(C) in paragraph (3), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(4) to support Taiwan's diplomatic relations with governments and countries"; and

(3) in section 5—

(A) in subsection (a)—

(i) in paragraph (2), by striking "and" at the end;

(ii) in paragraph (3), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(4) identify why governments and countries have altered their diplomatic status vis-a-vis Taiwan and make recommendations to mitigate further deterioration in Taiwan's diplomatic relations with governments and countries.";

(B) in subsection (b), by striking "1 year after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of State shall report" and inserting "90 days after the date of the enactment of the Taiwan Enhanced Resilience Act, and annually thereafter for the following 7 years, the Secretary of State shall submit an unclassified report, with a classified annex,";

(C) by redesignating subsection (c) as subsection (d); and

(D) by inserting after subsection (b) the following:

"(c) BRIEFINGS.—Not later than 90 days after the date of the enactment of the Taiwan Enhanced Resilience Act, and annually thereafter for the following 7 years, the Secretary of State shall provide briefings to the appropriate congressional committees on the steps taken in accordance with section (a). The briefings required under this subsection shall take place in an unclassified setting, but may be accompanied by an additional classified briefing.".

SEC. 5522. REPORT ON ROLE OF PEOPLE'S REPUBLIC OF CHINA'S NUCLEAR THREAT IN ESCALATION DYNAMICS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Select Committee on Intelligence of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Armed Services of the House of Representatives; and

(6) the Permanent Select Committee on Intelligence of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report assessing the role of the increasing nuclear threat of the People's Republic of China in escalation dynamics with respect to Taiwan.

(c) FORM.—The report required by subsection (b) shall be submitted in classified form, but may include an unclassified summary.

SEC. 5523. REPORT ANALYZING THE IMPACT OF RUSSIA'S WAR AGAINST UKRAINE ON THE OBJECTIVES OF THE PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO TAIWAN.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Select Committee on Intelligence of the Senate;

(5) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(6) the Committee on Commerce, Science, and Transportation of the Senate;

(7) the Committee on Foreign Affairs of the House of Representatives;

(8) the Committee on Armed Services of the House of Representatives;

(9) the Committee on Appropriations of the House of Representatives;

(10) the Permanent Select Committee on Intelligence of the House of Representatives;

(11) the Committee on Financial Services of the House of Representatives; and

(12) the Committee on Energy and Commerce of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit a report to the appropriate congressional committees that analyzes the impact of Russia's war against Ukraine on the PRC's diplomatic, military, economic, and propaganda objectives with respect to Taiwan.

(c) ELEMENTS.—The report required by subsection (b) shall describe—

(1) adaptations or known changes to PRC strategies and military doctrine that the United States assesses are a direct result of the Russian invasion of Ukraine or that the United States assesses represent lessons learned by the People's Republic of China in light of Russia's invasion of Ukraine, including changes—

(A) to PRC behavior in international forums;

(B) within the People's Liberation Army, with respect to the size of forces, the makeup of leadership, weapons procurement, equipment upkeep, the doctrine on the use of specific weapons, such as weapons banned under the international law of armed conflict, efforts to move weapons supply chains onto mainland PRC, or any other changes in its military strategy with respect to Taiwan;

(C) in economic planning, such as sanctions evasion, efforts to minimize exposure to sanctions, or moves in support of the protection of currency or other strategic reserves;

(D) to propaganda, disinformation, and other information operations originating in the PRC; and

(E) to the PRC's strategy for the use of force against Taiwan, including any information on preferred scenarios or operations to secure its objectives in Taiwan, adjustments based on how the Russian military has performed in Ukraine, and other relevant matters; and

(2) United States plans to adapt policies and military planning in response to the changes referred to in paragraph (1).

(d) FORM.—The report required by subsection (b) shall be submitted in classified form.

(e) COORDINATION WITH ALLIES AND PARTNERS.—The Secretary of State shall share information contained in the report required by subsection (b), as appropriate, with appropriate officials of allied and partners, including Taiwan and other partners in Europe and in the Indo-Pacific.

SEC. 5524. EXPANDING UNITED STATES-TAIWAN DEVELOPMENT COOPERATION.

(a) IN GENERAL.—No later than 120 days following the date of enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), the United States International Development Finance Corporation (DFC), and the heads of other relevant Federal departments and agencies that provide international economic assistance and other support, shall submit to Congress a report on cooperation with Taiwan on trilateral and multilateral development initiatives through the American Institute in Taiwan as appropriate.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following elements:

(1) A comprehensive review of existing cooperation mechanisms and initiatives among USAID, DFC, other relevant Federal agencies that provide international economic assistance and other support, and relevant departments and agencies in Taiwan, including Taiwan's International Cooperation and Development Fund (ICDF).

(2) An assessment of how United States development cooperation with relevant departments and agencies in Taiwan compares to comparable cooperation with partners of similar economic size and foreign assistance capacity to Taiwan.

(3) An analysis of the opportunities and challenges the cooperation reviewed in paragraph (1) has offered to date. The analysis shall include—

(A) opportunities that collaboration has offered to expand the United States Government's ability to deliver support, assistance, and other international financial products into a wider range communities;

(B) sectors where USAID, DFC, ICDF, other relevant Federal agencies that provide international economic assistance and other support in both Taiwan and the United States, or the organizations' implementing partners have a comparative advantage in providing assistance;

(C) opportunities to transition capacity building events with relevant departments and agencies in Taiwan, through the Global Cooperation and Training Framework as well as other forums, into enduring forms of development cooperation.

(4) An assessment of any legal, policy, logistical, financial, or administrative barriers to expanding cooperation in trilateral or multilateral development. The analysis shall include—

(A) availability of personnel at the American Institute in Taiwan responsible for coordinating development assistance cooperation;

(B) volume of current cooperation initiatives and barriers to expanding them;

(C) diplomatic, policy, or legal barriers facing the United States or other partners to including Taiwan in formal and informal multilateral development cooperation mechanisms;

(D) resource or capacity barriers to expanding cooperation facing the United States or Taiwan; and

(E) geopolitical barriers that complicate United States-Taiwan cooperation in third countries.

(5) Recommendations to address the challenges identified in paragraph (4).

(6) A description of any additional resources or authorities that expanding cooperation might require.

(c) FORM OF REPORT.—The strategy required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 5525. SENSE OF CONGRESS ON EXPANDING UNITED STATES ECONOMIC RELATIONS WITH TAIWAN.

It is the sense of the Congress that—

(1) expanding United States economic relations with Taiwan has benefitted the people of both the United States and Taiwan, as Taiwan is now the United States 10th largest goods trading partner, 13th largest export market, 13th largest source of imports, and a key destination for United States agricultural exports;

(2) further integration would benefit both peoples and is in the strategic and diplomatic interests of the United States; and

(3) the United States should explore opportunities to expand economic agreements between Taiwan and the United States, through dialogue, and by developing the legal templates required to support potential future agreements.

PART 5—SUPPORTING UNITED STATES EDUCATIONAL AND EXCHANGE PROGRAMS WITH TAIWAN

SEC. 5526. SHORT TITLE.

This part may be cited as the "Taiwan Fellowship Act".

SEC. 5527. FINDINGS.

Congress makes the following findings:

(1) The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) affirmed United States policy "to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area".

(2) Consistent with the Asia Reassurance Initiative Act of 2018 (Public Law 115–409), the United States has grown its strategic partnership with Taiwan's vibrant democracy of 23,000,000 people.

(3) The creation of a United States fellowship program with Taiwan would support—

(A) a key priority of expanding people-to-people exchanges, which was outlined in President Donald J. Trump's 2017 National Security Strategy;

(B) President Joseph R. Biden's commitment to Taiwan, "a leading democracy and a critical economic and security

partner", as expressed in his March 2021 Interim National Security Strategic Guidance; and

(C) April 2021 guidance from the Department of State based on a review required under the Taiwan Assurance Act of 2020 (subtitle B of title III of division FF of Public Law 116–260) to "encourage U.S. government engagement with Taiwan that reflects our deepening unofficial relationship".

SEC. 5528. PURPOSES.

The purposes of this part are—

(1) to further strengthen the United States-Taiwan strategic partnership and broaden understanding of the Indo-Pacific region by temporarily assigning officials of any agencies of the United States Government to Taiwan for intensive study in Mandarin and placement as Fellows in a Taiwanese civic institution;

(2) to provide for eligible United States personnel—

(A) to learn or strengthen Mandarin Chinese language skills; and

(B) to expand their understanding of the political economy of Taiwan and the Indo-Pacific region; and

(3) to better position the United States to advance its economic, security, and human rights interests and values in the Indo-Pacific region.

SEC. 5529. DEFINITIONS.

In this part:

(1) AGENCY HEAD.—The term "agency head" means, in the case of the executive branch of United States Government or a legislative branch agency described in paragraph (2), the head of the respective agency.

(2) AGENCY OF THE UNITED STATES GOVERNMENT.—The term "agency of the United States Government" includes the Government Accountability Office, the Congressional Budget Office, and the Congressional Research Service of the legislative branch, as well as any agency of the executive branch.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(4) DETAILEE.—The term "detailee" means—

(A) an employee of an agency of the United States Government on loan to the American Institute in Taiwan, without a change of position from the agency at which the employee is employed; and

(B) a legislative branch employee from the Government Accountability Office, Congressional Budget Office, or the Congressional Research Service.

(5) IMPLEMENTING PARTNER.—The term "implementing partner" means any United States organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that—

(A) performs logistical, administrative, and other functions, as determined by the Department of State and the American Institute of Taiwan in support of the Taiwan Fellowship Program; and

(B) enters into a cooperative agreement with the American Institute in Taiwan to administer the Taiwan Fellowship Program.

(6) PROGRAM.—The term "Program" means the Taiwan Fellowship Program established pursuant to section 5530.

SEC. 5530. TAIWAN FELLOWSHIP PROGRAM.

(a) ESTABLISHMENT.—The Secretary of State shall establish the Taiwan Fellowship Program (referred to in this section as the "Program") to provide a fellowship opportunity in Taiwan of up to 2 years for eligible United States citizens. The Department of State, in consultation with the American Institute in Taiwan and the implementing partner, may modify the name of the Program.

(b) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—The American Institute in Taiwan should use amounts appropriated pursuant to section 5533(a) to enter into an annual or multi-year cooperative agreement with an appropriate implementing partner.

(2) FELLOWSHIPS.—The Department of State or the American Institute in Taiwan, in consultation with, as appropriate, the implementing partner, should award to eligible United States citizens, subject to available funding—

(A) approximately 5 fellowships during the first 2 years of the Program; and

(B) approximately 10 fellowships during each of the remaining years of the Program.

(c) AMERICAN INSTITUTION IN TAIWAN AGREEMENT; IMPLEMENTING PARTNER.—Not later than 30 days after the date of the enactment of this Act, the American Institute in Taiwan, in consultation with the Department of State, should—

(1) begin negotiations with the Taipei Economic and Cultural Representative Office, or with another appropriate entity, for the purpose of entering into an agreement to facilitate the placement of fellows in an agency of Taiwan; and

(2) begin the process of selecting an implementing partner, which—

(A) shall agree to meet all of the legal requirements required to operate in Taiwan; and

(B) shall be composed of staff who demonstrate significant experience managing exchange programs in the Indo-Pacific region.

(d) CURRICULUM.—

(1) FIRST YEAR.—During the first year of each fellowship under this section, each fellow should study—

(A) the Mandarin Chinese language;

(B) the people, history, and political climate on Taiwan; and

(C) the issues affecting the relationship between the United States and the Indo-Pacific region.

(2) SECOND YEAR.—During the second year of each fellowship under this section, each fellow, subject to the approval of the Department of State, the American Institute in Taiwan, and the implementing partner, and in accordance with the purposes of this subtitle, should work in—

(A) a parliamentary office, ministry, or other agency of Taiwan; or

(B) an organization outside the public sector in Taiwan, whose interests are associated with the interests of the fellow and the agency of the United States Government from which the fellow is or had been employed.

(e) PROGRAM REQUIREMENTS.—

(1) ELIGIBILITY REQUIREMENTS.—A United States citizen is eligible for a fellowship under this section if the citizen—

(A) is an employee of the United States Government;

(B) has received at least one exemplary performance review in his or her current United States Government role within at least the last three years prior to beginning the fellowship;

(C) has at least 2 years of experience in any branch of the United States Government;

(D) has a demonstrated professional or educational background in the relationship between the United States and countries in the Indo-Pacific region; and

(E) has demonstrated his or her commitment to further service in the United States Government.

(2) RESPONSIBILITIES OF FELLOWS.—Each recipient of a fellowship under this section shall agree, as a condition of such fellowship—

(A) to maintain satisfactory progress in language training and appropriate behavior in Taiwan, consistent with United States Government policy toward Taiwan, as determined by the Department of State, the American Institute in Taiwan and, as appropriate, its implementing partner;

(B) to refrain from engaging in any intelligence or intelligence-related activity on behalf of the United States Government; and

(C) to continue Federal Government employment for a period of not less than 4 years after the conclusion of the fellowship or for not less than 2 years for a fellowship that is 1 year or shorter.

(3) RESPONSIBILITIES OF IMPLEMENTING PARTNER.—

(A) SELECTION OF FELLOWS.—The implementing partner, with the concurrence of the Department of State and the American Institute in Taiwan, shall—

(i) make efforts to recruit fellowship candidates who reflect the diversity of the United States;

(ii) select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan; and

(iii) prioritize the selection of candidates willing to serve in a fellowship lasting 1 year or longer.

(B) FIRST YEAR.—The implementing partner should provide each fellow in the first year (or shorter duration, as jointly determined by the Department of State and the American Institute in Taiwan for those who are not serving a 2-year fellowship) with—

(i) intensive Mandarin Chinese language training; and

(ii) courses in the politics, culture, and history of Taiwan, China, and the broader Indo-Pacific.

(C) WAIVER OF FIRST-YEAR TRAINING.—The Department of State, in coordination with the American Institute in Taiwan and, as appropriate, the implementing partner, may waive any of the training required under paragraph (2) to the extent that a fellow has Mandarin language skills, knowledge of the topic described in subparagraph (B)(ii), or for other related reasons approved by the Department of State and the American Institute in Taiwan. If any of the training requirements are waived for a fellow serving a 2-year fellowship, the training portion of his or her fellowship may be shortened to the extent appropriate.

(D) OFFICE; STAFFING.—The implementing partner, in consultation with the Department of State and the American Institute in Taiwan, may maintain an office and at least 1 full-time staff member in Taiwan—

(i) to liaise with the American Institute in Taiwan and institutions of Taiwan; and

(ii) to serve as the primary in-country point of contact for the recipients of fellowships under this part and their dependents.

(E) OTHER FUNCTIONS.—The implementing partner may perform other functions in association with support of the Taiwan Fellowship Program, including logistical and administrative functions, as prescribed by the Department of State and the American Institute in Taiwan.

(4) NONCOMPLIANCE.—

(A) IN GENERAL.—Any fellow who fails to comply with the requirements under this section shall reimburse the American Institute in Taiwan, or the appropriate United States Government agency for—

(i) the Federal funds expended for the fellow's participation in the fellowship, as set forth in subparagraphs (B) and (C); and

(ii) interest accrued on such funds (calculated at the prevailing rate).

(B) FULL REIMBURSEMENT.—Any fellow who violates subparagraph (A) or (B) of paragraph (2) shall reimburse the American Institute in Taiwan, or the appropriate United States Government agency, in an amount equal to the sum of—

(i) all of the Federal funds expended for the fellow's participation in the fellowship; and

(ii) interest on the amount specified in subparagraph (A), which shall be calculated at the prevailing rate.

(C) PRO RATA REIMBURSEMENT.—Any fellow who violates subparagraph (C) of paragraph (2) shall reimburse the American Institute in Taiwan, or the appropriate United States Government agency, in an amount equal to the difference between—

(i) the amount specified in subparagraph (B); and

(ii) the product of—

(I) the amount the fellow received in compensation during the final year of the fellowship, including the value of any allowances and benefits received by the fellow; multiplied by

(II) the percentage of the period specified in paragraph (2)(C) during which the fellow did not remain employed by the Federal Government.

(f) FLEXIBLE FELLOWSHIP DURATION.—Notwithstanding any requirement under this section, the Secretary of State, in consultation with the American Institute in Taiwan and, as appropriate, the implementing partner, may award fellowships that have a duration of less than 2 years, and may alter the curriculum requirements under subsection (d) for such purposes.

(g) SUNSET.—The fellowship program under this part shall terminate 7 years after the date of the enactment of this Act.

SEC. 5531. REPORTS AND AUDITS.

(a) ANNUAL REPORT.—Not later than 90 days after the selection of the first class of fellows under this part, and annually thereafter for 7 years, the Department of State shall offer to brief the appropriate committees of Congress regarding the following issues:

(1) An assessment of the performance of the implementing partner in fulfilling the purposes of this part.

(2) The names and sponsoring agencies of the fellows selected by the implementing partner and the extent to which such fellows represent the diversity of the United States.

(3) The names of the parliamentary offices, ministries, other agencies of Taiwan, and nongovernmental institutions to which each fellow was assigned during the second year of the fellowship.

(4) Any recommendations, as appropriate, to improve the implementation of the Taiwan Fellowship Program, including added flexibilities in the administration of the program.

(5) An assessment of the Taiwan Fellowship Program's value upon the relationship between the United States and Taiwan or the United States and Asian countries.

(b) ANNUAL FINANCIAL AUDIT.—

(1) IN GENERAL.—The financial records of any implementing partner shall be audited annually in accordance with generally accepted government auditing standards by independent certified public accountants or independent licensed public accountants who are certified or licensed by a regulatory authority of a State or another political subdivision of the United States.

(2) LOCATION.—Each audit under paragraph (1) shall be conducted at the place or places where the financial records of the implementing partner are normally kept.

(3) ACCESS TO DOCUMENTS.—The implementing partner shall make available to the accountants conducting an audit under paragraph (1)—

(A) all books, financial records, files, other papers, things, and property belonging to, or in use by, the implementing partner that are necessary to facilitate the audit; and

(B) full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(4) REPORT.—

(A) IN GENERAL.—Not later than 270 days after the end of each fiscal year, the implementing partner shall provide a report of the audit conducted for such fiscal year under paragraph (1) to the Department of State and the American Institute in Taiwan.

(B) CONTENTS.—Each audit report shall—

(i) set forth the scope of the audit;

(ii) include such statements, along with the auditor's opinion of those statements, as may be necessary to present fairly the implementing partner's assets and liabilities, surplus or deficit, with reasonable detail;

(iii) include a statement of the implementing partner's income and expenses during the year; and

(iv) include a schedule of—

(I) all contracts and cooperative agreements requiring payments greater than $5,000; and

(II) any payments of compensation, salaries, or fees at a rate greater than $5,000 per year.

(C) COPIES.—Each audit report shall be produced in sufficient copies for distribution to the public.

SEC. 5532. TAIWAN FELLOWS ON DETAIL FROM GOVERNMENT SERVICE.

(a) IN GENERAL.—

(1) DETAIL AUTHORIZED.—With the approval of the Secretary of State, an agency head may detail, for a period of not more than 2 years, an employee of the agency of the United States Government who has been awarded a fellowship under this part, to the American Institute in Taiwan for the purpose of assignment to Taiwan or an organization described in section 5530(d)(2)(B).

(2) AGREEMENT.—Each detailee shall enter into a written agreement with the Federal Government before receiving a fellowship, in which the fellow shall agree—

(A) to continue in the service of the sponsoring agency at the end of fellowship for a period of at least 4 years (or at least 2 years if the fellowship duration is 1 year or shorter) unless the detailee is involuntarily separated from the service of such agency; and

(B) to pay to the American Institute in Taiwan, or the United States Government agency, as appropriate, any ad-

ditional expenses incurred by the Federal Government in connection with the fellowship if the detailee voluntarily separates from service with the sponsoring agency before the end of the period for which the detailee has agreed to continue in the service of such agency.

(3) EXCEPTION.—The payment agreed to under paragraph (2)(B) may not be required from a detailee who leaves the service of the sponsoring agency to enter into the service of another agency of the United States Government unless the head of the sponsoring agency notifies the detailee before the effective date of entry into the service of the other agency that payment will be required under this subsection.

(b) STATUS AS GOVERNMENT EMPLOYEE.—A detailee—

(1) is deemed, for the purpose of preserving allowances, privileges, rights, seniority, and other benefits, to be an employee of the sponsoring agency;

(2) is entitled to pay, allowances, and benefits from funds available to such agency, which is deemed to comply with section 5536 of title 5, United States Code; and

(3) may be assigned to a position with an entity described in section 5530(d)(2)(A) if acceptance of such position does not involve—

(A) the taking of an oath of allegiance to another government; or

(B) the acceptance of compensation or other benefits from any foreign government by such detailee.

(c) RESPONSIBILITIES OF SPONSORING AGENCY.—

(1) IN GENERAL.—The Federal agency from which a detailee is detailed should provide the fellow allowances and benefits that are consistent with Department of State Standardized Regulations or other applicable rules and regulations, including—

(A) a living quarters allowance to cover the cost of housing in Taiwan;

(B) a cost of living allowance to cover any possible higher costs of living in Taiwan;

(C) a temporary quarters subsistence allowance for up to 7 days if the fellow is unable to find housing immediately upon arriving in Taiwan;

(D) an education allowance to assist parents in providing the fellow's minor children with educational services ordinarily provided without charge by public schools in the United States;

(E) moving expenses to transport personal belongings of the fellow and his or her family in their move to Taiwan, which is comparable to the allowance given for American Institute in Taiwan employees assigned to Taiwan; and

(F) an economy-class airline ticket to and from Taiwan for each fellow and the fellow's immediate family.

(2) MODIFICATION OF BENEFITS.—The American Institute in Taiwan and its implementing partner, with the approval of the Department of State, may modify the benefits set forth in paragraph (1) if such modification is warranted by fiscal circumstances.

(d) NO FINANCIAL LIABILITY.—The American Institute in Taiwan, the implementing partner, and Taiwan or non-public sector entities in Taiwan at which a fellow is detailed during the second year of the fellowship may not be held responsible for the pay, allowances, or any other benefit normally provided to the detailee.

(e) REIMBURSEMENT.—Fellows may be detailed under subsection (a)(1) without reimbursement to the United States by the American Institute in Taiwan.

(f) ALLOWANCES AND BENEFITS.—Detailees may be paid by the American Institute in Taiwan for the allowances and benefits listed in subsection (c).

SEC. 5533. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the American Institute in Taiwan—

(1) for fiscal year 2023, $2,900,000, of which—

(A) $500,000 should be used to launch the Taiwan Fellowship Program through a competitive cooperative agreement with an appropriate implementing partner;

(B) $2,300,000 should be used to fund a cooperative agreement with an appropriate implementing partner; and

(C) $100,000 should be used for management expenses of the American Institute in Taiwan related to the management of the Taiwan Fellowship Program; and

(2) for fiscal year 2024, and each succeeding fiscal year, $2,400,000, of which—

(A) $2,300,000 should be used for a cooperative agreement to the appropriate implementing partner; and

(B) $100,000 should be used for management expenses of the American Institute in Taiwan related to the management of the Taiwan Fellowship Program.

(b) PRIVATE SOURCES.—The implementing partner selected to implement the Taiwan Fellowship Program may accept, use, and dispose of gifts or donations of services or property in carrying out such program, subject to the review and approval of the American Institute in Taiwan.

SEC. 5534. STUDY AND REPORT.

Not later than 1 year prior to the sunset of the fellowship program under section 5530(g), the Comptroller General of the United States shall conduct a study and submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House a report that includes—

(1) an analysis of the United States Government participants in this program, including the number of applicants and the number of fellowships undertaken, the place of employment, and an assessment of the costs and benefits for participants and for the United States Government of such fellowships;

(2) an analysis of the financial impact of the fellowship on United States Government offices which have provided fellows to participate in the program; and

(3) recommendations, if any, on how to improve the fellowship program.

SEC. 5535. SUPPORTING UNITED STATES EDUCATIONAL AND EXCHANGE PROGRAMS WITH TAIWAN.

(a) ESTABLISHMENT OF THE UNITED STATES-TAIWAN CULTURAL EXCHANGE FOUNDATION.—The Secretary of State should consider establishing an independent nonprofit entity that—

(1) is dedicated to deepening ties between the future leaders of Taiwan and the future leaders of the United States; and

(2) works with State and local school districts and educational institutions to send high school and university students to Taiwan to study the Chinese language, culture, history, politics, and other relevant subjects.

(b) PARTNER.—State and local school districts and educational institutions, including public universities, are encouraged to partner with the Taipei Economic and Cultural Representative Office in the United States to establish programs to promote more educational and cultural exchanges.

PART 6—UNITED STATES-TAIWAN PUBLIC HEALTH PROTECTION

SEC. 5536. SHORT TITLE.

This part may be cited as "United States-Taiwan Public Health Protection Act".

SEC. 5537. DEFINITIONS.

In this part:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this part, the term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Energy and Commerce of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(2) CENTER.—The term "Center" means the Infectious Disease Monitoring Center described in section 5538(a)(2).

SEC. 5538. STUDY ON AN INFECTIOUS DISEASE MONITORING CENTER.

(a) STUDY.—Not later than one year after the date of the enactment of this Act, the Secretary of State and the Secretary of Health and Human Services, in consultation with the heads of other relevant Federal departments and agencies, shall submit to appropriate congressional committees a study that includes the following:

(1) A description of ongoing cooperation between the United States Government and Taiwan related to public health, including public health activities supported by the United States in Taiwan.

(2) A description how the United States and Taiwan can promote further cooperation and expand public health activities, including the feasibility and utility of establishing an Infectious

Disease Monitoring Center within the American Institute of Taiwan in Taipei, Taiwan to—

(A) regularly monitor, analyze, and disseminate open-source material from countries in the region, including viral strains, bacterial subtypes, and other pathogens;

(B) engage in people-to-people contacts with medical specialists and public health officials in the region;

(C) provide expertise and information on infectious diseases to the United States Government and Taiwanese officials; and

(D) carry out other appropriate activities, as determined by the Director of the Center.

(b) ELEMENTS.—The study required by subsection (a) shall include—

(1) a plan on how such a Center would be established and operationalized, including—

(A) the personnel, material, and funding requirements necessary to establish and operate the Center; and

(B) the proposed structure and composition of Center personnel, which may include—

(i) infectious disease experts from the Department of Health and Human Services, who are recommended to serve as detailees to the Center; and

(ii) additional qualified persons to serve as detailees to or employees of the Center, including—

(I) from any other relevant Federal department or agencies, to include the Department of State and the United States Agency for International Development;

(II) qualified foreign service nationals or locally engaged staff who are considered citizens of Taiwan; and

(III) employees of the Taiwan Centers for Disease Control;

(2) an evaluation, based on the factors in paragraph (1), of whether to establish the Center; and

(3) a description of any consultations or agreements between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States regarding the establishment and operation of the Center, including—

(A) the role that employees of the Taiwan Centers for Disease Control would play in supporting or coordinating with the Center; and

(B) whether any employees of the Taiwan Centers for Disease Control would be detailed to, or co-located with, the Center.

(c) CONSULTATION.—The Secretary of State and the Secretary of Health and Human Services shall consult with the appropriate congressional committees before full completion of the study.

PART 7—RULES OF CONSTRUCTION

SEC. 5539. RULE OF CONSTRUCTION.

Nothing in this subtitle may be construed—

(1) to restore diplomatic relations with the Republic of China; or

(2) to alter the United States Government's position with respect to the international status of the Republic of China.

SEC. 5540. RULE OF CONSTRUCTION REGARDING THE USE OF MILITARY FORCE.

Nothing in this title may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

Subtitle B—United States-Ecuador Partnership Act of 2022

SEC. 5541. SHORT TITLE.

This subtitle may be cited as the "United States-Ecuador Partnership Act of 2022".

SEC. 5542. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should take additional steps to strengthen its bilateral partnership with Ecuador, including by providing for robust trade and investment, increasing law enforcement cooperation, renewing the activities of the United States Agency for International Development in Ecuador, and supporting Ecuador's response to and recovery from the COVID–19 pandemic, as necessary and appropriate; and

(2) strengthening the United States-Ecuador partnership presents an opportunity to advance core United States national security interests and work with other democratic partners to maintain a prosperous, politically stable, and democratic Western Hemisphere that is resilient to malign foreign influence.

SEC. 5543. FACILITATING ECONOMIC AND COMMERCIAL TIES.

The Secretary of State, in coordination with the Secretary of Commerce, the United States Trade Representative, the Secretary of the Treasury, and the heads of other relevant Federal departments and agencies, as appropriate, shall develop and implement a strategy to strengthen commercial and economic ties between the United States and Ecuador by—

(1) promoting cooperation and information sharing to encourage awareness of and increase trade and investment opportunities between the United States and Ecuador;

(2) supporting efforts by the Government of Ecuador to promote a more open, transparent, and competitive business environment, including by lowering trade barriers, implementing policies to reduce trading times, and improving efficiencies to expedite customs operations for importers and exporters of all sizes, in all sectors, and at all ports of entry in Ecuador;

(3) establishing frameworks or mechanisms to review the long term financial sustainability and security implications of foreign investments in Ecuador in strategic sectors or services;

(4) establishing competitive and transparent infrastructure project selection and procurement processes in Ecuador that

promote transparency, open competition, financial sustainability, and robust adherence to global standards and norms;

(5) developing programs to help the Government of Ecuador improve efficiency and transparency in customs administration, including through support for the Government of Ecuador's ongoing efforts to digitize its customs process and accept electronic documents required for the import, export, and transit of goods under specific international standards, as well as related training to expedite customs, security, efficiency, and competitiveness;

(6) spurring digital transformation that would advance—

(A) the provision of digitized government services with the greatest potential to improve transparency, lower business costs, and expand citizens' access to public services and public information; and

(B) best practices to mitigate the risks to digital infrastructure by doing business with communication networks and communications supply chains with equipment and services from companies with close ties to or susceptible to pressure from governments or security services without reliable legal checks on governmental powers; and

(7) identifying, as appropriate, a role for the United States International Development Finance Corporation, the Millennium Challenge Corporation, the United States Agency for International Development, and the United States private sector in supporting efforts to increase private sector investment and strengthen economic prosperity.

SEC. 5544. PROMOTING INCLUSIVE ECONOMIC DEVELOPMENT.

The Administrator of the United States Agency for International Development, in coordination with the Secretary of State and the heads of other relevant Federal departments and agencies, as appropriate, shall develop and implement a strategy and related programs to support inclusive economic development across Ecuador's national territory by—

(1) facilitating increased access to public and private financing, equity investments, grants, and market analysis for small and medium-sized businesses;

(2) providing technical assistance to local governments to formulate and enact local development plans that invest in Indigenous and Afro-Ecuadorian communities;

(3) connecting rural agricultural networks, including Indigenous and Afro-Ecuadorian agricultural networks, to consumers in urban centers and export markets, including through infrastructure construction and maintenance programs that are subject to audits and carefully designed to minimize potential environmental harm;

(4) partnering with local governments, the private sector, and local civil society organizations, including organizations representing marginalized communities and faith-based organizations, to provide skills training and investment in support of initiatives that provide economically viable, legal alternatives to participating in illegal economies; and

(5) connecting small scale fishing enterprises to consumers and export markets, in order to reduce vulnerability to organized criminal networks.

SEC. 5545. COMBATING ILLICIT ECONOMIES, CORRUPTION, AND NEGATIVE FOREIGN INFLUENCE.

The Secretary of State, in coordination with the Secretary of the Treasury, shall develop and implement a strategy and related programs to increase the capacity of Ecuador's justice system and law enforcement authorities to combat illicit economies, corruption, transnational criminal organizations, and the harmful influence of malign foreign and domestic actors by—

(1) providing technical assistance and material support (including, as appropriate, radars, vessels, and communications equipment) to vetted specialized units of Ecuador's national police and the armed services to disrupt, degrade, and dismantle organizations involved in illicit narcotics trafficking, transnational criminal activities, illicit mining, and illegal, unregulated, and unreported fishing, among other illicit activities;

(2) providing technical assistance to address challenges related to Ecuador's penitentiary and corrections system;

(3) strengthening the regulatory framework of mining through collaboration with key Ecuadorian institutions, such as the Interior Ministry's Special Commission for the Control of Illegal Mining and the National Police's Investigative Unit on Mining Crimes, and providing technical assistance in support of their law enforcement activities;

(4) providing technical assistance to judges, prosecutors, and ombudsmen to increase capacity to enforce laws against human smuggling and trafficking, illicit mining, illegal logging, illegal, unregulated, and unreported (IUU) fishing, and other illicit economic activities;

(5) providing support to the Government of Ecuador to prevent illegal, unreported, and unregulated fishing, including through expanding detection and response capabilities, and the use of dark vessel tracing technology;

(6) supporting multilateral efforts to stem illegal, unreported, and unregulated fishing with neighboring countries in South America and within the South Pacific Regional Fisheries Management Organisation;

(7) assisting the Government of Ecuador's efforts to protect defenders of internationally recognized human rights, including through the work of the Office of the Ombudsman of Ecuador, and by encouraging the inclusion of Indigenous and Afro-Ecuadorian communities and civil society organizations in this process;

(8) supporting efforts to improve transparency, uphold accountability, and build capacity within the Office of the Comptroller General;

(9) enhancing the institutional capacity and technical capabilities of defense and security institutions of Ecuador to conduct national or regional security missions, including through regular bilateral and multilateral cooperation, foreign military financing, international military education, and training pro-

grams, consistent with applicable Ecuadorian laws and regulations;

(10) enhancing port management and maritime security partnerships to disrupt, degrade, and dismantle transnational criminal networks and facilitate the legitimate flow of people, goods, and services; and

(11) strengthening cybersecurity cooperation—

(A) to effectively respond to cybersecurity threats, including state-sponsored threats;

(B) to share best practices to combat such threats;

(C) to help develop and implement information architectures that respect individual privacy rights and reduce the risk that data collected through such systems will be exploited by malign state and non-state actors;

(D) to strengthen resilience against cyberattacks; and

(E) to strengthen the resilience of critical infrastructure.

SEC. 5546. STRENGTHENING DEMOCRATIC GOVERNANCE.

(a) STRENGTHENING DEMOCRATIC GOVERNANCE.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, should develop and implement initiatives to strengthen democratic governance in Ecuador by supporting—

(1) measures to improve the capacity of national and subnational government institutions to govern through transparent, inclusive, and democratic processes;

(2) efforts that measurably enhance the capacity of political actors and parties to strengthen democratic institutions and the rule of law;

(3) initiatives to strengthen democratic governance, including combating political, administrative, and judicial corruption and improving transparency of the administration of public budgets; and

(4) the efforts of civil society organizations and independent media—

(A) to conduct oversight of the Government of Ecuador and the National Assembly of Ecuador;

(B) to promote initiatives that strengthen democratic governance, anti-corruption standards, and public and private sector transparency; and

(C) to foster political engagement between the Government of Ecuador, including the National Assembly of Ecuador, and all parts of Ecuadorian society, including women, indigenous communities, and Afro-Ecuadorian communities.

(b) LEGISLATIVE STRENGTHENING.—The Administrator of the United States Agency for International Development, working through the Consortium for Elections and Political Process Strengthening or any equivalent or successor mechanism, shall develop and implement programs to strengthen the National Assembly of Ecuador by providing training and technical assistance to—

(1) members and committee offices of the National Assembly of Ecuador, including the Ethics Committee and Audit Committee;

(2) assist in the creation of entities that can offer comprehensive and independent research and analysis on legislative and oversight matters pending before the National Assembly, including budgetary and economic issues; and

(3) improve democratic governance and government transparency, including through effective legislation.

(c) BILATERAL LEGISLATIVE COOPERATION.—To the degree practicable, in implementing the programs required under subsection (b), the Administrator of the United States Agency for International Development should facilitate meetings and collaboration between members of the United States Congress and the National Assembly of Ecuador.

SEC. 5547. FOSTERING CONSERVATION AND STEWARDSHIP.

The Administrator of the United States Agency for International Development, in coordination with the Secretary of State and the heads of other relevant Federal departments and agencies, shall develop and implement programs and enhance existing programs, as necessary and appropriate, to improve ecosystem conservation and enhance the effective stewardship of Ecuador's natural resources by—

(1) providing technical assistance to Ecuador's Ministry of the Environment to safeguard national parks and protected forests and protected species, while promoting the participation of Indigenous communities in this process;

(2) strengthening the capacity of communities to access the right to prior consultation, encoded in Article 57 of the Constitution of Ecuador and related laws, executive decrees, administrative acts, and ministerial regulations;

(3) supporting Indigenous and Afro-Ecuadorian communities as they raise awareness of threats to biodiverse ancestral lands, including through support for local media in such communities and technical assistance to monitor illicit activities;

(4) partnering with the Government of Ecuador in support of reforestation and improving river, lake, and coastal water quality;

(5) providing assistance to communities affected by illegal mining and deforestation; and

(6) fostering mechanisms for cooperation on emergency preparedness and rapid recovery from natural disasters, including by—

(A) establishing regional preparedness, recovery, and emergency management centers to facilitate rapid response to survey and help maintain planning on regional disaster anticipated needs and possible resources; and

(B) training disaster recovery officials on latest techniques and lessons learned from United States experiences.

SEC. 5548. AUTHORIZATION TO TRANSFER EXCESS COAST GUARD VESSELS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should undertake efforts to expand cooperation with the Government of Ecuador to—

(1) ensure protections for the Galápagos Marine Reserve;

(2) deter illegal, unreported, and unregulated fishing; and

(3) increase interdiction of narcotics trafficking and other forms of illicit trafficking.

(b) AUTHORITY TO TRANSFER EXCESS COAST GUARD VESSELS TO THE GOVERNMENT OF ECUADOR.—The President shall conduct a joint assessment with the Government of Ecuador to ensure sufficient capacity exists to maintain Island class cutters. Upon completion of a favorable assessment, the President is authorized to transfer up to two ISLAND class cutters to the Government of Ecuador as excess defense articles pursuant to the authority of section 516 of the Foreign Assistance Act (22 U.S.C. 2321j).

(c) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (b) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(d) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(e) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States.

(f) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

SEC. 5549. REPORTING REQUIREMENTS.

(a) SECRETARY OF STATE.—The Secretary of State, in coordination with the heads of other relevant Federal departments and agencies as described in sections 5543, 5545, and 5546(a), shall—

(1) not later than 180 days after the date of the enactment of this Act, submit to the appropriate congressional committees a comprehensive strategy to address the requirements described in sections 5543, 5545, and 5546(a); and

(2) not later than 2 years and 4 years after submitting the comprehensive strategy under paragraph (1), submit to the appropriate congressional committees a report describing the implementation of the strategy.

(b) ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Administrator of the United States Agency for International Development, in coordination with the heads of other relevant Federal departments and agencies as described in sections 5544, 5546(b), and 5547, shall—

(1) not later than 180 days after the date of the enactment of this Act, submit to appropriate congressional committees a comprehensive strategy to address the requirements described in sections 5544, 5546(b) and 5547; and

(2) not later than 2 years and 4 years after submitting the comprehensive strategy under paragraph (1), submit to the ap-

propriate congressional committees a report describing the implementation of the strategy.

(c) SUBMISSION.—The strategies and reports required under subsections (a) and (b) may be submitted to the appropriate congressional committees as joint strategies and reports.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subtitle, the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs and the Committee on Energy and Commerce of the House of Representatives.

SEC. 5550. SUNSET.

This subtitle shall terminate on the date that is 5 years after the date of the enactment of this Act.

Subtitle C—FENTANYL Results Act

SEC. 5551. SHORT TITLE.

This subtitle may be cited as the "Fighting Emerging Narcotics Through Additional Nations to Yield Lasting Results Act" or the "FENTANYL Results Act".

SEC. 5552. PRIORITIZATION OF EFFORTS OF THE DEPARTMENT OF STATE TO COMBAT INTERNATIONAL TRAFFICKING IN COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—The Secretary of State shall prioritize efforts of the Department of State to combat international trafficking of covered synthetic drugs by carrying out programs and activities to include the following:

(1) Supporting increased data collection by the United States and foreign countries through increased drug use surveys among populations, increased use of wastewater testing where appropriate, and multilateral sharing of that data.

(2) Engaging in increased consultation and partnership with international drug agencies, including the European Monitoring Centre for Drugs and Drug Addiction, regulatory agencies in foreign countries, and the United Nations Office on Drugs and Crime.

(3) Carrying out programs to provide technical assistance and equipment, as appropriate, to strengthen the capacity of foreign law enforcement agencies with respect to covered synthetic drugs, as required by section 5553.

(4) Carrying out exchange programs for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of covered synthetic drugs and other drugs, as required by section 5554.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this section.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on the Judiciary of the House of Representatives.

SEC. 5553. PROGRAM TO PROVIDE ASSISTANCE TO BUILD THE CAPACITY OF FOREIGN LAW ENFORCEMENT AGENCIES WITH RESPECT TO COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420), the Secretary of State shall establish a program to provide assistance to strengthen the capacity of law enforcement agencies of the countries described in subsection (c) to help such agencies to identify, track, and improve their forensics detection capabilities with respect to covered synthetic drugs.

(b) PRIORITY.—The Secretary of State shall prioritize technical assistance, and the provision of equipment, as appropriate, under subsection (a) among those countries described in subsection (c) in which such assistance and equipment would have the most impact in reducing illicit use of covered synthetic drugs in the United States.

(c) COUNTRIES DESCRIBED.—The foreign countries described in this subsection are—

(1) countries that are producers of covered synthetic drugs;

(2) countries whose pharmaceutical and chemical industries are known to be exploited for development or procurement of precursors of covered synthetic drugs; or

(3) major drug-transit countries for covered synthetic drugs as defined by the Secretary of State.

(d) EXCEPTION.—No assistance may be provided to the People's Republic of China or to any of its law enforcement agencies pursuant to the program authorized by this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State to carry out this section $4,000,000 for each of fiscal years 2023 through 2027.

SEC. 5554. EXCHANGE PROGRAM ON DEMAND REDUCTION MATTERS RELATING TO ILLICIT USE OF COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—The Secretary of State shall establish or continue and strengthen, as appropriate, an exchange program for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of covered synthetic drugs and other drugs.

(b) PROGRAM REQUIREMENTS.—The program required by subsection (a)—

(1) shall be limited to individuals who have expertise and experience in matters described in subsection (a);

(2) in the case of inbound exchanges, may be carried out as part of exchange programs and international visitor programs

administered by the Bureau of Educational and Cultural Affairs of the Department of State, including the International Visitor Leadership Program, in coordination with the Bureau of International Narcotics and Law Enforcement Affairs; and

(3) shall include outbound exchanges for governmental or nongovernmental personnel in the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State to carry out this section $1,000,000 for each of fiscal years 2023 through 2027.

SEC. 5555. AMENDMENTS TO INTERNATIONAL NARCOTICS CONTROL PROGRAM.

(a) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended—

(1) by redesignating the second paragraph (10) as paragraph (11); and

(2) by adding at the end the following:

"(12) COVERED SYNTHETIC DRUGS AND NEW PSYCHOACTIVE SUBSTANCES.—

"(A) COVERED SYNTHETIC DRUGS.—Information that contains an assessment of the countries significantly involved in the manufacture, production, transshipment, or trafficking of covered synthetic drugs, to include the following:

"(i) The scale of legal domestic production and any available information on the number of manufacturers and producers of such drugs in such countries.

"(ii) Information on any law enforcement assessments of the scale of illegal production of such drugs, including a description of the capacity of illegal laboratories to produce such drugs.

"(iii) The types of inputs used and a description of the primary methods of synthesis employed by illegal producers of such drugs.

"(iv) An assessment of the policies of such countries to regulate licit manufacture and interdict illicit manufacture, diversion, distribution, shipment, and trafficking of such drugs and an assessment of the effectiveness of the policies' implementation.

"(B) NEW PSYCHOACTIVE SUBSTANCES.—Information on, to the extent practicable, any policies of responding to new psychoactive substances, to include the following:

"(i) Which governments have articulated policies on scheduling of such substances.

"(ii) Any data on impacts of such policies and other responses to such substances.

"(iii) An assessment of any policies the United States could adopt to improve its response to new psychoactive substances.

"(C) DEFINITIONS.—In this paragraph, the terms 'covered synthetic drug' and 'new psychoactive substance' have the meaning given those terms in section 5558 of the FENTANYL Results Act.".

(b) DEFINITION OF MAJOR ILLICIT DRUG PRODUCING COUNTRY.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (C), by striking "; or" and inserting a semicolon;

(B) in subparagraph (D), by striking the semicolon at the end and inserting "; or"; and

(C) by adding at the end the following:

"(E) that is a significant direct source of covered synthetic drugs or psychotropic drugs or other controlled substances, including precursor chemicals when those chemicals are used in the production of such drugs and substances, significantly affecting the United States;";

(2) by amending paragraph (5) to read as follows:

"(5) the term 'major drug-transit country' means a country through which are transported covered synthetic drugs or psychotropic drugs or other controlled substances significantly affecting the United States;";

(3) in paragraph (7), by striking "; and" and inserting a semicolon;

(4) in paragraph (8), by striking the period at the end and inserting "; and"; and

(5) by adding at the end the following:

"(9) the term 'covered synthetic drug' has the meaning given that term in section 5558 of the FENTANYL Results Act.".

SEC. 5556. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should direct the United States Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to advocate for more transparent assessments of countries by the International Narcotics Control Board; and

(2) bilateral, plurilateral, and multilateral international cooperation is essential to combating the trafficking of covered synthetic drugs.

SEC. 5557. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to affect the prioritization of extradition requests.

SEC. 5558. DEFINITIONS.

In this subtitle:

(1) CONTROLLED SUBSTANCE; CONTROLLED SUBSTANCE ANALOGUE.—The terms "controlled substance" and "controlled substance analogue" have the meanings given those terms in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) COVERED SYNTHETIC DRUG.—The term "covered synthetic drug" means—

(A) a synthetic controlled substance or synthetic controlled substance analogue, including fentanyl or a fentanyl analogue; or

(B) a new psychoactive substance.

(3) NEW PSYCHOACTIVE SUBSTANCE.—The term "new psychoactive substance" means a substance of abuse, or any preparation thereof, that—

(A) is not—

(i) included in any schedule as a controlled substance under the Controlled Substances Act (21 U.S.C. 801 et seq.); or

(ii) controlled by the Single Convention on Narcotic Drugs, done at New York March 30, 1961, or the Convention on Psychotropic Substances, done at Vienna February 21, 1971;

(B) is new or has reemerged on the illicit market; and

(C) poses a threat to the public health and safety.

Subtitle D—International Pandemic Preparedness

SEC. 5559. SHORT TITLE.

This subtitle may be cited as the "Global Health Security and International Pandemic Prevention, Preparedness and Response Act of 2022".

SEC. 5560. DEFINITIONS.

In this subtitle:

(1) The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) The terms "Global Health Security Agenda" and "GHSA" mean the multi-sectoral initiative launched in 2014, and renewed in 2018, that brings together countries, regions, international organizations, nongovernmental organizations, and the private sector—

(A) to elevate global health security as a national-level priority;

(B) to share best practices; and

(C) to facilitate national capacity to comply with and adhere to—

(i) the International Health Regulations (2005);

(ii) the international standards and guidelines established by the World Organisation for Animal Health;

(iii) United Nations Security Council Resolution 1540 (2004);

(iv) the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow, April 10, 1972 (commonly referred to as the "Biological Weapons Convention");

(v) the Global Health Security Agenda 2024 Framework; and

(vi) other relevant frameworks that contribute to global health security.

(3) The term "Global Health Security Index" means the comprehensive assessment and benchmarking of health security and related capabilities across the countries that make up the States Parties to the International Health Regulations (2005).

(4) The term "Global Health Security Initiative" means the informal network of countries and organizations that came together in 2001, to undertake concerted global action to strengthen public health preparedness and response to chemical, biological, radiological, and nuclear threats, including pandemic influenza.

(5) The term "IHR (2005) Monitoring and Evaluation Framework" means the framework through which the World Health Organization and the State Parties to the International Health Regulations, as amended in 2005, review, measure, and assess core country public health capacities and ensure mutual accountability for global health security under the International Health Regulations (2005), including through the Joint External Evaluations, simulation exercises, and after-action reviews.

(6) The term "Joint External Evaluation" means the voluntary, collaborative, multi-sectoral process facilitated by the World Health Organization—

(A) to assess country capacity to prevent, detect, and rapidly respond to public health risks occurring naturally or due to deliberate or accidental events;

(B) to assess progress in achieving the targets under the International Health Regulations (2005); and

(C) to recommend priority actions.

(7) The term "key stakeholders" means actors engaged in efforts to advance global health security programs and objectives, including—

(A) national and local governments in partner countries;

(B) other bilateral donors;

(C) international, regional, and local organizations, including private, voluntary, nongovernmental, and civil society organizations, including faith-based and indigenous organizations;

(D) international, regional, and local financial institutions;

(E) representatives of historically marginalized groups, including women, youth, and indigenous peoples;

(F) the private sector, including medical device, technology, pharmaceutical, manufacturing, logistics, and other relevant companies; and

(G) public and private research and academic institutions.

(8) The term "One Health approach" means the collaborative, multi-sectoral, and transdisciplinary approach toward achieving optimal health outcomes in a manner that recognizes the interconnection between people, animals, plants, and their shared environment.

(9) The term "pandemic preparedness" refers to the actions taken to establish and sustain the capacity and capabilities nec-

essary to rapidly identify, prevent, protect against, and respond to the emergence, reemergence, and spread of pathogens of pandemic potential.

(10) The term "partner country" means a foreign country in which the relevant Federal departments and agencies are implementing United States foreign assistance for global health security and pandemic prevention, preparedness, and response under this subtitle.

(11) The term "relevant Federal departments and agencies" means any Federal department or agency implementing United States policies and programs relevant to the advancement of United States global health security and diplomacy overseas, which may include—

(A) the Department of State;

(B) the United States Agency for International Development;

(C) the Department of Health and Human Services;

(D) the Department of Defense;

(E) the Defense Threat Reduction Agency;

(F) the Millennium Challenge Corporation;

(G) the Development Finance Corporation;

(H) the Peace Corps; and

(I) any other department or agency that the President determines to be relevant for these purposes.

(12) The term "resilience" means the ability of people, households, communities, systems, institutions, countries, and regions to reduce, mitigate, withstand, adapt to, and quickly recover from shocks and stresses in a manner that reduces chronic vulnerability to the emergence, reemergence, and spread of pathogens of pandemic potential and facilitates inclusive growth.

(13) The terms "respond" and "response" mean the actions taken to counter an infectious disease.

(14) The term "USAID" means the United States Agency for International Development.

SEC. 5561. ENHANCING THE UNITED STATES' INTERNATIONAL RESPONSE TO PANDEMICS.

(a) LEVERAGING UNITED STATES BILATERAL GLOBAL HEALTH PROGRAMS FOR INTERNATIONAL PANDEMIC RESPONSE.—Subject to the notification requirements under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1), amounts authorized to be appropriated or otherwise made available to carry out section 104 of the Foreign Assistance Act (22 U.S.C. 2151b) may be used in countries receiving such United States foreign assistance for the purpose of—

(1) strengthening vaccine readiness;

(2) reducing vaccine hesitancy;

(3) delivering and administering vaccines;

(4) strengthening health systems and global supply chains as necessary for global health security and pandemic preparedness, prevention, and response;

(5) supporting global health workforce planning, training, and management for pandemic preparedness, prevention, and response;

(6) enhancing transparency, quality, and reliability of public health data;

(7) increasing bidirectional testing, including screening for symptomatic and asymptomatic cases; and

(8) building laboratory capacity.

(b) ROLES OF THE DEPARTMENT OF STATE, USAID, AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IN INTERNATIONAL PANDEMIC RESPONSE.—

(1) FINDING.—Congress finds that different outbreaks of infectious disease threats may require flexibility and changes to the designated roles and responsibilities of relevant Federal departments and agencies.

(2) LEAD AGENCIES FOR COORDINATION OF THE UNITED STATES' INTERNATIONAL RESPONSE TO INFECTIOUS DISEASE OUTBREAKS WITH SEVERE OR PANDEMIC POTENTIAL.—The President shall identify the relevant Federal departments and agencies, including the Department of State, USAID, and the Department of Health and Human Services (including the Centers for Disease Control and Prevention), leading specific aspects of the United States international operational response to outbreaks of emerging high-consequence infectious disease threats in accordance with federal law.

(3) NOTIFICATION.—Not later than 120 days after the date of the enactment of this Act, and regularly thereafter as appropriate, the President shall notify the appropriate congressional committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives of the roles and responsibilities of each relevant Federal department and agency with respect to the international operational response to the outbreak of an emerging high-consequence infectious disease threat.

(c) USAID DISASTER SURGE CAPACITY.—

(1) DISASTER SURGE CAPACITY.—The Administrator of the USAID is authorized to expend funds made available to carry out part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and 2346), including funds made available for "Assistance for Europe, Eurasia and Central Asia", in addition to amounts otherwise made available for such purposes, for the cost (including support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs to address global health emergencies and natural or manmade disasters.

(2) NOTIFICATION.—Not later than 15 days before making funds available to address manmade disasters pursuant to paragraph (1), the Secretary of State or the Administrator of the USAID shall notify the appropriate congressional committees of such intended action.

SEC. 5562. INTERNATIONAL PANDEMIC PREVENTION AND PREPAREDNESS.

(a) UNITED STATES INTERNATIONAL ACTIVITIES TO ADVANCE GLOBAL HEALTH SECURITY AND DIPLOMACY STRATEGY AND REPORT.—

(1) IN GENERAL.—The President shall develop, update, maintain, and advance a comprehensive strategy for improving

United States global health security and diplomacy for pandemic prevention, preparedness, and response which, consistent with the purposes of this subtitle, shall—

(A) clearly articulate United States policy goals related to pandemic prevention, preparedness, and response, including through actions to strengthen diplomatic leadership and the effectiveness of United States foreign policy and international preparedness assistance for global health security through advancement of a One Health approach, the Global Health Security Agenda, the International Health Regulations (2005), and other relevant frameworks that contribute to pandemic prevention and preparedness;

(B) establish specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans for United States foreign policy and assistance for global health security that promote learning and adaptation and reflect international best practices relating to global health security, transparency, and accountability;

(C) establish transparent mechanisms to improve coordination and avoid duplication of effort between and among the relevant Federal departments and agencies, partner countries, donor countries, the private sector, multilateral organizations, and other key stakeholders;

(D) prioritize working with partner countries with—

(i) demonstrated need, as identified through the Joint External Evaluation process, the Global Health Security Index classification of health systems, national action plans for health security, Global Health Security Agenda, other risk-based assessments, and complementary or successor indicators of global health security and pandemic preparedness; and

(ii) demonstrated commitment to transparency, including budget and global health data transparency, complying with the International Health Regulations (2005), investing in domestic health systems, and achieving measurable results;

(E) reduce long-term reliance upon United States foreign assistance for global health security by—

(i) ensuring that United States global health assistance authorized under this subtitle is strategically planned and coordinated in a manner that delivers immediate impact and contributes to enduring results, including through efforts to enhance community capacity and resilience to infectious disease threats and emergencies; and

(ii) ensuring partner country ownership of global health security strategies, data, programs, and outcomes and improved domestic resource mobilization, co-financing, and appropriate national budget allocations for global health security and pandemic prevention, preparedness, and response;

(F) assist partner countries in building the technical capacity of relevant ministries, systems, and networks to prepare, execute, monitor, and evaluate national action plans

for global health security and pandemic prevention, preparedness, and response that are developed with input from key stakeholders, including mechanism to enhance budget and global health data transparency, as necessary and appropriate;

(G) support and align United States foreign assistance authorized under this subtitle with such national action plans for health security and pandemic prevention, preparedness, and response, as appropriate;

(H) facilitate communication and collaboration, as appropriate, among local stakeholders in support of country-led strategies and initiatives to better identify and prevent health impacts related to the emergence, reemergence, and spread of zoonoses;

(I) support the long-term success of programs by building the pandemic preparedness capacity of local organizations and institutions in target countries and communities;

(J) develop community resilience to infectious disease threats and emergencies;

(K) support global health budget and workforce planning in partner countries, consistent with the purposes of this subtitle, including training in financial management and budget and global health data transparency;

(L) strengthen linkages between complementary bilateral and multilateral foreign assistance programs, including efforts of the World Bank, the World Health Organization, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, and Gavi, the Vaccine Alliance, that contribute to the development of more resilient health systems and global supply chains for global health security and pandemic prevention, preparedness, and response in partner countries with the capacity, resources, and personnel required to prevent, detect, and respond to infectious disease threats; and

(M) support innovation and partnerships with the private sector, health organizations, civil society, nongovernmental, faith-based and indigenous organizations, and health research and academic institutions to improve pandemic prevention, preparedness, and response, including for the development and deployment of effective and accessible infectious disease tracking tools, diagnostics, therapeutics, and vaccines.

(2) SUBMISSION OF STRATEGY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, in consultation with the heads of the relevant Federal departments and agencies, shall submit the strategy required under paragraph (1) to—

(i) the appropriate congressional committees;

(ii) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(iii) the Committee on Energy and Commerce of the House of Representatives.

(B) AGENCY-SPECIFIC PLANS.—The strategy required under paragraph (1) shall include specific implementation

plans from each relevant Federal department and agency that describe—

(i) the anticipated contributions of the Federal department or agency, including technical, financial, and in-kind contributions, to implement the strategy; and

(ii) the efforts of the Federal department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

(3) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the submission of the strategy pursuant to paragraph (2)(A), and not later than October 1 of each year thereafter, the President shall submit to the committees listed in such paragraph a report that describes the status of the implementation of such strategy.

(B) CONTENTS.—Each report submitted pursuant to subparagraph (A) shall—

(i) identify any substantial changes made to the strategy during the preceding calendar year;

(ii) describe the progress made in implementing the strategy, including specific information related to the progress toward improving countries' ability to detect, prevent, and respond to infectious disease threats;

(iii) identify—

(I) the indicators used to establish benchmarks and measure results over time; and

(II) the mechanisms for reporting such results in an open and transparent manner;

(iv) contain a transparent, open, and detailed accounting of obligations by relevant Federal departments and agencies to implement the strategy, including, to the extent practicable, for each such Federal department and agency, the statutory source of obligated funds, the amounts obligated, implementing partners and sub-partners, targeted beneficiaries, and activities supported;

(v) the efforts of the relevant Federal department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and enduring results, including through specific activities to strengthen health systems for global health security and pandemic prevention, preparedness, and response, as appropriate;

(vi) assess efforts to coordinate United States global health security programs, activities, and initiatives with key stakeholders;

(vii) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders in an open, transparent manner; and

(viii) describe the progress achieved and challenges concerning the United States Government's ability to advance the Global Health Security Agenda and pan-

demic preparedness, including data disaggregated by priority country using indicators that are consistent on a year-to-year basis and recommendations to resolve, mitigate, or otherwise address the challenges identified through such indicators.

(C) FORM.—The strategy and reports required under this subsection shall be submitted in unclassified form, but may contain a classified annex.

(b) UNITED STATES COORDINATOR FOR GLOBAL HEALTH SECURITY.—The President shall designate an appropriate senior official to be the United States Coordinator for Global Health Security, who shall be responsible for the coordination of the Global Health Security Agenda Interagency Review Council and who should—

(1) have significant background and expertise in public health, health security, and emergency response management;

(2) coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies to implement the strategy under subsection (a); and

(3) seek to fully use the unique capabilities of each relevant Federal department and agency and ensure effective and appropriate United States representation at relevant international forums, while collaborating with and leveraging the contributions of other key stakeholders.

(c) AMBASSADOR-AT-LARGE FOR GLOBAL HEALTH SECURITY AND DIPLOMACY.—

(1) ESTABLISHMENT.—There is established, within the Department of State, the position of Ambassador-At-Large for Global Health Security and Diplomacy (referred to in this section as the "Ambassador-At-Large").

(2) APPOINTMENT; QUALIFICATIONS.—The Ambassador-At-Large—

(A) shall be appointed by the President, by and with the advice and consent of the Senate;

(B) shall report to the Secretary of State; and

(C) shall have—

(i) demonstrated knowledge and experience in the field of health security, development, public health, epidemiology, or medicine; and

(ii) relevant diplomatic, policy, and political expertise.

(3) AUTHORITIES.—The Ambassador-At-Large may—

(A) operate internationally to carry out the purposes of this section;

(B) ensure effective coordination, management, and oversight of United States foreign policy, diplomatic efforts, and foreign assistance funded with amounts authorized to be appropriated pursuant to section 5564(a) that are used by the Department of State to advance the relevant elements of the United States global health security and diplomacy strategy developed pursuant to subsection (a) by—

(i) developing and updating, as appropriate, in collaboration with the Administrator of the USAID and the Secretary of Health and Human Services, related

policy guidance and unified auditing, monitoring, and evaluation plans;

(ii) avoiding duplication of effort and collaborating with other relevant Federal departments and agencies;

(iii) leading, in collaboration with the Secretary of Health and Human Services, the Administrator of the USAID, and other relevant Federal departments and agencies, diplomatic efforts to identify and address current and emerging threats to global health security;

(iv) working to enhance coordination with, and transparency among, the governments of partner countries and key stakeholders, including the private sector;

(v) promoting greater donor and national investment in partner countries to build health systems and supply chains for global health security and pandemic prevention and preparedness;

(vi) securing bilateral and multilateral financing commitments to advance the Global Health Security Agenda, in coordination with relevant Federal departments and agencies, including through funding for the Financial Intermediary Fund for Pandemic Prevention, Preparedness, and Response; and

(vii) providing regular updates to the appropriate congressional committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives regarding the fulfillment of the activities described in this paragraph;

(C) ensure, in collaboration with the Secretary of the Treasury, the Secretary of Health and Human Services, and the Administrator of the USAID, effective representation of the United States in the Financial Intermediary Fund for Pandemic Prevention, Preparedness, and Response;

(D) use detailees, on a reimbursable or nonreimbursable basis, from relevant Federal departments and agencies and hire personal service contractors, who may operate domestically and internationally, to ensure that the Ambassador-At-Large has access to the highest quality experts available to the United States Government to carry out the functions under this subtitle; and

(E) perform such other functions as the Secretary of State may assign.

(d) STRENGTHENING HEALTH SYSTEMS FOR GLOBAL HEALTH SECURITY AND PANDEMIC PREVENTION AND PREPAREDNESS.—

(1) STATEMENT OF POLICY.—It is the policy of the United States to ensure that bilateral global health assistance programs are effectively managed and coordinated, as necessary and appropriate to achieve the purposes of this subtitle, to contribute to the strengthening of health systems for global health security and pandemic prevention, preparedness, and response in each country in which such programs are carried out.

(2) COORDINATION.—The Administrator of the USAID shall work with the Global Malaria Coordinator, the Coordinator of

United States Government Activities to Combat HIV/AIDS Globally, the Ambassador-at-Large for Global Health Security and Diplomacy at the Department of State, and the Secretary of Health and Human Services, to identify areas of collaboration and coordination in countries with global health programs and activities undertaken by the USAID pursuant to the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25) and other relevant provisions of law, to ensure that such activities contribute to the strengthening of health systems for global health security and pandemic prevention and preparedness.

(e) COORDINATION FOR INTERNATIONAL PANDEMIC EARLY WARNING NETWORK.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Health and Human Services, in coordination with the Secretary of State, the USAID Administrator, the Director of the Centers for Disease Control and Prevention, and the heads of the other relevant Federal departments and agencies, should work with the World Health Organization and other key stakeholders to establish or strengthen effective early warning systems, at the partner country, regional, and international levels, that utilize innovative information and analytical tools and robust review processes to track, document, analyze, and forecast infectious disease threats with epidemic and pandemic potential.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the following 4 years, the Secretary of Health and Human Services, in coordination with the Secretary of State and the heads of the other relevant Federal departments and agencies, shall submit a report to the appropriate congressional committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives that describes United States Government efforts and opportunities to establish or strengthen effective early warning systems to detect infectious disease threats internationally.

(f) INTERNATIONAL EMERGENCY OPERATIONS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that it is essential to enhance the capacity of key stakeholders to effectively operationalize early warning and execute multi-sectoral emergency operations during an infectious disease outbreak, particularly in countries and areas that deliberately withhold critical global health data and delay access during an infectious disease outbreak, in advance of the next infectious disease outbreak with pandemic potential.

(2) PUBLIC HEALTH EMERGENCIES OF INTERNATIONAL CONCERN.—The Secretary of Health and Human Services, in coordination with the Secretary of State, should work with the World Health Organization and like-minded member states to adopt an approach toward assessing infectious disease threats under the International Health Regulations (2005) for the World Health Organization to identify and transparently communicate, on an ongoing basis, varying levels of risk leading up to

a declaration by the Director General of the World Health Organization of a Public Health Emergency of International Concern for the duration and in the aftermath of such declaration.

(3) EMERGENCY OPERATIONS.—The Secretary of Health and Human Services, in coordination with the Secretary of State, the Administrator of the USAID, the Director of the Centers for Disease Control and Prevention, and the heads of other relevant Federal departments and agencies and consistent with the requirements under the International Health Regulations (2005) and the objectives of the World Health Organization's Health Emergencies Programme, the Global Health Security Agenda, and national actions plans for health security, should work, in cooperation with the World Health Organization, with partner countries, and other key stakeholders, to support the establishment, strengthening, and rapid response capacity of global health emergency operations centers, at the partner country and international levels, including efforts—

(A) to collect and share de-identified public health data, assess risk, and operationalize early warning;

(B) to secure, including through utilization of stand-by arrangements and emergency funding mechanisms, the staff, systems, and resources necessary to execute cross-sectoral emergency operations during the 48-hour period immediately following an infectious disease outbreak with pandemic potential; and

(C) to organize and conduct emergency simulations.

SEC. 5563. FINANCIAL INTERMEDIARY FUND FOR PANDEMIC PREVENTION, PREPAREDNESS, AND RESPONSE.

(a) IN GENERAL.—

(1) FINDING.—Congress finds that the Financial Intermediary Fund for Pandemic Prevention, Preparedness, and Response (referred to in this section as the "Fund") was established in September 2022 by donor countries, relevant United Nations agencies, including the World Health Organization, and other key multilateral stakeholders as a multilateral, catalytic financing mechanism for pandemic prevention and preparedness.

(2) OBJECTIVES.—The objectives of the Fund are—

(A) closing critical gaps in pandemic prevention and preparedness; and

(B) working with, and building the capacity of, eligible partner countries in the areas of global health security, infectious disease control, and pandemic prevention and preparedness in order to—

(i) prioritize capacity building and financing availability in eligible partner countries;

(ii) incentivize countries to prioritize the use of domestic resources for global health security and pandemic prevention and preparedness;

(iii) leverage governmental, nongovernmental, and private sector investments;

(iv) regularly respond to and evaluate progress based on clear metrics and benchmarks, such as those developed through the IHR (2005) Monitoring and Evaluation Framework and the Global Health Security Index;

(v) align with and complement ongoing bilateral and multilateral efforts and financing, including through the World Bank, the World Health Organization, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, the Coalition for Epidemic Preparedness and Innovation, and Gavi, the Vaccine Alliance; and

(vi) help countries accelerate and achieve compliance with the International Health Regulations (2005) and fulfill the Global Health Security Agenda 2024 Framework not later than 8 years after the date on which the Fund is established, in coordination with the ongoing Joint External Evaluation national action planning process.

(3) GOVERNING BOARD.—

(A) IN GENERAL.—The Fund should be governed by a transparent, representative, and accountable body (referred to in this section as the "Governing Board"), which should—

(i) function as a partnership with, and through full engagement by, donor governments, eligible partner countries, and independent civil society; and

(ii) be composed of not more than 25 representatives of governments, foundations, academic institutions, independent civil society, indigenous people, vulnerable communities, frontline health workers, and the private sector with demonstrated commitment to carrying out the purposes of the Fund and upholding transparency and accountability requirements.

(B) DUTIES.—The Governing Board should—

(i) be charged with approving strategies, operations, and grant making authorities such that it is able to conduct effective fiduciary, monitoring, and evaluation efforts, and other oversight functions;

(ii) determine operational procedures to enable the Fund to effectively fulfill its mission;

(iii) provide oversight and accountability for the Fund in collaboration with a qualified and independent Inspector General;

(iv) develop and utilize a mechanism to obtain formal input from eligible partner countries, independent civil society, and implementing entities relative to program design, review, and implementation and associated lessons learned; and

(v) coordinate and align with other multilateral financing and technical assistance activities, and with the activities of the United States and other nations leading pandemic prevention, preparedness, and response activities in partner countries, as appropriate.

(C) COMPOSITION.—The Governing Board should include—

(i) representatives of the governments of founding member countries who, in addition to meeting the requirements under subparagraph (A), qualify based upon—

(I) meeting an established initial contribution threshold, which should be not less than 10 percent of the country's total initial contributions; and

(II) demonstrating a commitment to supporting the International Health Regulations (2005);

(ii) a geographically diverse group of members from donor countries, academic institutions, independent civil society, including faith-based and indigenous organizations, and the private sector who are selected on the basis of their experience and commitment to innovation, best practices, and the advancement of global health security objectives; and

(iii) representatives of the World Health Organization, to serve in an observer status.

(D) CONTRIBUTIONS.—Each government or private sector foundation or for-profit entity represented on the Governing Board should agree to make annual contributions to the Fund in an amount that is not less than the minimum amount determined by the Governing Board.

(E) QUALIFICATIONS.—Individuals appointed to the Governing Board should have demonstrated knowledge and experience across a variety of sectors, including human and animal health, agriculture, development, defense, finance, research, and academia.

(F) CONFLICTS OF INTEREST.—All Governing Board members should be required to recuse themselves from matters presenting conflicts of interest, including financing decisions relating to such countries, bodies, and institutions.

(G) REMOVAL PROCEDURES.—The Fund should establish procedures for the removal of members of the Governing Board who—

(i) engage in a consistent pattern of human rights abuses;

(ii) fail to uphold global health data transparency requirements; or

(iii) otherwise violate the established standards of the Fund, including in relation to corruption.

(b) AUTHORITY FOR UNITED STATES PARTICIPATION.—

(1) FOUNDING MEMBER.—The United States is authorized to participate in the Fund and shall be represented on the Governing Board by an officer or employee of the United States Government who has been appointed by the President (referred in this section as the "FIF Representative").

(2) EFFECTIVE DATE; TERMINATION DATE.—

(A) EFFECTIVE DATE.—This subsection shall take effect on the date on which the Secretary of State submits to Congress a certified copy of the agreement establishing the Fund.

(B) TERMINATION DATE.—The membership authorized under paragraph (1) shall terminate on the date on which the Fund is terminated.

(3) ENFORCEABILITY.—Any agreement concluded under the authorities provided under this subsection shall be legally effec-

tive and binding upon the United States, in accordance with the terms of the agreement—

(A) upon the enactment of appropriate implementing legislation that provides for the approval of the specific agreement or agreements, including attachments, annexes, and supporting documentation, as appropriate; or

(B) if concluded and submitted as a treaty, upon the approval by the Senate of the resolution of ratification of such treaty.

(c) IMPLEMENTATION OF PROGRAM OBJECTIVES.—In carrying out the objectives described in subsection (a)(2), the Fund should work to eliminate duplication and waste by upholding strict transparency and accountability standards and coordinating its programs and activities with key partners working to advance pandemic prevention and preparedness.

(d) PRIORITY COUNTRIES.—In providing assistance under this section, the Fund should give priority to low- and lower middle-income countries with—

(1) low scores on the Global Health Security Index classification of health systems;

(2) measurable gaps in global health security and pandemic prevention and preparedness identified under the IHR (2005) Monitoring and Evaluation Framework and national action plans for health security;

(3) demonstrated political and financial commitment to pandemic prevention and preparedness; and

(4) demonstrated commitment to—

(A) upholding global health budget and data transparency and accountability standards;

(B) complying with the International Health Regulations (2005);

(C) investing in domestic health systems; and

(D) achieving measurable results.

(e) ACCOUNTABILITY; CONFLICTS OF INTEREST; CRITERIA FOR PROGRAMS.—The FIF Representative shall—

(1) take such actions as may be necessary to ensure that the Fund will have in effect adequate procedures and standards to account for and monitor the use of funds contributed to the Fund, including the cost of administering the Fund, by—

(A) engaging Fund stakeholders; and

(B) actively promoting transparency and accountability of Fund governance and operations;

(2) seek to ensure there is agreement to put in place a conflict of interest policy to ensure fairness and a high standard of ethical conduct in the Fund's decision-making processes, including proactive procedures to screen staff for conflicts of interest and measures to address any conflicts, such as—

(A) potential divestments of interests;

(B) prohibition from engaging in certain activities;

(C) recusal from certain decision-making and administrative processes; and

(D) representation by an alternate board member; and

(3) seek agreement on the criteria that should be used to determine the programs and activities that should be assisted by the Fund.

(f) SELECTION OF PARTNER COUNTRIES, PROJECTS, AND RECIPIENTS.—The Governing Board should establish—

(1) eligible partner country selection criteria, including transparent metrics to measure and assess global health security and pandemic prevention and preparedness strengths and vulnerabilities in countries seeking assistance;

(2) minimum standards for ensuring eligible partner country ownership and commitment to long-term results, including requirements for domestic budgeting, resource mobilization, and co-investment;

(3) criteria for the selection of projects to receive support from the Fund;

(4) standards and criteria regarding qualifications of recipients of such support; and

(5) such rules and procedures as may be necessary—

(A) for cost-effective management of the Fund; and

(B) to ensure transparency and accountability in the grant-making process.

(g) ADDITIONAL TRANSPARENCY AND ACCOUNTABILITY REQUIREMENTS.—

(1) INSPECTOR GENERAL.—The FIF Representative shall seek to ensure that the Fund maintains an independent Office of the Inspector General that—

(A) is fully enabled to operate independently and transparently;

(B) is supported by and with the requisite resources and capacity to regularly conduct and publish, on a publicly accessible website, rigorous financial, programmatic, and reporting audits and investigations of the Fund and its grantees, including subgrantees; and

(C) establishes an investigative unit that—

(i) develops an oversight mechanism to ensure that grant funds are not diverted to illicit or corrupt purposes or activities; and

(ii) submits an annual report to the Governing Board describing its activities, investigations, and results.

(2) SENSE OF CONGRESS ON CORRUPTION.—It is the sense of Congress that—

(A) corruption within global health programs contribute directly to the loss of human life and cannot be tolerated; and

(B) in making financial recoveries relating to a corrupt act or criminal conduct committed by a grant recipient, as determined by the Inspector General described in paragraph (1), the responsible grant recipient should be assessed at a recovery rate of up to 150 percent of such loss.

(3) ADMINISTRATIVE EXPENSES; FINANCIAL TRACKING SYSTEMS.—The FIF Representative shall seek to ensure that the Fund establishes, maintains, and makes publicly available a system to track—

(A) the administrative and management costs of the Fund on a quarterly basis; and

(B) the amount of funds disbursed to each grant recipient and subrecipient during each grant's fiscal cycle.

(4) EXEMPTION FROM DUTIES AND TAXES.—The FIF Representative should seek to ensure that the Fund adopts rules that condition grants upon agreement by the relevant national authorities in an eligible partner country to exempt from duties and taxes all products financed by such grants, including procurements by any principal or subrecipient for the purpose of carrying out such grants.

(h) REPORTS TO CONGRESS.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the duration of the Fund, the Secretary of State, in collaboration with the Administrator of the USAID and the heads of other relevant Federal departments and agencies, shall submit a report on the activities of the Fund to the appropriate congressional committees.

(B) REPORT ELEMENTS.—Each report required under subparagraph (A) shall describe—

(i) the goals of the Fund;

(ii) the programs, projects, and activities supported by the Fund;

(iii) private and governmental contributions to the Fund; and

(iv) the criteria utilized to determine the programs and activities that should be assisted by the Fund, including baselines, targets, desired outcomes, measurable goals, and extent to which those goals are being achieved.

(2) GAO REPORT ON EFFECTIVENESS.—Not later than 2 years after the date on which the Fund is established, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that evaluates the effectiveness of the Fund, including—

(A) the effectiveness of the programs, projects, and activities supported by the Fund; and

(B) an assessment of the merits of continued United States participation in the Fund.

(i) UNITED STATES CONTRIBUTIONS.—

(1) IN GENERAL.—Subject to paragraph (4)(C), the President may provide contributions to the Fund.

(2) NOTIFICATION.—The Secretary of State, the Administrator of the USAID, or the head of any other relevant Federal department or agency shall submit a notification to the appropriate congressional committees not later than 15 days before making a contribution to the Fund that identifies—

(A) the amount of the proposed contribution;

(B) the total of funds contributed by other donors; and

(C) the national interests served by United States participation in the Fund.

(3) LIMITATION.—During the 5-year period beginning on the date of the enactment of this Act, the cumulative total of United States contributions to the Fund may not exceed 33 percent of the total contributions to the Fund from all sources.

(4) WITHHOLDINGS.—

(A) SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—If the Secretary of State determines that the Fund has provided assistance to a country, the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) has repeatedly provided support for acts of international terrorism, the United States shall withhold from its contribution to the Fund for the next fiscal year an amount equal to the amount expended by the Fund to the government of such country.

(B) EXCESSIVE SALARIES.—If the Secretary of State determines that the salary during any of the first 5 fiscal years beginning after the date of the enactment of this Act of any individual employed by the Fund exceeds the salary of the Vice President of the United States for such fiscal year, the United States should withhold from its contribution for the following fiscal year an amount equal to the aggregate difference between the 2 salaries.

(C) ACCOUNTABILITY CERTIFICATION REQUIREMENT.—The Secretary of State may withhold not more than 20 percent of planned United States contributions to the Fund until the Secretary certifies to the appropriate congressional committees that the Fund has established procedures to provide access by the Office of Inspector General of the Department of State, as cognizant Inspector General, the Inspector General of the Department of Health and Human Services, the USAID Inspector General, and the Comptroller General of the United States to the Fund's financial data and other information relevant to United States contributions to the Fund (as determined by the Inspector General of the Department of State, in consultation with the Secretary of State).

SEC. 5564. GENERAL PROVISIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $5,000,000,000 for the 5-year period beginning on October 1, 2022 to carry out the purposes of sections 5562 and 5563, which may be in addition to amounts otherwise made available for such purposes, in consultation with the appropriate congressional committees and subject to the requirements under chapters 1 and 10 of part I and section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(2) EXCEPTION.—Section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107) shall not apply with respect to assistance made available under this subtitle.

(b) COMPLIANCE WITH THE FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2016.—Section 2(3) of the Foreign Aid Transparency and Accountability Act of 2016 (Public Law 114–191; 22 U.S.C. 2394c note) is amended—

(1) in subparagraph (D), by striking "and" at the end;

(2) in subparagraph (E), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(F) the Global Health Security and International Pandemic Prevention, Preparedness and Response Act of 2022.".

SEC. 5565. SUNSET.

This subtitle shall cease to be effective on September 30, 2027.

SEC. 5566. RULE OF CONSTRUCTION.

Nothing in this subtitle may be construed to impair or otherwise affect the authorities granted to the Administrator of the USAID, the Secretary of Health and Human Services, or the head of any other Federal department or agency under any applicable law.

Subtitle E—Burma Act of 2022

SEC. 5567. SHORT TITLE.

This subtitle may be cited as the "Burma Unified through Rigorous Military Accountability Act of 2022" or the "BURMA Act of 2022".

SEC. 5568. DEFINITIONS.

In this subtitle:

(1) BURMESE MILITARY.—The term "Burmese military"—

(A) means the Armed Forces of Burma, including the army, navy, and air force; and

(B) includes security services under the control of the Armed Forces of Burma, such as the police and border guards.

(2) EXECUTIVE ORDER 14014.—The term "Executive Order 14014" means Executive Order 14014 (86 Fed. Reg. 9429; relating to blocking property with respect to the situation in Burma).

(3) GENOCIDE.—The term "genocide" means any offense described in section 1091(a) of title 18, United States Code.

(4) WAR CRIME.—The term "war crime" has the meaning given the term in section 2441(c) of title 18, United States Code.

PART 1—MATTERS RELATING TO THE CONFLICT IN BURMA

SEC. 5569. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) continue to support the people of Burma in their struggle for democracy, human rights, and justice;

(2) support the efforts of the National Unity Government (NUG), the National Unity Consultative Council (NUCC), the Committee Representing Pyidaungsu Hluttaw (CRPH), the Burmese Civil Disobedience Movement, and other entities in Burma and in other countries to oppose the Burmese military and bring about an end to the military junta's rule;

(3) support a credible process for the restoration of civilian government in Burma, with a reformed Burmese military under

civilian control and the enactment of constitutional, political, and economic reform that protects the rights of minority groups and furthers a federalist form of government;

(4) hold accountable perpetrators of human rights violations committed against ethnic groups in Burma and the people of Burma, including through the February 2022 coup d'etat;

(5) hold accountable the Russian Federation and the People's Republic of China for their support of the Burmese military;

(6) continue to provide humanitarian assistance to populations impacted by violence perpetrated by the Burmese military wherever they may reside, and coordinate efforts among like-minded governments and other international donors to maximize the effectiveness of assistance and support for the people of Burma;

(7) secure the unconditional release of all unlawfully detained individuals in Burma, including those detained for the exercise of their fundamental freedoms; and

(8) provide humanitarian assistance to the people of Burma in Burma, Bangladesh, Thailand, and the surrounding region without going through the Burmese military.

PART 2—SANCTIONS AND POLICY COORDINATION WITH RESPECT TO BURMA

SEC. 5570. DEFINITIONS.

In this part:

(1) ADMITTED; ALIEN.—The terms "admitted" and "alien" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms "correspondent account" and "payable-through account" have the meanings given those terms in section 5318A of title 31, United States Code.

(4) FOREIGN FINANCIAL INSTITUTION.—The term "foreign financial institution" has the meaning of that term as determined by the Secretary of the Treasury by regulation.

(5) FOREIGN PERSON.—The term "foreign person" means a person that is not a United States person.

(6) KNOWINGLY.—The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(7) PERSON.—The term "person" means an individual or entity.

(8) SUPPORT.—The term "support", with respect to the Burmese military, means to knowingly have materially assisted, sponsored, or provided financial, material, or technological sup-

port for, or goods or services to or in support of the Burmese military.

(9) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted to the United States for permanent residence;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SEC. 5571. IMPOSITION OF SANCTIONS WITH RESPECT TO HUMAN RIGHTS ABUSES AND PERPETRATION OF A COUP IN BURMA.

(a) MANDATORY SANCTIONS.—Not later than 180 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (d) with respect to any foreign person that the President determines—

(1) is a senior official of—

(A) the Burmese military or security forces of Burma;

(B) the State Administration Council, the military-appointed cabinet at the level of Deputy Minister or higher, or a military-appointed minister of a Burmese state or region; or

(C) an entity that primarily operates in the defense sector of the Burmese economy; or

(2) is a Burmese state-owned commercial enterprise (other than an entity described in subsections (c)(1) and (c)(2)) that—

(A) is operating in the industrial or extractive sectors; and

(B) significantly financially benefits the Burmese military.

(b) ADDITIONAL MEASURE RELATING TO FACILITATION OF TRANSACTIONS.—The Secretary of the Treasury may, in consultation with the Secretary of State, prohibit or impose strict conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by a foreign financial institution that the President determines has, on or after the date of the enactment of this Act, knowingly conducted or facilitated a significant transaction or transactions on behalf of a foreign person subject to sanctions under this section imposed pursuant to subsection (a).

(c) ADDITIONAL SANCTIONS.—The President may impose the sanctions described in subsection (d) with respect to—

(1) the Myanma Oil and Gas Enterprise;

(2) any Burmese state-owned enterprise that—

(A) is not operating in the industrial or extractive sectors; and

(B) significantly financially benefits the Burmese military;

(3) a spouse or adult child of any person described in subsection (a)(1);

(4) any foreign person that, leading up to, during, and since the February 1, 2021, coup d'etat in Burma, is responsible for or has directly and knowingly engaged in—

(A) actions or policies that significantly undermine democratic processes or institutions in Burma;

(B) actions or policies that significantly threaten the peace, security, or stability of Burma;

(C) actions or policies by a Burmese person that—

(i) significantly prohibit, limit, or penalize the exercise of freedom of expression or assembly by people in Burma; or

(ii) limit access to print, online, or broadcast media in Burma; or

(D) the orchestration of arbitrary detention or torture in Burma or other serious human rights abuses in Burma; or

(5) any Burmese entity that provides materiel to the Burmese military.

(d) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) PROPERTY BLOCKING.—The President may exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the foreign person has any interest.

(3) VISAS, ADMISSION, OR PAROLE.—

(A) IN GENERAL.—An alien who is described in subsection (a) or (c) is—

(i) inadmissible to the United States;

(ii) ineligible for a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to an alien described in subparagraph (A) regardless of when the visa or other entry documentation is issued.

(ii) EFFECT OF REVOCATION.—A revocation under clause (i)—

(I) shall take effect immediately; and

(II) shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(e) ASSESSMENT AND REPORT ON SANCTIONS WITH RESPECT TO BURMESE STATE-OWNED ENTERPRISE OPERATING IN THE ENERGY SECTOR.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall conduct an assessment with respect to the Burmese state-owned enterprise described in subsection (c)(1), including relevant factors pertaining to the possible application of sanctions on such enterprise.

(2) REPORT REQUIRED.—Upon making the determination required by paragraph (1), the President shall submit to the appropriate congressional committees a report on the assessment.

(3) FORM OF REPORT.—The report required by paragraph (2) shall be submitted in unclassified form but may include a classified annex.

(f) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS.—Sanctions under subsection (d)(3) shall not apply with respect to the admission of an alien if admitting or paroling the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(3) EXCEPTION RELATING TO THE PROVISION OF HUMANITARIAN ASSISTANCE.—Sanctions under this section may not be imposed with respect to transactions or the facilitation of transactions for—

(A) the sale of agricultural commodities, food, medicine, or medical devices to Burma;

(B) the provision of humanitarian assistance to the people of Burma;

(C) financial transactions relating to humanitarian assistance or for humanitarian purposes in Burma; or

(D) transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes in Burma.

(4) EXCEPTION RELATING TO WIND-DOWN OF PROJECTS.—Sanctions under this section shall not be imposed with respect to transactions or the facilitation of transactions related to the disposition of investments pursuant to—

(A) agreements entered into between United States persons and the Government of Burma prior to May 21, 1997;

(B) the exercise of rights pursuant to such agreements; or

(C) transactions related to the subsequent operation of the assets encompassed by such disposed investments.

(g) WAIVER.—The President may, on a case-by-case basis waive the application of sanctions or restrictions imposed with respect to a foreign person under this section if the President certifies to the

appropriate congressional committees at the time such waiver is to take effect that the waiver is in the national interest of the United States.

(h) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulations promulgated under this section to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(i) REPORT.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for 8 years, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a classified report that—

(1) describes the primary sources of income to which the Burmese military has access and that the United States has been unable to reach using sanctions authorities; and

(2) assesses the impact of the sanctions imposed pursuant to the authorities under this section on the Burmese people and the Burmese military.

SEC. 5572. SANCTIONS AND POLICY COORDINATION FOR BURMA.

(a) IN GENERAL.—The head of the Office of Sanctions Coordination in the Department of State should develop a comprehensive strategy for the implementation of the full range of United States diplomatic capabilities to implement Burma-related sanctions in order to promote human rights and the restoration of civilian government in Burma.

(b) MATTERS TO BE INCLUDED.—The strategy described in subsection (a) should include plans and steps to—

(1) coordinate the sanctions policies of the United States with relevant bureaus and offices in the Department of State and other relevant United States Government agencies;

(2) conduct relevant research and vetting of entities and individuals that may be subject to sanctions and coordinate with other United States Government agencies and international financial intelligence units to assist in efforts to enforce anti-money laundering and anti-corruption laws and regulations;

(3) promote a comprehensive international effort to impose and enforce multilateral sanctions with respect to Burma;

(4) support interagency United States Government efforts, including efforts of the United States Chief of Mission to Burma, the United States Ambassador to ASEAN, and the United States Permanent Representative to the United Nations, relating to—

(A) identifying opportunities to exert pressure on the governments of the People's Republic of China and the Russian

Federation to support multilateral action against the Burmese military; and

(B) working with like-minded partners to impose a coordinated arms embargo on the Burmese military and targeted sanctions on the economic interests of the Burmese military, including through the introduction and adoption of a United Nations Security Council resolution; and

(5) provide timely input for reporting on the impacts of the implementation of sanctions on the Burmese military and the people of Burma.

SEC. 5573. SUPPORT FOR GREATER UNITED NATIONS ACTION WITH RESPECT TO BURMA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United Nations Security Council has not taken adequate steps to condemn the February 1, 2021, coup in Burma, pressure the Burmese military to cease its violence against civilians, or secure the release of those unjustly detained;

(2) countries, such as the People's Republic of China and the Russian Federation, that are directly or indirectly shielding the Burmese military from international scrutiny and action, should be obliged to endure the reputational damage of doing so by taking public votes on resolutions related to Burma that apply greater pressure on the Burmese military to restore Burma to its democratic path; and

(3) the United Nations Secretariat and the United Nations Security Council should take concrete steps to address the coup and ongoing crisis in Burma consistent with United Nations General Assembly resolution 75/287, "The situation in Myanmar," which was adopted on June 18, 2021.

(b) SUPPORT FOR GREATER ACTION.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to spur greater action by the United Nations and the United Nations Security Council with respect to Burma by—

(1) pushing the United Nations Security Council to consider a resolution condemning the February 1, 2021, coup and calling on the Burmese military to cease its violence against the people of Burma and release without preconditions the journalists, pro-democracy activists, and political officials that it has unjustly detained;

(2) pushing the United Nations Security Council to consider a resolution that immediately imposes a global arms embargo against Burma to ensure that the Burmese military is not able to obtain weapons and munitions from other nations to further harm, murder, and oppress the people of Burma;

(3) pushing the United Nations and other United Nations authorities to cut off assistance to the Government of Burma while providing humanitarian assistance directly to the people of Burma through United Nations bodies and civil society organizations, particularly such organizations working with ethnic minorities that have been adversely affected by the coup and the Burmese military's violent crackdown; and

(4) spurring the United Nations Security Council to consider multilateral sanctions against the Burmese military for its

atrocities against Rohingya and individuals of other ethnic and religious minorities, its coup, and the atrocities it has and continues to commit in the coup's aftermath.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States Permanent Representative to the United Nations should use the voice, vote, and influence of the United States to—

(1) object to the appointment of representatives to the United Nations and United Nations bodies such as the Human Rights Council that are sanctioned by the Burmese military; and

(2) work to ensure the Burmese military is not recognized as the legitimate government of Burma in any United Nations body.

SEC. 5574. SUNSET.

(a) IN GENERAL.—The authority to impose sanctions and the sanctions imposed under this part shall terminate on the date that is 8 years after the date of the enactment of this Act.

(b) CERTIFICATION FOR EARLY SUNSET OF SANCTIONS.—Sanctions imposed under this part may be removed before the date specified in subsection (a), if the President submits to the appropriate congressional committees a certification that—

(1) the Burmese military has released all political prisoners taken into custody on or after February 1, 2021, or is providing legal recourse to those that remain in custody;

(2) the elected government of Burma has been reinstated or new free and fair elections have been held;

(3) all legal charges against those winning election in November 2020 are dropped; and

(4) the 2008 constitution of Burma has been amended or replaced to place the Burmese military under civilian oversight and ensure that the Burmese military no longer automatically receives 25 percent of seats in Burma's state, regional, and national Hluttaws.

(c) NOTIFICATION FOR EARLY SUNSET OF SANCTIONS ON INDIVIDUALS.—

(1) IN GENERAL.—The President may terminate the application of sanctions under this part with respect to specific individuals if the President submits to the appropriate congressional committees—

(A) a notice of and justification for the termination; and

(B) a notice that the individual is not engaging in the activity or is no longer occupying the position that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity.

(2) FORM.—The notice required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

PART 3—AUTHORIZATIONS OF APPROPRIATIONS FOR ASSISTANCE FOR BURMA

SEC. 5575. GENERAL AUTHORIZATION OF APPROPRIATIONS.

During each of the fiscal years 2023 through 2027, following consultation with the appropriate congressional committees and subject

to the limitations described in section 5576, funds authorized to be made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 may be made available, notwithstanding any other provision of law, for—

(1) programs to strengthen federalism in and among ethnic states in Burma, including for non-lethal assistance for Ethnic Armed Organizations in Burma;

(2) the administrative operations and programs of entities in Burma, including the political entities and affiliates of Ethnic Armed Organizations and pro-democracy movement organizations, that support efforts to establish an inclusive and representative democracy in Burma;

(3) technical support and non-lethal assistance for Burma's Ethnic Armed Organizations, People's Defense Forces, and pro-democracy movement organizations to strengthen communications and command and control, and coordination of international relief and other operations between and among such entities;

(4) programs and activities relating to former members of the Burmese military that have condemned the February 1, 2022, coup d'etat and voiced support for the restoration of civilian rule;

(5) programs to assist civil society organizations to investigate and document atrocities in Burma for the purposes of truth, justice, and accountability;

(6) programs to assist civil society organizations in Burma that support individuals that who are unlawfully detained in Burma for exercising their fundamental freedoms; and

(7) programs to assist civil society organizations and ethnic groups with reconciliation activities related to Burma.

SEC. 5576. LIMITATIONS.

Except as provided for by this part, none of the funds authorized to be appropriated for assistance for Burma by this part may be made available to—

(1) the State Administrative Council or any organization or entity controlled by, or an affiliate of, the Burmese military, or to any individual or organization that has committed a gross violation of human rights or advocates violence against ethnic or religious groups or individuals in Burma, as determined by the Secretary of State for programs administered by the Department of State and the United States Agency for International Development, or President of the National Endowment for Democracy (NED) for programs administered by NED; and

(2) the Burmese military.

SEC. 5577. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this part, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

PART 4—EFFORTS AGAINST HUMAN RIGHTS ABUSES

SEC. 5578. AUTHORIZATION TO PROVIDE TECHNICAL ASSISTANCE FOR EFFORTS AGAINST HUMAN RIGHTS ABUSES.

(a) IN GENERAL.—The Secretary of State is authorized to provide assistance to support appropriate civilian or international entities that—

(1) identify suspected perpetrators of war crimes, crimes against humanity, and genocide in Burma;

(2) collect, document, and protect evidence of crimes in Burma and preserving the chain of custody for such evidence;

(3) conduct criminal investigations of such crimes; and

(4) support investigations related to Burma conducted by other countries, and by entities mandated by the United Nations, such as the Independent Investigative Mechanism for Myanmar.

(b) AUTHORIZATION FOR TRANSITIONAL JUSTICE MECHANISMS.—The Secretary of State, taking into account any relevant findings in the report submitted under section 5941, is authorized to provide support for the establishment and operation of transitional justice mechanisms, including a hybrid tribunal, to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide in Burma.

PART 5—SANCTIONS EXCEPTION RELATING TO IMPORTATION OF GOODS

SEC. 5579. SANCTIONS EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements to impose sanctions under this subtitle shall not include the authority or requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term "good" means any article, natural or man-made substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

Subtitle F—Promotion of Freedom of Information and Countering of Censorship and Surveillance in North Korea

SEC. 5580. SHORT TITLE.

This subtitle may be cited as the "Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2022".

SEC. 5581. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The information landscape in North Korea is the most repressive in the world, consistently ranking last or near-last in the annual World Press Freedom Index.

(2) Under the brutal rule of Kim Jung Un, the country's leader since 2012, the North Korean regime has tightened controls on access to information, as well as enacted harsh punishments for consumers of outside media, including sentencing to time in a concentration camp and a maximum penalty of death.

(3) Such repressive and unjust laws surrounding information in North Korea resulted in the death of 22-year-old United States citizen and university student Otto Warmbier, who had traveled to North Korea in December 2015 as part of a guided tour.

(4) Otto Warmbier was unjustly arrested, sentenced to 15 years of hard labor, and severely mistreated at the hands of North Korean officials. While in captivity, Otto Warmbier suffered a serious medical emergency that placed him into a comatose state. Otto Warmbier was comatose upon his release in June 2017 and died 6 days later.

(5) Despite increased penalties for possession and viewership of foreign media, the people of North Korean have increased their desire for foreign media content, according to a survey of 200 defectors concluding that 90 percent had watched South Korean or other foreign media before defecting.

(6) On March 23, 2021, in an annual resolution, the United Nations General Assembly condemned "the long-standing and ongoing systematic, widespread and gross violations of human rights in the Democratic People's Republic of Korea" and expressed grave concern at, among other things, "the denial of the right to freedom of thought, conscience, and religion . . . and of the rights to freedom of opinion, expression, and association, both online and offline, which is enforced through an absolute monopoly on information and total control over organized social life, and arbitrary and unlawful state surveillance that permeates the private lives of all citizens".

(7) In 2018, Typhoon Yutu caused extensive damage to 15 broadcast antennas used by the United States Agency for Global Media in Asia, resulting in reduced programming to North Korea. The United States Agency for Global Media has rebuilt 5 of the 15 antenna systems as of June 2021.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in the event of a crisis situation, particularly where information pertaining to the crisis is being actively censored or a false narrative is being put forward, the United States should be able to quickly increase its broadcasting capability to deliver fact-based information to audiences, including those in North Korea; and

(2) the United States International Broadcasting Surge Capacity Fund is already authorized under section 316 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6216), and expanded authority to transfer unobligated balances from expired accounts of the United States Agency for Global Media would enable the Agency to more nimbly respond to crises.

SEC. 5582. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to provide the people of North Korea with access to a diverse range of fact-based information;

(2) to develop and implement novel means of communication and information sharing that increase opportunities for audiences in North Korea to safely create, access, and share digital and non-digital news without fear of repressive censorship, surveillance, or penalties under law; and

(3) to foster and innovate new technologies to counter North Korea's state-sponsored repressive surveillance and censorship by advancing internet freedom tools, technologies, and new approaches.

SEC. 5583. UNITED STATES STRATEGY TO COMBAT NORTH KOREA'S REPRESSIVE INFORMATION ENVIRONMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall develop and submit to Congress a strategy on combating North Korea's repressive information environment.

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

(1) An assessment of the challenges to the free flow of information into North Korea created by the censorship and surveillance technology apparatus of the Government of North Korea.

(2) A detailed description of the agencies and other government entities, key officials, and security services responsible for the implementation of North Korea's repressive laws regarding foreign media consumption.

(3) A detailed description of the agencies and other government entities and key officials of foreign governments that assist, facilitate, or aid North Korea's repressive censorship and surveillance state.

(4) A review of existing public-private partnerships that provide circumvention technology and an assessment of the feasibility and utility of new tools to increase free expression, circumvent censorship, and obstruct repressive surveillance in North Korea.

(5) A description of and funding levels required for current United States Government programs and activities to provide access for the people of North Korea to a diverse range of fact-based information.

(6) An update of the plan required by section 104(a)(7)(A) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814(a)(7)(A)).

(7) A description of Department of State programs and funding levels for programs that promote internet freedom in North Korea, including monitoring and evaluation efforts.

(8) A description of grantee programs of the United States Agency for Global Media in North Korea that facilitate circumvention tools and broadcasting, including monitoring and evaluation efforts.

(9) A detailed assessment of how the United States International Broadcasting Surge Capacity Fund authorized under section 316 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6216) has operated to respond to crisis situations in the past, and how authority to transfer unobligated

balances from expired accounts would help the United States Agency for Global Media in crisis situations in the future.

(10) A detailed plan for how the authorization of appropriations under section 5584 will operate alongside and augment existing programming from the relevant Federal agencies and facilitate the development of new tools to assist that programming.

(11) A detailed plan for engagement and coordination with the Republic of Korea, as appropriate, necessary for implementing the objectives of the strategy required by subsection (a), including—

(A) with regard to any new or expanded activities contemplated under paragraphs (9) and (10); and

(B) any cooperation with or approval from the Government of the Republic of Korea required to carry out such activities.

(c) FORM OF STRATEGY.—The strategy required by subsection (a) shall be submitted in unclassified form, but may include the matters required by paragraphs (2) and (3) of subsection (b) in a classified annex.

SEC. 5584. PROMOTING FREEDOM OF INFORMATION AND COUNTERING CENSORSHIP AND SURVEILLANCE IN NORTH KOREA.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the United States Agency for Global Media an additional $10,000,000 for each of fiscal years 2024 through 2027 to provide increased broadcasting and grants for the following purposes:

(1) To promote the development of internet freedom tools, technologies, and new approaches, including both digital and non-digital means of information sharing related to North Korea.

(2) To explore public-private partnerships to counter North Korea's repressive censorship and surveillance state.

(3) To develop new means to protect the privacy and identity of individuals receiving media from the United States Agency for Global Media and other outside media outlets from within North Korea.

(4) To bolster existing programming from the United States Agency for Global Media by restoring the broadcasting capacity of damaged antennas caused by Typhoon Yutu in 2018.

(b) ANNUAL REPORTS.—Section 104(a)(7)(B) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814(a)(7)(B)) is amended—

(1) in the matter preceding clause (i)—

(A) by striking "1 year after the date of the enactment of this paragraph" and inserting "September 30, 2022"; and

(B) by striking "Broadcasting Board of Governors" and inserting "Chief Executive Officer of the United States Agency for Global Media"; and

(2) in clause (i), by inserting after "this section" the following: "and sections 5583 and 5584 of the Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2022".

Subtitle G—Other Matters

SEC. 5585. CONGRESSIONAL NOTIFICATION FOR REWARDS PAID USING CRYPTOCURRENCIES.

(a) IN GENERAL.—Section 36(e)(6) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(e)(6)) is amended by adding at the end the following new sentence: "Not later than 15 days before making a reward in a form that includes cryptocurrency, the Secretary of State shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such form for the reward.".

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the use of cryptocurrency as a part of the Department of State Rewards program established under section 36(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(a)) that—

(1) justifies any determination of the Secretary to make rewards under such program in a form that includes cryptocurrency;

(2) lists each cryptocurrency payment made under such program as of the date of the submission of the report;

(3) provides evidence of the manner and extent to which cryptocurrency payments would be more likely to induce whistleblowers to come forward with information than rewards paid out in United States dollars or other forms of money or nonmonetary items; and

(4) examines whether the Department's use of cryptocurrency could provide bad actors with additional hard-to-trace funds that could be used for criminal or illicit purposes.

SEC. 5586. SECURE ACCESS TO SANITATION FACILITIES FOR WOMEN AND GIRLS.

Subsection (a) of section 501 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2601 note) is amended—

(1) by redesignating paragraphs (6) through (11) as paragraphs (7) through (12), respectively; and

(2) by inserting after paragraph (5) the following:

"(6) the provision of safe and secure access to sanitation facilities, with a special emphasis on women and children;".

SEC. 5587. REAUTHORIZATION OF THE TROPICAL FOREST AND CORAL REEF CONSERVATION ACT OF 1998.

Section 806(d) of the Tropical Forest and Coral Reef Conservation Act of 1998 (22 U.S.C. 2431d(d)) is amended by adding at the end the following new paragraphs:

"(9) $20,000,000 for fiscal year 2023.
"(10) $20,000,000 for fiscal year 2024.
"(11) $20,000,000 for fiscal year 2025.
"(12) $20,000,000 for fiscal year 2026.
"(13) $20,000,000 for fiscal year 2027.".

SEC. 5588. GLOBAL FOOD SECURITY REAUTHORIZATION ACT OF 2022.

(a) FINDINGS.—Section 2 of the Global Food Security Act of 2016 (22 U.S.C. 9301) is amended by striking "Congress makes" and all that follows through "(3) A comprehensive" and inserting "Congress finds that a comprehensive".

(b) STATEMENT OF POLICY OBJECTIVES; SENSE OF CONGRESS.—Section 3(a) of such Act (22 U.S.C. 9302(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "programs, activities, and initiatives that" and inserting "comprehensive, multi-sectoral programs, activities, and initiatives that consider agriculture and food systems in their totality and that".

(2) in paragraph (1), by striking "and economic freedom through the coordination" and inserting ", economic freedom, and security through the phasing, sequencing, and coordination";

(3) by striking paragraphs (3) and (4) and inserting the following:

"(3) increase the productivity, incomes, and livelihoods of small-scale producers and artisanal fishing communities, especially women in these communities, by working across terrestrial and aquatic food systems and agricultural value chains, including by—

"(A) enhancing local capacity to manage agricultural resources and food systems effectively and expanding producer access to, and participation in, local, regional, and international markets;

"(B) increasing the availability and affordability of high quality nutritious and safe foods and clean water;

"(C) creating entrepreneurship opportunities and improving access to business development related to agriculture and food systems, including among youth populations, linked to local, regional, and international markets; and

"(D) enabling partnerships to facilitate the development of and investment in new agricultural technologies to support more resilient and productive agricultural practices;

"(4) build resilience to agriculture and food systems shocks and stresses, including global food catastrophes in which conventional methods of agriculture are unable to provide sufficient food and nutrition to sustain the global population, among vulnerable populations and households through inclusive growth, while reducing reliance upon emergency food and economic assistance;";

(4) by amending paragraph (6) to read as follows:

"(6) improve the nutritional status of women, adolescent girls, and children, with a focus on reducing child stunting and incidence of wasting, including through the promotion of highly nutritious foods, diet diversification, large-scale food fortification, and nutritional behaviors that improve maternal and child health and nutrition, especially during the first 1,000-day window until a child reaches 2 years of age;"; and

(5) in paragraph (7)—

(A) by striking "science and technology," and inserting "combating fragility, resilience, science and technology, natural resource management"; and

(B) by inserting ", including deworming," after "nutrition,".

(c) DEFINITIONS.—Section 4 of the Global Food Security Act of 2016 (22 U.S.C. 9303) is amended—

(1) in paragraph (2), by inserting ", including in response to shocks and stresses to food and nutrition security" before the period at the end;

(2) by redesignating paragraphs (4) through (12) as paragraphs (5) through (13), respectively;

(3) by inserting after paragraph (3) the following:

"(4) FOOD SYSTEM.—The term 'food system' means the intact or whole unit made up of interrelated components of people, behaviors, relationships, and material goods that interact in the production, processing, packaging, transporting, trade, marketing, consumption, and use of food, feed, and fiber through aquaculture, farming, wild fisheries, forestry, and pastoralism that operates within and is influenced by social, political, economic, and environmental contexts.";

(4) in paragraph (6), as redesignated, by amending subparagraph (H) to read as follows:

"(H) local agricultural producers, including farmer and fisher organizations, cooperatives, small-scale producers, youth, and women; and";

(5) in paragraph (7), as redesignated, by inserting "the Inter-American Foundation," after "United States African Development Foundation,";

(6) in paragraph (9), as redesignated—

(A) by inserting "agriculture and food" before "systems"; and

(B) by inserting ", including global food catastrophes," after "food security";

(7) in paragraph (10), as redesignated, by striking "fishers" and inserting "artisanal fishing communities";

(8) in paragraph (11), as redesignated, by amending subparagraphs (D) and (E) to read as follows:

"(D) is a marker of an environment deficient in the various needs that allow for a child's healthy growth, including nutrition; and

"(E) is associated with long-term poor health, delayed motor development, impaired cognitive function, and decreased immunity.";

(9) in paragraph (13), as redesignated, by striking "agriculture and nutrition security" and inserting "food and nutrition security and agriculture-led economic growth"; and

(10) by adding at the end the following:

"(14) WASTING.—The term 'wasting' means—

"(A) a life-threatening condition attributable to poor nutrient intake or disease that is characterized by a rapid deterioration in nutritional status over a short period of time; and

"(B) in the case of children, is characterized by low weight for height and weakened immunity, increasing their risk of death due to greater frequency and severity of common infection, particularly when severe.".

(d) COMPREHENSIVE GLOBAL FOOD SECURITY STRATEGY.—Section 5(a) of the Global Food Security Act of 2016 (22 U.S.C. 9304) is amended—

(1) in paragraph (4), by striking "country-owned agriculture, nutrition, and food security policy and investment plans" and inserting "partner country-led agriculture, nutrition, regulatory, food security, and water resources management policy and investment plans and governance systems";

(2) by amending paragraph (5) to read as follows:

"(5) support the locally-led and inclusive development of agriculture and food systems, including by enhancing the extent to which small-scale food producers, especially women, have access to and control over the inputs, skills, resource management capacity, networking, bargaining power, financing, market linkages, technology, and information needed to sustainably increase productivity and incomes, reduce poverty and malnutrition, and promote long-term economic prosperity;";

(3) in paragraph (6)—

(A) by inserting ", adolescent girls," after "women"; and

(B) by inserting "and preventing incidence of wasting" after "reducing child stunting";

(4) in paragraph (7), by inserting "poor water resource management and" after "including";

(5) in paragraph (8)—

(A) by striking "the long-term success of programs" and inserting "long-term impact"; and

(B) by inserting ", including agricultural research capacity," after "institutions";

(6) in paragraph (9), by striking "integrate resilience and nutrition strategies into food security programs, such that chronically vulnerable populations are better able to" and inserting "coordinate with and complement relevant strategies to ensure that chronically vulnerable populations are better able to adapt,";

(7) by redesignating paragraph (17) as paragraph (22);

(8) by redesignating paragraphs (12) through (16) as paragraphs (14) through (18), respectively;

(9) by striking paragraphs (10) and (11) and inserting the following:

"(10) develop community and producer resilience and adaptation strategies to disasters, emergencies, and other shocks and stresses to food and nutrition security, including conflicts, droughts, flooding, pests, and diseases, that adversely impact agricultural yield and livelihoods;

"(11) harness science, technology, and innovation, including the research and extension activities supported by the private sector, relevant Federal departments and agencies, Feed the Future Innovation Labs or any successor entities, and international and local researchers and innovators, recognizing that significant investments in research and technological advances

will be necessary to reduce global poverty, hunger, and malnutrition;

"(12) use evidenced-based best practices, including scientific and forecasting data, and improved planning and coordination by, with, and among key partners and relevant Federal departments and agencies to identify, analyze, measure, and mitigate risks, and strengthen resilience capacities;

"(13) ensure scientific and forecasting data is accessible and usable by affected communities and facilitate communication and collaboration among local stakeholders in support of adaptation planning and implementation, including scenario planning and preparedness using seasonal forecasting and scientific and local knowledge;";

(10) in paragraph (15), as redesignated, by inserting "non-governmental organizations, including" after "civil society,";

(11) in paragraph (16), as redesignated, by inserting "and coordination, as appropriate," after "collaboration";

(12) in paragraph (18), as redesignated, by striking "section 8(b)(4); and" and inserting "section 8(a)(4);"; and

(13) by inserting after paragraph (18), as redesignated, the following:

"(19) improve the efficiency and resilience of agricultural production, including management of crops, rangelands, pastures, livestock, fisheries, and aquacultures;

"(20) ensure investments in food and nutrition security consider and integrate best practices in the management and governance of natural resources and conservation, especially among food insecure populations living in or near biodiverse ecosystems;

"(21) be periodically updated in a manner that reflects learning and best practices; and".

(e) PERIODIC UPDATES.—Section 5 of the Global Food Security Act of 2016 (22 U.S.C. 9304), as amended by subsection (d), is further amended by adding at the end the following:

"(d) PERIODIC UPDATES.—Not less frequently than quinquennially through fiscal year 2030, the President, in consultation with the head of each relevant Federal department and agency, shall submit to the appropriate congressional committees updates to the Global Food Security Strategy required under subsection (a) and the agency-specific plans described in subsection (c)(2).".

(f) AUTHORIZATION OF APPROPRIATIONS TO IMPLEMENT THE GLOBAL FOOD SECURITY STRATEGY.—Section 6(b) of such Act (22 U.S.C. 9305(b)) is amended—

(1) by striking "$1,000,600,000 for each of fiscal years 2017 through 2023" and inserting "$1,200,000,000 for each of the fiscal years 2024 through 2028"; and

(2) by adding at the end the following: "Amounts authorized to appropriated under this subsection should be prioritized to carry out programs and activities in target countries.".

(g) EMERGENCY FOOD SECURITY PROGRAM.—

(1) IN GENERAL.—Section 7 of the Global Food Security Act of 2016 (22 U.S.C. 9306) is amended by striking "(a) SENSE OF CONGRESS.—" and all that follows through "It shall be" and inserting "It shall be".

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 492(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2292a(a)) is amended by striking "$2,794,184,000 for each of fiscal years 2017 through 2023, of which up to $1,257,382,000" and inserting "$3,905,460,000 for each of the fiscal years 2024 through 2028, of which up to $1,757,457,000".

(h) REPORTS.—Section 8(a) of the Global Food Security Act of 2016 (22 U.S.C. 9307) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking "During each of the first 7 years after the date of the submission of the strategy required under section 5(c)," and inserting "For each of the fiscal years through 2028,";

(B) by striking "reports that describe" and inserting "a report that describes"; and

(C) by striking "at the end of the reporting period" and inserting "during the preceding year";

(2) in paragraph (2), by inserting ", including any changes to the target countries selected pursuant to the selection criteria described in section 5(a)(2) and justifications for any such changes" before the semicolon at the end;

(3) in paragraph (3), by inserting "identify and" before "describe";

(4) by redesignating paragraphs (12) through (14) as paragraphs (15) through (17), respectively;

(5) by redesignating paragraphs (5) through (11) as paragraphs (7) through (13), respectively;

(6) by striking paragraph (4) and inserting the following:

"(4) identify and describe the priority quantitative metrics used to establish baselines and performance targets at the initiative, country, and zone of influence levels;

"(5) identify such established baselines and performance targets at the country and zone of influence levels;

"(6) identify the output and outcome benchmarks and indicators used to measure results annually, and report the annual measurement of results for each of the priority metrics identified pursuant to paragraph (4), disaggregated by age, gender, and disability, to the extent practicable and appropriate, in an open and transparent manner that is accessible to the people of the United States;";

(7) in paragraph (7), as redesignated, by striking "agriculture" and inserting "food";

(8) in paragraph (8), as redesignated—

(A) by inserting "quantitative and qualitative" after "how"; and

(B) by inserting "at the initiative, country, and zone of influence levels, including longitudinal data and key uncertainties" before the semicolon at the end;

(9) in paragraph (9), as redesignated, by inserting "within target countries, amounts and justification for any spending outside of target countries" after "amounts spent";

(10) in paragraph (13), as redesignated, by striking "and the impact of private sector investment" and inserting "and efforts

to encourage financial donor burden sharing and the impact of such investment and efforts";

(11) by inserting after paragraph (13), as redesignated, the following:

"(14) describe how agriculture research is prioritized within the Global Food Security Strategy to support agriculture-led growth and eventual self-sufficiency and assess efforts to coordinate research programs within the Global Food Security Strategy with key stakeholders;";

(12) in paragraph (16), as redesignated, by striking "and" at the end;

(13) in paragraph (17), as redesignated—

(A) by inserting ", including key challenges or missteps," after "lessons learned"; and

(B) by striking the period at the end and inserting "; and"; and

(14) by adding at the end the following:

"(18) during the final year of each strategy required under section 5, complete country graduation reports to determine whether a country should remain a target country based on quantitative and qualitative analysis.".

SEC. 5589. EXTENSION AND MODIFICATION OF CERTAIN EXPORT CONTROLS.

(a) EXTENSION OF EXPORT PROHIBITION ON MUNITIONS ITEMS TO THE HONG KONG POLICE FORCE.—Section 3 of the Act entitled "An Act to prohibit the commercial export of covered munitions items to the Hong Kong Police Force", approved November 27, 2019 (Public Law 116–77; 133 Stat. 1173), is amended by striking "shall expire" and all that follows and inserting "shall expire on December 31, 2024.".

(b) MODIFICATION OF AUTHORITY OF PRESIDENT UNDER EXPORT CONTROL REFORM ACT OF 2018.—Section 1753(a)(2)(F) of the Export Control Reform Act of 2018 (50 U.S.C. 4812(a)(2)(F)) is amended by inserting ", security, or" before "intelligence".

SEC. 5590. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF GOLD TO OR FROM RUSSIA.

(a) IDENTIFICATION.—Not later than 90 days after the date of the enactment of this Act, and periodically as necessary thereafter, the President—

(1) shall submit to Congress a report identifying foreign persons that knowingly participated in a significant transaction—

(A) for the sale, supply, or transfer (including transportation) of gold, directly or indirectly, to or from the Russian Federation or the Government of the Russian Federation, including from reserves of the Central Bank of the Russian Federation held outside the Russian Federation; or

(B) that otherwise involved gold in which the Government of the Russian Federation had any interest; and

(2) shall impose the sanctions described in subsection (b)(1) with respect to each such person; and

(3) may impose the sanctions described in subsection (b)(2) with respect to any such person that is an alien.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person identified in the report required by subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to an alien described in subsection (a)(1).

(ii) IMMEDIATE EFFECT.—The revocation under clause (i) of a visa or other entry documentation issued to an alien shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) NATIONAL INTEREST WAIVER.—The President may waive the imposition of sanctions under this section with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) submits to Congress a notification of the waiver and the reasons for the waiver.

(e) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the requirement to impose sanctions under this section, and any sanctions imposed under this section, shall terminate on the earlier of—

(A) the date that is 3 years after the date of the enactment of this Act; or

(B) the date that is 30 days after the date on which the President certifies to Congress that—

(i) the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine; and

(ii) such termination in the national interests of the United States.

(2) TRANSITION RULES.—

(A) CONTINUATION OF CERTAIN AUTHORITIES.—Any authorities exercised before the termination date under paragraph (1) to impose sanctions with respect to a foreign person under this section may continue to be exercised on and after that date if the President determines that the continuation of those authorities is in the national interests of the United States.

(B) APPLICATION TO ONGOING INVESTIGATIONS.—The termination date under paragraph (1) shall not apply to any investigation of a civil or criminal violation of this section or any regulation, license, or order issued to carry out this section, or the imposition of a civil or criminal penalty for such a violation, if—

(i) the violation occurred before the termination date; or

(ii) the person involved in the violation continues to be subject to sanctions pursuant to subparagraph (A).

(f) EXCEPTIONS.—

(1) EXCEPTIONS FOR AUTHORIZED INTELLIGENCE AND LAW ENFORCEMENT AND NATIONAL SECURITY ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Sanctions under subsection (b)(2) may not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other international obligations.

(3) HUMANITARIAN EXEMPTION.—The President shall not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

(4) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The requirement or authority to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term "good" means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(g) DEFINITIONS.—In this section:

(1) The terms "admission", "admitted", "alien", and "lawfully admitted for permanent residence" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) The term "foreign person" means an individual or entity that is not a United States person.

(3) The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SEC. 5591. RENEGOTIATION OF COMPACTS OF FREE ASSOCIATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress as follows:

(1) The United States shares deep ties, history and interests with the Freely Associated States of the Republic of the Marshall Islands, Federated States of Micronesia, and Palau and continues a special, unique and mutually beneficial relationship with them under the decades-old Compacts of Free Association.

(2) Under the Compacts, the United States has undertaken the responsibility and obligation to provide and ensure the security and defense of the Freely Associated States.

(3) The Compacts are critical to the national security of the United States and its allies and partners and are the bedrock of the United States role in the Pacific.

(4) Renewal of key provisions of the Compacts, now being renegotiated with each nation, is critical for regional security.

(5) Maintaining and strengthening the Compacts supports both United States national security and the United States responsibility for the security and defense of the Freely Associated States.

(b) BRIEFING ON RENEGOTIATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and the Secretary of the Interior, shall brief the following committees on the status of the renegotiations of the Compacts of Free Association described in subsection (a) and opportunities to expand its support for the renegotiations:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs and the Committee on Natural Resources of the House of Representatives.

(3) The Committee on Foreign Relations and the Committee on Energy and Natural Resources of the Senate.

SEC. 5592. SECRETARY OF STATE ASSISTANCE FOR PRISONERS IN ISLAMIC REPUBLIC OF IRAN.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the Islamic Republic of Iran should allow the United Nations Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran unimpeded access to facilitate the full implementation of the mandate of the United Nations Special Rapporteur, including—

(A) investigating alleged violations of human rights that are occurring or have occurred both within prisons and elsewhere;

(B) transmitting urgent appeals and letters to the Islamic Republic of Iran regarding alleged violations of human rights; and

(C) engaging with relevant stakeholders in the Islamic Republic of Iran and the surrounding region;

(2) the Islamic Republic of Iran should immediately end violations of the human rights of political prisoners or persons imprisoned for exercising the right to freedom of speech, including—

(A) torture;

(B) denial of access to health care; and

(C) denial of a fair trial;

(3) all prisoners of conscience and political prisoners in the Islamic Republic of Iran should be unconditionally and immediately released;

(4) all diplomatic tools of the United States should be invoked to ensure that all prisoners of conscience and political prisoners in the Islamic Republic of Iran are released, including raising individual cases of particular concern; and

(5) all officials of the government of the Islamic Republic of Iran who are responsible for human rights abuses in the form of politically motivated imprisonment should be held to account, including through the imposition of sanctions pursuant to the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) and other applicable statutory authorities of the United States.

(b) ASSISTANCE FOR PRISONERS.—The Secretary of State is authorized to continue to provide assistance to civil society organizations that support prisoners of conscience and political prisoners in the Islamic Republic of Iran, including organizations that—

(1) work to secure the release of such prisoners;

(2) document violations of human rights with respect to such prisoners;

(3) support international advocacy to raise awareness of issues relating to such prisoners;

(4) support the health, including mental health, of such prisoners; and

(5) provide post-incarceration assistance to enable such prisoners to resume normal lives, including access to education, employment, or other forms of reparation.

(c) DEFINITIONS.—In this section:

(1) The term "political prisoner" means a person who has been detained or imprisoned on politically motivated grounds.

(2) The term "prisoner of conscience" means a person who—

(A) is imprisoned or otherwise physically restricted solely in response to the peaceful exercise of the human rights of such person; and

(B) has not used violence or advocated violence or hatred.

SEC. 5593. IRAN NUCLEAR WEAPONS CAPABILITY AND TERRORISM MONITORING ACT OF 2022.

(a) SHORT TITLE.—This section may be cited as the "Iran Nuclear Weapons Capability and Terrorism Monitoring Act of 2022".

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) an Islamic Republic of Iran that possesses a nuclear weapons capability would be a serious threat to the national security of the United States, Israel, and other allies and partners;

(2) the Islamic Republic of Iran has been less than cooperative with international inspectors from the International Atomic Energy Agency and has obstructed their ability to inspect facilities as well as data and recordings collected by surveillance equipment across Iran;

(3) the Islamic Republic of Iran continues to advance missile and drone programs, which are a threat to the national security of the United States, Israel, and other allies and partners;

(4) the Islamic Republic of Iran continues to support proxies in the Middle East in a manner that—

(A) undermines the sovereignty of regional governments;

(B) threatens the safety of United States citizens;

(C) threatens United States allies and partners; and

(D) directly undermines the national security interests of the United States;

(5) the Islamic Republic of Iran has engaged in assassination plots against former United States officials and has been implicated in plots to kidnap United States citizens within the United States;

(6) the Islamic Republic of Iran is engaged in unsafe and unprofessional maritime activity that threatens the movement of naval vessels of the United States and the free flow of commerce through strategic maritime chokepoints in the Middle East and North Africa;

(7) the Islamic Republic of Iran has delivered hundreds of armed drones to the Russian Federation, which will enable Vladimir Putin to continue the assault against Ukraine in direct opposition of the national security interests of the United States; and

(8) the United States must—

(A) ensure that the Islamic Republic of Iran does not acquire a nuclear weapons capability;

(B) protect against aggression from the Islamic Republic of Iran manifested through its missiles and drone programs; and

(C) counter regional and global terrorism of the Islamic Republic of Iran in a manner that minimizes the threat posed by state and non-state actors to the interests of the United States.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COMPREHENSIVE SAFEGUARDS AGREEMENT.—The term "Comprehensive Safeguards Agreement" means the Agreement between the Islamic Republic of Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Vienna June 19, 1973.

(3) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(4) TASK FORCE.—The term "task force" means the task force established under subsection (d).

(5) UNMANNED AIRCRAFT SYSTEM.—The term "unmanned aircraft system" has the meaning given the term in section 44801 of title 49, United States Code.

(d) ESTABLISHMENT OF INTERAGENCY TASK FORCE ON NUCLEAR ACTIVITY AND GLOBAL REGIONAL TERRORISM OF THE ISLAMIC REPUBLIC OF IRAN.—

(1) ESTABLISHMENT.—The Secretary of State shall establish a task force to coordinate and synthesize efforts by the United States Government regarding—

(A) nuclear activity of the Islamic Republic of Iran or its proxies; and

(B) regional and global terrorism activity by the Islamic Republic of Iran or its proxies.

(2) COMPOSITION.—

(A) CHAIRPERSON.—The Secretary of State shall be the Chairperson of the task force.

(B) MEMBERSHIP.—

(i) IN GENERAL.—The task force shall be composed of individuals, each of whom shall be an employee of and appointed to the task force by the head of one of the following agencies:

(I) The Department of State.

(II) The Department of Defense.

(III) The Department of Energy.

(ii) ADDITIONAL MEMBERS.—The Chairperson may appoint to the task force additional individuals from other Federal agencies, as the Chairperson considers necessary.

(iii) INTELLIGENCE COMMUNITY SUPPORT.—The Director of National Intelligence shall ensure that the task force receives all appropriate support from the intelligence community.

(3) SUNSET.—The task force shall terminate on December 31, 2028.

(e) ASSESSMENTS.—

(1) INTELLIGENCE ASSESSMENT ON NUCLEAR ACTIVITY.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 180 days thereafter until December 31, 2028, the Director of National Intelligence shall submit to the appropriate congressional committees an assessment regarding any uranium enrichment, nuclear weapons development, delivery vehicle development, and associated engineering and research activities of the Islamic Republic of Iran.

(B) CONTENTS.—The assessment required by subparagraph (A) shall include—

(i) a description and location of current fuel cycle activities for the production of fissile material being undertaken by the Islamic Republic of Iran, including—

(I) research and development activities to procure or construct additional advanced IR-2, IR-6 and other model centrifuges and enrichment cascades, including for stable isotopes;

(II) research and development of reprocessing capabilities, including—

(aa) reprocessing of spent fuel; and

(bb) extraction of medical isotopes from irradiated uranium targets;

(III) activities with respect to designing or constructing reactors, including—

(aa) the construction of heavy water reactors;

(bb) the manufacture or procurement of reactor components, including the intended application of such components; and

(cc) efforts to rebuild the original reactor at Arak;

(IV) uranium mining, concentration, conversion, and fuel fabrication, including—

(aa) estimated uranium ore production capacity and annual recovery;

(bb) recovery processes and ore concentrate production capacity and annual recovery;

(cc) research and development with respect to, and the annual rate of, conversion of uranium; and

(dd) research and development with respect to the fabrication of reactor fuels, including

the use of depleted, natural, and enriched uranium; and

(V) activities with respect to—

(aa) producing or acquiring plutonium or uranium (or their alloys);

(bb) conducting research and development on plutonium or uranium (or their alloys);

(cc) uranium metal; or

(dd) casting, forming, or machining plutonium or uranium;

(ii) with respect to any activity described in clause (i), a description, as applicable, of—

(I) the number and type of centrifuges used to enrich uranium and the operating status of such centrifuges;

(II) the number and location of any enrichment or associated research and development facility used to engage in such activity;

(III) the amount of heavy water, in metric tons, produced by such activity and the acquisition or manufacture of major reactor components, including, for the second and subsequent assessments, the amount produced since the last assessment;

(IV) the number and type of fuel assemblies produced by the Islamic Republic of Iran, including failed or rejected assemblies; and

(V) the total amount of—

(aa) uranium–235 enriched to not greater than 5 percent purity;

(bb) uranium–235 enriched to greater than 5 percent purity and not greater than 20 percent purity;

(cc) uranium–235 enriched to greater than 20 percent purity and not greater than 60 percent purity;

(dd) uranium–235 enriched to greater than 60 percent purity and not greater than 90 percent purity; and

(ee) uranium–235 enriched greater than 90 percent purity;

(iii) a description of any weaponization plans and weapons development capabilities of the Islamic Republic of Iran, including—

(I) plans and capabilities with respect to—

(aa) weapon design, including fission, warhead miniaturization, and boosted and early thermonuclear weapon design;

(bb) high yield fission development;

(cc) design, development, acquisition, or use of computer models to simulate nuclear explosive devices;

(dd) design, development, fabricating, acquisition, or use of explosively driven neutron

sources or specialized materials for explosively driven neutron sources; and

(ee) design, development, fabrication, acquisition, or use of precision machining and tooling that could enable the production of nuclear explosive device components;

(II) the ability of the Islamic Republic of Iran to deploy a working or reliable delivery vehicle capable of carrying a nuclear warhead;

(III) the estimated breakout time for the Islamic Republic of Iran to develop and deploy a nuclear weapon, including a crude nuclear weapon; and

(IV) the status and location of any research and development work site related to the preparation of an underground nuclear test;

(iv) an identification of any clandestine nuclear facilities;

(v) an assessment of whether the Islamic Republic of Iran maintains locations to store equipment, research archives, or other material previously used for a weapons program or that would be of use to a weapons program that the Islamic Republic of Iran has not declared to the International Atomic Energy Agency;

(vi) any diversion by the Islamic Republic of Iran of uranium, carbon-fiber, or other materials for use in an undeclared or clandestine facility;

(vii) an assessment of activities related to developing or acquiring the capabilities for the production of nuclear weapons, conducted at facilities controlled by the Ministry of Defense and Armed Forces Logistics of Iran, the Islamic Revolutionary Guard Corps, and the Organization of Defensive Innovation and Research, including an analysis of gaps in knowledge;

(viii) a description of activities between the Islamic Republic of Iran and other countries or persons with respect to sharing information on, or providing other forms of support for, the acquisition of a nuclear weapons capability or activities related to weaponization;

(ix) with respect to any new ballistic, cruise, or hypersonic missiles being designed and tested by the Islamic Republic of Iran or any of its proxies, a description of—

(I) the type of missile;

(II) the range of such missiles;

(III) the capability of such missiles to deliver a nuclear warhead;

(IV) the number of such missiles; and

(V) any testing of such missiles;

(x) an assessment of whether the Islamic Republic of Iran or any of its proxies possesses an unmanned aircraft system or other military equipment capable of delivering a nuclear weapon; and

(xi) an assessment of the extent to which the Islamic Republic of Iran is providing drones, missiles, or re-

lated technology from other countries to its proxies or partners.

(2) ASSESSMENT ON SUPPORT FOR REGIONAL AND GLOBAL TERRORISM OF THE ISLAMIC REPUBLIC OF IRAN.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter until December 31, 2028, the Director of National Intelligence shall submit to the appropriate congressional committees an assessment regarding the regional and global terrorism of the Islamic Republic of Iran.

(B) CONTENTS.—The assessment required by subparagraph (A) shall include—

(i) a description of the lethal support of the Islamic Republic of Iran, including training, equipment, and associated intelligence support, to regional and global non-state terrorist groups and proxies;

(ii) a description of the lethal support of the Islamic Republic of Iran, including training and equipment, to state actors;

(iii) an assessment of financial support of the Islamic Republic of Iran to non-state terrorist groups and proxies and associated Iranian revenue streams funding such support;

(iv) an assessment of the threat posed by the Islamic Republic of Iran and Iranian-supported groups to members of the Armed Forces, diplomats, and military and diplomatic facilities of the United States;

(v) a description of attacks by, or sponsored by, the Islamic Republic of Iran against members of the Armed Forces, diplomats, and military and diplomatic facilities of the United States and the associated response by the United States Government in the previous year;

(vi) a description of attacks by, or sponsored by, the Islamic Republic of Iran against United States partners or allies and the associated response by the United States Government in the previous year;

(vii) an assessment of interference by the Islamic Republic of Iran into the elections and political processes of sovereign countries in the Middle East and North Africa in an effort to create conditions for or shape agendas more favorable to the policies of the Government of the Islamic Republic of Iran;

(viii) a description of any plots by the Islamic Republic of Iran against former and current United States officials;

(ix) a description of any plots by the Islamic Republic of Iran against United States citizens both abroad and within the United States; and

(x) a description of maritime activity of the Islamic Republic of Iran and associated impacts on the free flow of commerce and the national security interests of the United States.

(3) FORM; PUBLIC AVAILABILITY; DUPLICATION.—

(A) FORM.—Each assessment required by this subsection shall be submitted in unclassified form but may include a classified annex for information that, if released, would be detrimental to the national security of the United States. In addition, any classified portion may contain an additional annex provided to the congressional intelligence committees that details information and analysis that would otherwise disclose sensitive sources and methods.

(B) PUBLIC AVAILABILITY.—The unclassified portion of an assessment required by this subsection shall be made available to the public on an internet website of the Office of the Director of National Intelligence.

(C) DUPLICATION.—For any assessment required by this subsection, the Director of National Intelligence may rely upon existing products that reflect the current analytic judgment of the intelligence community, including reports or products produced in response to congressional mandate or requests from executive branch officials.

(f) DIPLOMATIC STRATEGY TO ADDRESS IDENTIFIED NUCLEAR, BALLISTIC MISSILE, AND TERRORISM THREATS TO THE UNITED STATES.—

(1) IN GENERAL.—Not later than 30 days after the submission of the initial assessment under subsection (e)(1), and annually thereafter until December 31, 2028, the Secretary of State, in consultation with the task force, shall submit to the appropriate congressional committees a diplomatic strategy that outlines a comprehensive plan for engaging with partners and allies of the United States regarding uranium enrichment, nuclear weaponization, missile development, and drone-related activities and regional and global terrorism of the Islamic Republic of Iran.

(2) CONTENTS.—The diplomatic strategy required by paragraph (1) shall include—

(A) an assessment of whether the Islamic Republic of Iran—

(i) is in compliance with the Comprehensive Safeguards Agreement and modified Code 3.1 of the Subsidiary Arrangements to the Comprehensive Safeguards Agreement as well as the nuclear related commitments endorsed in United Nations Security Council Resolution 2231 (2015); and

(ii) has denied access to sites that the International Atomic Energy Agency has sought to inspect during previous 1-year period;

(B) a description of any dual-use item (as defined under section 730.3 of title 15, Code of Federal Regulations or listed on the List of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology issued by the Nuclear Suppliers Group or any successor list) the Islamic Republic of Iran is using to further the nuclear weapon, missile, or drone program;

(C) a description of efforts of the United States to counter efforts of the Islamic Republic of Iran to project political and military influence into the Middle East;

(D) a description of efforts to address the increased threat that new or evolving uranium enrichment, nuclear weaponization, missile, or drone development activities by the Islamic Republic of Iran pose to United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(E) a description of efforts to address the threat that terrorism by, or sponsored by, the Islamic Republic of Iran poses to United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(F) a description of efforts to address the impact of the influence of the Islamic Republic of Iran on sovereign governments on the safety and security of United States citizens, the diplomatic presence of the United States in the Middle East, and the national security interests of the United States;

(G) a description of a coordinated whole-of-government approach to use political, economic, and security related tools to address such activities; and

(H) a comprehensive plan for engaging with allies and regional partners in all relevant multilateral fora to address such activities.

(3) UPDATED STRATEGY RELATED TO NOTIFICATION.—Not later than 45 days after the Chairperson determines that there has been a significant development in the nuclear weapons capability or nuclear weapons delivery systems capability of the Islamic Republic of Iran, the Secretary of State shall submit to the appropriate congressional committees an update to the most recent diplomatic strategy submitted under paragraph (1).

Subtitle H—Reports

SEC. 5594. MODIFICATION TO PEACEKEEPING OPERATIONS REPORT.

Section 6502 of the National Defense Authorization Act for Fiscal Year 2022 (22 U.S.C. 2348 note) is amended—

(1) in subsection (a)—

(A) by amending paragraph (4) to read as follows:

"(4) As applicable, a description of specific training on monitoring and adhering to international human rights and humanitarian law provided to the foreign country or entity receiving the assistance."; and

(B) by striking paragraphs (7) and (8);

(2) in subsection (b)—

(A) in the subsection heading, by striking "ON PROGRAMS UNDER PEACEKEEPING OPERATIONS ACCOUNT"; and

(B) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by inserting "authorized under section 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2348) and" after "security assistance"; and

(ii) by striking "foreign countries" and all that follows through the colon and inserting "foreign countries for any of the following purposes:";

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b), as amended, the following:

"(c) COORDINATION OF SUBMISSION.—The Secretary of State is authorized to integrate the elements of the report required by subsection (b) into other reports required to be submitted annually to the appropriate congressional committees.".

SEC. 5595. REPORT ON INDO-PACIFIC REGION.

(a) IN GENERAL.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Assistant Secretary of State for the Bureau of East Asian and Pacific Affairs, in coordination with the Assistant Secretary of State for the Bureau of South and Central Asian Affairs and Assistant Administrator for the Bureau for Asia of the United States Agency for International Development (USAID), shall submit to the congressional foreign affairs committees a report that contains a 2-year strategy assessing the resources and activities required to achieve the policy objectives described in subsection (c).

(2) SUBMISSION AND UPDATE.—The report and strategy required by this subsection shall—

(A) be submitted at the same time as the submission of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2024; and

(B) be updated and submitted at the same time as the submission of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal years 2026, 2028, and 2030.

(b) CRITERIA.—The report and strategy required in subsection (a) shall be developed in accordance with the following criteria:

(1) It shall reflect the objective, autonomous, and independent assessment of the activities, resources, and costs required to achieve objectives detailed in subsection (c) by the principals, the subordinate and parallel offices providing input into the assessment.

(2) It shall cover a period of five fiscal years, beginning with the fiscal year following the fiscal year in which the report is submitted.

(3) It shall incorporate input from United States Ambassadors in the Indo-Pacific region provided explicitly for the required report.

(4) It may include information gathered through consultation with program offices and subject matter experts in relevant functional bureaus, as deemed necessary by the principals.

(5) It shall not be subject to fiscal guidance or global strategic tradeoffs associated with the annual President's budget request.

(c) POLICY OBJECTIVES.—The report and strategy required in subsection (a) shall assess the activities and resources required to achieve the following policy objectives:

(1) Implementing the Interim National Security Strategic Guidance, or the most recent National Security Strategy, with respect to the Indo-Pacific region.

(2) Implementing the 2022 Indo-Pacific Strategy, or successor documents, that set forth the United States Government strategy toward the Indo-Pacific region.

(3) Implementing the State-USAID Joint Strategic Plan with respect to the Indo-Pacific region.

(4) Enhancing meaningful diplomatic and economic relations with allies and partners in the Indo-Pacific and demonstrate an enduring United States commitment to the region.

(5) Securing and advancing United States national interests in the Indo-Pacific, including through countering the malign influence of the Government of the People's Republic of China.

(d) MATTERS TO BE INCLUDED.—The report and strategy required under subsection (a) shall include the following:

(1) A description of the Bureaus' bilateral and multilateral goals for the period covered in the report that the principals deem necessary to accomplish the objectives outlined in subsection (c), disaggregated by country and forum.

(2) A timeline with annual benchmarks for achieving the objectives described in subsection (c).

(3) An assessment of the sufficiency of United States diplomatic personnel and facilities currently available in the Indo-Pacific region to achieve the objectives outlined in subsection (c), through consultation with United States embassies in the region. The assessment shall include:

(A) A list, in priority order, of locations in the Indo-Pacific region that require additional diplomatic personnel or facilities.

(B) A description of locations where the United States may be able to collocate diplomatic personnel at allied or partner embassies and consulates.

(C) A discussion of embassies or consulates where diplomatic staff could be reduced within the Indo-Pacific region, where appropriate.

(D) A detailed description of the fiscal and personnel resources required to fill gaps identified.

(4) A detailed plan to expand United States diplomatic engagement and foreign assistance presence in the Pacific Island nations within the next five years, including a description of "quick impact" programs that can be developed and implemented within the first fiscal year of the period covered in the report.

(5) A discussion of the resources needed to enhance United States strategic messaging and spotlight coercive behavior by the People's Republic of China.

(6) A detailed description of the resources and policy tools needed to expand the United States ability to offer high-quality infrastructure projects in strategically significant parts of the Indo-Pacific region, with a particular focus on expanding investments in Southeast Asia and the Pacific Islands.

(7) A gap assessment of security assistance by country, and of the resources needed to fill those gaps.

(8) A description of the resources and policy tools needed to facilitate continued private sector investment in partner countries in the Indo-Pacific.

(9) A discussion of any additional bilateral or regional assistance resources needed to achieve the objectives outlined in subsection (c), as deemed necessary by the principals.

(e) FORM.—The report required under subsection (a) shall be submitted in an unclassified form, but may include a classified annex.

(f) AVAILABILITY.—Not later than February 1 each year, the Assistant Secretary for East Asian and Pacific Affairs shall make the report and strategy available to the Secretary of State, the Administrator of the USAID, the Deputy Secretary of State, the Deputy Secretary of State for Management and Resources, the Deputy Administrator for Policy and Programming, the Deputy Administrator for Management and Resources, the Under Secretary of State for Political Affairs, the Director of the Office of Foreign Assistance at the Department of State, the Director of the Bureau of Foreign Assistance at the USAID, and the Director of Policy Planning.

(g) DEFINITIONS.—In this section:

(1) INDO-PACIFIC REGION.—The term "Indo-Pacific region" means the countries under the jurisdiction of the Bureau for East Asian and Pacific Affairs, as well as the countries of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka.

(2) FOREIGN AFFAIRS COMMITTEES.—The term "foreign affairs committees" means—

(A) the Committee on Foreign Relations and the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Subcommittee on State, Foreign Operations, Related Programs of the Committee on Appropriations of the House of Representatives.

(3) PRINCIPALS.—The term "principals" means the Assistant Secretary of State for the Bureau of East Asian and Pacific Affairs, the Assistant Secretary of State for the Bureau of South and Central Asian Affairs, and the Assistant Administrator for the Bureau for Asia of the United States Agency for International Development.

SEC. 5596. REPORT ON HUMANITARIAN SITUATION AND FOOD SECURITY IN LEBANON.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report that contains an evaluation of the humanitarian situation in Lebanon, as well as the impact of the deficit of wheat imports due to Russia's further invasion of Ukraine, initiated on February 24, 2022.

(b) ELEMENTS.—The report required by subsection (a) shall include the following elements:

(1) The projected increase in malnutrition in Lebanon.

(2) The estimated increase in the number of food insecure individuals in Lebanon.

(3) The estimated number of individuals who will be faced with acute malnutrition due to food price inflation in Lebanon.

(4) Actions United States Government allies and partners are taking to address the matters described in paragraphs (1), (2), and (3).

(5) The potential impact of food insecurity in Lebanon on Department of Defense goals and objectives in Lebanon.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 5597. STATEMENT OF POLICY AND REPORT ON ENGAGING WITH NIGER.

(a) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) continue to support Niger's efforts to advance democracy, good governance, human rights, and regional security within its borders through bilateral assistance and multilateral initiatives;

(2) enhance engagement and cooperation with the Nigerien Government at all levels as a key component of stabilizing the Sahel, where frequent coups and other anti-democratic movements, food insecurity, violent extremism, and armed conflict threaten to further weaken governments throughout the region; and

(3) work closely with partners and allies throughout the international community to elevate Niger, which experienced its first democratic transition of power in 2021, as an example of transitioning from longstanding military governance and a cycle of coups to a democratic, civilian-led form of government.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of relevant departments and agencies, shall submit to the appropriate congressional committees a report on interagency efforts to enhance United States engagement with Niger as a key component of the United States Strategy toward the Sahel. Such report shall also include the following information with respect to the 2 fiscal years preceding the date of the submission of the report:

(1) A description of United States efforts to promote democracy, political pluralism, fiscal transparency and other good governance initiatives, human rights and the rule of law, and a robust and engaged civil society.

(2) A full, detailed breakdown of United States assistance provided to help the Nigerien Government develop a comprehensive national security strategy, including to counter terrorism,

regional and transnational organized crime, intercommunal violence, and other forms of armed conflict, criminal activity, and other threats to United States and Nigerien national security.

(3) An analysis of relevant resources at the United States Embassy in Niamey, including whether staff in place by the end of the current fiscal year will be sufficient to meet various country and regional strategic objectives.

(4) An overview of foreign partner support for Niger's intelligence and security sector.

(5) A detailed description of United States and international efforts to address food insecurity in Niger, including that which is caused by deforestation, desertification, and other climate change-related issues.

(6) A breakdown of United States funds obligated for humanitarian assistance in Niger, and an analysis of how the security situation in Niger has affected humanitarian operations and diplomatic engagement throughout the country.

(7) An assessment of foreign malign influence in Niger, with a specific focus on the People's Republic of China, the Russian Federation, and their proxies.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form, and may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 5598. REPORT ON BILATERAL SECURITY AND LAW ENFORCEMENT COOPERATION WITH MEXICO.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of past and current bilateral security and law enforcement cooperation with Mexico, including through United States Northern Command, the Department of Homeland Security, the Department of Justice (including the Drug Enforcement Administration), and the Department of State (including the Bureau of International Narcotics and Law Enforcement Affairs), including over the preceding 10 years.

(2) A summary of efforts of the Government of Mexico to reduce impunity and strengthen judicial processes for violent crimes and cartels across Mexico and along the United States-Mexico border.

(3) A description and mapping of increasing cartel control over Mexican territory and its impacts on United States national security.

(4) An assessment of any changes in Mexico's electoral and democratic institutions, including their ability to ensure accountability for human rights violations, and its impacts on national security.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex. The

unclassified portion of such report shall be published on a publicly available website of the Federal government.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

(3) the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.

SEC. 5599. REPORT ON CHINESE SUPPORT TO RUSSIA WITH RESPECT TO ITS UNPROVOKED INVASION OF AND FULL-SCALE WAR AGAINST UKRAINE.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter until the sunset specified in subsection (d), the Secretary of State, in consultation with the Secretary of Commerce and the Director of National Intelligence as appropriate, shall submit to the appropriate congressional committees a report on whether and how the People's Republic of China (PRC), including the Government of the PRC, the Chinese Communist Party, any PRC state-owned enterprise, and any other PRC entity, has provided support to the Russian Federation with respect to its unprovoked invasion of and full-scale war against Ukraine.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include a discussion of the support provided by the PRC to the Russian Federation with respect to—

(1) helping the Government of Russia or Russian entities evade or circumvent United States sanctions or multilateral sanctions and export controls;

(2) deliberately inhibiting on-site United States Government export control end-use checks, including interviews and investigations, in the PRC;

(3) providing Russia with any technology, including semiconductors classified as EAR99, that supports Russian intelligence or military capabilities;

(4) establishing economic or financial arrangements that will have the effect of alleviating the impact of United States sanctions or multilateral sanctions;

(5) furthering Russia's disinformation and propaganda efforts;

(6) coordinating to hinder the response of multilateral organizations, including the United Nations, to provide assistance to the people or Government of Ukraine, to condemn Russia's war, to hold Russia accountable for the invasion and its prosecution of the war, or to hold those complicit accountable; and

(7) providing any material, technical, or logistical support, including to Russian military or intelligence agencies and state-owned or state-linked enterprises.

(c) FORM.—

(1) IN GENERAL.—The report required by subsection (a) shall be submitted in unclassified form and published on a publicly available website of the Department of State.

(2) EXCEPTION.—If the Secretary, in consultation with the Director of National Intelligence, certifies to the appropriate congressional committees that the Secretary is unable to include an element required under any of paragraphs (1) through (7) of subsection (b) in an unclassified manner, the Secretary shall provide in unclassified form an affirmative or negative determination with respect to whether the People's Republic of China is supporting the Russian Federation in the manner described in each applicable such paragraph and concurrently provide the discussion of that element to the appropriate congressional committees at the lowest possible classification level, consistent with the protection of sources and methods.

(d) SUNSET.—The requirement to submit the report under subsection (a) shall terminate on the earlier of—

(1) the date on which the Secretary of State determines the conflict in Ukraine has ended; or

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

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 5599A. FEASIBILITY STUDY ON UNITED STATES SUPPORT FOR AND PARTICIPATION IN THE INTERNATIONAL COUNTERTERRORISM ACADEMY IN COTE D'IVOIRE.

(a) STATEMENT OF POLICY.—It is the policy of the United States to partner with West African governments where possible to mitigate and counter growing regional insecurity resulting from the spread of armed conflict and terrorism, including by providing assistance to train, equip, and mentor West African security services to counter threats to regional and national security through a whole-of-government approach.

(b) FEASIBILITY STUDY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall conduct a feasibility study regarding the provision of United States assistance for infrastructure, training, equipment, and other forms of support to institutionalize the International Counterterrorism Academy (Académie Internationale de Lutte Contre le Terrorisme or AILCT) in Jacqueville, Côte d'Ivoire that—

(1) provides a legal analysis of existing authorities to provide United States foreign assistance dedicated to the development and establishment of AILCT programs, initiatives, and infrastructure for the purposes of training, equipping, and mentoring eligible West African security services bilaterally or in coordination with partners and allies;

(2) identifies opportunities for the United States to leverage and support the AILCT facility to pursue national security interests in West Africa, the Sahel, sub-Saharan Africa, and the strategic Atlantic Ocean coastal and maritime environments, including through training and research activities, infrastructure development, combatting transnational terrorist and organized crime threats, and countering foreign malign influence throughout the region; and

(3) assesses any planned and pledged contributions from other countries to ensure appropriate sustainment of the facilities and burden sharing.

(c) FORMS.—The feasibility study required by subsection (b) shall be submitted in unclassified form, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

SEC. 5599B. CONSULTATIONS ON REUNITING KOREAN AMERICANS WITH FAMILY MEMBERS IN NORTH KOREA.

(a) CONSULTATIONS.—

(1) CONSULTATIONS WITH SOUTH KOREA.—The Secretary of State, or a designee of the Secretary, should consult with officials of South Korea, as appropriate, on potential opportunities to reunite Korean American families with family members in North Korea from which such Korean American families were divided after the signing of the Korean War Armistice Agreement, including potential opportunities for video reunions for Korean Americans with such family members.

(2) CONSULTATIONS WITH KOREAN AMERICANS.—The Special Envoy on North Korean Human Rights Issues of the Department of State should regularly consult with representatives of Korean Americans who have family members in North Korea with respect to efforts to reunite families divided after the signing of the Korean War Armistice Agreement, including potential opportunities for video reunions for Korean Americans with such family members.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for three years, the Secretary of State, acting through the Special Envoy on North Korean Human Rights Issues or other appropriate designee, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the consultations conducted pursuant to this section during the preceding year.

Subtitle I—Sense of Congress Provisions

SEC. 5599C. SENSE OF CONGRESS REGARDING THE STATUS OF CHINA.

It is the sense of Congress that—

(1) the People's Republic of China is a fully industrialized nation and no longer a developing nation; and

(2) any international agreement that provides or accords China a favorable status or treatment as a "developing nation" should be updated to reflect the status of China.

SEC. 5599D. SENSE OF CONGRESS REGARDING ISRAEL.

It is the sense of Congress that—

(1) since 1948, Israel has been one of the strongest friends and allies of the United States;

(2) Israel is a stable, democratic country in a region often marred by turmoil;

(3) it is essential to the strategic interest of the United States to continue to offer security assistance and related support to Israel; and

(4) such assistance and support is especially vital as Israel confronts a number of potential challenges at the present time, including continuing threats from Iran.

SEC. 5599E. SENSE OF CONGRESS RELATING TO THE NATO PARLIAMENTARY ASSEMBLY.

It is the sense of Congress that the United States should—

(1) proactively engage with the North Atlantic Treaty Organization (NATO) Parliamentary Assembly (PA) and its member delegations;

(2) communicate with and educate the public on the benefits and importance of NATO and NATO PA; and

(3) support increased inter-democracy and inter-parliamentary cooperation on countering misinformation and disinformation.

SEC. 5599F. CONDEMNING DETENTION AND INDICTMENT OF RUSSIAN OPPOSITION LEADER VLADIMIR VLADIMIROVICH KARA-MURZA.

(a) FINDINGS.—Congress finds the following:

(1) Vladimir Vladimirovich Kara-Murza (referred to in this section as "Mr. Kara-Murza") has tirelessly worked for decades to advance the cause of freedom, democracy, and human rights for the people of the Russian Federation.

(2) In retaliation for his advocacy, two attempts have been made on Mr. Kara-Murza's life, as—

(A) on May 26, 2015, Mr. Kara-Murza fell ill with symptoms indicative of poisoning and was hospitalized; and

(B) on February 2, 2017, he fell ill with similar symptoms and was placed in a medically induced coma.

(3) Independent investigations conducted by Bellingcat, the Insider, and Der Spiegel found that the same unit of the Federal Security Service of the Russian Federation responsible for poisoning Mr. Kara-Murza was responsible for poisoning Russian opposition leader Alexei Navalny and activists Timur Kuashev, Ruslan Magomedragimov, and Nikita Isayev.

(4) On February 24, 2022, Vladimir Putin launched another unprovoked, unjustified, and illegal invasion into Ukraine in contravention of the obligations freely undertaken by the Russian Federation to respect the territorial integrity of Ukraine under the Budapest Memorandum of 1994, the Minsk protocols of 2014 and 2015, and international law.

(5) On March 5, 2022, Vladimir Putin signed a law criminalizing the distribution of truthful statements about the invasion of Ukraine by the Russian Federation and mandating up to 15 years in prison for such offenses.

(6) Since February 24, 2022, Mr. Kara-Murza has used his voice and platform to join more than 15,000 citizens of the Russian Federation in peacefully protesting the war against Ukraine and millions more who silently oppose the war.

(7) On April 11, 2022, five police officers arrested Mr. Kara-Murza in front of his home and denied his right to an attorney, and the next day Mr. Kara-Murza was sentenced to 15 days in prison for disobeying a police order.

(8) On April 22, 2022, the Investigative Committee of the Russian Federation charged Mr. Kara-Murza with violations under the law signed on March 5, 2022, for his fact-based statements condemning the invasion of Ukraine by the Russian Federation.

(9) Mr. Kara-Murza was then placed into pretrial detention and ordered to be held until at least June 12, 2022.

(10) If convicted of those charges, Mr. Kara-Murza faces detention in a penitentiary system that human rights nongovernmental organizations have criticized for widespread torture, ill-treatment, and suspicious deaths of prisoners.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress—

(1) condemns the unjust detention and indicting of Russian opposition leader Vladimir Vladimirovich Kara-Murza, who has courageously stood up to oppression in the Russian Federation;

(2) expresses solidarity with Vladimir Vladimirovich Kara-Murza, his family, and all individuals in the Russian Federation imprisoned for exercising their fundamental freedoms of speech, assembly, and belief;

(3) urges the United States Government and other allied governments to work to secure the immediate release of Vladimir Vladimirovich Kara-Murza, Alexei Navalny, and other citizens of the Russian Federation imprisoned for opposing the regime of Vladimir Putin and the war against Ukraine; and

(4) calls on the President to increase support provided by the United States Government for those advocating for democracy and independent media in the Russian Federation, which Vladimir Vladimirovich Kara-Murza has worked to advance.

SEC. 5599G. SENSE OF CONGRESS REGARDING DEVELOPMENT OF NUCLEAR WEAPONS BY IRAN.

Congress—

(1) reiterates its commitment to ensuring Iran will never acquire a nuclear weapon;

(2) supports the important work of the International Atomic Energy Agency (IAEA) in safeguarding nuclear material around the globe;

(3) condemns Iran for its lack of transparency and meaningful cooperation with the IAEA on the unresolved matter of uranium particles discovered at undeclared sites in Iran and additional escalatory actions related to its nuclear program; and

(4) applauds the IAEA Board of Governors' resolution urging Iran's full cooperation with the IAEA on outstanding safeguards issues on an urgent basis.

TITLE LVI—TRANSPORTATION AND INFRASTRUCTURE

Sec. 5601. Designation of small State and rural advocate.
Sec. 5602. Flexibility.
Sec. 5603. Preliminary damage assessment.
Sec. 5604. Letter of deviation authority.
Sec. 5605. Recognizing FEMA support.

SEC. 5601. DESIGNATION OF SMALL STATE AND RURAL ADVOCATE.

(a) IN GENERAL.—Section 326(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165d) is amended—

(1) by striking "and" at the end of paragraph (2);

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

(3) by inserting after paragraph (2) the following:

"(3) assist States in the collection and presentation of material in the disaster or emergency declaration request relevant to demonstrate severe localized impacts within the State for a specific incident, including—

"(A) the per capita personal income by local area, as calculated by the Bureau of Economic Analysis;

"(B) the disaster impacted population profile, as reported by the Bureau of the Census, including—

"(i) the percentage of the population for whom poverty status is determined;

"(ii) the percentage of the population already receiving Government assistance such as Supplemental Security Income and Supplemental Nutrition Assistance Program benefits;

"(iii) the pre-disaster unemployment rate;

"(iv) the percentage of the population that is 65 years old and older;

"(v) the percentage of the population 18 years old and younger;

"(vi) the percentage of the population with a disability;

"(vii) the percentage of the population who speak a language other than English and speak English less than 'very well'; and

"(viii) any unique considerations regarding American Indian and Alaskan Native Tribal populations raised in the State's request for a major disaster declaration

that may not be reflected in the data points referenced in this subparagraph;

"(C) the impact to community infrastructure, including—

"(i) disruptions to community life-saving and life-sustaining services;

"(ii) disruptions or increased demand for essential community services; and

"(iii) disruptions to transportation, infrastructure, and utilities; and

"(D) any other information relevant to demonstrate severe local impacts; and".

(b) GAO REVIEW OF A FINAL RULE.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the Federal Emergency Management Agency's implementation of its final rule, published on March 21, 2019, amending section 206.48(b) of title 44, Code of Federal Regulations (regarding factors considered when evaluating a Governor's request for a major disaster declaration), which revised the factors that the Agency considers when evaluating a Governor's request for a major disaster declaration authorizing individual assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq).

(2) SCOPE.—The review required under paragraph (1) shall include the following:

(A) An assessment of the criteria used by the Agency to assess individual assistance requests following a major disaster declaration authorizing individual assistance.

(B) An assessment of the consistency with which the Agency uses the updated Individual Assistance Declaration Factors when assessing the impact of individual communities after a major disaster declaration.

(C) An assessment of the impact, if any, of using the updated Individual Assistance Declaration Factors has had on equity in disaster recovery outcomes.

(D) Recommendations to improve the use of the Individual Assistance Declaration Factors to increase equity in disaster recovery outcomes.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the review required under this section.

SEC. 5602. FLEXIBILITY.

(a) IN GENERAL.—Section 1216(a) of the Disaster Recovery Reform Act of 2018 (42 U.S.C. 5174a(a)) is amended—

(1) by amending paragraph (2)(A) to read as follows:

"(A) except as provided in subparagraph (B), shall—

"(i) waive a debt owed to the United States related to covered assistance provided to an individual or household if the covered assistance was distributed based on an error by the Agency and such debt shall be construed as a hardship; and

"(ii) waive a debt owed to the United States related to covered assistance provided to an individual or household if such assistance is subject to a claim or legal action, including in accordance with section of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5160); and"; and

(2) in paragraph (3)(B)—

(A) by striking "Removal of" and inserting "Report on"; and

(B) in clause (ii) by striking "the authority of the Administrator to waive debt under paragraph (2) shall no longer be effective" and inserting "the Administrator shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate actions that the Administrator will take to reduce the error rate".

(b) REPORT TO CONGRESS.—The Administrator of the Federal Emergency Management Agency shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing a description of the internal processes used to make decisions regarding the distribution of covered assistance under section 1216 of the Disaster Recovery and Reform Act of 2018 (42 U.S.C. a) and any changes made to such processes.

SEC. 5603. PRELIMINARY DAMAGE ASSESSMENT.

(a) FINDINGS.—Congress finds the following:

(1) Preliminary damage assessments play a critical role in assessing and validating the impact and magnitude of a disaster.

(2) Through the preliminary damage assessment process, representatives from the Federal Emergency Management Agency validate information gathered by State and local officials that serves as the basis for disaster assistance requests.

(3) Various factors can impact the duration of a preliminary damage assessment and the corresponding submission of a major disaster request, however, the average time between when a disaster occurs, and the submission of a corresponding disaster request has been found to be approximately twenty days longer for flooding disasters.

(4) With communities across the country facing increased instances of catastrophic flooding and other extreme weather events, accurate and efficient preliminary damage assessments have become critically important to the relief process for impacted States and municipalities.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to Congress a report describing the preliminary damage assessment process, as supported by the Federal Emergency Management Agency in the 5 years before the date of enactment of this Act.

(2) CONTENTS.—The report described in paragraph (1) shall contain the following:

(A) The process of the Federal Emergency Management Agency for deploying personnel to support preliminary damage assessments.

(B) The number of Agency staff participating on disaster assessment teams.

(C) The training and experience of such staff described in subparagraph (B).

(D) A calculation of the average amount of time disaster assessment teams described in subparagraph (A) are deployed to a disaster area.

(E) The efforts of the Agency to maintain a consistent liaison between the Agency and State, local, tribal, and territorial officials within a disaster area.

(c) PRELIMINARY DAMAGE ASSESSMENT.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall convene an advisory panel consisting of emergency management personnel employed by State, local, territorial, or tribal authorities, and the representative organizations of such personnel to assist the Agency in improving critical components of the preliminary damage assessment process.

(2) MEMBERSHIP.—

(A) IN GENERAL.—This advisory panel shall consist of at least 2 representatives from national emergency management organizations and at least 1 representative from each of the 10 regions of the Federal Emergency Management Agency, selected from emergency management personnel employed by State, local, territorial, or tribal authorities within each region.

(B) INCLUSION ON PANEL.—To the furthest extent practicable, representation on the advisory panel shall include emergency management personnel from both rural and urban jurisdictions.

(3) CONSIDERATIONS.—The advisory panel convened under paragraph (1) shall—

(A) consider—

(i) establishing a training regime to ensure preliminary damage assessments are conducted and reviewed under consistent guidelines;

(ii) utilizing a common technological platform to integrate data collected by State and local governments with data collected by the Agency; and

(iii) assessing instruction materials provided by the Agency for omissions of pertinent information or language that conflicts with other statutory requirements; and

(B) identify opportunities for streamlining the consideration of preliminary damage assessments by the Agency, including eliminating duplicative paperwork requirements and ensuring consistent communication and decision making among Agency staff.

(4) INTERIM REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit

to Congress a report regarding the findings of the advisory panel, steps that will be undertaken by the Agency to implement the findings of the advisory panel, and additional legislation that may be necessary to implement the findings of the advisory panel.

(5) RULEMAKING AND FINAL REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall issue such regulations as are necessary to implement the recommendations of the advisory panel and submit to Congress a report discussing—

(A) the implementation of recommendations from the advisory panel;

(B) the identification of any additional challenges to the preliminary damage assessment process, including whether specific disasters result in longer preliminary damage assessments; and

(C) any additional legislative recommendations necessary to improve the preliminary damage assessment process.

SEC. 5604. LETTER OF DEVIATION AUTHORITY.

A flight instructor, registered owner, lessor, or lessee of an aircraft shall not be required to obtain a letter of deviation authority from the Administrator of the Federal Aviation Administration to allow, conduct or receive flight training, checking, and testing in an experimental aircraft if—

(1) the flight instructor is not providing both the training and the aircraft;

(2) no person advertises or broadly offers the aircraft as available for flight training, checking, or testing; and

(3) no person receives compensation for use of the aircraft for a specific flight during which flight training, checking, or testing was received, other than expenses for owning, operating, and maintaining the aircraft.

SEC. 5605. RECOGNIZING FEMA SUPPORT.

Congress finds the following:

(1) The Federal Emergency Management Agency provides vital support to communities and disaster survivors in the aftermath of major disasters, including housing assistance for individuals and families displaced from their homes.

(2) The Federal Emergency Management Agency should be encouraged to study the idea integrating collapsible shelters for appropriate non-congregate sheltering needs into the disaster preparedness stockpile.

TITLE LVII—FINANCIAL SERVICES MATTERS

TITLE LVII—FINANCIAL SERVICES MATTERS

Sec. 5701. United States policy on World Bank Group and Asian Development Bank assistance to the People's Republic of China.
Sec. 5702. Support for international initiatives to provide debt restructuring or relief to developing countries with unsustainable levels of debt.
Sec. 5703. Ukraine debt payment relief.
Sec. 5704. Isolate Russian Government Officials Act of 2022.

Sec. 5705. Fair hiring in banking.
Sec. 5706. Banking Transparency for Sanctioned Persons Act of 2022.
Sec. 5707. Flexibility in addressing rural homelessness.
Sec. 5708. Master account and services database.

SEC. 5701. UNITED STATES POLICY ON WORLD BANK GROUP AND ASIAN DEVELOPMENT BANK ASSISTANCE TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following:

"SEC. 1632. UNITED STATES POLICY ON WORLD BANK GROUP AND ASIAN DEVELOPMENT BANK ASSISTANCE TO THE PEOPLE'S REPUBLIC OF CHINA.

"(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution of the World Bank Group and at the Asian Development Bank to use the voice and vote of the United States at the respective institution to vote against the provision of any loan, extension of financial assistance, or technical assistance to the People's Republic of China unless the Secretary of the Treasury has certified to the appropriate congressional committees that—

"(1) the Government of the People's Republic of China and any lender owned or controlled by the Government of the People's Republic of China have demonstrated a commitment—

"(A) to the rules and principles of the Paris Club, or of other similar coordinated multilateral initiatives on debt relief and debt restructuring in which the United States participates, including with respect to debt transparency and appropriate burden-sharing among all creditors;

"(B) to the practice of presumptive public disclosure of the terms and conditions on which they extend credit to other governments (without regard to the form of any such extension of credit);

"(C) not to enforce any agreement terms that may impair their own or the borrowers' capacity fully to implement any commitment described in subparagraph (A) or (B); and

"(D) not to enter into any agreement containing terms that may impair their own or the borrowers' capacity fully to implement any commitment described in subparagraph (A) or (B); or

"(2) the loan or assistance is important to the national interest of the United States, as described in a detailed explanation by the Secretary to accompany the certification.

"(b) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate.

"(2) WORLD BANK GROUP.—The term 'World Bank Group' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the Multilateral Investment Guarantee Agency.".

(b) SUNSET.—The amendment made by subsection (a) is repealed effective on the date that is 7 years after the effective date of this section.

SEC. 5702. SUPPORT FOR INTERNATIONAL INITIATIVES TO PROVIDE DEBT RESTRUCTURING OR RELIEF TO DEVELOPING COUNTRIES WITH UNSUSTAINABLE LEVELS OF DEBT.

(a) IN GENERAL.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.), as amended by section 5701, is further amended by adding at the end the following:

"SEC. 1633. SUPPORT FOR INTERNATIONAL INITIATIVES TO PROVIDE DEBT RESTRUCTURING OR RELIEF TO DEVELOPING COUNTRIES WITH UNSUSTAINABLE LEVELS OF DEBT.

"(a) DEBT RELIEF.—The Secretary of the Treasury, in consultation with the Secretary of State, shall—

"(1) engage with international financial institutions, the G20, and official and commercial creditors to advance support for prompt and effective implementation and improvement of the Common Framework for Debt Treatments beyond the DSSI (in this section referred to as the 'Common Framework'), or any successor framework or similar coordinated international debt treatment process in which the United States participates through the establishment and publication of clear and accountable—

"(A) debt treatment benchmarks designed to achieve debt sustainability for each participating debtor;

"(B) standards for appropriate burden-sharing among all creditors with material claims on each participating debtor, without regard for their official, private, or hybrid status;

"(C) robust debt disclosure by creditors, including the People's Republic of China, and debtor countries, including inter-creditor data-sharing and, to the maximum extent practicable, public disclosure of material terms and conditions of claims on participating debtors;

"(D) expansion of Common Framework country eligibility to lower middle-income countries who otherwise meet the existing criteria;

"(E) improvements to the Common Framework process with the aim of ensuring access to debt relief in a timely manner for those countries eligible and who request treatment; and

"(F) consistent enforcement and improvement of the policies of multilateral institutions relating to asset-based and revenue-based borrowing by participating debtors, and coordinated standards on restructuring collateralized debt;

"(2) engage with international financial institutions and official and commercial creditors to advance support, as the Secretary finds appropriate, for debt restructuring or debt relief for each participating debtor, including, on a case-by- case basis, a debt standstill, if requested by the debtor country through the Common Framework process from the time of conclusion of a staff-level agreement with the International Monetary Fund, and until the conclusion of a memorandum of understanding with its creditor committee pursuant to the Common Framework, or any successor framework or similar coordinated inter-

national debt treatment process in which the United States participates; and

"(3) instruct the United States Executive Director at the International Monetary Fund and the United States Executive Director at the World Bank to use the voice and vote of the United States to advance the efforts described in paragraphs (1) and (2).

"(b) REPORTING REQUIREMENT.—Not later than 120 days after the date of the enactment of this section, and annually thereafter, the Secretary of the Treasury, in coordination with the Secretary of State, shall submit to the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate and the Committees on Financial Services and Foreign Affairs of the House of Representatives a report that describes—

"(1) any actions that have been taken, in coordination with international financial institutions, by official creditors, including the government of, and state-owned enterprises in, the People's Republic of China, and relevant commercial creditor groups to advance debt restructuring or relief for countries with unsustainable debt that have sought restructuring or relief under the Common Framework, any successor framework or mechanism, or under any other coordinated international arrangement for sovereign debt restructuring in which the United States participates;

"(2) any implementation challenges that hinder the ability of the Common Framework to provide timely debt restructuring for any country with unsustainable debt that seeks debt restructuring or debt payment relief, including any refusal of a creditor to participate in appropriate burden-sharing, including failure to share (or publish, as appropriate) all material information needed to assess debt sustainability; and

"(3) recommendations on how to address any challenges identified in paragraph (2).".

(b) SUNSET.—The amendment made by subsection (a) is repealed effective on the date that is 5 years after the effective date of this section.

SEC. 5703. UKRAINE DEBT PAYMENT RELIEF.

(a) SUSPENSION OF MULTILATERAL DEBT PAYMENTS OF UKRAINE.—

(1) UNITED STATES POSITION IN THE INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice, vote, and influence of the United States to advocate that the respective institution immediately provide appropriate debt service relief to Ukraine.

(2) OFFICIAL BILATERAL AND COMMERCIAL DEBT SERVICE PAYMENT RELIEF.—The Secretary of the Treasury, working in coordination with the Secretary of State, shall commence immediate efforts with other governments and commercial creditor groups, through the Paris Club of Official Creditors and other bilateral and multilateral frameworks, both formal and informal, to pursue comprehensive debt payment relief for Ukraine.

(3) MULTILATERAL FINANCIAL SUPPORT FOR UKRAINE.—The Secretary of the Treasury shall direct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice and vote of the United States to support, to the extent practicable, the provision of concessional financial assistance for Ukraine.

(4) MULTILATERAL FINANCIAL SUPPORT FOR REFUGEES.—The Secretary of the Treasury shall direct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) to use the voice and vote of the United States to seek to provide economic support for refugees from Ukraine, including refugees of African and Asian descent, and for countries receiving refugees from Ukraine that are eligible for assistance from the multilateral development banks.

(b) REPORT TO THE CONGRESS.—Not later than December 31 of each year, the President shall—

(1) submit to the Committees on Financial Services, on Appropriations, and on Foreign Affairs of the House of Representatives and the Committees on Foreign Relations and on Appropriations of the Senate, a report on the activities undertaken under this section; and

(2) make public a copy of the report.

(c) WAIVER AND TERMINATION.—

(1) WAIVER.—The President may waive the application of this section if the President determines that a waiver is in the national interest of the United States and reports to the Congress an explanation of the reasons therefor.

(2) TERMINATION.—This section shall have no force or effect on the earlier of—

(A) the date that is 7 years after the date of the enactment of this Act; or

(B) the date that is 30 days after the date on which the President reports to Congress that the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine.

SEC. 5704. ISOLATE RUSSIAN GOVERNMENT OFFICIALS ACT OF 2022.

(a) STATEMENT OF POLICY.—It is the policy of the United States to seek to exclude government officials of the Russian Federation, to the maximum extent practicable, from participation in meetings, proceedings, and other activities of the following organizations:

(1) Group of 20.

(2) Bank for International Settlements.

(3) Basel Committee for Banking Standards.

(4) Financial Stability Board.

(5) International Association of Insurance Supervisors.

(6) International Organization of Securities Commissions.

(b) IMPLEMENTATION.—The Secretary of the Treasury, the Board of Governors of the Federal Reserve System, and the Securities and Exchange Commission, as the case may be, shall take all necessary steps to advance the policy set forth in subsection (a).

(c) TERMINATION.—This section shall have no force or effect on the earlier of—

(1) the date that is 5 years after the date of the enactment of this Act; or

(2) the date that is 30 days after the date on which the President reports to Congress that the Government of the Russian Federation has ceased its destabilizing activities with respect to the sovereignty and territorial integrity of Ukraine.

(d) WAIVER.—The President may waive the application of this section if the President reports to the Congress that the waiver is in the national interest of the United States and includes an explanation of the reasons therefor.

SEC. 5705. FAIR HIRING IN BANKING.

(a) FEDERAL DEPOSIT INSURANCE ACT.—Section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829) is amended—

(1) by inserting after subsection (b) the following:

"(c) EXCEPTIONS.—

"(1) CERTAIN OLDER OFFENSES.—

"(A) IN GENERAL.—With respect to an individual, subsection (a) shall not apply to an offense if—

"(i) it has been 7 years or more since the offense occurred; or

"(ii) the individual was incarcerated with respect to the offense and it has been 5 years or more since the individual was released from incarceration.

"(B) OFFENSES COMMITTED BY INDIVIDUALS 21 OR YOUNGER.—For individuals who committed an offense when they were 21 years of age or younger, subsection (a) shall not apply to the offense if it has been more than 30 months since the sentencing occurred.

"(C) LIMITATION.—This paragraph shall not apply to an offense described under subsection (a)(2).

"(2) EXPUNGEMENT AND SEALING.—With respect to an individual, subsection (a) shall not apply to an offense if—

"(A) there is an order of expungement, sealing, or dismissal that has been issued in regard to the conviction in connection with such offense; and

"(B) it is intended by the language in the order itself, or in the legislative provisions under which the order was issued, that the conviction shall be destroyed or sealed from the individual's State, Tribal, or Federal record, even if exceptions allow the record to be considered for certain character and fitness evaluation purposes.

"(3) DE MINIMIS EXEMPTION.—

"(A) IN GENERAL.—Subsection (a) shall not apply to such de minimis offenses as the Corporation determines, by rule.

"(B) CONFINEMENT CRITERIA.—In issuing rules under subparagraph (A), the Corporation shall include a requirement that the offense was punishable by a term of three years or less confined in a correctional facility, where such confinement—

"(i) is calculated based on the time an individual spent incarcerated as a punishment or a sanction, not as pretrial detention; and

"(ii) does not include probation or parole where an individual was restricted to a particular jurisdiction or was required to report occasionally to an individual or a specific location.

"(C) BAD CHECK CRITERIA.—In setting the criteria for de minimis offenses under subparagraph (A), if the Corporation establishes criteria with respect to insufficient funds checks, the Corporation shall require that the aggregate total face value of all insufficient funds checks across all convictions or program entries related to insufficient funds checks is $2,000 or less.

"(D) DESIGNATED LESSER OFFENSES.—Subsection (a) shall not apply to certain lesser offenses (including the use of a fake ID, shoplifting, trespass, fare evasion, driving with an expired license or tag, and such other low-risk offenses as the Corporation may designate) if 1 year or more has passed since the applicable conviction or program entry."; and

(2) by adding at the end the following:

"(f) CONSENT APPLICATIONS.—

"(1) IN GENERAL.—The Corporation shall accept consent applications from an individual and from an insured depository institution or depository institution holding company on behalf of an individual that are filed separately or contemporaneously with a regional office of the Corporation.

"(2) SPONSORED APPLICATIONS FILED WITH REGIONAL OFFICES.—Consent applications filed at a regional office of the Corporation by an insured depository institution or depository institution holding company on behalf of an individual—

"(A) shall be reviewed by such office;

"(B) may be approved or denied by such office, if such authority has been delegated to such office by the Corporation; and

"(C) may only be denied by such office if the general counsel of the Corporation (or a designee) certifies that the denial is consistent with this section.

"(3) INDIVIDUAL APPLICATIONS FILED WITH REGIONAL OFFICES.—Consent applications filed at a regional office by an individual—

"(A) shall be reviewed by such office; and

"(B) may be approved or denied by such office, if such authority has been delegated to such office by the Corporation, except with respect to—

"(i) cases involving an offense described under subsection (a)(2); and

"(ii) such other high-level security cases as may be designated by the Corporation.

"(4) NATIONAL OFFICE REVIEW.—The national office of the Corporation shall—

"(A) review any consent application with respect to which a regional office is not authorized to approve or deny the application; and

"(B) review any consent application that is denied by a regional office, if the individual requests a review by the national office.

"(5) FORMS AND INSTRUCTIONS.—

"(A) AVAILABILITY.—The Corporation shall make all forms and instructions related to consent applications available to the public, including on the website of the Corporation.

"(B) CONTENTS.—The forms and instructions described under subparagraph (A) shall provide a sample cover letter and a comprehensive list of items that may accompany the application, including clear guidance on evidence that may support a finding of rehabilitation.

"(6) CONSIDERATION OF CRIMINAL HISTORY.—

"(A) REGIONAL OFFICE CONSIDERATION.—In reviewing a consent application, a regional office shall—

"(i) primarily rely on the criminal history record of the Federal Bureau of Investigation; and

"(ii) provide such record to the applicant to review for accuracy.

"(B) CERTIFIED COPIES.—The Corporation may not require an applicant to provide certified copies of criminal history records unless the Corporation determines that there is a clear and compelling justification to require additional information to verify the accuracy of the criminal history record of the Federal Bureau of Investigation.

"(7) CONSIDERATION OF REHABILITATION.—Consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Corporation shall—

"(A) conduct an individualized assessment when evaluating consent applications that takes into account evidence of rehabilitation, the applicant's age at the time of the conviction or program entry, the time that has elapsed since conviction or program entry, and the relationship of individual's offense to the responsibilities of the applicable position;

"(B) consider the individual's employment history, letters of recommendation, certificates documenting participation in substance abuse programs, successful participating in job preparation and educational programs, and other relevant mitigating evidence; and

"(C) consider any additional information the Corporation determines necessary for safety and soundness.

"(8) SCOPE OF EMPLOYMENT.—With respect to an approved consent application filed by an insured depository institution or depository institution holding company on behalf of an individual, if the Corporation determines it appropriate, such approved consent application shall allow the individual to work for the same employer (without restrictions on the location) and across positions, except that the prior consent of the Corporation (which may require a new application) shall be required for any proposed significant changes in the individual's security-related duties or responsibilities, such as promotion to an officer or

other positions that the employer determines will require higher security screening credentials.

"(9) COORDINATION WITH THE NCUA.—In carrying out this section, the Corporation shall consult and coordinate with the National Credit Union Administration as needed to promote consistent implementation where appropriate.

"(g) DEFINITIONS.—In this section:

"(1) CONSENT APPLICATION.—The term 'consent application' means an application filed with Corporation by an individual (or by an insured depository institution or depository institution holding company on behalf of an individual) seeking the written consent of the Corporation under subsection (a)(1).

"(2) CRIMINAL OFFENSE INVOLVING DISHONESTY.—The term 'criminal offense involving dishonesty'—

"(A) means an offense under which an individual, directly or indirectly—

"(i) cheats or defrauds; or

"(ii) wrongfully takes property belonging to another in violation of a criminal statute;

"(B) includes an offense that Federal, State, or local law defines as dishonest, or for which dishonesty is an element of the offense; and

"(C) does not include—

"(i) a misdemeanor criminal offense committed more than one year before the date on which an individual files a consent application, excluding any period of incarceration; or

"(ii) an offense involving the possession of controlled substances.

"(3) PRETRIAL DIVERSION OR SIMILAR PROGRAM.—The term 'pretrial diversion or similar program' means a program characterized by a suspension or eventual dismissal or reversal of charges or criminal prosecution upon agreement by the accused to restitution, drug or alcohol rehabilitation, anger management, or community service.".

(b) FEDERAL CREDIT UNION ACT.—Section 205(d) of the Federal Credit Union Act (12 U.S.C. 1785(d)) is amended by adding at the end the following:

"(4) EXCEPTIONS.—

"(A) CERTAIN OLDER OFFENSES.—

"(i) IN GENERAL.—With respect to an individual, paragraph (1) shall not apply to an offense if—

"(I) it has been 7 years or more since the offense occurred; or

"(II) the individual was incarcerated with respect to the offense and it has been 5 years or more since the individual was released from incarceration.

"(ii) OFFENSES COMMITTED BY INDIVIDUALS 21 OR YOUNGER.—For individuals who committed an offense when they were 21 years of age or younger, paragraph (1) shall not apply to the offense if it has been more than 30 months since the sentencing occurred.

"(iii) LIMITATION.—This subparagraph shall not apply to an offense described under paragraph (1)(B).

"(B) EXPUNGEMENT AND SEALING.—With respect to an individual, paragraph (1) shall not apply to an offense if—

"(i) there is an order of expungement, sealing, or dismissal that has been issued in regard to the conviction in connection with such offense; and

"(ii) it is intended by the language in the order itself, or in the legislative provisions under which the order was issued, that the conviction shall be destroyed or sealed from the individual's State, Tribal, or Federal record, even if exceptions allow the record to be considered for certain character and fitness evaluation purposes.

"(C) DE MINIMIS EXEMPTION.—

"(i) IN GENERAL.—Paragraph (1) shall not apply to such de minimis offenses as the Board determines, by rule.

"(ii) CONFINEMENT CRITERIA.—In issuing rules under clause (i), the Board shall include a requirement that the offense was punishable by a term of three years or less confined in a correctional facility, where such confinement—

"(I) is calculated based on the time an individual spent incarcerated as a punishment or a sanction, not as pretrial detention; and

"(II) does not include probation or parole where an individual was restricted to a particular jurisdiction or was required to report occasionally to an individual or a specific location.

"(iii) BAD CHECK CRITERIA.—In setting the criteria for de minimis offenses under clause (i), if the Board establishes criteria with respect to insufficient funds checks, the Board shall require that the aggregate total face value of all insufficient funds checks across all convictions or program entries related to insufficient funds checks is $2,000 or less.

"(iv) DESIGNATED LESSER OFFENSES.—Paragraph (1) shall not apply to certain lesser offenses (including the use of a fake ID, shoplifting, trespass, fare evasion, driving with an expired license or tag, and such other low-risk offenses as the Board may designate) if 1 year or more has passed since the applicable conviction or program entry.

"(5) CONSENT APPLICATIONS.—

"(A) IN GENERAL.—The Board shall accept consent applications from an individual and from an insured credit union on behalf of an individual that are filed separately or contemporaneously with a regional office of the Board.

"(B) SPONSORED APPLICATIONS FILED WITH REGIONAL OFFICES.—Consent applications filed at a regional office of the Board by an insured credit union on behalf of an individual—

"(i) shall be reviewed by such office;

"(ii) may be approved or denied by such office, if such authority has been delegated to such office by the Board; and

"(iii) may only be denied by such office if the general counsel of the Board (or a designee) certifies that the denial is consistent with this section.

"(C) INDIVIDUAL APPLICATIONS FILED WITH REGIONAL OFFICES.—Consent applications filed at a regional office by an individual—

"(i) shall be reviewed by such office; and

"(ii) may be approved or denied by such office, if such authority has been delegated to such office by the Board, except with respect to—

"(I) cases involving an offense described under paragraph (1)(B); and

"(II) such other high-level security cases as may be designated by the Board.

"(D) NATIONAL OFFICE REVIEW.—The national office of the Board shall—

"(i) review any consent application with respect to which a regional office is not authorized to approve or deny the application; and

"(ii) review any consent application that is denied by a regional office, if the individual requests a review by the national office.

"(E) FORMS AND INSTRUCTIONS.—

"(i) AVAILABILITY.—The Board shall make all forms and instructions related to consent applications available to the public, including on the website of the Board.

"(ii) CONTENTS.—The forms and instructions described under clause (i) shall provide a sample cover letter and a comprehensive list of items that may accompany the application, including clear guidance on evidence that may support a finding of rehabilitation.

"(F) CONSIDERATION OF CRIMINAL HISTORY.—

"(i) REGIONAL OFFICE CONSIDERATION.—In reviewing a consent application, a regional office shall—

"(I) primarily rely on the criminal history record of the Federal Bureau of Investigation; and

"(II) provide such record to the applicant to review for accuracy.

"(ii) CERTIFIED COPIES.—The Board may not require an applicant to provide certified copies of criminal history records unless the Board determines that there is a clear and compelling justification to require additional information to verify the accuracy of the criminal history record of the Federal Bureau of Investigation.

"(G) CONSIDERATION OF REHABILITATION.—Consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Board shall—

"(i) conduct an individualized assessment when evaluating consent applications that takes into account evi-

dence of rehabilitation, the applicant's age at the time of the conviction or program entry, the time that has elapsed since conviction or program entry, and the relationship of individual's offense to the responsibilities of the applicable position;

"(ii) consider the individual's employment history, letters of recommendation, certificates documenting participation in substance abuse programs, successful participating in job preparation and educational programs, and other relevant mitigating evidence; and

"(iii) consider any additional information the Board determines necessary for safety and soundness.

"(H) SCOPE OF EMPLOYMENT.—With respect to an approved consent application filed by an insured credit union on behalf of an individual, if the Board determines it appropriate, such approved consent application shall allow the individual to work for the same employer (without restrictions on the location) and across positions, except that the prior consent of the Board (which may require a new application) shall be required for any proposed significant changes in the individual's security-related duties or responsibilities, such as promotion to an officer or other positions that the employer determines will require higher security screening credentials.

"(I) COORDINATION WITH FDIC.—In carrying out this subsection, the Board shall consult and coordinate with the Federal Deposit Insurance Corporation as needed to promote consistent implementation where appropriate.

"(6) DEFINITIONS.—In this subsection:

"(A) CONSENT APPLICATION.—The term 'consent application' means an application filed with Board by an individual (or by an insured credit union on behalf of an individual) seeking the written consent of the Board under paragraph (1)(A).

"(B) CRIMINAL OFFENSE INVOLVING DISHONESTY.—The term 'criminal offense involving dishonesty'—

"(i) means an offense under which an individual, directly or indirectly—

"(I) cheats or defrauds; or

"(II) wrongfully takes property belonging to another in violation of a criminal statute;

"(ii) includes an offense that Federal, State, or local law defines as dishonest, or for which dishonesty is an element of the offense; and

"(iii) does not include—

"(I) a misdemeanor criminal offense committed more than one year before the date on which an individual files a consent application, excluding any period of incarceration; or

"(II) an offense involving the possession of controlled substances.

"(C) PRETRIAL DIVERSION OR SIMILAR PROGRAM.—The term 'pretrial diversion or similar program' means a program characterized by a suspension or eventual dismissal

or reversal of charges or criminal prosecution upon agreement by the accused to restitution, drug or alcohol rehabilitation, anger management, or community service.".

(c) REVIEW AND REPORT TO CONGRESS.—Not later than the end of the 2-year period beginning on the date of enactment of this Act, the Federal Deposit Insurance Corporation and the National Credit Union Administration shall—

(1) review the rules issued to carry out this Act and the amendments made by this Act on—

(A) the application of section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829) and section 205(d) of the Federal Credit Union Act (12 U.S.C. 1785(d));

(B) the number of applications for consent applications under such sections; and

(C) the rates of approval and denial for consent applications under such sections;

(2) make the results of the review required under paragraph (1) available to the public; and

(3) issue a report to Congress containing any legislative or regulatory recommendations for expanding employment opportunities for those with a previous minor criminal offense.

SEC. 5706. BANKING TRANSPARENCY FOR SANCTIONED PERSONS ACT OF 2022.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall issue a report to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate that includes a list of specific licenses issued by the Secretary in the preceding 365 days that authorizes a U.S. financial institution (as defined under section 561.309 of title 31, Code of Federal Regulations) to provide financial services to any of the following:

(1) The government of a state sponsor of terrorism.

(2) A person sanctioned pursuant to any of the following:

(A) Section 404 of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112–208).

(B) Subtitle F of title XII of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328, the Global Magnitsky Human Rights Accountability Act).

(C) Executive Order No. 13818.

(b) SUBMISSION OF COPIES OF LICENSES ON REQUEST.—The Secretary of the Treasury shall expeditiously provide a copy of any license identified in a report required by subsection (a) to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate if an appropriate Member of Congress requests a copy of that license not later than 60 days after submission of the report.

(c) BUSINESS CONFIDENTIAL INFORMATION.—

(1) IN GENERAL.—The Secretary of the Treasury shall, in the report under subsection (a) and any submissions under subsection (b), identify any proprietary information submitted by

any private sector representative and mark such information as "business confidential information".

(2) TREATMENT AS TRADE SECRETS.—Business confidential information described under paragraph (1) shall be considered to be a matter falling within the meaning of trade secrets and commercial or financial information exemption under section 552(b)(4) of title 5, United States Code, and shall be exempt from disclosure under such section 552 of such title without the express approval of the private party.

(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out the activities authorized under this section, there is authorized to be appropriated to the Secretary of the Treasury $1,000,000.

(e) SUNSET.—The section shall cease to have any force or effect after the end of the 5-year period beginning on the date of enactment of this Act.

(f) FORM OF REPORT AND SUBMISSIONS.—A report or submission required under this section shall be submitted in unclassified form but may contain a classified annex.

(g) APPROPRIATE MEMBER OF CONGRESS DEFINED.—In this section, the term "appropriate Member of Congress" has the meaning given that term under section 7132(d) of the National Defense Authorization Act for Fiscal Year 2020.

SEC. 5707. FLEXIBILITY IN ADDRESSING RURAL HOMELESSNESS.

Subsection (a) of section 423 of subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(a)) is amended by adding at the end the following:

"(13) Projects in rural areas that consist of one or more of the following activities:

"(A) Payment of short-term emergency lodging, including in motels or shelters, directly or through vouchers.

"(B) Repairs to units—

"(i) in which homeless individuals and families will be housed; or

"(ii) which are currently not fit for human habitation.

"(C) Staff training, professional development, skill development, and staff retention activities.".

SEC. 5708. MASTER ACCOUNT AND SERVICES DATABASE.

The Federal Reserve Act is amended by inserting after section 11B (12 U.S.C. 248b et seq.) the following:

"SEC. 11C. MASTER ACCOUNT AND SERVICES DATABASE.

"(a) DEFINITIONS.—In this section:

"(1) ACCESS REQUEST.—The term 'access request' means a request to a Federal reserve bank for access to a reserve bank master account and services, including any written documentation or formal indication that an entity intends to seek access to a reserve bank master account and services.

"(2) OFFICIAL ACCOUNTHOLDER.—The term 'official accountholder' means—

"(A) a foreign state, as defined in section 25B;

"(B) a central bank, as defined in section 25B, other than a commercial bank;

"(C) a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (22 U.S.C. 288 et seq.); and

"(D) any governmental entity for which the Secretary of the Treasury has directed a Federal reserve bank to receive deposits as fiscal agent of the United States under section 15.

"(3) RESERVE BANK MASTER ACCOUNT AND SERVICES.—The term 'reserve bank master account and services' means an account in which a Federal reserve bank—

"(A) receives deposits for an entity other than an official accountholder; or

"(B) provides any service under section 11A(b) to an entity other than an official accountholder.

"(b) PUBLISHING MASTER ACCOUNT AND ACCESS INFORMATION.—

"(1) ONLINE DATABASE.—The Board shall create and maintain a public, online, and searchable database that contains—

"(A) a list of every entity that currently has access to a reserve bank master account and services, including the date on which the access was granted to the extent the date is knowable;

"(B) a list of every entity that submits an access request for a reserve bank master account and services after enactment of this section (or that has submitted an access request that is pending on the date of enactment of this section), including whether, and the dates on which, a request—

"(i) was submitted; and

"(ii) was approved, rejected, pending, or withdrawn; and

"(C) for each list described in subparagraph (A) or (B), the type of entity that holds or submitted an access request for a reserve bank master account and services, including whether such entity is—

"(i) an insured depository institution, as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

"(ii) an insured credit union, as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752); or

"(iii) a depository institution that is not an insured depository institution or an insured credit union.

"(2) UPDATES.—Not less frequently than once every quarter, the Board shall update the database to add any new information required under paragraph (1).

"(3) DEADLINE.—Not later than 180 days after the date of enactment of this section, the Board shall publish the database with the information required under paragraph (1).".

TITLE LVIII—FINANCIAL DATA TRANSPARENCY

Sec. 5801. Short title.

Subtitle A—Data Standards for Covered Agencies; Department of the Treasury Rulemaking

Sec. 5811. Data standards.
Sec. 5812. Open data publication by the Department of the Treasury.
Sec. 5813. No new disclosure requirements.

Subtitle B—Securities and Exchange Commission

Sec. 5821. Data standards requirements for the Securities and Exchange Commission.
Sec. 5822. Open data publication by the Securities and Exchange Commission.
Sec. 5823. Data transparency relating to municipal securities.
Sec. 5824. Data transparency at national securities associations.
Sec. 5825. Shorter-term burden reduction and disclosure simplification at the Securities and Exchange Commission; sunset.
Sec. 5826. No new disclosure requirements.

Subtitle C—Federal Deposit Insurance Corporation

Sec. 5831. Data standards requirements for the Federal Deposit Insurance Corporation.
Sec. 5832. Open data publication by the Federal Deposit Insurance Corporation.
Sec. 5833. Rulemaking.
Sec. 5834. No new disclosure requirements.

Subtitle D—Office of the Comptroller of the Currency

Sec. 5841. Data standards and open data publication requirements for the Office of the Comptroller of the Currency.
Sec. 5842. Rulemaking.
Sec. 5843. No new disclosure requirements.

Subtitle E—Bureau of Consumer Financial Protection

Sec. 5851. Data standards and open data publication requirements for the Bureau of Consumer Financial Protection.
Sec. 5852. Rulemaking.
Sec. 5853. No new disclosure requirements.

Subtitle F—Federal Reserve System

Sec. 5861. Data standards requirements for the Board of Governors of the Federal Reserve System.
Sec. 5862. Open data publication by the Board of Governors of the Federal Reserve System.
Sec. 5863. Rulemaking.
Sec. 5864. No new disclosure requirements.

Subtitle G—National Credit Union Administration

Sec. 5871. Data standards.
Sec. 5872. Open data publication by the National Credit Union Administration.
Sec. 5873. Rulemaking.
Sec. 5874. No new disclosure requirements.

Subtitle H—Federal Housing Finance Agency

Sec. 5881. Data standards requirements for the Federal Housing Finance Agency.
Sec. 5882. Open data publication by the Federal Housing Finance Agency.
Sec. 5883. Rulemaking.
Sec. 5884. No new disclosure requirements.

Subtitle I—Miscellaneous

Sec. 5891. Rules of construction.
Sec. 5892. Classified and protected information.
Sec. 5893. Report.

SEC. 5801. SHORT TITLE.

This title may be cited as the "Financial Data Transparency Act of 2022".

Subtitle A—Data Standards for Covered Agencies; Department of the Treasury Rulemaking

SEC. 5811. DATA STANDARDS.

(a) IN GENERAL.—Subtitle A of the Financial Stability Act of 2010 (12 U.S.C. 5321 et seq.) is amended by adding at the end the following:

"SEC. 124. DATA STANDARDS.

"(a) DEFINITIONS.—In this section—

"(1) the term 'covered agencies' means—

"(A) the Department of the Treasury;

"(B) the Board of Governors;

"(C) the Office of the Comptroller of the Currency;

"(D) the Bureau;

"(E) the Commission;

"(F) the Corporation;

"(G) the Federal Housing Finance Agency;

"(H) the National Credit Union Administration Board; and

"(I) any other primary financial regulatory agency designated by the Secretary;

"(2) the terms 'data asset', 'machine-readable', 'metadata', and 'open license' have the meanings given the terms in section 3502 of title 44, United States Code; and

"(3) the term 'data standard' means a standard that specifies rules by which data is described and recorded.

"(b) RULES.—

"(1) PROPOSED RULES.—Not later than 18 months after the date of enactment of this section, the heads of the covered agencies shall jointly issue proposed rules for public comment that establish data standards for—

"(A) the collections of information reported to each covered agency by financial entities under the jurisdiction of the covered agency; and

"(B) the data collected from covered agencies on behalf of the Council.

"(2) FINAL RULES.—Not later than 2 years after the date of enactment of this section, the heads of the covered agencies shall jointly promulgate final rules that establish the data standards described in paragraph (1).

"(c) DATA STANDARDS.—

"(1) COMMON IDENTIFIERS; QUALITY.—The data standards established in the final rules promulgated under subsection (b)(2) shall—

"(A) include common identifiers for collections of information reported to covered agencies or collected on behalf of the Council, which shall include a common nonpropri-

etary legal entity identifier that is available under an open license for all entities required to report to covered agencies; and

"(B) to the extent practicable—

"(i) render data fully searchable and machine-readable;

"(ii) enable high quality data through schemas, with accompanying metadata documented in machine-readable taxonomy or ontology models, which clearly define the semantic meaning of the data, as defined by the underlying regulatory information collection requirements;

"(iii) ensure that a data element or data asset that exists to satisfy an underlying regulatory information collection requirement be consistently identified as such in associated machine-readable metadata;

"(iv) be nonproprietary or made available under an open license;

"(v) incorporate standards developed and maintained by voluntary consensus standards bodies; and

"(vi) use, be consistent with, and implement applicable accounting and reporting principles.

"(2) CONSULTATION; INTEROPERABILITY.—In establishing data standards in the final rules promulgated under subsection (b)(2), the heads of the covered agencies shall—

"(A) consult with other Federal departments and agencies and multi-agency initiatives responsible for Federal data standards; and

"(B) seek to promote interoperability of financial regulatory data across members of the Council.

"(d) EFFECTIVE DATE.—The data standards established in the final rules promulgated under subsection (b)(2) shall take effect not later than 2 years after the date on which those final rules are promulgated under that subsection.".

(b) CLERICAL AMENDMENT.—The table of contents under section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by inserting after the item relating to section 123 the following:

"Sec. 124. Data standards.".

SEC. 5812. OPEN DATA PUBLICATION BY THE DEPARTMENT OF THE TREASURY.

(a) IN GENERAL.—Subtitle A of the Financial Stability Act of 2010 (12 U.S.C. 5321 et seq.), as amended by section 5811(a), is further amended by adding at the end the following:

"SEC. 125. OPEN DATA PUBLICATION.

"All public data assets published by the Secretary under this subtitle shall be—

"(1) made available as an open Government data asset (as defined in section 3502 of title 44, United States Code);

"(2) freely available for download;

"(3) rendered in a human-readable format; and

"(4) accessible via application programming interface where appropriate.".

(b) CLERICAL AMENDMENT.—The table of contents under section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, as amended by section 5811(b), is further amended by inserting after the item relating to section 124 the following:
"Sec. 125. Open data publication.".

(c) RULEMAKING.—

(1) IN GENERAL.—The Secretary of the Treasury shall issue rules to carry out the amendments made by this section, which shall take effect not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title.

(2) DELEGATION.—Notwithstanding any other provision of law, the Secretary of the Treasury may delegate the functions required under the amendments made by this subtitle to an appropriate office within the Department of the Treasury.

SEC. 5813. NO NEW DISCLOSURE REQUIREMENTS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the Secretary of the Treasury to collect or make publicly available additional information under the Financial Stability Act of 2010 (12 U.S.C. 5311 et seq.), beyond information that was collected or made publicly available under that Act, as of the day before the date of enactment of this Act.

Subtitle B—Securities and Exchange Commission

SEC. 5821. DATA STANDARDS REQUIREMENTS FOR THE SECURITIES AND EXCHANGE COMMISSION.

(a) DATA STANDARDS FOR INVESTMENT ADVISERS' REPORTS UNDER THE INVESTMENT ADVISERS ACT OF 1940.—Section 204 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–4) is amended—

(1) by redesignating the second subsection (d) (relating to "Records of Persons With Custody of Use") as subsection (e); and

(2) by adding at the end the following:

"(f) DATA STANDARDS FOR REPORTS FILED UNDER THIS SECTION.—

"(1) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all reports filed by investment advisers with the Commission under this section.

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(b) DATA STANDARDS FOR REGISTRATION STATEMENTS AND REPORTS UNDER THE INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 8 (15 U.S.C. 80a–8), by adding at the end the following:

"(g) DATA STANDARDS FOR REGISTRATION STATEMENTS.—

"(1) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all registration statements required to be filed with the Commission under this section, except that the Commission may exempt exhibits, signatures, and certifications from those data standards.

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124."; and

(2) in section 30 (15 U.S.C. 80a–29), by adding at the end the following:

"(k) DATA STANDARDS FOR REPORTS.—

"(1) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all reports required to be filed with the Commission under this section, except that the Commission may exempt exhibits, signatures, and certifications from those data standards.

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(c) DATA STANDARDS FOR INFORMATION REQUIRED TO BE SUBMITTED OR PUBLISHED BY NATIONALLY RECOGNIZED STATISTICAL RATING ORGANIZATIONS.—Section 15E of the Securities Exchange Act of 1934 (15 U.S.C. 78o–7) is amended by adding at the end the following:

"(w) DATA STANDARDS FOR INFORMATION REQUIRED TO BE SUBMITTED OR PUBLISHED UNDER THIS SECTION.—

"(1) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all collections of information required to be submitted or published by a nationally recognized statistical rating organization under this section.

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(d) DATA STANDARDS FOR ASSET-BACKED SECURITIES DISCLOSURES.—Section 7(c) of the Securities Act of 1933 (15 U.S.C. 77g(c)) is amended by adding at the end the following:

"(3) DATA STANDARDS FOR ASSET-BACKED SECURITIES DISCLOSURES.—

"(A) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all disclosures required under this subsection.

"(B) CONSISTENCY.—The data standards required under subparagraph (A) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(e) DATA STANDARDS FOR CORPORATE DISCLOSURES UNDER THE SECURITIES ACT OF 1933.—Title I of the Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended by adding at the end the following:

"SEC. 29. DATA STANDARDS.

"(a) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all registration statements, and for all prospectuses included in registration statements, required to be filed with the Commission under this title, except that the Commission may exempt exhibits, signatures, and certifications from those data standards.

"(b) CONSISTENCY.—The data standards required under subsection (a) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(f) DATA STANDARDS FOR PERIODIC AND CURRENT CORPORATE DISCLOSURES UNDER THE SECURITIES EXCHANGE ACT OF 1934.—Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following:

"(s) DATA STANDARDS.—

"(1) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all collections of information with respect to periodic and current reports required to be filed or furnished under this section or under section 15(d), except that the Commission may exempt exhibits, signatures, and certifications from those data standards.

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(g) DATA STANDARDS FOR CORPORATE PROXY AND CONSENT SOLICITATION MATERIALS UNDER THE SECURITIES EXCHANGE ACT OF 1934.—Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by adding at the end the following:

"(k) DATA STANDARDS FOR PROXY AND CONSENT SOLICITATION MATERIALS.—

"(1) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all information contained in any proxy or

consent solicitation material prepared by an issuer for an annual meeting of the shareholders of the issuer, except that the Commission may exempt exhibits, signatures, and certifications from those data standards.

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(h) DATA STANDARDS FOR SECURITY-BASED SWAP REPORTING.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by adding at the end the following:

"SEC. 41. DATA STANDARDS FOR SECURITY-BASED SWAP REPORTING.

"(a) REQUIREMENT.—The Commission shall, by rule, adopt data standards for all reports related to security-based swaps that are required under this Act.

"(b) CONSISTENCY.—The data standards required under subsection (a) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(i) RULEMAKING.—

(1) IN GENERAL.—The rules that the Securities and Exchange Commission are required to issue under the amendments made by this section shall take effect not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title.

(2) SCALING OF REGULATORY REQUIREMENTS; MINIMIZING DISRUPTION.—In issuing the rules required under the amendments made by this section, as described in paragraph (1), the Securities and Exchange Commission—

(A) may scale data reporting requirements in order to reduce any unjustified burden on emerging growth companies, lending institutions, accelerated filers, smaller reporting companies, and other smaller issuers, as determined by any study required under section 5825(b), while still providing searchable information to investors; and

(B) shall seek to minimize disruptive changes to the persons affected by those rules.

SEC. 5822. OPEN DATA PUBLICATION BY THE SECURITIES AND EXCHANGE COMMISSION.

Section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78d) is amended by adding at the end the following:

"(k) OPEN DATA PUBLICATION.—All public data assets published by the Commission under the securities laws and the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 1376) shall be—

"(1) made available as an open Government data asset (as defined in section 3502 of title 44, United States Code);

"(2) freely available for download;

"(3) rendered in a human-readable format; and

"(4) accessible via application programming interface where appropriate.".

SEC. 5823. DATA TRANSPARENCY RELATING TO MUNICIPAL SECURITIES.

(a) IN GENERAL.—Section 15B(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–4(b)) is amended by adding at the end the following:

"(8)(A) The Commission shall adopt data standards for information submitted to the Board.

"(B) Any data standards adopted under subparagraph (A) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.

"(C) The Commission shall consult market participants in establishing data standards under subparagraph (A).

"(D) Nothing in this paragraph may be construed to affect the operation of paragraph (1) or (2) of subsection (d).".

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title, the Securities and Exchange Commission shall issue rules to adopt the data standards required under paragraph (8) of section 15B(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–4(b)), as added by subsection (a) of this section.

(2) SCALING OF REGULATORY REQUIREMENTS; MINIMIZING DISRUPTION.—In issuing the rules described in paragraph (1) that adopt the data standards described in that paragraph, the Securities and Exchange Commission—

(A) may scale those data standards in order to reduce any unjustified burden on smaller regulated entities; and

(B) shall seek to minimize disruptive changes to the persons affected by those rules.

SEC. 5824. DATA TRANSPARENCY AT NATIONAL SECURITIES ASSOCIATIONS.

(a) IN GENERAL.—Section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3) is amended by adding at the end the following:

"(n) DATA STANDARDS.—

"(1) REQUIREMENT.—A national securities association registered pursuant to subsection (a) shall adopt data standards for all information that is regularly filed with or submitted to the association.

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having

the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title, each national securities association registered pursuant to section 15A(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3(a)) shall issue rules to adopt the standards required under subsection (n) of section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3), as added by subsection (a) of this section.

(2) SCALING OF REGULATORY REQUIREMENTS; MINIMIZING DISRUPTION.—In issuing the rules required under paragraph (1), a national securities association described in that paragraph—

(A) may scale data reporting requirements in order to reduce any unjustified burden on smaller regulated entities; and

(B) shall seek to minimize disruptive changes to the persons affected by those standards.

SEC. 5825. SHORTER-TERM BURDEN REDUCTION AND DISCLOSURE SIMPLIFICATION AT THE SECURITIES AND EXCHANGE COMMISSION; SUNSET.

(a) BETTER ENFORCEMENT OF THE QUALITY OF CORPORATE FINANCIAL DATA SUBMITTED TO THE SECURITIES AND EXCHANGE COMMISSION.—

(1) DATA QUALITY IMPROVEMENT PROGRAM.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Securities and Exchange Commission shall establish a program to improve the quality of corporate financial data filed or furnished by issuers under the Securities Act of 1933 (15 U.S.C. 77a et seq.), the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.), and the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.).

(B) CONTENTS.—The program established under subparagraph (A) shall include the following:

(i) The designation of an official in the Office of the Chairman of the Securities and Exchange Commission responsible for the improvement of the quality of data filed with or furnished to the Commission by issuers.

(ii) The issuance by the Division of Corporation Finance of the Securities and Exchange Commission of comment letters requiring correction of errors in data filings and submissions, where necessary.

(2) GOALS.—In establishing the program required under this subsection, the Securities and Exchange Commission shall seek to—

(A) improve the quality of data filed with or furnished to the Commission to a commercially acceptable level; and

(B) make data filed with or furnished to the Commission useful to investors.

(b) REPORT ON THE USE OF MACHINE-READABLE DATA FOR CORPORATE DISCLOSURES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and once every 180 days thereafter, the Securities and Exchange Commission shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report regarding the public and internal use of machine-readable data for corporate disclosures.

(2) CONTENT.—Each report required under paragraph (1) shall include—

(A) an identification of which corporate disclosures required under section 7 of the Securities Act of 1933 (15 U.S.C. 77g), section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m), and section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) are expressed as machine-readable data and which are not;

(B) an analysis of the costs and benefits of the use of machine-readable data in corporate disclosure to investors, markets, the Securities and Exchange Commission, and issuers;

(C) a summary of enforcement actions that result from the use or analysis of machine-readable data collected under the provisions of law described in subparagraph (A); and

(D) an analysis of how the Securities and Exchange Commission uses the machine-readable data collected by the Commission.

(c) SUNSET.—Beginning on the date that is 7 years after the date of enactment of this Act, this section shall have no force or effect.

SEC. 5826. NO NEW DISCLOSURE REQUIREMENTS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the Securities and Exchange Commission, the Municipal Securities Rulemaking Board, or any national securities association to collect or make publicly available additional information under the provisions of law amended by this subtitle (or under any provision of law referenced in an amendment made by this subtitle), beyond information that was collected or made publicly available under any such provision, as of the day before the date of enactment of this Act.

Subtitle C—Federal Deposit Insurance Corporation

SEC. 5831. DATA STANDARDS REQUIREMENTS FOR THE FEDERAL DEPOSIT INSURANCE CORPORATION.

The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by adding at the end the following:

"SEC. 52. DATA STANDARDS.

"(a) DEFINITION.—In this section, the term 'financial company' has the meaning given the term in section 201(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5381(a)).

"(b) REQUIREMENT.—The Corporation shall, by rule, adopt data standards for all collections of information with respect to information received by the Corporation from any depository institution or financial company under this Act or under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5381 et seq.).

"(c) CONSISTENCY.—The data standards required under subsection (b) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

SEC. 5832. OPEN DATA PUBLICATION BY THE FEDERAL DEPOSIT INSURANCE CORPORATION.

The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.), as amended by section 5831, is further amended by adding at the end the following:

"SEC. 53. OPEN DATA PUBLICATION.

"All public data assets published by the Corporation under this Act or under the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 1376) shall be—

"(1) made available as an open Government data asset (as defined in section 3502 of title 44, United States Code);

"(2) freely available for download;

"(3) rendered in a human-readable format; and

"(4) accessible via application programming interface where appropriate.".

SEC. 5833. RULEMAKING.

(a) IN GENERAL.—The Federal Deposit Insurance Corporation shall issue rules to carry out the amendments made by this subtitle, which shall take effect not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title.

(b) SCALING OF REGULATORY REQUIREMENTS; MINIMIZING DISRUPTION.—In issuing the rules required under subsection (a), the Federal Deposit Insurance Corporation—

(1) may scale data reporting requirements in order to reduce any unjustified burden on smaller regulated entities; and

(2) shall seek to minimize disruptive changes to the persons affected by those regulations.

SEC. 5834. NO NEW DISCLOSURE REQUIREMENTS.

Nothing in this title, or the amendments made by this title, shall be construed to require the Federal Deposit Insurance Corporation to collect or make publicly available additional information under the Acts amended by this title (or under any provision of law referenced in an amendment made by this title), beyond information that was collected or made publicly available under any such provision, as of the day before the date of enactment of this Act.

Subtitle D—Office of the Comptroller of the Currency

SEC. 5841. DATA STANDARDS AND OPEN DATA PUBLICATION REQUIREMENTS FOR THE OFFICE OF THE COMPTROLLER OF THE CURRENCY.

The Revised Statutes of the United States is amended by inserting after section 332 (12 U.S.C. 14) the following:

"SEC. 333. DATA STANDARDS; OPEN DATA PUBLICATION.

"(a) DATA STANDARDS.—

"(1) REQUIREMENT.—The Comptroller of the Currency shall, by rule, adopt data standards for all collections of information that are regularly filed with or submitted to the Comptroller of the Currency by any entity with respect to which the Office of the Comptroller of the Currency is the appropriate Federal banking agency (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)).

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.

"(b) OPEN DATA PUBLICATION.—All public data assets published by the Comptroller of the Currency under title LXII or the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 1376) shall be—

"(1) made available as an open Government data asset (as defined in section 3502 of title 44, United States Code);

"(2) freely available for download;

"(3) rendered in a human-readable format; and

"(4) accessible via application programming interface where appropriate.".

SEC. 5842. RULEMAKING.

(a) IN GENERAL.—The Comptroller of the Currency shall issue rules to carry out the amendments made by section 5841, which shall take effect not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title.

(b) SCALING OF REGULATORY REQUIREMENTS; MINIMIZING DISRUPTION.—In issuing the rules required under subsection (a), the Comptroller of the Currency—

(1) may scale data reporting requirements in order to reduce any unjustified burden on smaller regulated entities; and

(2) shall seek to minimize disruptive changes to the persons affected by those regulations.

SEC. 5843. NO NEW DISCLOSURE REQUIREMENTS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the Comptroller of the Currency to collect or make publicly available additional information under the Revised Statutes of the United States (or under any other provision

of law referenced in an amendment made by this subtitle), beyond information that was collected or made publicly available under any such provision of law, as of the day before the date of enactment of this Act.

Subtitle E—Bureau of Consumer Financial Protection

SEC. 5851. DATA STANDARDS AND OPEN DATA PUBLICATION REQUIREMENTS FOR THE BUREAU OF CONSUMER FINANCIAL PROTECTION.

(a) IN GENERAL.—Subtitle A of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5491 et seq.) is amended by—

(1) redesignating section 1018 (12 U.S.C. 5491 note) as section 1020; and

(2) by inserting after section 1017 (12 U.S.C. 5497) the following:

"SEC. 1018. DATA STANDARDS.

"(a) REQUIREMENT.—The Bureau shall, by rule, adopt data standards for all collections of information that are regularly filed with or submitted to the Bureau.

"(b) CONSISTENCY.—The data standards required under subsection (a) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.

"SEC. 1019. OPEN DATA PUBLICATION.

"All public data assets published by the Bureau shall be—

"(1) made available as an open Government data asset (as defined in section 3502 of title 44, United States Code);

"(2) freely available for download;

"(3) rendered in a human-readable format; and

"(4) accessible via application programming interface where appropriate.".

(b) CLERICAL AMENDMENT.—The table of contents under section 1(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by striking the item relating to section 1018 and inserting the following:

"Sec. 1018. Data standards.
"Sec. 1019. Open data publication.
"Sec. 1020. Effective date.".

SEC. 5852. RULEMAKING.

(a) IN GENERAL.—The Director of the Bureau of Consumer Financial Protection shall issue rules to carry out the amendments made by section 5851, which shall take effect not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title.

(b) SCALING OF REGULATORY REQUIREMENTS; MINIMIZING DISRUPTION.—In issuing the rules required under subsection (a), the Director of the Bureau of Consumer Financial Protection—

(1) may scale data reporting requirements in order to reduce any unjustified burden on smaller regulated entities; and

(2) shall seek to minimize disruptive changes to the persons affected by those regulations.

SEC. 5853. NO NEW DISCLOSURE REQUIREMENTS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the Bureau of Consumer Financial Protection to collect or make publicly available additional information under the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.), beyond information that was collected or made publicly available under that Act, as of the day before the date of enactment of this Act.

Subtitle F—Federal Reserve System

SEC. 5861. DATA STANDARDS REQUIREMENTS FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) DATA STANDARDS FOR INFORMATION FILED OR SUBMITTED BY NONBANK FINANCIAL COMPANIES.—Section 161(a) of the Financial Stability Act of 2010 (12 U.S.C. 5361(a)) is amended by adding at the end the following:

"(4) DATA STANDARDS FOR REPORTS UNDER THIS SUBSECTION.—

"(A) IN GENERAL.—The Board of Governors shall adopt data standards for all information that, through a collection of information, is regularly filed with or submitted to the Board of Governors under this subsection by any nonbank financial company supervised by the Board of Governors or any subsidiary thereof.

"(B) CONSISTENCY.—The data standards required under subparagraph (A) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of section 124.".

(b) DATA STANDARDS FOR INFORMATION FILED OR SUBMITTED BY SAVINGS AND LOAN HOLDING COMPANIES.—Section 10 of the Home Owners' Loan Act (12 U.S.C. 1467a) is amended by adding at the end the following:

"(u) DATA STANDARDS.—

"(1) REQUIREMENT.—The Board shall adopt data standards for all information that, through a collection of information, is regularly filed with or submitted to the Board by any savings and loan holding company, or subsidiary of a savings and loan holding company, other than a depository institution, under this section.

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having

the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(c) DATA STANDARDS FOR INFORMATION FILED OR SUBMITTED BY BANK HOLDING COMPANIES.—Section 5 of the Bank Holding Company Act of 1956 (12 U.S.C. 1844) is amended by adding at the end the following:

"(h) DATA STANDARDS.—

"(1) REQUIREMENT.—The Board shall adopt data standards for all information that, through a collection of information, is regularly filed with or submitted to the Board by any bank holding company in a report under subsection (c).

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

(d) DATA STANDARDS FOR INFORMATION SUBMITTED BY FINANCIAL MARKET UTILITIES OR INSTITUTIONS UNDER THE PAYMENT, CLEARING, AND SETTLEMENT SUPERVISION ACT OF 2010.—Section 809 of the Payment, Clearing, and Settlement Supervision Act of 2010 (12 U.S.C. 5468) is amended by adding at the end the following:

"(h) DATA STANDARDS.—

"(1) REQUIREMENT.—The Board of Governors shall adopt data standards for all information that, through a collection of information, is regularly filed with or submitted to the Board or the Council by any financial market utility or financial institution under subsection (a) or (b).

"(2) CONSISTENCY.—The data standards required under paragraph (1) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

SEC. 5862. OPEN DATA PUBLICATION BY THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

The Federal Reserve Act (12 U.S.C. 226 et seq.) is amended by adding at the end the following:

"SEC. 32. OPEN DATA PUBLICATION BY THE BOARD OF GOVERNORS.

"All public data assets published by the Board of Governors under this Act, the Bank Holding Company Act of 1956 (12 U.S.C. 1841 et seq.), the Financial Stability Act of 2010 (12 U.S.C. 5311 et seq.), the Home Owners' Loan Act (12 U.S.C. 1461 et seq.), the Payment, Clearing, and Settlement Supervision Act of 2010 (12 U.S.C. 5461 et seq.), or the Enhancing Financial Institution Safety and Soundness Act of 2010 (title III of Public Law 111–203) (or any provision of law amended by that Act) shall be—

"(1) made available as an open Government data asset (as defined in section 3502 of title 44, United States Code);

"(2) freely available for download;

"(3) rendered in a human-readable format; and

"(4) accessible via application programming interface where appropriate.".

SEC. 5863. RULEMAKING.

(a) IN GENERAL.—The Board of Governors of the Federal Reserve System shall issue rules to carry out the amendments made by this subtitle, which shall take effect not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title.

(b) SCALING OF REGULATORY REQUIREMENTS; MINIMIZING DISRUPTION.—In issuing the rules required under subsection (a), the Board of Governors of the Federal Reserve System—

(1) may scale data reporting requirements in order to reduce any unjustified burden on smaller regulated entities; and

(2) shall seek to minimize disruptive changes to the persons affected by those regulations.

SEC. 5864. NO NEW DISCLOSURE REQUIREMENTS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the Board of Governors of the Federal Reserve System to collect or make publicly available additional information under any Act amended by this subtitle, any Act referenced in an amendment made by this subtitle, or any Act amended by an Act referenced in an amendment made by this subtitle, beyond information that was collected or made publicly available under any such provision of law, as of the day before the date of enactment of this Act.

Subtitle G—National Credit Union Administration

SEC. 5871. DATA STANDARDS.

Title I of the Federal Credit Union Act (12 U.S.C. 1752 et seq.) is amended by adding at the end the following:

"SEC. 132. DATA STANDARDS.

"(a) REQUIREMENT.—The Board shall, by rule, adopt data standards for all collections of information and reports regularly filed with or submitted to the Administration under this Act.

"(b) CONSISTENCY.—The data standards required under subsection (a) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

SEC. 5872. OPEN DATA PUBLICATION BY THE NATIONAL CREDIT UNION ADMINISTRATION.

Title I of the Federal Credit Union Act (12 U.S.C. 1752 et seq.), as amended by section 5701, is further amended by adding at the end the following:

"SEC. 133. OPEN DATA PUBLICATION.

"All public data assets published by the Administration under this title shall be—

"(1) made available as an open Government data asset (as defined in section 3502 of title 44, United States Code);

"(2) freely available for download;

"(3) rendered in a human-readable format; and

"(4) accessible via application programming interface where appropriate.".

SEC. 5873. RULEMAKING.

(a) IN GENERAL.—The National Credit Union Administration Board shall issue rules to carry out the amendments made by this subtitle, which shall take effect not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title.

(b) SCALING OF REGULATORY REQUIREMENTS; MINIMIZING DISRUPTION.—In issuing the rules required under subsection (a), the National Credit Union Administration Board—

(1) may scale data reporting requirements in order to reduce any unjustified burden on smaller regulated entities; and

(2) shall seek to minimize disruptive changes to the persons affected by those regulations.

SEC. 5874. NO NEW DISCLOSURE REQUIREMENTS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the National Credit Union Administration Board to collect or make publicly available additional information under the Federal Credit Union Act (12 U.S.C. 1751 et seq.), beyond information that was collected or made publicly available under that Act, as of the day before the date of enactment of this Act.

Subtitle H—Federal Housing Finance Agency

SEC. 5881. DATA STANDARDS REQUIREMENTS FOR THE FEDERAL HOUSING FINANCE AGENCY.

Part 1 of subtitle A of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4511 et seq.) is amended by adding at the end the following:

"SEC. 1319H. DATA STANDARDS.

"(a) REQUIREMENT.—The Agency shall, by rule, adopt data standards for all collections of information that are regularly filed with or submitted to the Agency.

"(b) CONSISTENCY.—The data standards required under subsection (a) shall incorporate, and ensure compatibility with (to the extent feasible), all applicable data standards established in the rules promulgated under section 124 of the Financial Stability Act of 2010, including, to the extent practicable, by having the characteristics described in clauses (i) through (vi) of subsection (c)(1)(B) of such section 124.".

SEC. 5882. OPEN DATA PUBLICATION BY THE FEDERAL HOUSING FINANCE AGENCY.

Part 1 of subtitle A of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4511 et seq.), as amended by section 5801, is further amended by adding at the end the following:

"SEC. 1319I. OPEN DATA PUBLICATION.

"All public data assets published by the Agency shall be—

"(1) made available as an open Government data asset (as defined in section 3502 of title 44, United States Code);

"(2) freely available for download;

"(3) rendered in a human-readable format; and

"(4) accessible via application programming interface where appropriate.".

SEC. 5883. RULEMAKING.

(a) IN GENERAL.—The Director of the Federal Housing Finance Agency shall issue rules to carry out the amendments made by this subtitle, which shall take effect not later than 2 years after the date on which final rules are promulgated under section 124(b)(2) of the Financial Stability Act of 2010, as added by section 5811(a) of this title.

(b) MINIMIZING DISRUPTION.—In issuing the regulations required under subsection (a), the Director of the Federal Housing Finance Agency shall seek to minimize disruptive changes to the persons affected by those rules.

SEC. 5884. NO NEW DISCLOSURE REQUIREMENTS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the Federal Housing Finance Agency to collect or make publicly available additional information under the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4501 et seq.), beyond information that was collected or made publicly available under that Act, as of the day before the date of enactment of this Act.

Subtitle I—Miscellaneous

SEC. 5891. RULES OF CONSTRUCTION.

(a) NO EFFECT ON INTELLECTUAL PROPERTY.—Nothing in this title, or the amendments made by this title, may be construed to alter the legal protections, as in effect on the day before the date of enactment of this Act, of copyrighted material or other intellectual property rights of any non-Federal person.

(b) NO EFFECT ON MONETARY POLICY.—Nothing in this title, or the amendments made by this title, may be construed to apply to activities conducted, or data standards used, in connection with monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

(c) PRESERVATION OF AGENCY AUTHORITY TO TAILOR REQUIREMENTS.—Nothing in this title, or the amendments made by this title, may be construed to prohibit the head of a covered agency, as defined in section 124(a) of the Financial Stability Act of 2010, as added by section 5811(a) of this title, from tailoring those standards

when those standards are adopted under this title and the amendments made by this title.

SEC. 5892. CLASSIFIED AND PROTECTED INFORMATION.

(a) IN GENERAL.—Nothing in this title, or the amendments made by this title, shall require the disclosure to the public of—

(1) information that would be exempt from disclosure under section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act"); or

(2) information protected under—

(A) section 552a of title 5, United States Code (commonly known as the "Privacy Act of 1974");

(B) section 6103 of the Internal Revenue Code of 1986; or

(C) any law administered, or regulation promulgated, by the Financial Crimes Enforcement Network of the Department of the Treasury.

(b) EXISTING AGENCY REGULATIONS.—Nothing in this title, or the amendments made by this title, shall be construed to require the Secretary of the Treasury, the Securities and Exchange Commission, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Director of the Bureau of Consumer Financial Protection, the Board of Governors of the Federal Reserve System, the National Credit Union Administration Board, the Director of the Federal Housing Finance Agency, or the head of any other primary financial regulatory agency (as defined in section 2 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301)) designated by the Secretary of the Treasury to amend regulations and procedures, as in effect on the day before the date of enactment of this Act, regarding the sharing and disclosure of nonpublic information, including confidential supervisory information.

(c) DATA PRIVACY AND PERSONALLY IDENTIFIABLE INFORMATION.—Nothing in this title, or the amendments made by this title, shall be construed to require the Secretary of the Treasury, the Securities and Exchange Commission, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Director of the Bureau of Consumer Financial Protection, the Board of Governors of the Federal Reserve System, the National Credit Union Administration Board, the Director of the Federal Housing Finance Agency, or the head of any other primary financial regulatory agency (as defined in section 2 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301)) designated by the Secretary of the Treasury to disclose to the public any information that can be used to distinguish or trace the identity of an individual, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

SEC. 5893. REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the feasibility, costs, and potential benefits of building upon the taxonomy established by this title, and the amendments made by this title, to arrive at a Federal Governmentwide regulatory compliance standardization mechanism similar to Standard Business Reporting.

TITLE LIX—OTHER MATTERS

Subtitle A—Judiciary Matters

Sec. 5901. Extension of admission to Guam or the Commonwealth of the Northern Mariana Islands for certain nonimmigrant H–2B workers.
Sec. 5902. Eligibility of Portuguese traders and investors for E–1 and E–2 nonimmigrant visas.
Sec. 5903. Incentives for States to create sexual assault survivors' bill of rights.
Sec. 5904. Extending the statute of limitations for certain money laundering offenses.

Subtitle B—Science, Space, and Technology Matters

Sec. 5911. Financial assistance for construction of test beds and specialized facilities.
Sec. 5912. Reports on arctic research, budget, and spending.
Sec. 5913. National research and development strategy for distributed ledger technology.
Sec. 5914. Technical corrections.

Subtitle C—FedRamp Authorization Act

Sec. 5921. FedRAMP Authorization Act.

Subtitle D—Judicial Security and Privacy

Sec. 5931. Short title.
Sec. 5932. Findings and purpose.
Sec. 5933. Definitions.
Sec. 5934. Protecting covered information in public records.
Sec. 5935. Training and education.
Sec. 5936. Vulnerability management capability.
Sec. 5937. Rules of construction.
Sec. 5938. Severability.
Sec. 5939. Effective date.

Subtitle E—Other Matters

Sec. 5941. Secretary of Agriculture report on improving supply chain shortfalls and infrastructure needs at wholesale produce markets.
Sec. 5942. Extension of deadline for transfer of parcels of land in New Mexico.
Sec. 5943. Ending global wildlife poaching and trafficking.
Sec. 5944. Cost-sharing requirements applicable to certain Bureau of Reclamation dams and dikes.
Sec. 5945. Transfer of National Oceanic and Atmospheric Administration property in Norfolk, Virginia.
Sec. 5946. Other matters.
Sec. 5947. Enhancing transparency on international agreements and non-binding instruments.

Subtitle A—Judiciary Matters

SEC. 5901. EXTENSION OF ADMISSION TO GUAM OR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN NONIMMIGRANT H–2B WORKERS.

Section 6(b)(1)(B) of the Joint Resolution entitled "A Joint Resolution to approve the 'Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes", approved March 24, 1976 (48 U.S.C. 1806(b)(1)(B)), is amended, in the matter preceding clause (i), by striking "December 31, 2023" and inserting "December 31, 2024".

SEC. 5902. ELIGIBILITY OF PORTUGUESE TRADERS AND INVESTORS FOR E–1 AND E–2 NONIMMIGRANT VISAS.

(a) NONIMMIGRANT TRADERS AND INVESTORS.—For purposes of clauses (i) and (ii) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), Portugal shall be considered to be a foreign state described in such section if the Government of Portugal provides similar nonimmigrant status to nationals of the United States.

(b) MODIFICATION OF ELIGIBILITY CRITERIA FOR E VISAS.—Section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)) is amended—

(1) in the matter preceding clause (i)—

(A) by inserting "(or, in the case of an alien who acquired the relevant nationality through a financial investment and who has not previously been granted status under this subparagraph, the foreign state of which the alien is a national and in which the alien has been domiciled for a continuous period of not less than 3 years at any point before applying for a nonimmigrant visa under this subparagraph)" before ", and the spouse"; and

(B) by striking "him" and inserting "such alien"; and

(2) by striking "he" each place such term appears and inserting "the alien".

SEC. 5903. INCENTIVES FOR STATES TO CREATE SEXUAL ASSAULT SURVIVORS' BILL OF RIGHTS.

(a) INCENTIVES FOR STATES TO CREATE SEXUAL ASSAULT SURVIVORS' BILL OF RIGHTS.—

(1) DEFINITION OF COVERED FORMULA GRANT.—In this subsection, the term "covered formula grant" means a grant under part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10441 et seq.) (commonly referred to as the "STOP Violence Against Women Formula Grant Program").

(2) GRANT INCREASE.—The Attorney General shall increase the amount of the covered formula grant provided to a State in accordance with this subsection if the State has in effect a law that provides to sexual assault survivors the rights, at a minimum, under section 3772 of title 18, United States Code.

(3) APPLICATION.—A State seeking an increase to a covered formula grant under this subsection shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require, including information about the law described in paragraph (2).

(4) PERIOD OF INCREASE.—The Attorney General may not provide an increase in the amount of the covered formula grant provided to a State under this subsection more than 4 times.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $20,000,000 for each of fiscal years 2023 through 2027 to carry out this subsection.

(b) REAUTHORIZATION OF THE MISSING AMERICANS ALERT PROGRAM.—Section 240001(d) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12621(d)) is amended by striking "2018 through 2022" and inserting "2023 through 2027".

SEC. 5904. EXTENDING THE STATUTE OF LIMITATIONS FOR CERTAIN MONEY LAUNDERING OFFENSES.

(a) IN GENERAL.—Section 1956 of title 18, United States Code, is amended by adding at the end the following:

"(j) SEVEN-YEAR LIMITATION.—Notwithstanding section 3282, no person shall be prosecuted, tried, or punished for a violation of this section or section 1957 if the specified unlawful activity constituting the violation is the activity defined in subsection (c)(7)(B) of this section, unless the indictment is found or the information is instituted not later than 7 years after the date on which the offense was committed.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) conduct that occurred before the date of enactment of this Act for which the applicable statute of limitations has not expired; and

(2) conduct that occurred on or after the date of enactment of this Act.

Subtitle B—Science, Space, and Technology Matters

SEC. 5911. FINANCIAL ASSISTANCE FOR CONSTRUCTION OF TEST BEDS AND SPECIALIZED FACILITIES.

Section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s) is amended—

(1) by redesignating subsections (f) through (l) as subsections (g) through (m), respectively; and

(2) by inserting after subsection (e) the following:

"(f) AUTHORITY TO AWARD FINANCIAL ASSISTANCE FOR CONSTRUCTION OF TEST BEDS AND SPECIALIZED FACILITIES.—

"(1) IN GENERAL.—The Secretary may, acting through the Director, award financial assistance for the construction of test beds and specialized facilities by Manufacturing USA institutes established or supported under subsection (e) as the Secretary considers appropriate to carry out the purposes of the Program.

"(2) REQUIREMENTS.—The Secretary shall exercise authority under paragraph (1) in a manner and with requirements consistent with paragraphs (3) through (8) of subsection (e).

"(3) PRIORITY.—The Secretary shall establish preferences in selection criteria for proposals for financial assistance under this subsection from Manufacturing USA institutes that integrate as active members one or more covered entities as described in section 10262 of the Research and Development, Competition, and Innovation Act (Public Law 117–167).".

SEC. 5912. REPORTS ON ARCTIC RESEARCH, BUDGET, AND SPENDING.

(a) CROSSCUT REPORT ON ARCTIC RESEARCH PROGRAMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy, in coordination with the Director of the Office of Management and Budget, shall submit a detailed report to Congress regarding all existing Federal programs relating to Arctic research and research-related activities, including

observation, modeling, monitoring, and prediction, and research infrastructure. The report shall include—

(A) the goals of each such program;

(B) the funding levels for each such program for each of the 5 immediately preceding fiscal years;

(C) the anticipated funding levels for each such program for each of the 5 following fiscal years; and

(D) the total funding appropriated for the current fiscal year for such programs.

(2) DISTRIBUTION.—Not later than 30 days after submitting the report to Congress pursuant to subsection (a), the Director of the Office of Science and Technology Policy shall make a report available on a public website.

(b) ANNUAL AGENCY BUDGET AND SPENDING REPORT.—

(1) ANNUAL AGENCY BUDGETS.—Each agency represented on the Interagency Arctic Research Policy Committee shall each include in their agency's annual budget request to Congress a description of their agency's projected Arctic research activities and associated budget for the fiscal year covered by the budget request.

(2) REPORT TO CONGRESS.—Beginning with fiscal year 2025 and annually thereafter until fiscal year 2034, not later than 60 days after the President's budget request for such fiscal year is submitted to Congress, the Office of Science and Technology Policy shall submit an annual report to Congress summarizing each agency's budget request related to Arctic research activities per the information submitted in accordance with paragraph (1).

SEC. 5913. NATIONAL RESEARCH AND DEVELOPMENT STRATEGY FOR DISTRIBUTED LEDGER TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—Except as otherwise expressly provided, the term "Director" means the Director of the Office of Science and Technology Policy.

(2) DISTRIBUTED LEDGER.—The term "distributed ledger" means a ledger that—

(A) is shared across a set of distributed nodes, which are devices or processes, that participate in a network and store a complete or partial replica of the ledger;

(B) is synchronized between the nodes;

(C) has data appended to it by following the ledger's specified consensus mechanism;

(D) may be accessible to anyone (public) or restricted to a subset of participants (private); and

(E) may require participants to have authorization to perform certain actions (engaging) or require no authorization (permissionless).

(3) DISTRIBUTED LEDGER TECHNOLOGY.—The term "distributed ledger technology" means technology that enables the operation and use of distributed ledgers.

(4) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(5) RELEVANT CONGRESSIONAL COMMITTEES.—The term "relevant congressional committees" means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Science, Space, and Technology of the House of Representatives.

(6) SMART CONTRACT.—The term "smart contract" means a computer program stored in a distributed ledger system that is executed when certain predefined conditions are satisfied and wherein the outcome of any execution of the program may be recorded on the distributed ledger.

(b) NATIONAL DISTRIBUTED LEDGER TECHNOLOGY RESEARCH AND DEVELOPMENT STRATEGY.—

(1) IN GENERAL.—The Director, or a designee of the Director, shall, in coordination with the National Science and Technology Council, and the heads of such other relevant Federal agencies and entities as the Director considers appropriate, which may include the National Academies, and in consultation with such nongovernmental entities as the Director considers appropriate, develop a national strategy for the research and development of distributed ledger technologies and their applications, including applications of public and permissionless distributed ledgers. In developing the national strategy, the Director shall consider the following:

(A) Current efforts and coordination by Federal agencies to invest in the research and development of distributed ledger technologies and their applications, including through programs like the Small Business Innovation Research program, the Small Business Technology Transfer program, and the National Science Foundation's Innovation Corps programs.

(B)(i) The potential benefits and risks of applications of distributed ledger technologies across different industry sectors, including their potential to—

(I) lower transactions costs and facilitate new types of commercial transactions;

(II) protect privacy and increase individuals' data sovereignty;

(III) reduce friction to the interoperability of digital systems;

(IV) increase the accessibility, auditability, security, efficiency, and transparency of digital services;

(V) increase market competition in the provision of digital services;

(VI) enable dynamic contracting and contract execution through smart contracts;

(VII) enable participants to collaborate in trustless and disintermediated environments;

(VIII) enable the operations and governance of distributed organizations;

(IX) create new ownership models for digital items; and

(X) increase participation of populations historically underrepresented in the technology, business, and financial sectors.

(ii) In consideration of the potential risks of applications of distributed ledger technologies under clause (i), the Director shall take into account, where applicable—

(I) additional risks that may emerge from distributed ledger technologies, as identified in reports submitted to the President pursuant to Executive Order 14067, that may be addressed by research and development;

(II) software vulnerabilities in distributed ledger technologies and smart contracts;

(III) limited consumer literacy on engaging with applications of distributed ledger technologies in a secure way;

(IV) the use of distributed ledger technologies in illicit finance and their use in combating illicit finance;

(V) manipulative, deceptive, and fraudulent practices that harm consumers engaging with applications of distributed ledger technologies;

(VI) the implications of different consensus mechanisms for digital ledgers and governance and accountability mechanisms for applications of distributed ledger technologies, which may include decentralized networks;

(VII) foreign activities in the development and deployment of distributed ledger technologies and their associated tools and infrastructure; and

(VIII) environmental, sustainability, and economic impacts of the computational resources required for distributed ledger technologies.

(C) Potential uses for distributed ledger technologies that could improve the operations and delivery of services by Federal agencies, taking into account the potential of digital ledger technologies to—

(i) improve the efficiency and effectiveness of privacy-preserving data sharing among Federal agencies and with State, local, territorial, and Tribal governments;

(ii) promote government transparency by improving data sharing with the public;

(iii) introduce or mitigate risks that may threaten individuals' rights or broad access to Federal services;

(iv) automate and modernize processes for assessing and ensuring regulatory compliance; and

(v) facilitate broad access to financial services for underserved and underbanked populations.

(D) Ways to support public and private sector dialogue on areas of research that could enhance the efficiency, scalability, interoperability, security, and privacy of applications using distributed ledger technologies.

(E) The need for increased coordination of the public and private sectors on the development of voluntary standards in order to promote research and development, including standards regarding security, smart contracts, cryp-

tographic protocols, virtual routing and forwarding, interoperability, zero-knowledge proofs, and privacy, for distributed ledger technologies and their applications.

(F) Applications of distributed ledger technologies that could positively benefit society but that receive relatively little private sector investment.

(G) The United States position in global leadership and competitiveness across research, development, and deployment of distributed ledger technologies.

(2) CONSULTATION.—

(A) IN GENERAL.—In carrying out the Director's duties under this subsection, the Director shall consult with the following:

(i) Private industry.

(ii) Institutions of higher education, including minority-serving institutions.

(iii) Nonprofit organizations, including foundations dedicated to supporting distributed ledger technologies and their applications.

(iv) State governments.

(v) Such other persons as the Director considers appropriate.

(B) REPRESENTATION.—The Director shall ensure consultations with the following:

(i) Rural and urban stakeholders from across the Nation.

(ii) Small, medium, and large businesses.

(iii) Subject matter experts representing multiple industrial sectors.

(iv) A demographically diverse set of stakeholders.

(3) COORDINATION.—In carrying out this subsection, the Director shall, for purposes of avoiding duplication of activities, consult, cooperate, and coordinate with the programs and policies of other relevant Federal agencies, including the interagency process outlined in section 3 of Executive Order 14067 (87 Fed. Reg. 14143; relating ensuring responsible development of digital assets).

(4) NATIONAL STRATEGY.—Not later than 1 year after the date of enactment of this Act, the Director shall submit to the relevant congressional committees and the President a national strategy that includes the following:

(A) Priorities for the research and development of distributed ledger technologies and their applications.

(B) Plans to support public and private sector investment and partnerships in research and technology development for societally beneficial applications of distributed ledger technologies.

(C) Plans to mitigate the risks of distributed ledger technologies and their applications.

(D) An identification of additional resources, administrative action, or legislative action recommended to assist with the implementation of such strategy.

(5) RESEARCH AND DEVELOPMENT FUNDING.—The Director shall, as the Director considers necessary, consult with the Di-

rector of the Office of Management and Budget and with the heads of such other elements of the Executive Office of the President as the Director considers appropriate, to ensure that the recommendations and priorities with respect to research and development funding, as expressed in the national strategy developed under this subsection, are incorporated in the development of annual budget requests for Federal research agencies.

(c) DISTRIBUTED LEDGER TECHNOLOGY RESEARCH.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Director of the National Science Foundation shall make awards, on a competitive basis, to institutions of higher education, including minority-serving institutions, or nonprofit organizations (or consortia of such institutions or organizations) to support research, including interdisciplinary research, on distributed ledger technologies, their applications, and other issues that impact or are caused by distributed ledger technologies, which may include research on—

(A) the implications on trust, transparency, privacy, accessibility, accountability, and energy consumption of different consensus mechanisms and hardware choices, and approaches for addressing these implications;

(B) approaches for improving the security, privacy, resiliency, interoperability, performance, and scalability of distributed ledger technologies and their applications, which may include decentralized networks;

(C) approaches for identifying and addressing vulnerabilities and improving the performance and expressive power of smart contracts;

(D) the implications of quantum computing on applications of distributed ledger technologies, including long-term protection of sensitive information (such as medical or digital property), and techniques to address them;

(E) game theory, mechanism design, and economics underpinning and facilitating the operations and governance of decentralized networks enabled by distributed ledger technologies;

(F) the social behaviors of participants in decentralized networks enabled by distributed ledger technologies;

(G) human-centric design approaches to make distributed ledger technologies and their applications more usable and accessible;

(H) use cases for distributed ledger technologies across various industry sectors and government, including applications pertaining to—

(i) digital identity, including trusted identity and identity management;

(ii) digital property rights;

(iii) delivery of public services;

(iv) supply chain transparency;

(v) medical information management;

(vi) inclusive financial services;

(vii) community governance;

(viii) charitable giving;

(ix) public goods funding;

(x) digital credentials;

(xi) regulatory compliance;

(xii) infrastructure resilience, including against natural disasters; and

(xiii) peer-to-peer transactions; and

(I) the social, behavioral, and economic implications associated with the growth of applications of distributed ledger technologies, including decentralization in business, financial, and economic systems.

(2) ACCELERATING INNOVATION.—The Director of the National Science Foundation shall consider continuing to support startups that are in need of funding, would develop in and contribute to the economy of the United States, leverage distributed ledger technologies, have the potential to positively benefit society, and have the potential for commercial viability, through programs like the Small Business Innovation Research program, the Small Business Technology Transfer program, and, as appropriate, other programs that promote broad and diverse participation.

(3) CONSIDERATION OF NATIONAL DISTRIBUTED LEDGER TECHNOLOGY RESEARCH AND DEVELOPMENT STRATEGY.—In making awards under paragraph (1), the Director of the National Science Foundation shall take into account the national strategy, as described in subsection (b)(4).

(4) FUNDAMENTAL RESEARCH.—The Director of the National Science Foundation shall consider continuing to make awards supporting fundamental research in areas related to distributed ledger technologies and their applications, such as applied cryptography and distributed systems.

(d) DISTRIBUTED LEDGER TECHNOLOGY APPLIED RESEARCH PROJECT.—

(1) APPLIED RESEARCH PROJECT.—Subject to the availability of appropriations, the Director of the National Institute of Standards and Technology, may carry out an applied research project to study and demonstrate the potential benefits and unique capabilities of distributed ledger technologies.

(2) ACTIVITIES.—In carrying out the applied research project, the Director of the National Institute of Standards and Technology shall—

(A) identify potential applications of distributed ledger technologies, including those that could benefit activities at the Department of Commerce or at other Federal agencies, considering applications that could—

(i) improve the privacy and interoperability of digital identity and access management solutions;

(ii) increase the integrity and transparency of supply chains through the secure and limited sharing of relevant supplier information;

(iii) facilitate broader participation in distributed ledger technologies of populations historically underrepresented in technology, business, and financial sectors; or

(iv) be of benefit to the public or private sectors, as determined by the Director in consultation with relevant stakeholders;

(B) solicit and provide the opportunity for public comment relevant to potential projects;

(C) consider, in the selection of a project, whether the project addresses a pressing need not already addressed by another organization or Federal agency;

(D) establish plans to mitigate potential risks, including those outlined in subsection (b)(1)(B)(ii), if applicable, of potential projects;

(E) produce an example solution leveraging distributed ledger technologies for 1 of the applications identified in subparagraph (A);

(F) hold a competitive process to select private sector partners, if they are engaged, to support the implementation of the example solution;

(G) consider hosting the project at the National Cybersecurity Center of Excellence; and

(H) ensure that cybersecurity best practices consistent with the Cybersecurity Frame work of the National Institute of Standards and Technology are demonstrated in the project.

(3) BRIEFINGS TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall offer a briefing to the relevant congressional committees on the progress and current findings from the project under this subsection.

(4) PUBLIC REPORT.—Not later than 12 months after the completion of the project under this subsection, the Director of the National Institute of Standards and Technology shall make public a report on the results and findings from the project.

SEC. 5914. TECHNICAL CORRECTIONS.

The Energy Policy Act of 2005 is amended—

(1) in section 952(a)(2)(A) (42 U.S.C. 16272(a)(2)(A)), by striking "shall evaluate the technical and economic feasibility of the establishment of" and inserting "shall evaluate the technical and economic feasibility of establishing and, if feasible, is authorized to establish"; and

(2) in section 954(a)(5) (42 U.S.C. 16274(a)(5)), by—

(A) redesignating subparagraph (E) as subparagraph (F); and

(B) by inserting after subparagraph (D) the following:

"(E) FUEL SERVICES.—The Research Reactor Infrastructure subprogram within the Radiological Facilities Management program of the Department, as authorized by paragraph (6), shall be expanded to provide fuel services to research reactors established by this paragraph.".

Subtitle C—FedRamp Authorization Act

SEC. 5921. FEDRAMP AUTHORIZATION ACT.

(a) SHORT TITLE.—This section may be cited as the "FedRAMP Authorization Act".

(b) AMENDMENT.—Chapter 36 of title 44, United States Code, is amended by adding at the end the following:

"§ 3607. Definitions

"(a) IN GENERAL.—Except as provided under subsection (b), the definitions under sections 3502 and 3552 apply to this section through section 3616.

"(b) ADDITIONAL DEFINITIONS.—In this section through section 3616:

"(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

"(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

"(3) AUTHORIZATION TO OPERATE; FEDERAL INFORMATION.—The terms 'authorization to operate' and 'Federal information' have the meaning given those term in Circular A–130 of the Office of Management and Budget entitled 'Managing Information as a Strategic Resource', or any successor document.

"(4) CLOUD COMPUTING.—The term 'cloud computing' has the meaning given the term in Special Publication 800–145 of the National Institute of Standards and Technology, or any successor document.

"(5) CLOUD SERVICE PROVIDER.—The term 'cloud service provider' means an entity offering cloud computing products or services to agencies.

"(6) FEDRAMP.—The term 'FedRAMP' means the Federal Risk and Authorization Management Program established under section 3608.

"(7) FEDRAMP AUTHORIZATION.—The term 'FedRAMP authorization' means a certification that a cloud computing product or service has—

"(A) completed a FedRAMP authorization process, as determined by the Administrator; or

"(B) received a FedRAMP provisional authorization to operate, as determined by the FedRAMP Board.

"(8) FEDRAMP AUTHORIZATION PACKAGE.—The term 'FedRAMP authorization package' means the essential information that can be used by an agency to determine whether to authorize the operation of an information system or the use of a designated set of common controls for all cloud computing products and services authorized by FedRAMP.

"(9) FEDRAMP BOARD.—The term 'FedRAMP Board' means the board established under section 3610.

"(10) INDEPENDENT ASSESSMENT SERVICE.—The term 'independent assessment service' means a third-party organization

accredited by the Administrator to undertake conformity assessments of cloud service providers and the products or services of cloud service providers.

"(11) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

"§ 3608. Federal Risk and Authorization Management Program

"There is established within the General Services Administration the Federal Risk and Authorization Management Program. The Administrator, subject to section 3614, shall establish a Government-wide program that provides a standardized, reusable approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

"§ 3609. Roles and responsibilities of the General Services Administration

"(a) ROLES AND RESPONSIBILITIES.—The Administrator shall—

"(1) in consultation with the Secretary, develop, coordinate, and implement a process to support agency review, reuse, and standardization, where appropriate, of security assessments of cloud computing products and services, including, as appropriate, oversight of continuous monitoring of cloud computing products and services, pursuant to guidance issued by the Director pursuant to section 3614;

"(2) establish processes and identify criteria consistent with guidance issued by the Director under section 3614 to make a cloud computing product or service eligible for a FedRAMP authorization and validate whether a cloud computing product or service has a FedRAMP authorization;

"(3) develop and publish templates, best practices, technical assistance, and other materials to support the authorization of cloud computing products and services and increase the speed, effectiveness, and transparency of the authorization process, consistent with standards and guidelines established by the Director of the National Institute of Standards and Technology and relevant statutes;

"(4) establish and update guidance on the boundaries of FedRAMP authorization packages to enhance the security and protection of Federal information and promote transparency for agencies and users as to which services are included in the scope of a FedRAMP authorization;

"(5) grant FedRAMP authorizations to cloud computing products and services consistent with the guidance and direction of the FedRAMP Board;

"(6) establish and maintain a public comment process for proposed guidance and other FedRAMP directives that may have a direct impact on cloud service providers and agencies before the issuance of such guidance or other FedRAMP directives;

"(7) coordinate with the FedRAMP Board, the Director of the Cybersecurity and Infrastructure Security Agency, and other entities identified by the Administrator, with the concurrence of the Director and the Secretary, to establish and regularly up-

date a framework for continuous monitoring under section 3553;

"(8) provide a secure mechanism for storing and sharing necessary data, including FedRAMP authorization packages, to enable better reuse of such packages across agencies, including making available any information and data necessary for agencies to fulfill the requirements of section 3613;

"(9) provide regular updates to applicant cloud service providers on the status of any cloud computing product or service during an assessment process;

"(10) regularly review, in consultation with the FedRAMP Board—

"(A) the costs associated with the independent assessment services described in section 3611; and

"(B) the information relating to foreign interests submitted pursuant to section 3612;

"(11) in coordination with the Director, the Secretary, and other stakeholders, as appropriate, determine the sufficiency of underlying requirements to identify and assess the provenance of the software in cloud services and products;

"(12) support the Federal Secure Cloud Advisory Committee established pursuant to section 3616; and

"(13) take such other actions as the Administrator may determine necessary to carry out FedRAMP.

"(b) WEBSITE.—

"(1) IN GENERAL.—The Administrator shall maintain a public website to serve as the authoritative repository for FedRAMP, including the timely publication and updates for all relevant information, guidance, determinations, and other materials required under subsection (a).

"(2) CRITERIA AND PROCESS FOR FEDRAMP AUTHORIZATION PRIORITIES.—The Administrator shall develop and make publicly available on the website described in paragraph (1) the criteria and process for prioritizing and selecting cloud computing products and services that will receive a FedRAMP authorization, in consultation with the FedRAMP Board and the Chief Information Officers Council.

"(c) EVALUATION OF AUTOMATION PROCEDURES.—

"(1) IN GENERAL.—The Administrator, in coordination with the Secretary, shall assess and evaluate available automation capabilities and procedures to improve the efficiency and effectiveness of the issuance of FedRAMP authorizations, including continuous monitoring of cloud computing products and services.

"(2) MEANS FOR AUTOMATION.—Not later than 1 year after the date of enactment of this section, and updated regularly thereafter, the Administrator shall establish a means for the automation of security assessments and reviews.

"(d) METRICS FOR AUTHORIZATION.—The Administrator shall establish annual metrics regarding the time and quality of the assessments necessary for completion of a FedRAMP authorization process in a manner that can be consistently tracked over time in conjunction with the periodic testing and evaluation process pursuant to

section 3554 in a manner that minimizes the agency reporting burden.

"§ 3610. FedRAMP Board

"(a) ESTABLISHMENT.—There is established a FedRAMP Board to provide input and recommendations to the Administrator regarding the requirements and guidelines for, and the prioritization of, security assessments of cloud computing products and services.

"(b) MEMBERSHIP.—The FedRAMP Board shall consist of not more than 7 senior officials or experts from agencies appointed by the Director, in consultation with the Administrator, from each of the following:

"(1) The Department of Defense.

"(2) The Department of Homeland Security.

"(3) The General Services Administration.

"(4) Such other agencies as determined by the Director, in consultation with the Administrator.

"(c) QUALIFICATIONS.—Members of the FedRAMP Board appointed under subsection (b) shall have technical expertise in domains relevant to FedRAMP, such as—

"(1) cloud computing;

"(2) cybersecurity;

"(3) privacy;

"(4) risk management; and

"(5) other competencies identified by the Director to support the secure authorization of cloud services and products.

"(d) DUTIES.—The FedRAMP Board shall—

"(1) in consultation with the Administrator, serve as a resource for best practices to accelerate the process for obtaining a FedRAMP authorization;

"(2) establish and regularly update requirements and guidelines for security authorizations of cloud computing products and services, consistent with standards and guidelines established by the Director of the National Institute of Standards and Technology, to be used in the determination of FedRAMP authorizations;

"(3) monitor and oversee, to the greatest extent practicable, the processes and procedures by which agencies determine and validate requirements for a FedRAMP authorization, including periodic review of the agency determinations described in section 3613(b);

"(4) ensure consistency and transparency between agencies and cloud service providers in a manner that minimizes confusion and engenders trust; and

"(5) perform such other roles and responsibilities as the Director may assign, with concurrence from the Administrator.

"(e) DETERMINATIONS OF DEMAND FOR CLOUD COMPUTING PRODUCTS AND SERVICES.—The FedRAMP Board may consult with the Chief Information Officers Council to establish a process, which may be made available on the website maintained under section 3609(b), for prioritizing and accepting the cloud computing products and services to be granted a FedRAMP authorization.

"§ 3611. Independent assessment

"The Administrator may determine whether FedRAMP may use an independent assessment service to analyze, validate, and attest to the quality and compliance of security assessment materials provided by cloud service providers during the course of a determination of whether to use a cloud computing product or service.

"§ 3612. Declaration of foreign interests

"(a) IN GENERAL.—An independent assessment service that performs services described in section 3611 shall annually submit to the Administrator information relating to any foreign interest, foreign influence, or foreign control of the independent assessment service.

"(b) UPDATES.—Not later than 48 hours after there is a change in foreign ownership or control of an independent assessment service that performs services described in section 3611, the independent assessment service shall submit to the Administrator an update to the information submitted under subsection (a).

"(c) CERTIFICATION.—The Administrator may require a representative of an independent assessment service to certify the accuracy and completeness of any information submitted under this section.

"§ 3613. Roles and responsibilities of agencies

"(a) IN GENERAL.—In implementing the requirements of FedRAMP, the head of each agency shall, consistent with guidance issued by the Director pursuant to section 3614—

"(1) promote the use of cloud computing products and services that meet FedRAMP security requirements and other risk-based performance requirements as determined by the Director, in consultation with the Secretary;

"(2) confirm whether there is a FedRAMP authorization in the secure mechanism provided under section 3609(a)(8) before beginning the process of granting a FedRAMP authorization for a cloud computing product or service;

"(3) to the extent practicable, for any cloud computing product or service the agency seeks to authorize that has received a FedRAMP authorization, use the existing assessments of security controls and materials within any FedRAMP authorization package for that cloud computing product or service; and

"(4) provide to the Director data and information required by the Director pursuant to section 3614 to determine how agencies are meeting metrics established by the Administrator.

"(b) ATTESTATION.—Upon completing an assessment or authorization activity with respect to a particular cloud computing product or service, if an agency determines that the information and data the agency has reviewed under paragraph (2) or (3) of subsection (a) is wholly or substantially deficient for the purposes of performing an authorization of the cloud computing product or service, the head of the agency shall document as part of the resulting FedRAMP authorization package the reasons for this determination.

"(c) SUBMISSION OF AUTHORIZATIONS TO OPERATE REQUIRED.—Upon issuance of an agency authorization to operate based on a FedRAMP authorization, the head of the agency shall provide a copy of its authorization to operate letter and any supplementary in-

formation required pursuant to section 3609(a) to the Administrator.

"(d) SUBMISSION OF POLICIES REQUIRED.—Not later than 180 days after the date on which the Director issues guidance in accordance with section 3614(1), the head of each agency, acting through the chief information officer of the agency, shall submit to the Director all agency policies relating to the authorization of cloud computing products and services.

"(e) PRESUMPTION OF ADEQUACY.—

"(1) IN GENERAL.—The assessment of security controls and materials within the authorization package for a FedRAMP authorization shall be presumed adequate for use in an agency authorization to operate cloud computing products and services.

"(2) INFORMATION SECURITY REQUIREMENTS.—The presumption under paragraph (1) does not modify or alter—

"(A) the responsibility of any agency to ensure compliance with subchapter II of chapter 35 for any cloud computing product or service used by the agency; or

"(B) the authority of the head of any agency to make a determination that there is a demonstrable need for additional security requirements beyond the security requirements included in a FedRAMP authorization for a particular control implementation.

"§ 3614. Roles and responsibilities of the Office of Management and Budget

"The Director shall—

"(1) in consultation with the Administrator and the Secretary, issue guidance that—

"(A) specifies the categories or characteristics of cloud computing products and services that are within the scope of FedRAMP;

"(B) includes requirements for agencies to obtain a FedRAMP authorization when operating a cloud computing product or service described in subparagraph (A) as a Federal information system; and

"(C) encompasses, to the greatest extent practicable, all necessary and appropriate cloud computing products and services;

"(2) issue guidance describing additional responsibilities of FedRAMP and the FedRAMP Board to accelerate the adoption of secure cloud computing products and services by the Federal Government;

"(3) in consultation with the Administrator, establish a process to periodically review FedRAMP authorization packages to support the secure authorization and reuse of secure cloud products and services;

"(4) oversee the effectiveness of FedRAMP and the FedRAMP Board, including the compliance by the FedRAMP Board with the duties described in section 3610(d); and

"(5) to the greatest extent practicable, encourage and promote consistency of the assessment, authorization, adoption, and use of secure cloud computing products and services within and across agencies.

"§ 3615. Reports to Congress; GAO report

"(a) REPORTS TO CONGRESS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Director shall submit to the appropriate congressional committees a report that includes the following:

"(1) During the preceding year, the status, efficiency, and effectiveness of the General Services Administration under section 3609 and agencies under section 3613 and in supporting the speed, effectiveness, sharing, reuse, and security of authorizations to operate for secure cloud computing products and services.

"(2) Progress towards meeting the metrics required under section 3609(d).

"(3) Data on FedRAMP authorizations.

"(4) The average length of time to issue FedRAMP authorizations.

"(5) The number of FedRAMP authorizations submitted, issued, and denied for the preceding year.

"(6) A review of progress made during the preceding year in advancing automation techniques to securely automate FedRAMP processes and to accelerate reporting under this section.

"(7) The number and characteristics of authorized cloud computing products and services in use at each agency consistent with guidance provided by the Director under section 3614.

"(8) A review of FedRAMP measures to ensure the security of data stored or processed by cloud service providers, which may include—

"(A) geolocation restrictions for provided products or services;

"(B) disclosures of foreign elements of supply chains of acquired products or services;

"(C) continued disclosures of ownership of cloud service providers by foreign entities; and

"(D) encryption for data processed, stored, or transmitted by cloud service providers.

"(b) GAO REPORT.—Not later than 180 days after the date of enactment of this section, the Comptroller General of the United States shall report to the appropriate congressional committees an assessment of the following:

"(1) The costs incurred by agencies and cloud service providers relating to the issuance of FedRAMP authorizations.

"(2) The extent to which agencies have processes in place to continuously monitor the implementation of cloud computing products and services operating as Federal information systems.

"(3) How often and for which categories of products and services agencies use FedRAMP authorizations.

"(4) The unique costs and potential burdens incurred by cloud computing companies that are small business concerns (as defined in section 3(a) of the Small Business Act (15 U.S.C. 632(a)) as a part of the FedRAMP authorization process.

"§ 3616. Federal Secure Cloud Advisory Committee

"(a) ESTABLISHMENT, PURPOSES, AND DUTIES.—

"(1) ESTABLISHMENT.—There is established a Federal Secure Cloud Advisory Committee (referred to in this section as the 'Committee') to ensure effective and ongoing coordination of agency adoption, use, authorization, monitoring, acquisition, and security of cloud computing products and services to enable agency mission and administrative priorities.

"(2) PURPOSES.—The purposes of the Committee are the following:

"(A) To examine the operations of FedRAMP and determine ways that authorization processes can continuously be improved, including the following:

"(i) Measures to increase agency reuse of FedRAMP authorizations.

"(ii) Proposed actions that can be adopted to reduce the burden, confusion, and cost associated with FedRAMP authorizations for cloud service providers.

"(iii) Measures to increase the number of FedRAMP authorizations for cloud computing products and services offered by small businesses concerns (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

"(iv) Proposed actions that can be adopted to reduce the burden and cost of FedRAMP authorizations for agencies.

"(B) Collect information and feedback on agency compliance with and implementation of FedRAMP requirements.

"(C) Serve as a forum that facilitates communication and collaboration among the FedRAMP stakeholder community.

"(3) DUTIES.—The duties of the Committee include providing advice and recommendations to the Administrator, the FedRAMP Board, and agencies on technical, financial, programmatic, and operational matters regarding secure adoption of cloud computing products and services.

"(b) MEMBERS.—

"(1) COMPOSITION.—The Committee shall be comprised of not more than 15 members who are qualified representatives from the public and private sectors, appointed by the Administrator, in consultation with the Director, as follows:

"(A) The Administrator or the Administrator's designee, who shall be the Chair of the Committee.

"(B) At least 1 representative each from the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.

"(C) At least 2 officials who serve as the Chief Information Security Officer within an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

"(D) At least 1 official serving as Chief Procurement Officer (or equivalent) in an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

"(E) At least 1 individual representing an independent assessment service.

"(F) At least 5 representatives from unique businesses that primarily provide cloud computing services or products, including at least 2 representatives from a small business concern (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

"(G) At least 2 other representatives of the Federal Government as the Administrator determines necessary to provide sufficient balance, insights, or expertise to the Committee.

"(2) DEADLINE FOR APPOINTMENT.—Each member of the Committee shall be appointed not later than 90 days after the date of enactment of this section.

"(3) PERIOD OF APPOINTMENT; VACANCIES.—

"(A) IN GENERAL.—Each non-Federal member of the Committee shall be appointed for a term of 3 years, except that the initial terms for members may be staggered 1-, 2-, or 3-year terms to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

"(B) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

"(c) MEETINGS AND RULES OF PROCEDURES.—

"(1) MEETINGS.—The Committee shall hold not fewer than 3 meetings in a calendar year, at such time and place as determined by the Chair.

"(2) INITIAL MEETING.—Not later than 120 days after the date of enactment of this section, the Committee shall meet and begin the operations of the Committee.

"(3) RULES OF PROCEDURE.—The Committee may establish rules for the conduct of the business of the Committee if such rules are not inconsistent with this section or other applicable law.

"(d) EMPLOYEE STATUS.—

"(1) IN GENERAL.—A member of the Committee (other than a member who is appointed to the Committee in connection with another Federal appointment) shall not be considered an employee of the Federal Government by reason of any service as such a member, except for the purposes of section 5703 of title 5, relating to travel expenses.

"(2) PAY NOT PERMITTED.—A member of the Committee covered by paragraph (1) may not receive pay by reason of service on the Committee.

"(e) APPLICABILITY TO THE FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

"(f) DETAIL OF EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement from the

Committee, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

"(g) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as agencies.

"(h) REPORTS.—

"(1) INTERIM REPORTS.—The Committee may submit to the Administrator and Congress interim reports containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

"(2) ANNUAL REPORTS.—Not later than 540 days after the date of enactment of this section, and annually thereafter, the Committee shall submit to the Administrator and Congress a report containing such findings, conclusions, and recommendations as have been agreed to by the Committee.".

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 36 of title 44, United States Code, is amended by adding at the end the following new items:

"3607. Definitions.
"3608. Federal Risk and Authorization Management Program.
"3609. Roles and responsibilities of the General Services Administration.
"3610. FedRAMP Board.
"3611. Independent assessment.
"3612. Declaration of foreign interests.
"3613. Roles and responsibilities of agencies.
"3614. Roles and responsibilities of the Office of Management and Budget.
"3615. Reports to Congress; GAO report.
"3616. Federal Secure Cloud Advisory Committee.".

(d) SUNSET.—

(1) IN GENERAL.—Effective on the date that is 5 years after the date of enactment of this Act, chapter 36 of title 44, United States Code, is amended by striking sections 3607 through 3616.

(2) CONFORMING AMENDMENT.—Effective on the date that is 5 years after the date of enactment of this Act, the table of sections for chapter 36 of title 44, United States Code, is amended by striking the items relating to sections 3607 through 3616.

(e) RULE OF CONSTRUCTION.—Nothing in this section or any amendment made by this section shall be construed as altering or impairing the authorities of the Director of the Office of Management and Budget or the Secretary of Homeland Security under subchapter II of chapter 35 of title 44, United States Code.

Subtitle D—Judicial Security and Privacy

SEC. 5931. SHORT TITLE.

This subtitle may be cited as the "Daniel Anderl Judicial Security and Privacy Act of 2022".

SEC. 5932. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Members of the Federal judiciary perform the important function of interpreting the Constitution of the United States and administering justice in a fair and impartial manner.

(2) In recent years, partially as a result of the rise in the use of social media and online access to information, members of the Federal judiciary have been exposed to an increased number of personal threats in connection to their role. The ease of access to free or inexpensive sources of covered information has considerably lowered the effort required for malicious actors to discover where individuals live and where they spend leisure hours and to find information about their family members. Such threats have included calling a judge a traitor with references to mass shootings and serial killings, a murder attempt on a justice of the Supreme Court of the United States, calling for an "angry mob" to gather outside a home of a judge and, in reference to a judge on the court of appeals of the United States, stating how easy it would be to "get them".

(3) Between 2015 and 2019, threats and other inappropriate communications against Federal judges and other judiciary personnel increased from 926 in 2015 to approximately 4,449 in 2019.

(4) Over the past decade, several members of the Federal judiciary have experienced acts of violence against themselves or a family member in connection to their Federal judiciary role, including the murder in 2005 of the family of Joan Lefkow, a judge for the United States District Court for the Northern District of Illinois.

(5) On Sunday July 19, 2020, an assailant went to the home of Esther Salas, a judge for the United States District Court for the District of New Jersey, impersonating a package delivery driver, opening fire upon arrival, and killing Daniel Anderl, the 20-year-old only son of Judge Salas, and seriously wounding Mark Anderl, her husband.

(6) In the aftermath of the recent tragedy that occurred to Judge Salas and in response to the continuous rise of threats against members of the Federal judiciary, there is an immediate need for enhanced security procedures and increased availability of tools to protect Federal judges and their families.

(b) PURPOSE.—The purpose of this subtitle is to improve the safety and security of Federal judges, including senior, recalled, or retired Federal judges, and their immediate family members to ensure Federal judges are able to administer justice fairly without fear of personal reprisal from individuals affected by the decisions they make in the course of carrying out their public duties.

SEC. 5933. DEFINITIONS.

In this subtitle:

(1) AT-RISK INDIVIDUAL.—The term "at-risk individual" means—

(A) a Federal judge;

(B) a senior, recalled, or retired Federal judge;

(C) any individual who is the spouse, parent, sibling, or child of an individual described in subparagraph (A) or (B);

(D) any individual to whom an individual described in subparagraph (A) or (B) stands in loco parentis; or

(E) any other individual living in the household of an individual described in subparagraph (A) or (B).

(2) COVERED INFORMATION.—The term "covered information"—

(A) means—

(i) a home address, including primary residence or secondary residences;

(ii) a home or personal mobile telephone number;

(iii) a personal email address;

(iv) a social security number or driver's license number;

(v) a bank account or credit or debit card information;

(vi) a license plate number or other unique identifiers of a vehicle owned, leased, or regularly used by an at-risk individual;

(vii) the identification of children of an at-risk individual under the age of 18;

(viii) the full date of birth;

(ix) information regarding current or future school or day care attendance, including the name or address of the school or day care, schedules of attendance, or routes taken to or from the school or day care by an at-risk individual; or

(x) information regarding the employment location of an at-risk individual, including the name or address of the employer, employment schedules, or routes taken to or from the employer by an at-risk individual; and

(B) does not include information regarding employment with a Government agency.

(3) DATA BROKER.—

(A) IN GENERAL.—The term "data broker" means an entity that collects and sells or licenses to third parties the personal information of an individual with whom the entity does not have a direct relationship..

(B) EXCLUSION.—The term "data broker" does not include a commercial entity engaged in the following activities:

(i) Engaging in reporting, news-gathering, speaking, or other activities intended to inform the public on matters of public interest or public concern.

(ii) Providing 411 directory assistance or directory information services, including name, address, and telephone number, on behalf of or as a function of a telecommunications carrier.

(iii) Using personal information internally, providing access to businesses under common ownership or affiliated by corporate control, or selling or providing data for a transaction or service requested by or concerning the individual whose personal information is being transferred.

(iv) Providing publicly available information via real-time or near-real-time alert services for health or safety purposes.

(v) A consumer reporting agency subject to the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

(vi) A financial institution subject to the Gramm-Leach-Bliley Act (Public Law 106–102) and regulations implementing that title.

(vii) A covered entity for purposes of the privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

(viii) The collection and sale or licensing of covered information incidental to conducting the activities described in clauses (i) through (vii).

(4) FEDERAL JUDGE.—The term "Federal judge" means—

(A) a justice of the United States or a judge of the United States, as those terms are defined in section 451 of title 28, United States Code;

(B) a bankruptcy judge appointed under section 152 of title 28, United States Code;

(C) a United States magistrate judge appointed under section 631 of title 28, United States Code;

(D) a judge confirmed by the United States Senate and empowered by statute in any commonwealth, territory, or possession to perform the duties of a Federal judge;

(E) a judge of the United States Court of Federal Claims appointed under section 171 of title 28, United States Code;

(F) a judge of the United States Court of Appeals for Veterans Claims appointed under section 7253 of title 38, United States Code;

(G) a judge of the United States Court of Appeals for the Armed Forces appointed under section 942 of title 10, United States Code;

(H) a judge of the United States Tax Court appointed under section 7443 of the Internal Revenue Code of 1986; and

(I) a special trial judge of the United States Tax Court appointed under section 7443A of the Internal Revenue Code of 1986.

(5) GOVERNMENT AGENCY.—The term "Government agency" includes—

(A) an Executive agency, as defined in section 105 of title 5, United States Code; and

(B) any agency in the judicial branch or legislative branch.

(6) IMMEDIATE FAMILY MEMBER.—The term "immediate family member" means—

(A) any individual who is the spouse, parent, sibling, or child of an at-risk individual;

(B) any individual to whom an at-risk individual stands in loco parentis; or

(C) any other individual living in the household of an at-risk individual.

(7) INTERACTIVE COMPUTER SERVICE.—The term "interactive computer service" has the meaning given the term in section 230 of the Communications Act of 1934 (47 U.S.C. 230).

(8) TRANSFER.—The term "transfer" means to sell, license, trade, or exchange for consideration the covered information of an at-risk individual or immediate family member.

SEC. 5934. PROTECTING COVERED INFORMATION IN PUBLIC RECORDS.

(a) GOVERNMENT AGENCIES.—

(1) IN GENERAL.—Each at-risk individual may—

(A) file written notice of the status of the individual as an at-risk individual, for themselves and immediate family members, with each Government agency that includes information necessary to ensure compliance with this section; and

(B) request that each Government agency described in subparagraph (A) mark as private their covered information and that of their immediate family members.

(2) NO PUBLIC POSTING.—Government agencies shall not publicly post or display publicly available content that includes covered information of an at-risk individual or immediate family member. Government agencies, upon receipt of a written request under paragraph (1)(A), shall remove the covered information of the at-risk individual or immediate family member from publicly available content not later than 72 hours after such receipt.

(3) EXCEPTIONS.—Nothing in this section shall prohibit a Government agency from providing access to records containing the covered information of a Federal judge to a third party if the third party—

(A) possesses a signed release from the Federal judge or a court order;

(B) is subject to the requirements of title V of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 et seq.); or

(C) executes a confidentiality agreement with the Government agency.

(b) DELEGATION OF AUTHORITY.—

(1) IN GENERAL.—An at-risk individual may directly, or through an agent designated by the at-risk individual, make any notice or request required or authorized by this section on behalf of the at-risk individual. The notice or request shall be in writing and contain information necessary to ensure compliance with this section, including information expressly referencing the prohibition on the posting or transfer of covered information, information regarding redress and penalties for violations provided in subsection (f), and contact information to allow the recipient to verify the accuracy of any notice or request and answer questions by the recipient of the notice or request.

(2) AUTHORIZATION OF GOVERNMENT AGENCIES TO MAKE REQUESTS.—

(A) ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—Upon written request of an at-risk individual described in subparagraphs (A) through (E) of section 5933(4), the Director of the Administrative Office of the United States Courts is authorized to make any notice or request required or authorized by this section on behalf of the at-risk individual. The notice or request shall include

information necessary to ensure compliance with this section, as determined by the Administrative Office of the United States Courts. The Director may delegate this authority under section 602(d) of title 28, United States Code. Any notice or request made under this subsection shall be deemed to have been made by the at-risk individual and comply with the notice and request requirements of this section.

(B) UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.—Upon written request of an at-risk individual described in section 5933(4)(F), the chief judge of the United States Court of Appeals for Veterans Claims is authorized to make any notice or request required or authorized by this section on behalf of the at-risk individual. Any notice or request made under this subsection shall be deemed to have been made by the at-risk individual and comply with the notice and request requirements of this section.

(C) UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.—Upon written request of an at-risk individual described in section 5933(4)(G), the chief judge of the United States Court of Appeals for the Armed Forces is authorized to make any notice or request required or authorized by this section on behalf of the at-risk individual. Any notice or request made under this subsection shall be deemed to have been made by the at-risk individual and comply with the notice and request requirements of this section.

(D) UNITED STATES TAX COURT.—Upon written request of an at-risk individual described in subparagraph (H) or (I) of section 5933(4), the chief judge of the United States Tax Court is authorized to make any notice or request required or authorized by this section on behalf of the at-risk individual. Any notice or request made under this subsection shall be deemed to have been made by the at-risk individual and comply with the notice and request requirements of this section.

(c) STATE AND LOCAL GOVERNMENTS.—

(1) GRANT PROGRAM TO PREVENT DISCLOSURE OF PERSONAL INFORMATION OF AT-RISK INDIVIDUALS OR IMMEDIATE FAMILY MEMBERS.—

(A) AUTHORIZATION.—The Attorney General may make grants to prevent the release of covered information of at-risk individuals and immediate family members (in this subsection referred to as "judges' covered information") to the detriment of such individuals or their immediate family members to an entity that—

(i) is—

(I) a State or unit of local government, as defined in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251); or

(II) an agency of a State or unit of local government; and

(ii) operates a State or local database or registry that contains covered information.

(B) APPLICATION.—An entity seeking a grant under this subsection shall submit to the Attorney General an application at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(2) SCOPE OF GRANTS.—Grants made under this subsection may be used to create or expand programs designed to protect judges' covered information, including through—

(A) the creation of programs to redact or remove judges' covered information, upon the request of an at-risk individual, from public records in State agencies, including hiring a third party to redact or remove judges' covered information from public records;

(B) the expansion of existing programs that the State may have enacted in an effort to protect judges' covered information;

(C) the development or improvement of protocols, procedures, and policies to prevent the release of judges' covered information;

(D) the defrayment of costs of modifying or improving existing databases and registries to ensure that judges' covered information is covered from release; and

(E) the development of confidential opt out systems that will enable at-risk individuals to make a single request to keep judges' covered information out of multiple databases or registries.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Comptroller General of the United States, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an annual report that includes—

(i) a detailed amount spent by States and local governments on protecting judges' covered information;

(ii) where the judges' covered information was found; and

(iii) the collection of any new types of personal data found to be used to identify judges who have received threats, including prior home addresses, employers, and institutional affiliations such as nonprofit boards.

(B) STATES AND LOCAL GOVERNMENTS.—States and local governments that receive funds under this subsection shall submit to the Comptroller General of the United States a report on data described in clauses (i) and (ii) of subparagraph (A) to be included in the report required under that subparagraph.

(d) DATA BROKERS AND OTHER BUSINESSES.—

(1) PROHIBITIONS.—

(A) DATA BROKERS.—It shall be unlawful for a data broker to knowingly sell, license, trade for consideration, transfer, or purchase covered information of an at-risk individual or immediate family members.

(B) OTHER PERSONS AND BUSINESSES.—

(i) IN GENERAL.—Except as provided in clause (ii), no person, business, or association shall publicly post or publicly display on the internet covered information of an at-risk individual or immediate family member if the at-risk individual has made a written request to that person, business, or association not to disclose or acquire the covered information of the at-risk individual or immediate family member.

(ii) EXCEPTIONS.—Clause (i) shall not apply to—

(I) the display on the internet of the covered information of an at-risk individual or immediate family member if the information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;

(II) covered information that the at-risk individual voluntarily publishes on the internet after the date of enactment of this Act; or

(III) covered information lawfully received from a Federal Government source (or from an employee or agent of the Federal Government).

(2) REQUIRED CONDUCT.—

(A) IN GENERAL.—After receiving a written request under paragraph (1)(B), the person, business, or association shall—

(i) remove within 72 hours the covered information identified in the written request from the internet and ensure that the information is not made available on any website or subsidiary website controlled by that person, business, or association and identify any other instances of the identified information that should also be removed; and

(ii) assist the sender to locate the covered information of the at-risk individual or immediate family member posted on any website or subsidiary website controlled by that person, business, or association.

(B) TRANSFER.—

(i) IN GENERAL.—Except as provided in clause (ii), after receiving a written request under paragraph (1)(B), the person, business, or association shall not transfer the covered information of the at-risk individual or immediate family member to any other person, business, or association through any medium.

(ii) EXCEPTIONS.—Clause (i) shall not apply to—

(I) the transfer of the covered information of the at-risk individual or immediate family member if the information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;

(II) covered information that the at-risk individual or immediate family member voluntarily publishes on the internet after the date of enactment of this Act; or

(III) a transfer made at the request of the at-risk individual or that is necessary to effectuate a request to the person, business, or association from the at-risk individual.

(e) DATA SECURITY.—

(1) RECIPIENTS.—Any interactive computer service shall implement and maintain reasonable security procedures and practices to protect any information collected or received to comply with the requirements of this subtitle from unauthorized use, disclosure, access, destruction, or modification.

(2) GOVERNMENT CUSTODIANS.—The Administrative Office of the United States Courts and the administrators of the courts described in this subtitle shall implement and maintain reasonable security procedures and practices to protect any information they collect, receive, or transmit pursuant to the provisions of this subtitle.

(f) REDRESS AND PENALTIES.—

(1) IN GENERAL.—If the covered information of an at-risk individual described in subparagraphs (A) through (E) of section 5933(4) or their immediate family is made public as a result of a violation of this subtitle, the Director of the Administrative Office of the United States Courts, or the designee of the Director, may file an action seeking injunctive or declaratory relief in any court of competent jurisdiction, through the Department of Justice.

(2) AUTHORITY.—The respective chief judge for judges described in subparagraphs (B), (C), and (D) of section 5934(b)(2) shall have the same authority as the Director under this paragraph for at-risk individuals in their courts or their immediate family members.

(3) PENALTIES AND DAMAGES.—If a person, business, or association knowingly violates an order granting injunctive or declarative relief under paragraph (1), the court issuing such order may—

(A) if the person, business, or association is a government agency—

(i) impose a fine not greater than $4,000; and

(ii) award to the at-risk individual or their immediate family, as applicable, court costs and reasonable attorney's fees; and

(B) if the person, business, or association is not a government agency, award to the at-risk individual or their immediate family, as applicable—

(i) an amount equal to the actual damages sustained by the at-risk individual or their immediate family; and

(ii) court costs and reasonable attorney's fees.

SEC. 5935. TRAINING AND EDUCATION.

Amounts appropriated to the Federal judiciary for fiscal year 2022, and each fiscal year thereafter, may be used for biannual judicial security training for active, senior, or recalled Federal judges described in subparagraph (A), (B), (C), (D), or (E) of section 5933(4) and their immediate family members, including—

(1) best practices for using social media and other forms of online engagement and for maintaining online privacy;

(2) home security program and maintenance;

(3) understanding removal programs and requirements for covered information; and

(4) any other judicial security training that the United States Marshals Services and the Administrative Office of the United States Courts determines is relevant.

SEC. 5936. VULNERABILITY MANAGEMENT CAPABILITY.

(a) AUTHORIZATION.—

(1) VULNERABILITY MANAGEMENT CAPABILITY.—The Federal judiciary is authorized to perform all necessary functions consistent with the provisions of this subtitle and to support existing threat management capabilities within the United States Marshals Service and other relevant Federal law enforcement and security agencies for active, senior, recalled, and retired Federal judges described in subparagraphs (A), (B), (C), (D), and (E) of section 5933(4), including—

(A) monitoring the protection of at-risk individuals and judiciary assets;

(B) managing the monitoring of websites for covered information of at-risk individuals and immediate family members and remove or limit the publication of such information;

(C) receiving, reviewing, and analyzing complaints by at-risk individuals of threats, whether direct or indirect, and report such threats to law enforcement partners; and

(D) providing training described in section 5935.

(2) VULNERABILITY MANAGEMENT FOR CERTAIN ARTICLE I COURTS.—The functions and support authorized in paragraph (1) shall be authorized as follows:

(A) The chief judge of the United States Court of Appeals for Veterans Claims is authorized to perform such functions and support for the Federal judges described in section 5933(4)(F).

(B) The United States Court of Appeals for the Armed Forces is authorized to perform such functions and support for the Federal judges described in section 5933(4)(G).

(C) The United States Tax Court is authorized to perform such functions and support for the Federal judges described in subparagraphs (H) and (I) of section 5933(4).

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 604(a) of title 28, United States Code is amended—

(A) in paragraph (23), by striking "and" at the end;

(B) in paragraph (24) by striking "him" and inserting "the Director";

(C) by redesignating paragraph (24) as paragraph (25); and

(D) by inserting after paragraph (23) the following:

"(24) Establish and administer a vulnerability management program in the judicial branch; and".

(b) EXPANSION OF CAPABILITIES OF OFFICE OF PROTECTIVE INTELLIGENCE.—

(1) IN GENERAL.—The United States Marshals Service is authorized to expand the current capabilities of the Office of Protective Intelligence of the Judicial Security Division to increase the workforce of the Office of Protective Intelligence to include additional intelligence analysts, United States deputy marshals, and any other relevant personnel to ensure that the Office of Protective Intelligence is ready and able to perform all necessary functions, consistent with the provisions of this subtitle, in order to anticipate and deter threats to the Federal judiciary, including—

(A) assigning personnel to State and major urban area fusion and intelligence centers for the specific purpose of identifying potential threats against the Federal judiciary and coordinating responses to such potential threats;

(B) expanding the use of investigative analysts, physical security specialists, and intelligence analysts at the 94 judicial districts and territories to enhance the management of local and distant threats and investigations; and

(C) increasing the number of United States Marshal Service personnel for the protection of the Federal judicial function and assigned to protective operations and details for the Federal judiciary.

(2) INFORMATION SHARING.—If any of the activities of the United States Marshals Service uncover information related to threats to individuals other than Federal judges, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Department of Justice, in consultation with the Administrative Office of the United States Courts, the United States Court of Appeals for Veterans Claims, the United States Court of Appeals for the Armed Forces, and the United States Tax Court, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the security of Federal judges arising from Federal prosecutions and civil litigation.

(2) DESCRIPTION.—The report required under paragraph (1) shall describe—

(A) the number and nature of threats and assaults against at-risk individuals handling prosecutions and other matters described in paragraph (1) and the reporting requirements and methods;

(B) the security measures that are in place to protect at-risk individuals handling prosecutions described in paragraph (1), including threat assessments, response procedures, the availability of security systems and other devices, firearms licensing such as deputations, and other measures designed to protect the at-risk individuals and their immediate family members; and

(C) for each requirement, measure, or policy described in subparagraphs (A) and (B), when the requirement, measure, or policy was developed and who was responsible for

developing and implementing the requirement, measure, or policy.

(3) PUBLIC POSTING.—The report described in paragraph (1) shall, in whole or in part, be exempt from public disclosure if the Attorney General determines that such public disclosure could endanger an at-risk individual.

SEC. 5937. RULES OF CONSTRUCTION.

(a) IN GENERAL.—Nothing in this subtitle shall be construed—

(1) to prohibit, restrain, or limit—

(A) the lawful investigation or reporting by the press of any unlawful activity or misconduct alleged to have been committed by an at-risk individual or their immediate family member; or

(B) the reporting on an at-risk individual or their immediate family member regarding matters of public concern;

(2) to impair access to decisions and opinions from a Federal judge in the course of carrying out their public functions;

(3) to limit the publication or transfer of covered information with the written consent of the at-risk individual or their immediate family member; or

(4) to prohibit information sharing by a data broker to a Federal, State, Tribal, or local government, or any unit thereof.

(b) PROTECTION OF COVERED INFORMATION.—This subtitle shall be broadly construed to favor the protection of the covered information of at-risk individuals and their immediate family members.

SEC. 5938. SEVERABILITY.

If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle and the amendments made by this subtitle, and the application of the remaining provisions of this subtitle and amendments to any person or circumstance shall not be affected.

SEC. 5939. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle shall take effect on the date of enactment of this Act.

(b) EXCEPTION.—Subsections (c)(1), (d), and (e) of section 5934 shall take effect on the date that is 120 days after the date of enactment of this Act.

Subtitle E—Other Matters

SEC. 5941. SECRETARY OF AGRICULTURE REPORT ON IMPROVING SUPPLY CHAIN SHORTFALLS AND INFRASTRUCTURE NEEDS AT WHOLESALE PRODUCE MARKETS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the appropriate congressional committees a report on—

(1) the 5 largest wholesale produce markets by annual sales and volume over the preceding 4 calendar years; and

(2) a representative sample of 8 wholesale produce markets that are not among the largest wholesale produce markets.

(b) CONTENTS.—The report under subsection (a) shall contain the following:

(1) An analysis of the supply chain shortfalls in each wholesale produce market identified under subsection (a), which shall include an analysis of the following:

(A) State of repair of infrastructure, including roads, food storage units, and refueling stations.

(B) Disaster preparedness, including with respect to cyber attacks, weather events, and terrorist attacks.

(C) Disaster recovery systems, including coordination with State and Federal agencies.

(2) A description of any actions the Secretary recommends be taken as a result of the analysis under paragraph (1).

(3) Recommendations, as appropriate, for wholesale produce market owners and operators, and State and local entities to improve the supply chain shortfalls identified under paragraph (1).

(4) Proposals, as appropriate, for legislative actions and funding needed to improve the supply chain shortfalls.

(c) CONSULTATION.—In completing the report under subsection (a), the Secretary of Agriculture shall consult with the Secretary of Transportation, the Secretary of Homeland Security, wholesale produce market owners and operators, State and local entities, and other agencies or stakeholders, as determined appropriate by the Secretary.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this section, the term "appropriate congressional committees" means the Committee on Agriculture, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Technology, the Committee on Homeland Security and Governmental Affairs, and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 5942. EXTENSION OF DEADLINE FOR TRANSFER OF PARCELS OF LAND IN NEW MEXICO.

Section 3120 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (42 U.S.C. 2391 note) is amended by striking "2022" each place that it appears and inserting "2032".

SEC. 5943. ENDING GLOBAL WILDLIFE POACHING AND TRAFFICKING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Government should continue to work with international partners, including nations, nongovernmental organizations, and the private sector, to identify longstanding and emerging areas of concern in wildlife poaching and trafficking related to global supply and demand; and

(2) the activities and required reporting of the Presidential Task Force on Wildlife Trafficking, as established by Executive Order 13648 (78 Fed. Reg. 40621) and modified by sections 201 and 301 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7621 and 7631), should be reauthorized to minimize the disruption of the work of such Task Force.

(b) DEFINITIONS.—Section 2 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7601) is amended—

(1) in paragraph (3), by inserting "involving local communities" after "approach to conservation";

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

"(4) COUNTRY OF CONCERN.—The term 'country of concern' means a foreign country specially designated by the Secretary of State pursuant to section 201(b) as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which—

"(A) the government has actively engaged in, or knowingly profited from, the trafficking of protected species; or

"(B) the government facilitates such trafficking through conduct that may include a persistent failure to make serious and sustained efforts to prevent and prosecute such trafficking."; and

(3) in paragraph (11), by striking "section 201" and inserting "section 301".

(c) FRAMEWORK FOR INTERAGENCY RESPONSE AND REPORTING.—

(1) REAUTHORIZATION OF REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES.—Section 201 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7621) is amended—

(A) in subsection (a), by striking "annually thereafter" and inserting "biennially thereafter by June 1 of each year in which a report is required";

(B) in subsection (b), by striking "shall identify" and all that follows through the end of the subsection and inserting "shall also list each country determined by the Secretary of State to be a country of concern within the meaning of this Act"; and

(C) by striking subsection (c) and inserting the following:

"(c) PROCEDURE FOR REMOVING COUNTRIES FROM LIST.—Concurrently with the first report required under this section and submitted after the date of the enactment of this subsection, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall publish in the Federal Register a procedure for removing from the list described in subsection (b) any country that no longer meets the definition of country of concern under section 2(4).

"(d) SUNSET.—This section shall cease to have force or effect on September 30, 2028.".

(2) PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING RESPONSIBILITIES.—Section 301(a) of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7631(a)) is amended—

(A) in paragraph (4), by striking "and" at the end;

(B) by redesignating paragraph (5) as paragraph (9); and

(C) by inserting after paragraph (4) the following:

"(5) pursue programs and develop a strategy—

"(A) to expand the role of technology for anti-poaching and anti-trafficking efforts, in partnership with the private sector, foreign governments, academia, and nongovernmental organizations (including technology companies and the transportation and logistics sectors); and

"(B) to enable local governments to develop and use such technologies;

"(6) consider programs and initiatives that address the expansion of the illegal wildlife trade to digital platforms, including the use of digital currency and payment platforms for transactions by collaborating with the private sector, academia, and nongovernmental organizations, including social media, e-commerce, and search engine companies, as appropriate;

"(7)(A) implement interventions to address the drivers of poaching, trafficking, and demand for illegal wildlife and wildlife products in focus countries and countries of concern;

"(B) set benchmarks for measuring the effectiveness of such interventions; and

"(C) consider alignment and coordination with indicators developed by the Task Force;

"(8) consider additional opportunities to increase coordination between law enforcement and financial institutions to identify trafficking activity; and".

(3) PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING STRATEGIC REVIEW.—Section 301 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7631), as amended by paragraph (2), is further amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by striking "annually" and inserting "biennially";

(ii) in paragraph (4), by striking "and" at the end;

(iii) in paragraph (5), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

"(6) an analysis of the indicators developed by the Task Force, and recommended by the Government Accountability Office, to track and measure inputs, outputs, law enforcement outcomes, and the market for wildlife products for each focus country listed in the report, including baseline measures, as appropriate, for each indicator in each focus country to determine the effectiveness and appropriateness of such indicators to assess progress and whether additional or separate indicators, or adjustments to indicators, may be necessary for focus countries."; and

(B) in subsection (e), by striking "5 years after" and all that follows and inserting "on September 30, 2028".

SEC. 5944. COST-SHARING REQUIREMENTS APPLICABLE TO CERTAIN BUREAU OF RECLAMATION DAMS AND DIKES.

Section 4309 of the America's Water Infrastructure Act of 2018 (43 U.S.C. 377b note; Public Law 115–270) is amended—

*(1) in the section heading, by inserting "**DAMS AND**" before "**DIKES**";*

(2) in subsection (a), by striking "effective beginning on the date of enactment of this section, the Federal share of the operations and maintenance costs of a dike described in subsection (b)" and inserting "effective during the one-year period beginning on the date of the enactment of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, the Federal share of the dam safety modifications costs of a dam or

dike described in subsection (b), including repairing or replacing a gate or ancillary gate components,"; and

(3) in subsection (b)—

(A) in the subsection heading, by inserting "DAMS AND " before "DIKES";

(B) in the matter preceding paragraph (1), by inserting "dam or" before "dike" each place it appears; and

(C) in paragraph (2), by striking "December 31, 1945" and inserting "December 31, 1948".

SEC. 5945. TRANSFER OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION PROPERTY IN NORFOLK, VIRGINIA.

Section 1 of Public Law 110–393 is amended to read as follows:

"SEC. 1. TRANSFER OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION PROPERTY IN NORFOLK, VIRGINIA.

"(a) IN GENERAL.—The Secretary shall convey all right, title, and interest of the United States in and to the Norfolk Property to the City, to be used by the City for the purposes of flood management and control, such that—

"(1) the property described in subsection (k)(3)(A) shall be conveyed to the City not later than 90 days after the date of the enactment of this section; and

"(2) the property described in subsection (k)(3)(B) shall be conveyed to the City not later than the earlier of—

"(A) the date on which the Secretary has transferred all of the employees of the Administration from the facilities at the Norfolk Property; or

"(B) 8 years after the date of the enactment of this section.

"(b) CONSIDERATION.—

"(1) IN GENERAL.—As consideration for the conveyance of the Norfolk Property, the City shall pay to the United States an amount equal to not less than the fair market value of the Norfolk Property, as determined by the Secretary, based on the appraisal described in subsection (g), which may consist of cash payment, in-kind consideration as described in paragraph (3), or a combination thereof.

"(2) SUFFICIENCY OF CONSIDERATION.—

"(A) IN GENERAL.—Consideration paid to the Secretary under paragraph (1) must be sufficient, as determined by the Secretary, to provide replacement space for and relocation of any personnel, furniture, fixtures, equipment, and personal property of any kind belonging to the Administration and located upon the Norfolk Property.

"(B) COMPLETION PRIOR TO CONVEYANCE.—Any cash consideration must be paid in full and any in-kind consideration must be complete, useable, and delivered to the satisfaction of the Secretary at or prior to the time of the conveyance of the Norfolk Property.

"(3) IN-KIND CONSIDERATION.—In-kind consideration paid by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure with proximity to the Norfolk Property that the Secretary considers acceptable.

"(4) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash consideration received by the United States under paragraph (1) shall be deposited in the special account in the Treasury under subparagraph (A) of section 572(b)(5) of title 40, United States Code, and shall be available in accordance with subparagraph (B)(ii) of such section.

"(c) COSTS OF CONVEYANCE.—All reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance of the Norfolk Property to the City under this section may be shared equitably by the Secretary and the City, as determined by the Secretary, including by the City providing in-kind contributions for any or all of such costs.

"(d) PROCEEDS.—Any proceeds from a conveyance of the Norfolk Property under this section shall—

"(1) be credited as discretionary offsetting collections to the currently applicable appropriations accounts, or funds of the Administration; or

"(2) cover costs associated with the conveyance of the Norfolk Property and related relocation efforts, and shall be made available for such purposes only to the extent and in the amounts provided in advance in appropriations Acts.

"(e) SURVEY.—The exact acreage and legal description of the Norfolk Property shall be determined by a survey or surveys satisfactory to the Secretary.

"(f) CONDITION; QUITCLAIM DEED.—The Norfolk Property shall be conveyed—

"(1) in an 'as is, where is' condition; and

"(2) via a quitclaim deed.

"(g) FAIR MARKET VALUE.—

"(1) IN GENERAL.—The fair market value of the Norfolk Property shall be—

"(A) determined by an appraisal that—

"(i) is conducted by an independent appraiser selected by the Secretary; and

"(ii) meets the requirements of paragraph (2); and

"(B) adjusted, at the discretion of the Secretary, based on the factors described in paragraph (3).

"(2) APPRAISAL REQUIREMENTS.—An appraisal conducted under paragraph (1)(A) shall be conducted in accordance with nationally recognized appraisal standards, including the Uniform Standards of Professional Appraisal Practice.

"(3) FACTORS.—The factors described in this paragraph are—

"(A) matters of equity and fairness;

"(B) actions taken by the City regarding the Norfolk Property, including—

"(i) comprehensive waterfront planning, site development, and other redevelopment activities supported by the City in proximity to the Norfolk Property in furtherance of the flood management and control efforts of the City;

"(ii) in-kind contributions made to facilitate and support use of the Norfolk Property by governmental agencies; and

"(iii) maintenance expenses, capital improvements, or emergency expenditures necessary to ensure public safety and access to and from the Norfolk Property; and

"(C) such other factors as the Secretary determines appropriate.

"(h) COMPLIANCE WITH COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980.—In carrying out this section, the Secretary shall comply with section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

"(i) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance of the Norfolk Property as the Secretary determines appropriate to protect the interests of the United States.

"(j) TERMINATION.—Notwithstanding any other provision of law, the Secretary, acting through the Under Secretary and Administrator of the Administration, is authorized to enter into a land lease with Mobile County, Alabama for a period of not less than 40 years, on such terms and conditions as the Administration deems appropriate, for purposes of construction of a Gulf of Mexico Disaster Response Center facility, provided that the lease is at no cost to the government. The Administration may enter into agreements with State, local, or county governments for purposes of joint use, operations, and occupancy of such facility.

"(k) DEFINITIONS.—In this section:

"(1) ADMINISTRATION.—The term 'Administration' means the National Oceanic and Atmospheric Administration.

"(2) CITY.—The term 'City' means the City of Norfolk, Virginia.

"(3) NORFOLK PROPERTY.—The term 'Norfolk Property' means—

"(A) the real property under the administrative jurisdiction of the Administration, including land and improvements thereon, located at 538 Front Street, Norfolk, Virginia, consisting of approximately 3.78 acres; and

"(B) the real property under the administrative jurisdiction of the Administration, including land and improvements thereon, located at 439 W. York Street, Norfolk, Virginia, consisting of approximately 2.5231 acres.

"(4) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.".

SEC. 5946. OTHER MATTERS.

(a) BRENNAN REEF.—

(1) DESIGNATION.—The reef described in paragraph (2) shall be known and designated as "Brennan Reef" in honor of the late Rear Admiral Richard T. Brennan of the National Oceanic and Atmospheric Administration.

(2) REEF DESCRIBED.—The reef referred to in paragraph (1) is—

(A) between the San Miguel and Santa Rosa Islands on the north side of the San Miguel Passage in the Channel Island National Marine Sanctuary; and

(B) centered at 34 degrees, 03.12 minutes North and 120 degrees, 15.95 minutes West.

(3) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the reef described in paragraph (2) shall be deemed to be a reference to Brennan Reef.

(b) PROHIBITION ON SALE OF SHARK FINS.—

(1) PROHIBITION.—Except as provided in paragraph (3), no person shall possess, acquire, receive, transport, offer for sale, sell, or purchase a shark fin or a product containing a shark fin.

(2) PENALTY.—A violation of paragraph (1) shall be treated as an act prohibited by section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857) and shall be penalized pursuant to section 308 of that Act (16 U.S.C. 1858).

(3) EXCEPTIONS.—A person may possess a shark fin that was taken lawfully pursuant to a Federal, State, or territorial license or permit to take or land sharks if the shark fin was separated after the first point of landing in a manner consistent with the license or permit and is—

(A) destroyed or disposed of immediately upon separation from the carcass;

(B) used for noncommercial subsistence purposes in accordance with Federal, State, or territorial law; or

(C) used solely for display or research purposes by a museum, college, or university pursuant to a Federal, State, or territorial permit to conduct noncommercial scientific research.

(4) DOGFISH EXEMPTION.—

(A) IN GENERAL.—It shall not be a violation of paragraph (1) for a person to possess, acquire, receive, transport, offer for sale, sell, or purchase a shark fin of a smooth dogfish (Mustelus canis) or a spiny dogfish (Squalus acanthias).

(B) REPORT.—

(i) IN GENERAL.—Not later than January 1, 2027, the Secretary of Commerce shall review the exemption provided by subparagraph (A) and submit to Congress a report regarding such exemption that includes a recommendation to continue or terminate the exemption.

(ii) FACTORS.—In carrying out clause (i), the Secretary of Commerce shall analyze factors including—

(I) the impact of continuation and termination of the exemption on the economic viability of dogfish fisheries;

(II) the impact of continuation and termination of the exemption on ocean ecosystems;

(III) the impact of the exemption on the enforcement of the prohibition described in paragraph (1); and

(IV) the impact of the exemption on shark conservation.

(5) ENFORCEMENT.—This subsection, and any regulations issued pursuant thereto, shall be enforced by the Secretary of Commerce, who may use by agreement, with or without reimbursement, the personnel, services, equipment, and facilities of

another Federal agency or of a State agency or Indian Tribe for the purpose of enforcing this subsection.

(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to preclude, deny, or limit any right of a State or territory to adopt or enforce any regulation or standard that is more stringent than a regulation or standard in effect under this subsection.

(7) SEVERABILITY.—If any provision of this subsection, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the subsection and of the application of any such provision to other persons and circumstances shall not be affected thereby.

(8) SHARK FIN DEFINED.—In this subsection, the term "shark fin" means the unprocessed, dried, or otherwise processed detached fin or tail of a shark.

SEC. 5947. ENHANCING TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS.

(a) SECTION 112B OF TITLE 1, UNITED STATES CODE.—

(1) IN GENERAL.—Section 112b of title 1, United States Code, is amended to read as follows:

"§ 112b. United States international agreements and non-binding instruments; transparency provisions

"(a)(1) Not less frequently than once each month, the Secretary shall provide in writing to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees the following:

"(A)(i) A list of all international agreements and qualifying non-binding instruments signed, concluded, or otherwise finalized during the prior month.

"(ii) The text of all international agreements and qualifying non-binding instruments described in clause (i).

"(iii) A detailed description of the legal authority that, in the view of the Secretary, provides authorization for each international agreement and that, in the view of the appropriate department or agency, provides authorization for each qualifying non-binding instrument provided under clause (ii) to become operative. If multiple authorities are relied upon in relation to an international agreement, the Secretary shall cite all such authorities, and if multiple authorities are relied upon in relation to a qualifying non-binding instrument, the appropriate department or agency shall cite all such authorities. All citations to the Constitution of the United States, a treaty, or a statute shall include the specific article or section and subsection reference whenever available and, if not available, shall be as specific as possible. If the authority relied upon is or includes article II of the Constitution of the United States, the Secretary or appropriate department or agency shall explain the basis for that reliance.

"(B)(i) A list of all international agreements that entered into force and qualifying non-binding instruments that became operative for the United States or an agency of the United States during the prior month.

"(ii) The text of all international agreements and qualifying non-binding instruments described in clause (i) if such text differs from the text of the agreement or instrument previously provided pursuant to subparagraph (A)(ii).

"(iii) A statement describing any new or amended statutory or regulatory authority anticipated to be required to fully implement each proposed international agreement and qualifying non-binding instrument included in the list described in clause (i).

"(2) The information and text required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

"(b)(1) Not later than 120 days after the date on which an international agreement enters into force, the Secretary shall make the text of the agreement, and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to the agreement, available to the public on the website of the Department of State.

"(2) Not less frequently than once every 120 days, the Secretary shall make the text of each qualifying non-binding instrument that became operative during the preceding 120 days, and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to each such instrument, available to the public on the website of the Department of State.

"(3) The requirements under paragraphs (1) and (2) shall not apply to the following categories of international agreements or qualifying non-binding instruments, or to information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to such agreements or qualifying non-binding instruments:

"(A) International agreements and qualifying non-binding instruments that contain information that has been given a national security classification pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) or any predecessor or successor order, or that contain any information that is otherwise exempt from public disclosure pursuant to United States law.

"(B) International agreements and qualifying non-binding instruments that address military operations, military exercises, acquisition and cross servicing, logistics support, military personnel exchange or education programs, or the provision of health care to military personnel on a reciprocal basis.

"(C) International agreements and qualifying non-binding instruments that establish the terms of grant or other similar assistance, including in-kind assistance, financed with foreign assistance funds pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or the Food for Peace Act (7 U.S.C. 1691 et seq.).

"(D) International agreements and qualifying non-binding instruments, such as project annexes and other similar instruments, for which the principal function is to establish technical details for the implementation of a specific project undertaken pursuant to another agreement or qualifying non-binding instrument that has been published in accordance with paragraph (1) or (2).

"(E) International agreements and qualifying non-binding instruments that have been separately published by a depositary or other similar administrative body, except that the Secretary shall make the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1), relating to such agreements or qualifying non-binding instruments, available to the public on the website of the Department of State within the timeframes required by paragraph (1) or (2).

"(c) For any international agreement or qualifying non-binding instrument for which an implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned regardless of the title of the document, is not otherwise required to be submitted to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees under subparagraphs (A)(ii) or (B)(ii) of subsection (a)(1), not later than 30 days after the date on which the Secretary receives a written communication from the Chair or Ranking Member of either of the appropriate congressional committees requesting the text of any such implementing agreements or arrangements, whether binding or non-binding, the Secretary shall submit such implementing agreements or arrangements to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees.

"(d) Any department or agency of the United States Government that enters into any international agreement or qualifying non-binding instrument on behalf of itself or the United States shall—

"(1) provide to the Secretary the text of each international agreement not later than 15 days after the date on which such agreement is signed or otherwise concluded;

"(2) provide to the Secretary the text of each qualifying non-binding instrument not later than 15 days after the date on which such instrument is concluded or otherwise becomes finalized;

"(3) provide to the Secretary a detailed description of the legal authority that provides authorization for each qualifying non-binding instrument to become operative not later than 15 days after such instrument is signed or otherwise becomes finalized; and

"(4) on an ongoing basis, provide any implementing material to the Secretary for transmittal to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees as needed to satisfy the requirements described in subsection (c).

"(e)(1) Each department or agency of the United States Government that enters into any international agreement or qualifying non-binding instrument on behalf of itself or the United States shall designate a Chief International Agreements Officer, who shall—

"(A) be selected from among employees of such department or agency;

"(B) serve concurrently as the Chief International Agreements Officer; and

"(C) subject to the authority of the head of such department or agency, have department- or agency-wide responsibility for efficient and appropriate compliance with this section.

"(2) There shall be a Chief International Agreements Officer who serves at the Department of State with the title of International Agreements Compliance Officer.

"(f) The substance of oral international agreements shall be reduced to writing for the purpose of meeting the requirements of subsections (a) and (b).

"(g) Notwithstanding any other provision of law, an international agreement may not be signed or otherwise concluded on behalf of the United States without prior consultation with the Secretary. Such consultation may encompass a class of agreements rather than a particular agreement.

"(h)(1) Not later than 3 years after the date of the enactment of this section, and not less frequently than once every 3 years thereafter during the 9-year period beginning on the date of the enactment of this section, the Comptroller General of the United States shall conduct an audit of the compliance of the Secretary with the requirements of this section.

"(2) In any instance in which a failure by the Secretary to comply with such requirements is determined by the Comptroller General to have been due to the failure or refusal of another agency to provide information or material to the Department of State, or the failure to do so in a timely manner, the Comptroller General shall engage such other agency to determine—

"(A) the cause and scope of such failure or refusal;

"(B) the specific office or offices responsible for such failure or refusal; and

"(C) recommendations for measures to ensure compliance with statutory requirements.

"(3) The Comptroller General shall submit to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees in writing the results of each audit required by paragraph (1).

"(4) The Comptroller General and the Secretary shall make the results of each audit required by paragraph (1) publicly available on the websites of the Government Accountability Office and the Department of State, respectively.

"(i) The President shall, through the Secretary, promulgate such rules and regulations as may be necessary to carry out this section.

"(j) It is the sense of Congress that the executive branch should not prescribe or otherwise commit to or include specific legislative text in a treaty, executive agreement, or non-binding instrument unless Congress has authorized such action.

"(k) In this section:

"(1) The term 'appropriate congressional committees' means—

"(A) the Committee on Foreign Relations of the Senate; and

"(B) the Committee on Foreign Affairs of the House of Representatives.

"(2) The term 'appropriate department or agency' means the department or agency of the United States Government that negotiates and enters into a qualifying non-binding instrument on behalf of itself or the United States.

"(3) The term 'intelligence community' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

"(4) The term 'international agreement' includes—

"(A) any treaty that requires the advice and consent of the Senate, pursuant to article II of the Constitution of the United States; and

"(B) any other international agreement to which the United States is a party and that is not subject to the advice and consent of the Senate.

"(5) The term 'qualifying non-binding instrument'—

"(A) except as provided in subparagraph (B), means a non-binding instrument that—

"(i) is or will be under negotiation, is signed or otherwise becomes operative, or is implemented with one or more foreign governments, international organizations, or foreign entities, including non-state actors; and

"(ii)(I) could reasonably be expected to have a significant impact on the foreign policy of the United States; or

"(II) is the subject of a written communication from the Chair or Ranking Member of either of the appropriate congressional committees to the Secretary; and

"(B) does not include any non-binding instrument that is signed or otherwise becomes operative or is implemented pursuant to the authorities relied upon by the Department of Defense, the Armed Forces of the United States, or any element of the intelligence community.

"(6) The term 'Secretary' means the Secretary of State.

"(7)(A) The term 'text' with respect to an international agreement or qualifying non-binding instrument includes—

"(i) any annex, appendix, codicil, side agreement, side letter, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the international agreement or qualifying non-binding instrument; and

"(ii) any implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned regardless of the title of the document, that is entered into contemporaneously and in conjunction with the international agreement or qualifying non-binding instrument.

"(B) As used in subparagraph (A), the term 'contemporaneously and in conjunction with'—

"(i) shall be construed liberally; and

"(ii) may not be interpreted to require any action to have occurred simultaneously or on the same day.

"(l) Nothing in this section may be construed—

"(1) to authorize the withholding from disclosure to the public of any record if such disclosure is required by law; or

"(2) to require the provision of any implementing agreement or arrangement, or any document of similar purpose or function regardless of its title, which was entered into by the Department of Defense, the Armed Forces of the United States, or any element of the intelligence community or any implementing material originating with the aforementioned agencies, if such implementing agreement, arrangement, document, or material was not required to be provided to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, or the appropriate congressional committees prior to the date of the enactment of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 1, United States Code, is amended by striking the item relating to section 112b and inserting the following:

"112b. United States international agreements and non-binding instruments; transparency provisions.".

(3) TECHNICAL AND CONFORMING AMENDMENT RELATING TO AUTHORITIES OF THE SECRETARY OF STATE.—Section 317(h)(2) of the Homeland Security Act of 2002 (6 U.S.C. 195c(h)(2)) is amended by striking "Section 112b(c)" and inserting "Section 112b(g)".

(4) MECHANISM FOR REPORTING.—Not later than 270 days after the date of the enactment of this Act, the Secretary of State shall establish a mechanism for personnel of the Department of State who become aware or who have reason to believe that the requirements under section 112b of title 1, United States Code, as amended by paragraph (1), have not been fulfilled with respect to an international agreement or qualifying non-binding instrument (as such terms are defined in such section) to report such instances to the Secretary.

(5) RULES AND REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the President, through the Secretary of State, shall promulgate such rules and regulations as may be necessary to carry out section 112b of title 1, United States Code, as amended by paragraph (1).

(6) CONSULTATION AND BRIEFING REQUIREMENT.—

(A) CONSULTATION.—The Secretary of State shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on matters related to the implementation of this section and the amendments made by this section before and after the effective date described in subsection (c).

(B) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and once every 90 days thereafter for 1 year, the Secretary shall brief the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives regarding the status

of efforts to implement this section and the amendments made by this section.

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State $1,000,000 for each of the fiscal years 2023 through 2027 for purposes of implementing the requirements of section 112b of title 1, United States Code, as amended by paragraph (1).

(b) SECTION 112A OF TITLE 1, UNITED STATES CODE.—Section 112a of title 1, United States Code, is amended—

(1) by striking subsections (b), (c), and (d); and

(2) by inserting after subsection (a) the following:

"(b) Copies of international agreements and qualifying non-binding instruments in the possession of the Department of State, but not published, other than the agreements described in section 112b(b)(3)(A), shall be made available by the Department of State upon request.".

(c) EFFECTIVE DATE OF AMENDMENTS.—The amendments made by this section shall take effect on the date that is 270 days after the date of the enactment of this Act.

SEC. 5948. UKRAINE INVASION WAR CRIMES DETERRENCE AND ACCOUNTABILITY ACT.

(a) SHORT TITLE.—This section may be cited as the "Ukraine Invasion War Crimes Deterrence and Accountability Act".

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in its premeditated, unprovoked, unjustified, and unlawful full-scale invasion of Ukraine that commenced on February 24, 2022, the military of the Government of the Russian Federation under the direction of President Vladimir Putin has committed war crimes that include but are not limited to—

(A) the deliberate targeting of civilians and injuring or killing of noncombatants;

(B) the deliberate targeting and attacking of hospitals, schools, and other non-military buildings dedicated to religion, art, science, or charitable purposes, such as the bombing of a theater in Mariupol that served as a shelter for noncombatants and had the word "children" written clearly in the Russian language outside;

(C) the indiscriminate bombardment of undefended dwellings and buildings;

(D) the wanton destruction of property not justified by military necessity;

(E) unlawful civilian deportations;

(F) the taking of hostages; and

(G) rape, or sexual assault or abuse;

(2) the use of chemical weapons by the Government of the Russian Federation in Ukraine would constitute a war crime, and engaging in any military preparations to use chemical weapons or to develop, produce, stockpile, or retain chemical weapons is prohibited by the Chemical Weapons Convention, to which the Russian Federation is a signatory;

(3) Vladimir Putin has a long record of committing acts of aggression, systematic abuses of human rights, and acts that constitute war crimes or other atrocities both at home and abroad, and the brutality and scale of these actions, including

in the Russian Federation republic of Chechnya, Georgia, Syria, and Ukraine, demonstrate the extent to which his regime is willing to flout international norms and values in the pursuit of its objectives;

(4) Vladimir Putin has previously sanctioned the use of chemical weapons at home and abroad, including in the poisonings of Russian spy turned double agent Sergei Skripal and his daughter Yulia and leading Russian opposition figure Aleksey Navalny, and aided and abetted the use of chemical weapons by President Bashar al-Assad in Syria; and

(5) in 2014, the Government of the Russian Federation initiated its unprovoked war of aggression against Ukraine which resulted in its illegal occupation of Crimea, the unrecognized declaration of independence by the so-called "Donetsk People's Republic" and "Luhansk People's Republic" by Russia-backed proxies, and numerous human rights violations and deaths of civilians in Ukraine.

(c) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to collect, analyze, and preserve evidence and information related to war crimes and other atrocities committed during the full-scale Russian invasion of Ukraine that began on February 24, 2022, for use in appropriate domestic, foreign, and international courts and tribunals prosecuting those responsible for such crimes consistent with applicable law, including with the American Service Members' Protection Act of 2002 (22 U.S.C. 7421 et seq.);

(2) to help deter the commission of war crimes and other atrocities in Ukraine by publicizing to the maximum possible extent, including among Russian and other foreign military commanders and troops in Ukraine, efforts to identify and prosecute those responsible for the commission of war crimes during the full-scale Russian invasion of Ukraine that began on February 24, 2022; and

(3) to continue efforts to identify, deter, and pursue accountability for war crimes and other atrocities committed around the world and by other perpetrators, and to leverage international cooperation and best practices in this regard with respect to the current situation in Ukraine.

(d) REPORT ON UNITED STATES EFFORTS.—Not later than 90 days after the date of the enactment of this Act, and consistent with the protection of intelligence sources and methods, the President shall submit to the appropriate congressional committees a report, which may include a classified annex, describing in detail the following:

(1) United States Government efforts to collect, analyze, and preserve evidence and information related to war crimes and other atrocities committed during the full-scale Russian invasion of Ukraine since February 24, 2022, including a description of—

(A) the respective roles of various agencies, departments, and offices, and the interagency mechanism established for the coordination of such efforts;

(B) the types of information and evidence that are being collected, analyzed, and preserved to help identify those responsible for the commission of war crimes or other atroc-

ities during the full-scale Russian invasion of Ukraine in 2022; and

(C) steps taken to coordinate with, and support the work of, allies, partners, international institutions and organizations, and nongovernmental organizations in such efforts.

(2) Media, public diplomacy, and information operations to make Russian military commanders, troops, political leaders and the Russian people aware of efforts to identify and prosecute those responsible for the commission of war crimes or other atrocities during the full-scale Russian invasion of Ukraine in 2022, and of the types of acts that may be prosecutable.

(3) The process for a domestic, foreign, or international court or tribunal to request and obtain from the United States Government information related to war crimes or other atrocities committed during the full-scale Russian invasion of Ukraine in 2022.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.

(2) ATROCITIES.—The term "atrocities" has the meaning given that term in section 6(2) of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441; 22 U.S.C. 2656 note).

(3) WAR CRIME.—The term "war crime" has the meaning given that term in section 2441(c) of title 18, United States Code.

SEC. 5949. PROHIBITION ON CERTAIN SEMICONDUCTOR PRODUCTS AND SERVICES.

(a) PROHIBITION ON USE OR PROCUREMENT.—

(1) IN GENERAL.—The head of an executive agency may not—

(A) procure or obtain, or extend or renew a contract to procure or obtain, any electronic parts, products, or services that include covered semiconductor products or services; or

(B) enter into a contract (or extend or renew a contract) with an entity to procure or obtain electronic parts or products that use any electronic parts or products that include covered semiconductor products or services.

(2) RULE OF CONSTRUCTION.—

(A) IN GENERAL.—Nothing in paragraph (1) shall be construed—

(i) to require any covered semiconductor products or services resident in equipment, systems, or services as of the day before the applicable effective date specified in subsection (c) to be removed or replaced;

(ii) to prohibit or limit the utilization of such covered semiconductor products or services throughout the lifecycle of such existing equipment;

(iii) to require the recipient of a Federal contract, grant, loan, or loan guarantee to replace covered semiconductor products or services resident in equipment, systems, or services before the effective date specified in subsection (c); or

(iv) to require the Federal Communications Commission to designate covered semiconductor products or services to its Covered Communications Equipment or Services List maintained under section 2 of the Secured and Trusted Communications Networks Act of 2019 (47 U.S.C. 1603).

(B) CONTRACTING PROHIBITION.—Nothing in paragraph (1)(B) shall be construed to cover products or services that include covered semiconductor products or services in a system that is not a critical system.

(b) WAIVER AUTHORITY.—

(1) SECRETARY OF DEFENSE.—The Secretary of Defense may provide a waiver on a date later than the effective date described in subsection (c) if the Secretary determines the waiver is in the critical national security interests of the United States.

(2) DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence may provide a waiver on a date later than the effective date described in subsection (c) if the Director determines the waiver is in the critical national security interests of the United States.

(3) SECRETARY OF COMMERCE.—The Secretary of Commerce, in consultation with the Director of National Intelligence or the Secretary of Defense, may provide a waiver on a date later than the effective date described in subsection (c) if the Secretary determines the waiver is in the critical national security interests of the United States.

(4) SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security, in consultation with the Director of National Intelligence or the Secretary of Defense, may provide a waiver on a date later than the effective date described in subsection (c) if the Secretary determines the waiver is in the critical national security interests of the United States.

(5) SECRETARY OF ENERGY.—The Secretary of Energy, in consultation with the Director of National Intelligence or the Secretary of Defense, may provide a waiver on a date later than the effective date described in subsection (c) if the Secretary determines the waiver is in the critical national security interests of the United States.

(6) EXECUTIVE AGENCIES.—The head of an executive agency may waive, for a renewable period of not more than two years per waiver, the prohibitions under subsection (a) if—

(A) the head of the agency, in consultation with the Secretary of Commerce, determines that no compliant product or service is available to be procured as, and when, needed at United States market prices or a price that is not considered prohibitively expensive; and

(B) the head of the agency, in consultation with the Secretary of Defense or the Director of National Intelligence, determines that such waiver could not reasonably be expected to compromise the critical national security interests of the United States.

(7) REPORT TO CONGRESS.—Not later than 30 days after granting a waiver under this subsection, the head of the executive agency granting such waiver shall submit to the appropriate committees of Congress and leadership a report with a notification of such waiver, including a justification for the waiver.

(c) EFFECTIVE DATES AND REGULATIONS.—

(1) EFFECTIVE DATE.—The prohibitions under subsection (a) shall take effect five years after the date of the enactment of this Act.

(2) REGULATIONS.—Not later than three years after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe regulations implementing the prohibitions under subsection (a), including a requirement for prime contractors to incorporate the substance of such prohibitions and applicable implementing contract clauses into contracts for the supply of electronic parts or products.

(d) OFFICE OF MANAGEMENT AND BUDGET REPORT AND BRIEFING.—Not later than 270 days after the effective date described in subsection (c)(1), the Director of the Office of Management and Budget, in coordination with the Director of National Intelligence and the National Cyber Director, shall provide to the appropriate committees of Congress and leadership a report and briefing on—

(1) the implementation of the prohibitions under subsection (a), including any challenges in the implementation; and

(2) the effectiveness and utility of the waiver authority under subsection (b).

(e) ANALYSIS, ASSESSMENT, AND STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in coordination with the Secretary of Defense, the Secretary of Homeland Security, the Director of National Intelligence, and the Secretary of Energy and, to the greatest extent practicable, leveraging relevant previous analyses and assessments, shall—

(1) conduct an analysis of semiconductor design and production capacity domestically and by allied or partner countries required to meet the needs of the Federal Government, including analyses regarding—

(A) semiconductors critical to national security, as determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, in accordance with section 9902(a)(6)(A)(i) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283); and

(B) semiconductors classified as legacy semiconductors pursuant to section 9902(a)(6)(A)(i) of William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283);

(2) assess the risk posed by the presence of covered semiconductor products or services in Federal systems;

(3) assess the risk posed by the presence of covered semiconductor products or services in the supply chains of Federal contractors and subcontractors, including for non-Federal systems;

(4) develop a strategy to—

(A) improve the availability of domestic semiconductor design and production capacity required to meet the requirements of the Federal Government;

(B) support semiconductor product and service suppliers seeking to contract with domestic, allied, or partner semiconductor producers and to improve supply chain traceability, including to meet the prohibitions under subsection (a); and

(C) either certify the feasibility of implementing such prohibitions or exercising waiver authorities under subsection (b), to ensure uninterrupted Federal Government access to required semiconductor products and services; and

(5) provide the results of the analysis, assessment, and strategy developed under paragraphs (1) through (4) to the Federal Acquisition Security Council.

(f) GOVERNMENTWIDE TRACEABILITY AND DIVERSIFICATION INITIATIVE.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Commerce, in coordination with the Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, the Director of the Office of Management and Budget, and the Director of the Office of Science and Technology Policy, and in consultation with industry, shall establish a microelectronics traceability and diversification initiative to coordinate analysis of and response to the Federal Government microelectronics supply chain vulnerabilities.

(2) ELEMENTS.—The initiative established under paragraph (1) shall include the following elements:

(A) Sharing best practices, refining microelectronics standards, such as those established pursuant to section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), and developing recommendations to identify and mitigate, through diversification efforts, microelectronics supply chain concerns.

(B) Developing an assessment framework to inform Federal decisions on sourcing microelectronics, considering—

(i) chain of custody and traceability, including origin and location of design, manufacturing, distribution, shipping, and quantities;

(ii) confidentiality, including protection, verification, and validation of intellectual property included in microelectronics;

(iii) integrity, including—

(I) security weaknesses and vulnerabilities that include potential supply chain attacks;

(II) risk analysis and consequence to system;

(III) risk of intentional or unintentional modification or tampering; and

(IV) risk of insider threats, including integrity of people and processes involved in the design and manufacturing of microelectronics; and

(iv) availability, including—

(I) potential supply chain disruptions, including due to natural disasters or geopolitical events;

(II) prioritization of parts designed and manufactured in the United States and in allied or partner countries to support and sustain the defense and technology industrial base;

(III) risk associated with sourcing parts from suppliers outside of the United States and allied and partner countries, including long-term impacts on availability of microelectronics produced domestically or in allied or partner countries; and

(IV) obsolescence management and counterfeit avoidance and detection.

(C) Developing a process for provenance and traceability from design to disposal of microelectronics components and intellectual property contained therein implementable across the Federal acquisition system to improve reporting, data analysis, and tracking.

(D) Developing and implementing policies and plans to support the following:

(i) Development of domestic design and manufacturing capabilities to replace covered semiconductor products or services.

(ii) Utilization of the assessment framework developed under subparagraph (B).

(iii) Implementation of the strategy required under subsection (e)(4) as applicable.

(iv) Identification of and integration with existing information reporting and data visualization systems in the Federal Government, including modification to such systems to track the information.

(v) A requirement to document microelectronics used in systems and subsystems, including origin and location of design and manufacturing, technologies used, and quantities procured.

(vi) Elimination from Federal Government supply chains of microelectronics from entities included on the Consolidated Screening List maintained by the International Trade Administration of the Department of Commerce.

(3) COORDINATION REQUIRED.—In carrying out this subsection, the Secretary of Commerce shall coordinate, as necessary, with the following entities:

(A) The National Science and Technology Council Subcommittee on Microelectronics Leadership.

(B) The Department of Commerce semiconductor industrial advisory committee established under subsection 9906(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

(C) The White House Coordinator for CHIPS Implementation.

(D) The Federal Acquisition Security Council (FASC).

(E) The Government-Industry Working Group on Microelectronics.

(F) The Joint Defense Manufacturing Technology Panel (JDMTP).

(G) Standards development organizations.

(g) FEDERAL ACQUISITION SECURITY COUNCIL.—Not later than two years after the date of the enactment of this Act, the Federal Acquisition Security Council, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Director of National Intelligence, and the Secretary of Energy, and after engagement with the private sector and other non-governmental stakeholders in accordance with section 1323 of title 41, United States Code, shall—

(1) issue recommendations to mitigate supply chain risks relevant to Federal Government acquisition of semiconductor products and services, considering—

(A) the analysis, assessment, and strategy developed under subsection (e) and any related updates;

(B) the standards provided under section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), including any tiers of trust, levels of security, or risk-based approaches established under such section;

(C) the extent to which such recommendations would enhance the security of critical systems;

(D) the extent to which such recommendations would impact Federal access to commercial technologies; and

(E) any risks to the Federal Government from contracting with microelectronics suppliers that include covered semiconductor products or services in non-Federal supply chains; and

(2) make recommendations to the Federal Acquisition Regulatory Council and the heads of executive agencies for any needed regulations to mitigate supply chain risks.

(h) APPLICABILITY AND RESPONSIBILITIES OF COVERED ENTITIES AND CONTRACTORS.—The regulations prescribed pursuant to subsection (c)(2) shall—

(1) provide that contractors who supply a Federal agency with electronic parts or products are responsible for—

(A) certifying to the non-use of covered semiconductor products or services in such parts or products;

(B) detecting and avoiding the use or inclusion of such covered semiconductor products or services in such parts or products; and

(C) any rework or corrective action that may be required to remedy the use or inclusion of such covered semiconductor products or services in such parts or products;

(2) require covered entities to disclose to direct customers the inclusion of a covered semiconductor product or service in electronic parts, products, or services included in electronic parts, products, or services subject to the contracting prohibition

under subsection (a) as to whether such supplied parts, products, or services include covered semiconductors products or services;

(3) provide that a covered entity that fails to disclose the inclusion to direct customers of a covered semiconductor product or service in electronic parts, products, or services procured or obtained by an executive agency in contravention of subsection (a) shall be responsible for any rework or corrective action that may be required to remedy the use or inclusion of such covered semiconductor product or service;

(4) provide that the costs of covered semiconductor products or services, suspect semiconductor products, and any rework or corrective action that may be required to remedy the use or inclusion of such products are not allowable costs for Federal contracts;

(5) provide that—

(A) any covered entity or Federal contractor or subcontractor who becomes aware, or has reason to suspect, that any end item, component, or part of a critical system purchased by the Federal Government, or purchased by a Federal contractor or subcontractor for delivery to the Federal Government for any critical system, that contains covered semiconductor products or services shall notify appropriate Federal authorities in writing within 60 days; and

(B) the Federal authorities shall report such information to the appropriate committees of Congress and leadership within 120 days;

(6) provide that Federal bidders and contractors—

(A) may reasonably rely on the certifications of compliance from covered entities and subcontractors who supply electronic parts, products, or services when providing proposals to the Federal Government; and

(B) are not required to conduct independent third party audits or other formal reviews related to such certifications;

(7) provide that a Federal contractor or subcontractor that provides a notification under paragraph (5) that does not regard electronic parts or products manufactured or assembled by such Federal contractor or subcontractor shall not be subject to civil liability nor determined to not be a presently responsible contractor on the basis of such notification; and

(8) provide that a Federal contractor or subcontractor that provides a notification under paragraph (5) that regards electronic parts or products manufactured or assembled by such Federal contractor or subcontractor shall not be subject to civil liability nor determined to not be a presently responsible contractor on the basis of such notification if the Federal contractor or subcontractor makes a comprehensive and documentable effort to identify and remove covered semiconductor products or services from the Federal supply.

(i) REPORTS.—

(1) SECRETARY OF COMMERCE.—Not later than 60 days after completing the assessment required under subsection (e), the Secretary of Commerce shall submit to the appropriate committees of Congress and leadership—

(A) a report of the findings and recommendations of the analyses, assessment, and strategy developed under such subsection; and

(B) a report on development of the microelectronics traceability and diversification initiative under subsection (f)(1).

(2) FEDERAL ACQUISITION SECURITY COUNCIL.—Not later than one year after the date of the enactment of this Act, and annually thereafter for ten years, the Federal Acquisition Security Council shall include in the annual report submitted under section 1325 of title 41, United States Code, a description of—

(A) the development of recommendations under subsection (g), including the considerations described in paragraph (1) of such subsection; and

(B) as applicable, the impact of any recommendations or regulations implemented.

(j) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS AND LEADERSHIP.—The term "appropriate committees of Congress and leadership" means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Governmental Affairs, the Committee on Energy and Natural Resources, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the majority and minority leaders of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, the Committee on Oversight and Reform, the Committee on Foreign Affairs, the Committee on Homeland Security, the Permanent Select Committee on Intelligence, and the Speaker, the majority leader, and the minority leader of the of the House of Representatives.

(2) COVERED ENTITY.—The term "covered entity" means an entity that—

(A) develops, domestically or abroad, a design of a semiconductor that is the direct product of United States origin technology or software; and

(B) purchases covered semiconductor products or services from an entity described in subparagraph (A) or (C) of paragraph (3).

(3) COVERED SEMICONDUCTOR PRODUCT OR SERVICES.—The term "covered semiconductor product or services" means any of the following:

(A) A semiconductor, a semiconductor product, a product that incorporates a semiconductor product, or a service that utilizes such a product, that is designed, produced or provided by, Semiconductor Manufacturing International Corporation (SMIC) (or any subsidiary, affiliate, or successor of such entity).

(B) A semiconductor, a semiconductor product, a product that incorporates a semiconductor product, or a service that utilizes such a product, that is designed, produced, or pro-

vided by ChangXin Memory Technologies (CXMT) or Yangtze Memory Technologies Corp (YMTC) (or any subsidiary, affiliate, or successor of such entities).

(C) A semiconductor, semiconductor product, or semiconductor service produced or provided by an entity that the Secretary of Defense or the Secretary of Commerce, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, determines to be an entity owned or controlled by, or otherwise connected to, the government of a foreign country of concern, provided that the determination with respect to such entity is published in the Federal Register.

(4) CRITICAL SYSTEM.—The term "critical system"—

(A) has the meaning given the term "national security system" in section 11103(a)(1) of title 40, United States Code;

(B) shall include additional systems identified by the Federal Acquisition Security Council;

(C) shall include additional systems identified by the Department of Defense, consistent with guidance provided under section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92); and

(D) shall not include a system to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

(5) FOREIGN COUNTRY OF CONCERN.—The term "foreign country of concern" has the meaning given the term in paragraph (7) of section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651), as added by section 103(a)(4) of the CHIPS Act of 2022 (division A of Public Law 117–167).

(k) EXTENSION OF FEDERAL ACQUISITION SECURITY SUPPLY CHAIN ACT OF 2018.—

(1) SUBCHAPTER III OF CHAPTER 13 OF TITLE 41, UNITED STATES CODE.—Section 1328 of title 41, United States Code, is amended by striking "the date that is 5 years after the date of the enactment of the Federal Acquisition Supply Chain Security Act of 2018" and inserting "December 31, 2033".

(2) SECTION 4713 OF TITLE 41, UNITED STATES CODE.—Section 4713(j) of title 41, United States Code, is amended by striking "the date that is 5 years after the date of the enactment of the Federal Acquisition Supply Chain Security Act of 2018" and inserting "December 31, 2033".

(l) AUTHORIZATION OF APPROPRIATIONS FOR FEDERAL ACQUISITION SECURITY COUNCIL.—

(1) IN GENERAL.—There is authorized to be appropriated $3,000,000 for each of fiscal years 2023 through 2033 for the Office of Management and Budget to support the activities of the Federal Acquisition Security Council.

(2) TRANSFER AUTHORITY.—The Director of the Office of Management and Budget may transfer funds authorized to be appropriated under paragraph (1) to other Federal agencies for the performance of work for which the funds were authorized.

DIVISION F—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2023

SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the "Intelligence Authorization Act for Fiscal Year 2023".

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

DIVISION F—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2023

Sec. 6001. Short title; table of contents.
Sec. 6002. Definitions.
Sec. 6003. Explanatory statement.

TITLE LXI—INTELLIGENCE ACTIVITIES

Sec. 6101. Authorization of appropriations.
Sec. 6102. Classified Schedule of Authorizations.
Sec. 6103. Intelligence Community Management Account.
Sec. 6104. Restriction on conduct of intelligence activities.
Sec. 6105. Increase in employee compensation and benefits authorized by law.

TITLE LXII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 6201. Authorization of appropriations.

TITLE LXIII—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 6301. Modification of requirements for certain employment activities by former intelligence officers and employees.
Sec. 6302. Counterintelligence and national security protections for intelligence community grant funding.
Sec. 6303. Extension of Central Intelligence Agency law enforcement jurisdiction to facilities of Office of Director of National Intelligence.
Sec. 6304. Annual reports on status of recommendations of Comptroller General of the United States for the Director of National Intelligence.
Sec. 6305. Timely submission of classified intelligence budget justification materials.
Sec. 6306. Copyright protection for civilian faculty of the National Intelligence University.
Sec. 6307. Modifications to Foreign Malign Influence Response Center.
Sec. 6308. Requirement to offer cyber protection support for personnel of intelligence community in positions highly vulnerable to cyber attack.
Sec. 6309. Enforcement of cybersecurity requirements for national security systems.
Sec. 6310. Review and briefing on intelligence community activities under Executive Order 12333.
Sec. 6311. Assessing intelligence community open-source support for export controls and foreign investment screening.
Sec. 6312. Annual training requirement and report regarding analytic standards.
Sec. 6313. Review of Joint Intelligence Community Council.
Sec. 6314. Required policy for minimum insider threat standards.
Sec. 6315. Unfunded priorities of the intelligence community.
Sec. 6316. Submission of covered documents and classified annexes.
Sec. 6317. Improvements to program on recruitment and training.
Sec. 6318. Measures to mitigate counterintelligence threats from proliferation and use of foreign commercial spyware.
Sec. 6319. Personnel vetting performance measures.
Sec. 6320. Proactive cybersecurity.

TITLE LXIV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 6401. Modifications to responsibilities and authorities of Director of National Intelligence.

Sec. 6402. Annual submission to Congress of National Intelligence Priorities Framework.
Sec. 6403. Disposition of records of Office of the Director of National Intelligence.

Subtitle B—Central Intelligence Agency

Sec. 6411. Clarification regarding protection of Central Intelligence Agency functions.
Sec. 6412. Expansion of reporting requirements relating to authority to pay personnel of Central Intelligence Agency for certain injuries to the brain.
Sec. 6413. Historical Advisory Panel of Central Intelligence Agency.
Sec. 6414. Authority of Central Intelligence Agency to provide protection for certain personnel.
Sec. 6415. Notification of use of certain expenditure authorities.
Sec. 6416. Office supporting Central Intelligence Agency workforce wellbeing.

Subtitle C—Elements of the Defense Intelligence Enterprise

Sec. 6421. Inclusion of Space Force as element of intelligence community.
Sec. 6422. Oversight of Defense Intelligence Agency culture.

Subtitle D—Other Elements

Sec. 6431. Modification of advisory board in National Reconnaissance Office.
Sec. 6432. Establishment of advisory board for National Geospatial-Intelligence Agency.
Sec. 6433. Elevation of the commercial and business operations office of the National Geospatial-Intelligence Agency.
Sec. 6435. Study on personnel under Strategic Intelligence Partnership Program.
Sec. 6436. Briefing on coordination between intelligence community and Bureau of Industry and Security.

TITLE LXV—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Intelligence Matters Relating to the People's Republic of China

Sec. 6501. Report on wealth and corrupt activities of the leadership of the Chinese Communist Party.
Sec. 6502. Identification and threat assessment of companies with investments by the People's Republic of China.
Sec. 6503. Intelligence community working group for monitoring the economic and technological capabilities of the People's Republic of China.
Sec. 6504. Annual report on concentrated reeducation camps in the Xinjiang Uyghur Autonomous Region of the People's Republic of China.
Sec. 6505. Assessments of production of semiconductors by the People's Republic of China.

Subtitle B—Miscellaneous Authorities, Requirements, and Limitations

Sec. 6511. Notice of deployment or transfer of containerized missile systems by Russia, China, or Iran.
Sec. 6512. Intelligence community coordinator for Russian atrocities accountability.
Sec. 6513. Lead intelligence community coordinator for countering and neutralizing proliferation of Iran-origin unmanned aircraft systems.
Sec. 6514. Collaboration between intelligence community and Department of Commerce to counter foreign commercial threats.
Sec. 6515. Intelligence assessment on foreign weaponization of advertisement technology data.
Sec. 6516. Intelligence community assessment regarding Russian gray zone assets.

Subtitle C—Reports and Other Matters

Sec. 6521. Report on assessing will to fight.
Sec. 6522. Report on threat from hypersonic weapons.
Sec. 6523. Report on ordnance of Russia and China.
Sec. 6524. Report on activities of China and Russia targeting Latin America and the Caribbean.
Sec. 6525. Report on support provided by China to Russia.
Sec. 6526. Report on global CCP financing of port infrastructure.
Sec. 6527. Sense of Congress on provision of support by intelligence community for atrocity prevention and accountability.

TITLE LXVI—INTELLIGENCE COMMUNITY WORKFORCE MATTERS

Sec. 6601. Improving onboarding of personnel in intelligence community.
Sec. 6602. Report on legislative action required to implement Trusted Workforce 2.0 initiative.
Sec. 6603. Inspector General of the Intelligence Community assessment of administration of polygraphs in intelligence community.
Sec. 6604. Timeliness in the administration of polygraphs.
Sec. 6605. Policy on submittal of applications for access to classified information for certain personnel.
Sec. 6606. Technical correction regarding Federal policy on sharing of covered insider threat information.
Sec. 6607. Inspector General of the Intelligence Community report on use of space certified as sensitive compartmented information facilities.
Sec. 6608. Improving prohibition of certain personnel practices in intelligence community with respect to contractor employees.
Sec. 6609. Definitions regarding whistleblower complaints and information of urgent concern received by inspectors general of the intelligence community.

TITLE LXVII—MATTERS RELATING TO EMERGING TECHNOLOGIES

Subtitle A—General Matters

Sec. 6701. Definitions.
Sec. 6702. Additional responsibilities of Director of National Intelligence for artificial intelligence policies, standards, and guidance for the intelligence community.
Sec. 6703. Director of Science and Technology.
Sec. 6704. Intelligence Community Chief Data Officer.

Subtitle B—Improvements Relating to Procurement

Sec. 6711. Additional transaction authority.
Sec. 6712. Implementation plan and advisability study for offices of commercial integration.
Sec. 6713. Pilot program on designated emerging technology transition projects.
Sec. 6714. Harmonization of authorizations to operate.
Sec. 6715. Plan to expand sensitive compartmented information facility access by certain contractors; reports on expansion of security clearances for certain contractors.
Sec. 6716. Compliance by intelligence community with requirements of Federal Acquisition Regulation relating to commercially available off-the-shelf items and commercial services.
Sec. 6717. Policy on required user adoption metrics in certain contracts for artificial intelligence and emerging technology software products.
Sec. 6718. Certification relating to information technology and software systems.

Subtitle C—Reports

Sec. 6721. Reports on integration of artificial intelligence within intelligence community.
Sec. 6722. Report on potential benefits of establishment of ICWERX.
Sec. 6723. Requirements and report on workforce needs of intelligence community relating to science, technology, engineering, and math, and related areas.

Subtitle D—Talent, Education, and Training

Sec. 6731. Report on establishment of technology acquisition cadre.
Sec. 6732. Emerging technology education and training.

Subtitle E—Other Matters

Sec. 6741. Improvements to use of commercial software products.
Sec. 6742. Code-free artificial intelligence enablement tools policy.

TITLE LXVIII—OTHER MATTERS

Sec. 6801. Improvements relating to continuity of Privacy and Civil Liberties Oversight Board membership.
Sec. 6802. Modification of requirement for office to address unidentified anomalous phenomena.

Sec. 6803. Comptroller General of the United States audits and briefings on unidentified anomalous phenomena historical record report.
Sec. 6804. Report on precursor chemicals used in the production of synthetic opioids.
Sec. 6805. Assessment and report on mass migration in the Western Hemisphere.
Sec. 6806. Report on international norms, rules, and principles applicable in space.
Sec. 6807. Assessments of the effects of sanctions imposed with respect to the Russian Federation's invasion of Ukraine.
Sec. 6808. Assessment of impact of Russia's invasion of Ukraine on food security.
Sec. 6809. Pilot program for Director of Federal Bureau of Investigation to undertake an effort to identify International Mobile Subscriber Identity-catchers.
Sec. 6810. Department of State Bureau of Intelligence and Research assessment of anomalous health incidents.
Sec. 6811. Repeal and modification of certain reporting and briefing requirements.
Sec. 6812. Increased intelligence-related engineering, research, and development capabilities of minority institutions.
Sec. 6813. Reports on personnel vetting processes and progress under Trusted Workforce 2.0 initiative.
Sec. 6814. Reports relating to programs of record of National Geospatial-Intelligence Agency.
Sec. 6815. Plan regarding Social Media Data and Threat Analysis Center.
Sec. 6816. Report on use of publicly available social media information in personnel vetting determinations.
Sec. 6817. Report on strengthening workforce diversity planning and oversight.
Sec. 6818. Report on transition of National Reconnaissance Office to digital engineering environment.
Sec. 6819. Briefing on Department of Homeland Security intelligence activities.
Sec. 6820. Report on declassification efforts of Central Intelligence Agency.
Sec. 6821. Report on National Space Intelligence Center.
Sec. 6822. Report on implementation of Executive Order 13556, regarding controlled unclassified information.
Sec. 6823. National Museum of Intelligence and Special Operations.
Sec. 6824. Technical corrections.

SEC. 6002. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term "congressional intelligence committees" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given such term in such section.

SEC. 6003. EXPLANATORY STATEMENT.

The explanatory statement regarding this division, printed in the House section of the Congressional Record by the Chairman of the Permanent Select Committee on Intelligence of the House of Representatives and in the Senate section of the Congressional Record by the Chairman of the Select Committee on Intelligence of the Senate, shall have the same effect with respect to the implementation of this division as if it were a joint explanatory statement of a committee of conference.

TITLE LXI—INTELLIGENCE ACTIVITIES

SEC. 6101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the conduct of the intelligence and intelligence-related activities of the Federal Government.

SEC. 6102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 6101 for the conduct of the intelligence activities of the Federal Government are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 6103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2023 the sum of $664,445,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2023 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 6102(a).

SEC. 6104. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 6105. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

TITLE LXII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 6201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2023.

TITLE LXIII—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 6301. MODIFICATION OF REQUIREMENTS FOR CERTAIN EMPLOYMENT ACTIVITIES BY FORMER INTELLIGENCE OFFICERS AND EMPLOYEES.

(a) IN GENERAL.—Subsections (a) and (b) of section 304 of the National Security Act of 1947 (50 U.S.C. 3073a) are amended to read as follows:

"(a) POST-EMPLOYMENT RESTRICTIONS.—

"(1) COVERED POST-SERVICE POSITION.—

"(A) PERMANENT RESTRICTION.—Except as provided by paragraph (2)(A)(i), an employee of an element of the intelligence community who occupies a covered intelligence position may not occupy a covered post-service position for a designated prohibited foreign country following the date on which the employee ceases to occupy a covered intelligence position.

"(B) TEMPORARY RESTRICTION.—Except as provided by paragraph (2)(A)(ii), an employee of an element of the intelligence community who occupies a covered intelligence position may not occupy a covered post-service position during the 30-month period following the date on which the employee ceases to occupy a covered intelligence position.

"(2) WAIVER.—

"(A) AUTHORITY TO GRANT TEMPORARY WAIVER.—

"(i) WAIVERS OF PERMANENT RESTRICTION.—On a case-by-case basis, the Director of National Intelligence may temporarily waive the restriction in paragraph (1)(A) with respect to an employee or former employee who is subject to that restriction only after—

"(I) the employee or former employee submits to the Director a written application for such waiver in such form and manner as the Director determines appropriate;

"(II) the Director determines that not granting such waiver would result in a grave detrimental impact to current or future intelligence operations of the United States; and

"(III) the Director provides the congressional intelligence committees with a detailed justification stating why not granting such waiver would result

in a grave detrimental impact to current or future intelligence operations of the United States.

"(ii) WAIVERS OF TEMPORARY RESTRICTION.—On a case-by-case basis, the Director may temporarily waive the restriction in paragraph (1)(B) with respect to an employee or former employee who is subject to that restriction only after—

"(I) the employee or former employee submits to the Director a written application for such waiver in such form and manner as the Director determines appropriate; and

"(II) the Director determines that such waiver is necessary to advance the national security interests of the United States.

"(B) PERIOD OF WAIVER.—A waiver issued under subparagraph (A) shall apply for a period not exceeding 5 years. The Director may renew such a waiver.

"(C) REVOCATION.—The Director may revoke a waiver issued under subparagraph (A) to an employee or former employee, effective on the date that is 60 days after the date on which the Director provides the employee or former employee written notice of such revocation.

"(D) TOLLING.—The 30-month restriction in paragraph (1)(B) shall be tolled for an employee or former employee during the period beginning on the date on which a waiver is issued under subparagraph (A) and ending on the date on which the waiver expires or on the effective date of a revocation under subparagraph (C), as the case may be.

"(E) NOTIFICATION.—Not later than 30 days after the date on which the Director issues a waiver under subparagraph (A) or a revocation of a waiver under subparagraph (C), the Director shall submit to the congressional intelligence committees written notification of the waiver or revocation, as the case may be. Such notification shall include the following:

"(i) With respect to a waiver issued to an employee or former employee—

"(I) the details of the application, including the covered intelligence position held or formerly held by the employee or former employee;

"(II) the nature of the activities of the employee or former employee after ceasing to occupy a covered intelligence position;

"(III) a description of the national security interests that will be advanced by reason of issuing such waiver; and

"(IV) the specific reasons why the Director determines that issuing such waiver will advance such interests.

"(ii) With respect to a revocation of a waiver issued to an employee or former employee—

"(I) the details of the waiver, including any renewals of such waiver, and the dates of such waiver and renewals; and

"(II) the specific reasons why the Director determined that such revocation is warranted.

"(b) COVERED POST-SERVICE EMPLOYMENT REPORTING.—

"(1) REQUIREMENT.—During the period described in paragraph (2), an employee who ceases to occupy a covered intelligence position shall—

"(A) report covered post-service employment to the head of the element of the intelligence community that employed such employee in such covered intelligence position upon accepting such covered post-service employment; and

"(B) annually (or more frequently if the head of such element considers it appropriate) report covered post-service employment to the head of such element.

"(2) PERIOD DESCRIBED.—The period described in this paragraph is the period beginning on the date on which an employee ceases to occupy a covered intelligence position.

"(3) REGULATIONS.—The head of each element of the intelligence community shall issue regulations requiring, as a condition of employment, each employee of such element occupying a covered intelligence position to sign a written agreement requiring the regular reporting of covered post-service employment to the head of such element pursuant to paragraph (1).".

(b) DEFINITION OF DESIGNATED PROHIBITED FOREIGN COUNTRY.—Subsection (g) of such section is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(2) by inserting after paragraph (3) the following:

"(4) DESIGNATED PROHIBITED FOREIGN COUNTRY.—The term 'designated prohibited foreign country' means the following:

"(A) The People's Republic of China.

"(B) The Russian Federation.

"(C) The Democratic People's Republic of Korea.

"(D) The Islamic Republic of Iran.

"(E) The Republic of Cuba.

"(F) The Syrian Arab Republic.".

(c) ADDITIONAL WRITTEN NOTICE.—

(1) IN GENERAL.—Subsection (d) of such section is amended by adding at the end the following:

"(3) WRITTEN NOTICE ABOUT RESTRICTIONS.—The head of each element of the intelligence community shall provide written notice of the restrictions under subsection (a) to any person who may be subject to such restrictions on or after the date of enactment of the Intelligence Authorization Act for Fiscal Year 2023—

"(A) when the head of the element determines that such person may become subject to such covered intelligence position restrictions; and

"(B) before the person ceases to occupy a covered intelligence position.".

(2) CONFORMING AMENDMENT.—Paragraph (2) of such subsection is amended in the paragraph heading by adding "ABOUT REPORTING REQUIREMENTS" after "WRITTEN NOTICE".

(d) REVISED REGULATIONS.—

(1) DEFINITION OF COVERED INTELLIGENCE POSITION.—In this subsection, the term "covered intelligence position" has the meaning given such term by such section 304.

(2) SUBMISSION.—Not later than 30 days after the date of the enactment of this Act, the head of each element of the intelligence community shall submit to the congressional intelligence committees new or updated regulations issued to carry out such section 304, as amended by subsections (a), (b), and (c) of this section.

(3) REQUIREMENTS.—The regulations issued under paragraph (1) shall—

(A) include provisions that advise personnel of the intelligence community of the appropriate manner in which such personnel may opt out of positions that—

(i) have been designated as covered intelligence positions before the effective date established in subsection (e) of this section; or

(ii) may be designated as covered intelligence provisions before such designation becomes final; and

(B) establish a period of not fewer than 30 days and not more than 60 days after receipt of the written notice required under paragraph (3) of subsection (d) of such section 304, as added by subsection (c)(1) of this section, within which such personnel may opt out of a covered intelligence position and the accompanying obligations imposed by subsection (a)(1)(A) of such section 304, as amended by subsection (a) of this section.

(4) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees—

(A) a written certification for each head of an element of the intelligence community who has issued new or updated regulations pursuant to paragraph (2); and

(B) for each head of an element of the intelligence community who has not issued such new or updated regulations, an explanation for the failure to issue such new or updated regulations.

(e) EFFECTIVE DATE OF PERMANENT RESTRICTIONS.—Subsection (a)(1)(A) of such section 304, as amended by subsection (a) of this section, shall apply only to persons who occupy a covered intelligence position on or after the date that is 45 days after the date on which new or updated regulations are issued under subsection (d)(2) of this section.

(f) REPEAL.—Section 402 of the Intelligence Authorization Act for Fiscal Year 1997 (Public Law 104–293) is hereby repealed.

SEC. 6302. COUNTERINTELLIGENCE AND NATIONAL SECURITY PROTECTIONS FOR INTELLIGENCE COMMUNITY GRANT FUNDING.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended by adding at the end the following:

"SEC. 121. COUNTERINTELLIGENCE AND NATIONAL SECURITY PROTECTIONS FOR INTELLIGENCE COMMUNITY GRANT FUNDING.

"(a) DISCLOSURE AS CONDITION FOR RECEIPT OF GRANT.—The head of an element of the intelligence community may not award a grant to a person or entity unless the person or entity has certified to the head of the element that the person or entity has disclosed to the head of the element any material financial or material in-kind support that the person or entity knows, or should have known, derives from the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Republic of Cuba, during the 5-year period ending on the date of the person or entity's application for the grant.

"(b) PROCESS FOR REVIEW OF GRANT APPLICANTS PRIOR TO AWARD.—

"(1) IN GENERAL.—The head of an element of the intelligence community may not award a grant to a person or entity who submitted a certification under subsection (a) until such certification is received by the head of an element of the intelligence community and submitted to the Director of National Intelligence pursuant to the process set forth in paragraph (2).

"(2) PROCESS.—

"(A) IN GENERAL.—The Director of National Intelligence, in coordination with such heads of elements of the intelligence community as the Director considers appropriate, shall establish a process to review the awarding of a grant to an applicant who submitted a certification under subsection (a).

"(B) ELEMENTS.—The process established under subparagraph (A) shall include the following:

"(i) The immediate transmission of a copy of each applicant's certification made under subsection (a) to the Director of National Intelligence.

"(ii) The review of the certification and any accompanying disclosures submitted under subsection (a) as soon as practicable.

"(iii) Authorization for the heads of the elements of the intelligence community to take such actions as may be necessary, including denial or revocation of a grant, to ensure a grant does not pose an unacceptable risk of—

"(I) misappropriation of United States intellectual property, research and development, and innovation efforts; or

"(II) other counterintelligence threats.

"(c) ANNUAL REPORT REQUIRED.—Not later than 1 year after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023 and not less frequently than once each year thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees an annual report identifying the following for the 1-year period covered by the report:

"(1) The number of applications for grants received by each element of the intelligence community.

"(2) The number of such applications that were reviewed using the process established under subsection (b)(2), disaggregated by element of the intelligence community.

"(3) The number of such applications that were denied and the number of grants that were revoked, pursuant to the process established under subsection (b)(2), disaggregated by element of the intelligence community.".

(b) APPLICABILITY.—Subsections (a) and (b) of section 121 of such Act, as added by subsection (a), shall apply only with respect to grants awarded by an element of the intelligence community after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of contents preceding section 2 of such Act is amended by inserting after the item relating to section 120 the following:

"Sec. 121. Counterintelligence and national security protections for intelligence community grant funding.".

SEC. 6303. EXTENSION OF CENTRAL INTELLIGENCE AGENCY LAW ENFORCEMENT JURISDICTION TO FACILITIES OF OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Section 15(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking "; and" and inserting a semicolon;

(B) by redesignating subparagraph (D) as subparagraph (E);

(C) by inserting after subparagraph (C) the following:

"(D) within an installation owned, or contracted to be occupied for a period of one year or longer, by the Office of the Director of National Intelligence; and"; and

(D) in subparagraph (E), as redesignated by subparagraph (B), by inserting "or (D)" after "in subparagraph (C)";

(2) in paragraph (2), by striking "or (D)" and inserting "or (E)"; and

(3) in paragraph (4), by striking "in subparagraph (A) or (C)" and inserting "in subparagraph (A), (C), or (D)".

(b) CONFORMING AMENDMENT.—Section 5(a)(4) of such Act (50 U.S.C. 3506(a)(4)) is amended by inserting "and Office of the Director of National Intelligence" after "protection of Agency".

SEC. 6304. ANNUAL REPORTS ON STATUS OF RECOMMENDATIONS OF COMPTROLLER GENERAL OF THE UNITED STATES FOR THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) DEFINITION OF OPEN RECOMMENDATIONS.—In this section, the term "open recommendations" refers to recommendations of the Comptroller General of the United States that the Comptroller General has not yet designated as closed.

(b) ANNUAL LISTS BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than September 30, 2023, and each September 30 thereafter through 2028, the Comptroller General of the United States shall submit to the congressional intelligence committees and the Director of National Intelligence a list of all open recommendations made to the Director, disaggregated by report number and recommendation number.

(c) ANNUAL REPORTS BY DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 120 days after the date on which the Director receives a list under subsection (b), the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Director and actions the Director intends to take, alone or in coordination with the heads of other Federal agencies, in response to each open recommendation identified in the list, including open recommendations the Director determines are closed and recommendations the Director determines do not require further action, as well as the basis for such determinations.

SEC. 6305. TIMELY SUBMISSION OF CLASSIFIED INTELLIGENCE BUDGET JUSTIFICATION MATERIALS.

Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by inserting after section 506I the following new section (and conforming the table of contents at the beginning of such Act accordingly):

"SEC. 506J. CLASSIFIED INTELLIGENCE BUDGET JUSTIFICATION MATERIALS.

"(a) DEFINITIONS.—In this section:

"(1) BUDGET.—The term 'budget' has the meaning given the term 'budget of the President' in section 506A.

"(2) CLASSIFIED INTELLIGENCE BUDGET JUSTIFICATION MATERIALS.—The term 'classified intelligence budget justification materials' means, with respect to a fiscal year, the materials submitted to Congress by the Director of National Intelligence in support of the budget for that fiscal year that are classified or otherwise protected from public disclosure.

"(b) TIMELY SUBMISSION.—Not later than 5 days after the date on which the President submits to Congress the budget for each fiscal year pursuant to section 1105(a) of title 31, United States Code, the Director of National Intelligence shall submit to the congressional intelligence committees the classified intelligence budget justification materials for the element for that budget.".

SEC. 6306. COPYRIGHT PROTECTION FOR CIVILIAN FACULTY OF THE NATIONAL INTELLIGENCE UNIVERSITY.

Section 105 of title 17, United States Code, is amended—

(1) by redesignating the second subsection (c) as subsection (d);

(2) by striking subsection (c) and inserting the following:

"(c) USE BY FEDERAL GOVERNMENT.—

"(1) SECRETARY OF DEFENSE AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at a covered institution described in subparagraphs (A) through (L) of subsection (d)(2), the Secretary of Defense may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, worldwide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.

"(2) DIRECTOR OF NATIONAL INTELLIGENCE AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at the covered institution described in

subsection (d)(2)(M), the Director of National Intelligence may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, world-wide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government."; and

(3) in paragraph (2) of subsection (d), as so redesignated, by adding at the end the following:

"(M) National Intelligence University.".

SEC. 6307. MODIFICATIONS TO FOREIGN MALIGN INFLUENCE RESPONSE CENTER.

(a) RENAMING.—

(1) IN GENERAL.—Section 119C of the National Security Act of 1947 (50 U.S.C. 3059) is amended—

*(A) in the section heading, by striking "**RESPONSE**"; and*

(B) in subsection (a), by striking "Response".

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act is amended by striking the item relating to section 119C and inserting the following:

"Sec. 119C. Foreign Malign Influence Center.".

(3) CONFORMING AMENDMENT.—Section 589E(d)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2001 note prec.) is amended by striking "Response".

(4) REFERENCE.—Any reference in law, regulation, map, document, paper, or other record of the United States to the "Foreign Malign Influence Response Center" shall be deemed to be a reference to the Foreign Malign Influence Center.

(b) DIRECTOR OF NATIONAL INTELLIGENCE AUTHORITY TO TERMINATE.—Section 119C of such Act (50 U.S.C. 3059) is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

"(e) TERMINATION.—After December 31, 2028, the Director of National Intelligence may terminate the Center, but only if the Director of National Intelligence submits to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a determination that the termination of the Center is appropriate, which includes—

"(1) a detailed description that other offices or entities within the intelligence community—

"(A) have the capabilities to perform the functions of the Center; and

"(B) will exercise the functions of the Center upon the termination of the Center; and

"(2) a detailed description of—

"(A) the actions the Director of National Intelligence will take to conduct an orderly wind-down of the activities of the Center; and

"(B) the proposed timeline for such actions.".

(c) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, the Committee on Armed Services, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Homeland Security, the Committee on Foreign Affairs, the Committee on Armed Services, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not later than December 31, 2025, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing the continued need for operating the Foreign Malign Influence Center.

SEC. 6308. REQUIREMENT TO OFFER CYBER PROTECTION SUPPORT FOR PERSONNEL OF INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) IN GENERAL.—Section 6308(b) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334d(b)) is amended—

(1) in paragraph (1)—

(A) by striking "may provide" and inserting "shall offer";

(B) by inserting "and shall provide such support to any such personnel who request" before the period at the end; and

(2) in the subsection heading, by striking "AUTHORITY" and inserting "REQUIREMENT".

(b) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an implementation plan for providing the support described section 6308(b) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334d(b)), as amended by subsection (a), including a description of the training and resources needed to implement the support and the methodology for determining the personnel described in paragraph (2) of such section.

SEC. 6309. ENFORCEMENT OF CYBERSECURITY REQUIREMENTS FOR NATIONAL SECURITY SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) CYBERSECURITY REQUIREMENTS FOR NATIONAL SECURITY SYSTEMS.—The term "cybersecurity requirements for national security systems" means the minimum cybersecurity requirements established by the National Manager, consistent with the direction of the President and in consultation with the Director of National Intelligence, that applies to all national security systems operated by, on the behalf of, or administered by the head of an element of the intelligence community.

(2) NATIONAL MANAGER.—The term "National Manager" means the National Manager for National Security Systems designated by the President.

(3) NATIONAL SECURITY SYSTEMS.—The term "national security systems" includes—

(A) national security systems (as defined in section 3552(b) of title 44, United States Code); and

(B) information systems described in paragraph (2) or (3) of section 3553(e) of such title.

(b) IMPLEMENTATION DEADLINE.—The cybersecurity requirements for national security systems shall include appropriate deadlines by which all elements of the intelligence community shall have fully implemented the requirements.

(c) REEVALUATION AND UPDATES.—Not less frequently than once every 2 years, the National Manager shall reevaluate and update the cybersecurity requirements for national security systems.

(d) RESOURCES.—Each head of an element of the intelligence community that owns or operates a national security system shall update plans of the element to prioritize resources in such a manner as to fully implement the cybersecurity requirements for national security systems by the deadline established pursuant to subsection (b) for the next 10 fiscal years.

(e) EXEMPTIONS.—

(1) IN GENERAL.—The head of an element of the intelligence community may exempt a national security system owned or operated by the element from the cybersecurity requirements for national security systems if done so in accordance with the procedures established under paragraph (2).

(2) EXEMPTION PROCEDURES.—The National Manager shall, consistent with the direction of the President, establish procedures that govern—

(A) the circumstances under which the head of an element of the intelligence community may exempt a national security system under paragraph (1); and

(B) the process for implementing the exemption.

(3) ANNUAL REPORTS ON EXEMPTIONS.—

(A) IN GENERAL.—Each year, the National Manager and the Director of National Intelligence shall—

(i) submit to the congressional intelligence committees an annual report documenting all exemptions made under paragraph (1) during the period covered by the report, along with the justifications for the exemptions; and

(ii) in the case of an exemption made by the Assistant Secretary of State for Intelligence and Research under such paragraph, submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a separate report describing the exemption and the justification for it.

(B) MANNER.—Each report submitted under subparagraph (A) shall be submitted with such classification as the Director considers appropriate and with due regard for the protection of sensitive intelligence sources and methods.

SEC. 6310. REVIEW AND BRIEFING ON INTELLIGENCE COMMUNITY ACTIVITIES UNDER EXECUTIVE ORDER 12333.

(a) REVIEW AND BRIEFING REQUIRED.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) conduct a review to ascertain the feasibility and advisability of compiling and making public information relating to activities of the intelligence community under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities); and

(2) provide the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives with a briefing on the findings of the Director with respect to the review conducted under paragraph (1).

(b) MATTERS ADDRESSED.—The review and briefing required by subsection (a) shall address the feasibility and advisability of making available to the public information relating to the following:

(1) Data on activities described in subsection (a)(1), including the following:

(A) The amount of United States person information collected pursuant to such activities.

(B) Queries of United States persons pursuant to such activities.

(C) Dissemination of United States person information pursuant to such activities, including masking and unmasking.

(D) The use of United States person information in criminal proceedings.

(2) Quantitative data and qualitative descriptions of incidents in which the intelligence community violated Executive Order 12333 and associated guidelines and procedures.

(c) CONSIDERATIONS.—In conducting the review under subsection (a)(1), the Director shall consider—

(1) the public transparency associated with the use by the intelligence community of the authorities provided under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), including relevant data and compliance incidents; and

(2) the application of the transparency model developed in connection with such Act to activities conducted under Executive Order 12333.

(d) DISAGGREGATION FOR PUBLIC RELEASE.—In conducting the review under subsection (a)(1), the Director shall address whether the relevant data and compliance incidents associated with the different intelligence community entities can be disaggregated for public release.

SEC. 6311. ASSESSING INTELLIGENCE COMMUNITY OPEN-SOURCE SUPPORT FOR EXPORT CONTROLS AND FOREIGN INVESTMENT SCREENING.

(a) PILOT PROGRAM TO ASSESS OPEN SOURCE SUPPORT FOR EXPORT CONTROLS AND FOREIGN INVESTMENT SCREENING.—

(1) PILOT PROGRAM AUTHORIZED.—The Director of National Intelligence shall designate an element of the intelligence community to carry out a pilot program to assess the feasibility and

advisability of providing enhanced intelligence support, including intelligence derived from open source, publicly and commercially available information—

(A) to the Department of Commerce to support the export control and investment screening functions of the Department; and

(B) to the Department of Homeland Security to support the export control functions of the Department.

(2) AUTHORITY.—In carrying out the pilot program required by paragraph (1), the element designated by the Director under such paragraph—

(A) shall establish a process for the provision of information as described in such paragraph; and

(B) may—

(i) acquire and prepare data, consistent with applicable provisions of law and Executive orders;

(ii) modernize analytic systems, including through the acquisition, development, or application of automated tools; and

(iii) establish standards and policies regarding the acquisition, treatment, and sharing of open source, publicly and commercially available information.

(3) DURATION.—The pilot program required by paragraph (1) shall be carried out during a 3-year period.

(b) PLAN AND REPORT REQUIRED.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term "appropriate committees of Congress" means—

(A) the Select Committee on Intelligence, the Committee on Banking, Housing, and Urban Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(2) PLAN.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, submit to the appropriate committees of Congress a plan to carry out the pilot program required by subsection (a)(1).

(B) CONTENTS.—The plan submitted under subparagraph (A) shall include the following:

(i) A list, developed in consultation with the Secretary of Commerce and the Secretary of Homeland Security, of the activities of the Department of Commerce and the Department of Homeland Security that will be supported by the pilot program.

(ii) A plan for measuring the effectiveness of the pilot program and the value of open source, publicly and

commercially available information to the export control and investment screening missions.

(3) REPORT.—

(A) IN GENERAL.—Not later than 540 days after the date on which the Director submits the plan under paragraph (2)(A), the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the pilot program.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) An assessment of the feasibility and advisability of providing information as described in subsection (a)(1).

(ii) An assessment of the value of open source, publicly and commercially available information to the export control and investment screening missions, using the measures of effectiveness under paragraph (2)(B)(ii).

(iii) Identification of opportunities for and barriers to more effective use of open source, publicly and commercially available information by the intelligence community.

SEC. 6312. ANNUAL TRAINING REQUIREMENT AND REPORT REGARDING ANALYTIC STANDARDS.

(a) POLICY FOR TRAINING PROGRAM REQUIRED.—Consistent with sections 1019 and 1020 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364 and 3364 note), the Director of National Intelligence shall issue a policy that requires each head of an element of the intelligence community, that has not already done so, to create, before the date that is 180 days after the date of the enactment of this Act, an annual training program on the standards set forth in Intelligence Community Directive 203, Analytic Standards (or successor directive).

(b) CONDUCT OF TRAINING.—Training required pursuant to the policy required by subsection (a) may be conducted in conjunction with other required annual training programs conducted by the element of the intelligence community concerned.

(c) CERTIFICATION OF COMPLETION OF TRAINING.—Each year, each head of an element of the intelligence community shall submit to the congressional intelligence committees a certification as to whether all of the analysts of that element have completed the training required pursuant to the policy required by subsection (a) and if the analysts have not, an explanation of why the training has not been completed.

(d) REPORTS.—

(1) ANNUAL REPORT.—In conjunction with each briefing provided under section 1019(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364(c)), the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the number and themes of compliance incidents reported to intelligence community analytic ombudspersons relating to the

standards set forth in Intelligence Community Directive 203 (relating to analytic standards), or successor directive.

(2) REPORT ON PERFORMANCE EVALUATION.—Not later than 90 days after the date of the enactment of this Act, the head of analysis at each element of the intelligence community that conducts all-source analysis shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing how compliance with the standards set forth in Intelligence Community Directive 203 (relating to analytic standards), or successor directive, is considered in the performance evaluations and consideration for merit pay, bonuses, promotions, and any other personnel actions for analysts within the element.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Director from providing training described in this section as a service of common concern.

(f) SUNSET.—This section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

SEC. 6313. REVIEW OF JOINT INTELLIGENCE COMMUNITY COUNCIL.

(a) IN GENERAL.—The Director of National Intelligence shall conduct a review of the Joint Intelligence Community Council established by section 101A of the National Security Act of 1947 (50 U.S.C. 3022).

(b) ELEMENTS.—The review conducted under subsection (a) shall cover the following:

(1) The number of meetings the Council has held, by year.

(2) An analysis of the issues the Council has addressed.

(3) The effect the Council has had on the decisionmaking of the Director of National Intelligence.

(4) Potential revision to the membership or functions of the Council.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide the congressional intelligence committees and the subcommittees on defense of the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a briefing on the review conducted pursuant to subsection (a).

SEC. 6314. REQUIRED POLICY FOR MINIMUM INSIDER THREAT STANDARDS.

(a) REQUIREMENT.—Section 102A(f) of the National Security Act of 1947 (50 U.S.C. 3024(f)) is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph:

"(8) The Director of National Intelligence shall ensure there is established a policy for minimum insider threat standards for the intelligence community and ensure compliance by the elements of the intelligence community with that policy.".

(b) COMPLIANCE AND REPORTING.—Title III of such Act (50 U.S.C. 3071 et seq.) is amended by adding at the end the following new section:

"SEC. 313. INSIDER THREAT POLICY COMPLIANCE AND REPORTING.

"The head of each element of the intelligence community shall—

"(1) implement the policy established in accordance with section 102A(f)(8); and

"(2) concurrent with the submission to Congress of budget justification materials in support of the budget of the President for a fiscal year that is submitted to Congress under section 1105(a) of title 31, United States Code, submit to Congress a certification as to whether the element is in compliance with such policy.".

(c) CONFORMING AMENDMENT.—Section 102A(x)(3) of such Act (50 U.S.C. 3024(x)(3)) is amended by inserting ", including the policy under subsection (f)(8)," after "policies of the intelligence community".

(d) CLERICAL AMENDMENT.—The table of contents preceding section 2 of such Act is amended by inserting after the item relating to section 312 the following new item:

"Sec. 313. Insider threat policy compliance and reporting.".

SEC. 6315. UNFUNDED PRIORITIES OF THE INTELLIGENCE COMMUNITY.

Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following new section (and conforming the table of contents at the beginning of such Act accordingly):

"SEC. 514. UNFUNDED PRIORITIES OF THE INTELLIGENCE COMMUNITY: ANNUAL REPORT.

"(a) ANNUAL REPORT.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code, the head of each element of the intelligence community shall submit to the Director of National Intelligence, the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on the unfunded priorities of the programs under the jurisdiction of such head.

"(b) ELEMENTS.—

"(1) IN GENERAL.—Each report under subsection (a) shall specify, for each unfunded priority covered by such report, the following:

"(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).

"(B) Whether such priority will satisfy a covert action or support collection against requirements identified in the National Intelligence Priorities Framework of the Office of the Director of National Intelligence (or any successor mechanism established for the prioritization of programs and activities), including a description of such requirements and the related prioritization level.

"(C) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

"(D) Budget information with respect to the unfunded priority, including—

"(i) the appropriation account;
"(ii) the expenditure center; and
"(iii) the project and, if applicable, subproject.

"(2) PRIORITIZATION OF PRIORITIES.—Each report shall present the unfunded priorities covered by such report in overall order of urgency of priority among unfunded priorities.

"(c) UNFUNDED PRIORITY DEFINED.—In this section, the term 'unfunded priority', in the case of a fiscal year, means a program, activity, or mission requirement of an element of the intelligence community that—

"(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31, United States Code;

"(2) is necessary to fulfill a covert action or to satisfy an information requirement associated with the collection, analysis, or dissemination of intelligence that has been documented within the National Intelligence Priorities Framework; and

"(3) would have been recommended for funding by the head of the element of the intelligence community if—

"(A) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

"(B) the program, activity, or mission requirement has emerged since the budget was formulated.".

SEC. 6316. SUBMISSION OF COVERED DOCUMENTS AND CLASSIFIED ANNEXES.

(a) REQUIREMENT.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), as amended by section 6315, is further amended by adding at the end the following new section (and conforming the table of contents at the beginning of such Act accordingly):

"SEC. 515. SUBMISSION OF COVERED DOCUMENTS AND CLASSIFIED ANNEXES.

"(a) COVERED DOCUMENT DEFINED.—In this section, the term 'covered document' means any executive order, memorandum, or policy directive issued by the President, including national security Presidential memoranda and Presidential policy directives, or such successor memoranda and directives.

"(b) REQUIREMENT.—Not later than 7 days after the date on which the President issues or amends a covered document, the President, acting through the Director of National Intelligence, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives the covered document and any classified annex accompanying that document if such covered document or annex contains a direction to, establishes a requirement for, or includes a restriction on any element of the intelligence community.".

(b) INITIAL SUBMISSION.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Ap-

propriations of the House of Representatives each covered document and classified annex required under section 515 of the National Security Act of 1947, as added by subsection (a), in effect as of the date of enactment of this Act.

(c) REPEAL.—Section 310 of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 50 U.S.C. 3312) is hereby repealed.

SEC. 6317. IMPROVEMENTS TO PROGRAM ON RECRUITMENT AND TRAINING.

Section 1022 of the National Security Act of 1947 (50 U.S.C. 3222) is amended to read as follows:

"SEC. 1022. PROGRAM ON RECRUITMENT AND TRAINING.

"(a) PROGRAM.—

"(1) REQUIREMENT.—The Director of National Intelligence, in consultation with the heads of the elements of the intelligence community, shall carry out a program to ensure that selected individuals are provided funds for academic training (including with respect to both undergraduate and postgraduate education), or to reimburse for academic training previously obtained—

"(A) in capabilities, missions, or skillsets, especially in the fields of science, technology, math, and engineering, to address workforce requirements in which the intelligence community is deficient or likely to be deficient in the future; or

"(B) for such individuals who have backgrounds or experiences that the Director has identified as—

"(i) contributing to capabilities, missions, or skillsets in which the intelligence community is deficient or likely to be deficient in future; and

"(ii) being underrepresented in the intelligence community or likely to be underrepresented in the future.

"(2) COMMITMENT.—An individual selected for participation in the program shall commit to employment with an element of the intelligence community for a period that the Director determines is commensurate with the amount of funding provided to the individual under the program and under such terms and conditions as the Director considers appropriate.

"(3) DESIGNATION.—The program shall be known as the Pat Roberts Intelligence Scholars Program.

"(4) OUTREACH.—The Director, in consultation with the heads of the elements of the intelligence community, shall maintain a publicly available internet website on the program that describes—

"(A) the intent of the program;

"(B) the conditions and requirements for selection and participation;

"(C) application instructions;

"(D) the areas covered by the program pursuant to the review conducted under subsection (b)(2); and

"(E) any other details the Director determines appropriate.

"(b) ELEMENTS.—In carrying out the program under subsection (a), the Director shall—

"(1) establish such requirements relating to the academic training of participants as the Director considers appropriate to ensure that participants are prepared for employment as intelligence professionals; and

"(2) on an annual basis, review the areas that will contribute to the capabilities, missions, and skillsets in which the intelligence community is deficient or is likely to be deficient in the future.

"(c) USE OF FUNDS.—Funds made available for the program under subsection (a) shall be used—

"(1) to provide a monthly stipend for each month that a participant is pursuing a course of study;

"(2) to pay the partial or full tuition of a participant for the completion of such course of study;

"(3) to reimburse a participant for tuition paid by the participant before becoming an employee of an element of the intelligence community, including with respect to providing payments for student loans used for such tuition;

"(4) to pay for books and materials that the participant requires or required to complete such course of study;

"(5) to pay the expenses of the participant for travel requested by an element of the intelligence community in relation to such program; or

"(6) for such other purposes the Director considers reasonably appropriate to carry out such program.".

SEC. 6318. MEASURES TO MITIGATE COUNTERINTELLIGENCE THREATS FROM PROLIFERATION AND USE OF FOREIGN COMMERCIAL SPYWARE.

(a) DEFINITIONS.—In this section:

(1) COVERED DEVICE.—The term "covered device" means any electronic mobile device including smartphones, tablet computing devices, or laptop computing devices, that is issued by an element of the intelligence community for official use.

(2) FOREIGN COMMERCIAL SPYWARE; FOREIGN COMPANY; SPYWARE.—The terms "foreign commercial spyware", "foreign company", and "spyware" have the meanings given those terms in section 1102A of the National Security Act of 1947 (50 U.S.C. 3231 et seq.), as added by this section.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to act decisively against counterintelligence threats posed by foreign commercial spyware, as well as the individuals who lead entities selling foreign commercial spyware and who are reasonably believed to be involved, have been involved, or pose a significant risk to being or becoming involved, in activities contrary to the national security or foreign policy interests of the United States.

(c) MEASURES TO MITIGATE COUNTERINTELLIGENCE THREATS.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by inserting after section 1102 the following new section (and conforming the table of contents at the beginning of such Act accordingly):

"SEC. 1102A. MEASURES TO MITIGATE COUNTERINTELLIGENCE THREATS FROM PROLIFERATION AND USE OF FOREIGN COMMERCIAL SPYWARE.

"(a) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

"(A) the Select Committee on Intelligence, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on the Judiciary, the Committee on Appropriations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, the Committee on the Judiciary, the Committee on Appropriations, the Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

"(2) COVERED ENTITY.—The term 'covered entity' means any foreign company that either directly or indirectly develops, maintains, owns, operates, brokers, markets, sells, leases, licenses, or otherwise makes available spyware.

"(3) FOREIGN COMMERCIAL SPYWARE.—The term 'foreign commercial spyware' means spyware that is developed (solely or in partnership with a foreign company), maintained, sold, leased, licensed, marketed, sourced (in whole or in part), or otherwise provided, either directly or indirectly, by a foreign company.

"(4) FOREIGN COMPANY.—The term 'foreign company' means a company that is incorporated or domiciled outside of the United States, including any subsidiaries or affiliates wherever such subsidiaries or affiliates are domiciled or incorporated.

"(5) SPYWARE.—The term 'spyware' means a tool or set of tools that operate as an end-to-end system of software to provide an unauthorized user remote access to information stored on or transiting through an electronic device connected to the Internet and not owned or operated by the unauthorized user, including end-to-end systems that—

"(A) allow an unauthorized user to remotely infect electronic devices with malicious software, including without any action required by the user of the device;

"(B) can record telecommunications or other audio captured on a device not owned by the unauthorized user;

"(C) undertake geolocation, collect cell site location information, or otherwise track the location of a device or person using the internal sensors of an electronic device not owned by the unauthorized user;

"(D) allow an unauthorized user access to and the ability to retrieve information on the electronic device, including text messages, files, e-mails, transcripts of chats, contacts, photos, and browsing history; or

"(E) any additional criteria described in publicly available documents published by the Director of National Intelligence, such as whether the end-to-end system is used outside the context of a codified lawful intercept system.

"(b) ANNUAL ASSESSMENTS OF COUNTERINTELLIGENCE THREATS.—

"(1) REQUIREMENT.—Not later than 90 days after the enactment of the Intelligence Authorization Act for Fiscal Year 2023, and annually thereafter, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, and the Director of the Federal Bureau of Investigation, shall submit to the appropriate congressional committees a report with an accompanying classified annex containing an assessment of the counterintelligence threats and other risks to the national security of the United States posed by the proliferation of foreign commercial spyware. The assessment shall incorporate all credible data, including open-source information.

"(2) ELEMENTS.—Each report under paragraph (1) shall include the following, if known:

"(A) A list of the most significant covered entities.

"(B) A description of the foreign commercial spyware marketed by the covered entities identified under subparagraph (A) and an assessment by the intelligence community of the foreign commercial spyware.

"(C) An assessment of the counterintelligence risk to the intelligence community or personnel of the intelligence community posed by foreign commercial spyware.

"(D) For each covered entity identified in subparagraph (A), details of any subsidiaries, resellers, or other agents acting on behalf of the covered entity.

"(E) Details of where each covered entity identified under subparagraphs (A) and (D) is domiciled.

"(F) A description of how each covered entity identified under subparagraphs (A) and (D) is financed, where the covered entity acquired its capital, and the organizations and individuals having substantial investments or other equities in the covered entity.

"(G) An assessment by the intelligence community of any relationship between each covered entity identified in subparagraphs (A) and (D) and any foreign government, including any export controls and processes to which the covered entity is subject.

"(H) A list of the foreign customers of each covered entity identified in subparagraphs (A) and (D), including the understanding by the intelligence community of the organizations and end-users within any foreign government.

"(I) With respect to each foreign customer identified under subparagraph (H), an assessment by the intelligence community regarding how the foreign customer is using the spyware, including whether the foreign customer has targeted personnel of the intelligence community.

"(J) With respect to the first report required under paragraph (1), a mitigation plan to reduce the exposure of personnel of the intelligence community to foreign commercial spyware.

"(K) With respect to each report following the first report required under paragraph (1), details of steps taken by the

intelligence community since the previous report to implement measures to reduce the exposure of personnel of the intelligence community to foreign commercial spyware.

"(3) CLASSIFIED ANNEX.—In submitting the report under subsection (2), the Director shall also include an accompanying but separate classified annex, providing a watchlist of companies selling, leasing, or otherwise providing foreign commercial spyware that the Director determines are engaged in activities that pose a counterintelligence risk to personnel of the intelligence community.

"(4) FORM.—Each report under paragraph (1) shall be submitted in classified form.

"(5) DISSEMINATION.—The Director of National Intelligence shall separately distribute each report under paragraph (1) and each annex under paragraph (3) to the President, the heads of all elements of the intelligence community, the Secretary of State, the Attorney General, the Secretary of Commerce, the Secretary of Homeland Security, the National Cyber Director, and the heads of any other departments or agencies the Director of National Intelligence determines appropriate.

"(c) AUTHORITY TO PROHIBIT PURCHASE OR USE BY INTELLIGENCE COMMUNITY.—

"(1) FOREIGN COMMERCIAL SPYWARE.—

"(A) IN GENERAL.—The Director of National Intelligence may prohibit any element of the intelligence community from procuring, leasing, or otherwise acquiring on the commercial market, or extending or renewing a contract to procure, lease, or otherwise acquire, foreign commercial spyware.

"(B) CONSIDERATIONS.—In determining whether and how to exercise the authority under subparagraph (A), the Director of National Intelligence shall consider—

"(i) the assessment of the intelligence community of the counterintelligence threats or other risks to the United States posed by foreign commercial spyware;

"(ii) the assessment of the intelligence community of whether the foreign commercial spyware has been used to target United States Government personnel.

"(iii) whether the original owner or developer retains any of the physical property or intellectual property associated with the foreign commercial spyware;

"(iv) whether the original owner or developer has verifiably destroyed all copies of the data collected by or associated with the foreign commercial spyware;

"(v) whether the personnel of the original owner or developer retain any access to data collected by or associated with the foreign commercial spyware;

"(vi) whether the use of the foreign commercial spyware requires the user to connect to an information system of the original owner or developer or information system of a foreign government; and

"(vii) whether the foreign commercial spyware poses a counterintelligence risk to the United States or any

other threat to the national security of the United States.

"(2) COMPANY THAT HAS ACQUIRED FOREIGN COMMERCIAL SPYWARE.—

"(A) AUTHORITY.—The Director of National Intelligence may prohibit any element of the intelligence community from entering into any contract or other agreement for any purpose with a company that has acquired, in whole or in part, any foreign commercial spyware.

"(B) CONSIDERATIONS.—In considering whether and how to exercise the authority under subparagraph (A), the Director of National Intelligence shall consider—

"(i) whether the original owner or developer of the foreign commercial spyware retains any of the physical property or intellectual property associated with the spyware;

"(ii) whether the original owner or developer of the foreign commercial spyware has verifiably destroyed all data, and any copies thereof, collected by or associated with the spyware;

"(iii) whether the personnel of the original owner or developer of the foreign commercial spyware retain any access to data collected by or associated with the foreign commercial spyware;

"(iv) whether the use of the foreign commercial spyware requires the user to connect to an information system of the original owner or developer or information system of a foreign government; and

"(v) whether the foreign commercial spyware poses a counterintelligence risk to the United States or any other threat to the national security of the United States.

"(3) NOTIFICATIONS OF PROHIBITION.—Not later than 30 days after the date on which the Director of National Intelligence exercises the authority to issue a prohibition under subsection (c), the Director of National Intelligence shall notify the congressional intelligence committees of such exercise of authority. Such notice shall include—

"(A) a description of the circumstances under which the prohibition was issued;

"(B) an identification of the company or product covered by the prohibition;

"(C) any information that contributed to the decision of the Director of National Intelligence to exercise the authority, including any information relating to counterintelligence or other risks to the national security of the United States posed by the company or product, as assessed by the intelligence community; and

"(D) an identification of each element of the intelligence community to which the prohibition has been applied.

"(4) WAIVER AUTHORITY.—

"(A) IN GENERAL.—The head of an element of the intelligence community may request from the Director of Na-

tional Intelligence the waiver of a prohibition made under paragraph (1) or (2).

"(B) DIRECTOR OF NATIONAL INTELLIGENCE DETERMINATION.—The Director of National Intelligence, upon receiving the waiver request in subparagraph (A), may issue a waiver for a period not to exceed one year in response to the request from the head of an element of the intelligence community if such waiver is in the national security interest of the United States.

"(C) NOTICE.—Not later than 30 days after approving a waiver request pursuant to subparagraph (B), the Director of National Intelligence shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a written notification. The notification shall include—

"(i) an identification of the head of the element of the intelligence community that requested the waiver;

"(ii) the details of the waiver request, including the national security interests of the United States;

"(iii) the rationale and basis for the determination that the waiver is in the national security interests of the United States;

"(iv) the considerations that informed the ultimate determination of the Director of National Intelligence to issue the wavier; and

"(v) and any other considerations contributing to the determination, made by the Director of National Intelligence.

"(D) WAIVER TERMINATION.—The Director of National Intelligence may revoke a previously granted waiver at any time. Upon revocation of a waiver, the Director of National Intelligence shall submit a written notification to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives not later than 30 days after making a revocation determination.

"(5) TERMINATION OF PROHIBITION.—The Director of National Intelligence may terminate a prohibition made under paragraph (1) or (2) at any time. Upon termination of a prohibition, the Director of National Intelligence shall submit a notification of the termination to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives not later than 30 days after terminating a prohibition, detailing the basis for the termination, including any United States national security interests that may be affected by such termination.".

(d) PROTECTION OF COVERED DEVICES.—

(1) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(A) issue standards, guidance, best practices, and policies for elements of the intelligence community to protect covered devices from being compromised by foreign commercial spyware;

(B) survey elements of the intelligence community regarding the processes used by the elements to routinely monitor covered devices for indicators of compromise associated with foreign commercial spyware; and

(C) submit to the congressional intelligence committees a report on the sufficiency of the measures in place to routinely monitor covered devices for indicators of compromise associated with foreign commercial spyware.

(2) FORM.—The report under paragraph (1)(C) may be submitted in classified form.

(3) COUNTERINTELLIGENCE NOTIFICATIONS.—Not later than 30 days after the date on which an element of the intelligence community becomes aware that a covered device was targeted or compromised by foreign commercial spyware, the Director of National Intelligence, in coordination with the Director of the Federal Bureau of Investigation, shall notify the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives of such determination, including—

(A) the component of the element and the location of the personnel whose covered device was targeted or compromised;

(B) the number of covered devices compromised or targeted;

(C) an assessment by the intelligence community of the damage to national security of the United States resulting from any loss of data or sensitive information;

(D) an assessment by the intelligence community of any foreign government, or foreign organization or entity, and, to the extent possible, the foreign individuals, who directed and benefitted from any information acquired from the targeting or compromise; and

(E) as appropriate, an assessment by the intelligence community of the capacity and will of such governments or individuals to continue targeting personnel of the United States Government.

(4) PRIVATE SECTOR PARTNERSHIPS.—Section 904(d)(7) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(d)(7)) is amended by adding at the end the following new paragraph:

"(E) VULNERABILITIES FROM FOREIGN COMMERCIAL SPYWARE.—

"(i) CONSULTATION.—In carrying out efforts to secure covered devices, to consult with the private sector of the United States and reputable third-party researchers to identify vulnerabilities from foreign commercial

spyware (as defined in section 1102A(a) of the National Security Act of 1947) and maintain effective security measures for such devices.

"(ii) COVERED DEVICE DEFINED.—In this subparagraph, the term 'covered device' means any electronic mobile device including smartphones, tablet computing devices, or laptop computing devices, that is issued by an element of the intelligence community for official use.".

(e) NO ENHANCED AUTHORITIES.—Nothing in this section or an amendment made by this section shall be construed as enhancing, or otherwise changing, the authorities of the intelligence community to target, collect, process, or disseminate information regarding United States Government personnel.

(f) REPORT ON HARMONIZATION AMONG ALLIED COUNTRIES.—

(1) REQUIREMENT.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on the potential for the United States to lead an effort to devise and implement a common approach with allied countries as the Director determines appropriate, including the Five Eyes Partnership, to mitigate the counterintelligence risks posed by the proliferation of foreign commercial spyware, including by seeking commitments to implement measures similar to the requirements under this section and section 1102A of the National Security Act of 1947 (50 U.S.C. 3231 et seq.), as added by this section.

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex, consistent with the protection of intelligence sources and methods.

SEC. 6319. PERSONNEL VETTING PERFORMANCE MEASURES.

(a) DEFINITIONS OF CONTINUING VETTING; COUNCIL; SECURITY EXECUTIVE AGENT.—In this section, the terms "continuous vetting", "Council", and "Security Executive Agent" have the meanings given those terms in section 6601 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3352).

(b) MEASURES.—Not later than 180 days after the date of the enactment of this Act and consistent with section 807 of the Intelligence Authorization Act for Fiscal Year 2022 (Public Law 117–103), the Director of National Intelligence, acting as the Security Executive Agent, and in coordination with the Chair and other principals of the Council, shall develop performance measures to assess the vetting of personnel, including measures to assess continuous vetting and the quality of each phase of the personnel vetting process, including the initiation, investigation, and adjudication phases.

(c) REPORT.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence

shall submit to Congress a report describing the performance measures developed under subsection (b).

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of how departments and agencies of the United States Government have implemented Security Executive Agent Directive 6 titled "Continuous Evaluation" and related personnel vetting performance measures to ensure that implementation is efficient and effective, including the resources expended by each department or agency for continuous vetting and whether departments and agencies are identifying security-relevant information in a timely manner.

(B) A description of the performance measures the Director of National Intelligence and the Secretary of Defense use to assess the quality of each phase of the personnel vetting process, including initiation, investigation, adjudication, reinvestigation, and continuous vetting.

(C) How such performance measures meet key attributes for successful performance measures as described in the report of the Comptroller General of the United States titled "Personnel Vetting: Actions Needed to Implement Reforms, Address Challenges, and Improve Planning" (GAO–22–104093).

(D) Any impediments or constraints relating to the implementation of Security Executive Agent Directive 6 or the development of such performance measures to assess the quality of the personnel vetting process.

SEC. 6320. PROACTIVE CYBERSECURITY.

(a) SURVEY OF ELEMENTS.—Pursuant to section 103G(b)(1) of the National Security Act (50 U.S.C. 3032(b)(1)), not later than 1 year after the date of the enactment of this Act, the Chief Information Officer of the Intelligence Community shall conduct a survey of each element of the intelligence community on the use by that element of proactive cybersecurity initiatives, continuous activity security testing, and active defense techniques.

(b) REPORT BY CHIEF INFORMATION OFFICER.—

(1) REPORT.—Not later than 1 year after the date of the completion of the survey under subsection (a), the Chief Information Officer of the Intelligence Community shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on proactive cybersecurity initiatives, continuous activity security testing, and active defense techniques. Such report shall include the following:

(A) The results of the survey of each element of the intelligence community conducted under subsection (a), including—

(i) examples of any successes against attackers who breached an information system of an element of the intelligence community; and

(ii) concerns, limitations, and associated recommendations relating to innovative uses of proactive cybersecurity initiatives.

(B) An analysis of the feasibility, costs, and benefits of consolidating oversight and implementation of such methods within the intelligence community, including whether such consolidation would significantly enhance defense.

(C) An analysis of any statutory or policy limitations on the ability of the Director of National Intelligence, or the head of any element of the intelligence community, to carry out such methods on behalf of an element of the intelligence community or multiple such elements.

(D) An analysis of the relationships between and among the intelligence community, the Department of Defense, the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, national laboratories, and the private sector, and whether such relationships should be enhanced to protect national security systems of the intelligence community through proactive cybersecurity measures.

(E) With respect to active defense techniques, a discussion of the effectiveness of such techniques to protect the information systems of the elements of the intelligence community, any constraints that hinder such techniques, and associated recommendations.

(F) With respect to continuous activity security testing, a discussion of—

(i) how an information system operates under normal and intended use, compared to how such system operates under a variety of adverse conditions and scenarios; and

(ii) the feasibility of the adoption of continuous activity security testing among the intelligence community.

(G) Recommendations for legislative action and further resources relating to the successful use of proactive cybersecurity initiatives, deception environments, and continuous activity security testing.

(2) FORM.—The report under paragraph (1) may be submitted in classified form.

(c) DEFINITIONS.—In this section:

(1) ACTIVE DEFENSE TECHNIQUE.—The term "active defense technique" means an action taken on an information system of an element of the intelligence community to increase the security of such system against an attacker, including—

(A) the use of a deception technology or other purposeful feeding of false or misleading information to an attacker accessing such system; or

(B) proportional action taken in response to an unlawful breach.

(2) CONTINUOUS ACTIVITY SECURITY TESTING.—The term "continuous activity security testing" means continuous experimentation conducted by an element of the intelligence community on an information system of such element to evaluate the resilience of such system against a malicious attack or condition that

could compromise such system for the purpose of improving design, resilience, and incident response with respect to such system.

(3) DECEPTION TECHNOLOGY.—The term "deception technology" means an isolated digital environment, system, or platform containing a replication of an active information system with realistic data flows to attract, mislead, and observe an attacker.

(4) INTELLIGENCE COMMUNITY INFORMATION ENVIRONMENT.—The term "intelligence community information environment" has the meaning given the term in Intelligence Community Directive 121, or any successor document.

(5) NATIONAL LABORATORY.—The term "national laboratory" has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(6) NATIONAL MANAGER FOR NATIONAL SECURITY SYSTEMS.—The term "National Manager for National Security Systems" means the Director of National Security, or successor official, serving as the National Manager for National Security Systems pursuant to National Security Directive 42, or any successor document.

(7) NATIONAL SECURITY SYSTEM.—The term "national security system" has the meaning given that term in section 3552 of title 44, United States Code.

(8) PROACTIVE CYBERSECURITY INITIATIVES.—The term "proactive cybersecurity initiatives" means actions performed periodically and continuously within an organization, focused on identifying and eliminating vulnerabilities within the network infrastructure, preventing security breaches, and evaluating the effectiveness of the business security posture in real-time, including threat hunting, endpoint and network monitoring, and cybersecurity awareness and training.

TITLE LXIV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 6401. MODIFICATIONS TO RESPONSIBILITIES AND AUTHORITIES OF DIRECTOR OF NATIONAL INTELLIGENCE.

Section 102A of the National Security Act of 1947 (50 U.S.C. 3024), as amended by section 6314, is further amended—

(1) in subsection (c)(5)(C), by striking "may" and inserting "shall";

(2) in subsection (h)—

(A) in paragraph (1)(A)—

(i) by striking "encourage" and inserting "require"; and

(ii) by inserting ", independent of political considerations," after "tradecraft"; and

(B) by amending paragraph (3) to read as follows;

"(3) ensure that substantial differences in analytic judgment are fully considered, brought to the attention of policymakers, and documented in analytic products; and";

(3) in subsection (i)—

(A) in paragraph (1), by inserting ", and shall establish and enforce policies to protect," after "protect";

(B) in paragraph (2), by striking "guidelines" and inserting "requirements"; and

(C) by adding at the end the following new paragraph:

"(4)(A) Each head of an element of the intelligence community shall ensure that any congressionally mandated report submitted to Congress by the head, other than such a report submitted solely to the congressional intelligence committees, shall be consistent with the protection of intelligence sources and methods in accordance with the policies established by the Director under paragraph (1), regardless of whether the provision of law mandating the report explicitly requires such protection.

"(B) Nothing in this paragraph shall be construed to alter any congressional leadership's or congressional committee's jurisdiction or access to information from any element of the intelligence community under the rules of either chamber of Congress."; and

(4) in subsection (x), in the matter preceding paragraph (1), by striking "the head of each department of the Federal Government that contains an element of the intelligence community and the Director of the Central Intelligence Agency" and inserting "the heads of the elements of the intelligence community".

SEC. 6402. ANNUAL SUBMISSION TO CONGRESS OF NATIONAL INTELLIGENCE PRIORITIES FRAMEWORK.

Section 102A(p) of the National Security Act of 1947 (50 U.S.C. 3024(p)) is amended by inserting at the end the following new paragraph:

"(3) Not later than October 1 of each year, the President, acting through the Director of National Intelligence, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a copy of the most recently updated National Intelligence Priorities Framework of the Office of the Director of National Intelligence (or any such successor mechanism).".

SEC. 6403. DISPOSITION OF RECORDS OF OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 1096(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 50 U.S.C. 3001 note) is amended—

(1) by inserting "(1)" before "Upon";

(2) by adding at the end the following new sentence: "Any records of the Office of the Director of National Intelligence that are maintained by the agency as a service for the Office of the Director of National Intelligence under section 1535 of title 31, United States Code, (popularly known as the 'Economy Act') may be treated as the records of the agency when dispositioned as required by law, and any disclosure of such records between the two agencies shall not be subject to any otherwise applicable

legal consent requirements or disclosure accounting requirements."; and

(3) by adding at the end the following new paragraph:

"(2) The records of the Office of the Director of National Intelligence may not be dispositioned pursuant to paragraph (1) without the authorization of the Director of National Intelligence.".

Subtitle B—Central Intelligence Agency

SEC. 6411. CLARIFICATION REGARDING PROTECTION OF CENTRAL INTELLIGENCE AGENCY FUNCTIONS.

Section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3507) is amended by striking ", functions" and inserting "or functions of the Agency, or of the".

SEC. 6412. EXPANSION OF REPORTING REQUIREMENTS RELATING TO AUTHORITY TO PAY PERSONNEL OF CENTRAL INTELLIGENCE AGENCY FOR CERTAIN INJURIES TO THE BRAIN.

Section 2(d)(1) of the Helping American Victims Afflicted by Neurological Attacks Act of 2021 (Public Law 117–46) is amended—

(1) in subparagraph (A), by inserting "and not less frequently than once each year thereafter for 5 years" after "Not later than 365 days after the date of the enactment of this Act";

(2) in subparagraph (B), by adding at the end the following:

"(iv) Detailed information about the number of covered employees, covered individuals, and covered dependents who reported experiencing vestibular, neurological, or related injuries, including those broadly termed 'anomalous health incidents'.

"(v) The number of individuals who have sought benefits under any provision of section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b).

"(vi) The number of covered employees, covered individuals, and covered dependents who are unable to perform all or part of their professional duties as a result of injuries described in clause (iv).

"(vii) An updated analytic assessment coordinated by the National Intelligence Council regarding the potential causes and perpetrators of anomalous health incidents, as well as any and all dissenting views within the intelligence community, which shall be included as appendices to the assessment."; and

(3) in subparagraph (C), by striking "The" and inserting "Each".

SEC. 6413. HISTORICAL ADVISORY PANEL OF CENTRAL INTELLIGENCE AGENCY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that Congress expresses its appreciation—

(1) to the Director of the Central Intelligence Agency for reconstituting the Historical Advisory Panel; and

(2) for the important work of the Historical Advisory Panel, especially for—

(A) the efforts of the Panel to aid with the declassification of materials that enrich the historical national security record; and

(B) the assistance of the Panel in liaison with the scholarly community.

(b) REPORTING REQUIREMENT.—The Historical Advisory Panel shall report directly to the Director of the Central Intelligence Agency.

(c) HISTORICAL ADVISORY PANEL DEFINED.—The term "Historical Advisory Panel" means the panel of the Central Intelligence Agency, regardless of the name of the panel, that assists in conducting declassification reviews and providing other assistance with respect to matters of historical interest.

SEC. 6414. AUTHORITY OF CENTRAL INTELLIGENCE AGENCY TO PROVIDE PROTECTION FOR CERTAIN PERSONNEL.

(a) AUTHORITY.—Paragraph (4) of section 5(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)), as amended by section 6303, is further amended to read as follows:

"(4) Authorize personnel designated by the Director to carry firearms to the extent necessary for the performance of the Agency's authorized functions, except that, within the United States, such authority shall be limited to the purposes of—

"(A) the training of Agency personnel and other authorized persons in the use of firearms;

"(B) the protection of classified materials and information;

"(C) the protection of installations and property of the Agency;

"(D) the protection of—

"(i) current and former Agency personnel and their immediate families;

"(ii) individuals nominated by the President to the position of Director (including with respect to an individual whom a President-elect (as defined in section 3(c) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) has declared an intent to nominate) and their immediate families; and

"(iii) defectors and their immediate families, and other persons in the United States under Agency auspices; and

"(E) with respect to the Office of the Director of National Intelligence, the protection of—

"(i) installations and property of the Office of the Director of National Intelligence;

"(ii) the Director of National Intelligence and the immediate family of the Director;

"(iii) current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate; and

"(iv) individuals nominated by the President to the position of Director of National Intelligence (including with respect to an individual whom a President-elect has declared an intent to nominate) and their immediate families;".

(b) CONFORMING AMENDMENT.—Section 15(d)(1) of such Act (50 U.S.C. 3515(d)(1)) is amended by striking "designated by the Director under section 5(a)(4) to carry firearms for the protection of current or former Agency personnel and their immediate families, de-

fectors and their immediate families, and other persons in the United States under Agency auspices," and inserting the following: "designated by the Director to carry firearms under subparagraph (D) or (E) of section 5(a)(4),".

(c) TECHNICAL AMENDMENT.—Paragraphs (7) and (8) of section 5(a) of such Act (50 U.S.C. 3506(a)) are amended by adjusting the margins to conform with the other paragraphs in such section.

SEC. 6415. NOTIFICATION OF USE OF CERTAIN EXPENDITURE AUTHORITIES.

(a) CIA.—Section 8 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3510) is amended by adding at the end the following new subsection:

"(c) NOTIFICATION.—Not later than 30 days after the date on which the Director makes a novel and significant expenditure pursuant to subsection (a), the Director shall notify the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives of such expenditure.".

(b) OTHER ELEMENTS.—Section 102A of the National Security Act of 1947 (50 U.S.C. 3024), as amended by section 6402, is further amended—

(1) in subsection (m)(1), by inserting before the period at the end the following: ", including with respect to the notification requirement under section 8(c) of such Act (50 U.S.C. 3510(c))"; and

(2) in subsection (n), by adding at the end the following new paragraph:

"(5) Any authority provided to the Director of National Intelligence or the head of an element of the intelligence community pursuant to this subsection to make an expenditure referred to in subsection (a) of section 8 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3510) is subject to the notification requirement under subsection (c) of such section. If the Director of National Intelligence is required to make a notification for a specific expenditure pursuant to both this paragraph and paragraph (4)(G), the Director may make a single notification.".

SEC. 6416. OFFICE SUPPORTING CENTRAL INTELLIGENCE AGENCY WORKFORCE WELLBEING.

(a) ESTABLISHMENT.—The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by adding at the end the following new section:

"SEC. 29. OFFICE OF WELLNESS AND WORKFORCE SUPPORT.

"(a) ESTABLISHMENT.—The Director shall establish within the Agency an office (in this section referred to as the 'Office') to provide support for the physical health, mental health, and wellbeing of eligible individuals under subsection (d).

"(b) CHIEF WELLBEING OFFICER; ASSIGNED STAFF.—

"(1) CHIEF WELLBEING OFFICER.—The head of the Office is the Chief Wellbeing Officer, who shall provide to the Director regular updates on the operations of the Office.

"(2) ASSIGNED STAFF.—To assist in performing the functions under subsection (c), the Director shall assign to the Office a sufficient number of individuals, who shall have no official duties other than duties related to the Office while so assigned.

"(c) FUNCTIONS OF OFFICE.—

"(1) FUNCTIONS.—The Director shall establish the functions and role of the Office, which shall include the following:

"(A) Providing to eligible individuals under subsection (d) advice and assistance on health and wellbeing, including with respect to—

"(i) physical health and access to physical health care;

"(ii) mental health and access to mental health care; and

"(iii) other related programs and benefits for which the individual may be eligible.

"(B) In providing advice and assistance to individuals under subparagraph (A), assisting such individuals who are applying for, and navigating the process to obtain, benefits furnished by the United States Government for which the individual is eligible, including, at a minimum—

"(i) health care and benefits described in such subparagraph; and

"(ii) benefits furnished pursuant to section 19A.

"(C) Maintaining, and making available to eligible individuals under subsection (d), the following:

"(i) A list of physicians and mental health care providers (including from the private sector, as applicable), who have experience with the physical and mental health care needs of the Agency workforce.

"(ii) A list of chaplains and religious counselors who have experience with the needs of the Agency workforce, including information regarding access to the Chaplain Corps established under section 26.

"(iii) Information regarding how to select and retain private attorneys who have experience with the legal needs of the Agency workforce, including detailed information on the process for the appropriate sharing of information with retained private attorneys.

"(D) Any other functions the Director determines appropriate.

"(2) RULE OF CONSTRUCTION.—The inclusion of any person on a list maintained or made available pursuant to paragraph (1)(C) shall not be construed as an endorsement of such person (or any service furnished by such person), and the Director shall not be liable, as a result of such inclusion, for any portion of compensable injury, loss, or damage attributable to such person or service.

"(3) CONFIDENTIALITY.—

"(A) REQUIREMENT.—The Director shall ensure that, to the extent permitted by law, the advice and assistance provided by the Office to eligible individuals under subsection (d) is provided in a confidential manner.

"(B) REGULATIONS.—The Director may prescribe regulations regarding the requirement for confidentiality under this paragraph. The Director shall submit to the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives any such regulations not later than 30 days after prescribing such regulations.

"(d) ELIGIBILITY.—

"(1) IN GENERAL.—An individual described in paragraph (2) may receive a service under the Office at the election of the individual.

"(2) INDIVIDUALS DESCRIBED.—An individual described in this paragraph is—

"(A) a current or former officer or employee of the Agency; or

"(B) an individual affiliated with the Agency, as determined by the Director.".

(b) DEADLINE FOR ESTABLISHMENT.—The Director of the Central Intelligence Agency shall establish the Office under section 29 of the Central Intelligence Agency Act of 1949 (as added by subsection (a)) (in this section referred to as the "Office") by not later than 120 days after the date of the enactment of this Act.

(c) BIANNUAL BRIEFINGS.—On a biannual basis during the three-year period beginning on the date of the establishment of the Office, the Director shall provide to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a briefing on the status of the Office, including on—

(1) the number of individuals assigned to the Office pursuant to subsection (b)(2) of section 29 of the Central Intelligence Agency Act of 1949 (as added by subsection (a)); and

(2) the number of eligible individuals under subsection (d) of such section 29 who have received services under the Office, and the type of services so received.

Subtitle C—Elements of the Defense Intelligence Enterprise

SEC. 6421. INCLUSION OF SPACE FORCE AS ELEMENT OF INTELLIGENCE COMMUNITY.

Section 3(4)(H) of the National Security Act of 1947 (50 U.S.C. 3003(4)(H)) is amended by inserting "the Space Force," after "the Marine Corps,".

SEC. 6422. OVERSIGHT OF DEFENSE INTELLIGENCE AGENCY CULTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(D) the Committee on Armed Services of the House of Representatives; and

(E) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) WORKFORCE CLIMATE SURVEY.—The term "workforce climate survey"—

(A) means a workforce engagement or climate survey conducted at the agency, directorate, career field, or integrated intelligence center level, without regard to whether the survey is conducted on an annual or ad-hoc basis; and

(B) does not include an exit survey specified in subsection (c).

(b) FINDINGS.—Congress finds that the Defense Intelligence Agency has committed to improving Agency culture and leadership; however, actions taken by the Agency as of the date of the enactment of this Act have not enabled a full assessment of the extent of workforce culture issues and potential management abuses, and require additional Congressional oversight to ensure concerns are both understood and addressed.

(c) MANDATORY PROVISION OF EXIT SURVEY OR INTERVIEW.—

(1) IN GENERAL.—The Director of the Defense Intelligence Agency shall ensure that each employee of such Agency who leaves employment with such Agency (but not including any detail assignment) completes an exit survey or exit interview prior to such departure, to the extent practicable.

(2) ANNUAL SUBMISSIONS TO CONGRESS.—On an annual basis during the 3-year period beginning on the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the appropriate committees of Congress a written analysis of the results of the exit surveys or exit interviews completed pursuant to paragraph (1) during the year covered by the report together with a plan of the Director to address any issues identified pursuant to such results to improve retention and culture.

(d) CONGRESSIONAL OVERSIGHT RELATING TO WORKFORCE CLIMATE SURVEYS.—

(1) NOTIFICATIONS OF AD-HOC WORKFORCE CLIMATE SURVEYS.—Not later than 14 days after the date on which the Director of the Defense Intelligence Agency conducts an ad-hoc workforce climate survey (including in response to a specific incident or concern), the Director shall notify the appropriate committees of Congress.

(2) REPORTS ON FINAL RESULTS.—Not later than 90 days after the date on which the Director of the Defense Intelligence Agency concludes the conduct of any workforce climate survey, the Director shall submit to the appropriate committees of Congress a report containing the final results of such workforce climate survey. Such report shall include the following:

(A) The topic of the workforce climate survey, and the workforce level surveyed.

(B) The rationale for conducting the workforce climate survey.

(C) The measures in place to ensure the accessibility of the workforce climate survey.

(D) The lead official or entity conducting the workforce climate survey.

(E) Any actions the Director intends to take, or is considering, in response to the results of the workforce climate survey.

(3) ACCESSIBILITY OF WORKFORCE CLIMATE SURVEYS.—The Director of the Defense Intelligence Agency shall ensure that, to the extent practicable, and consistent with the protection of intelligence sources and methods, workforce climate surveys are accessible to employees of such Agency on classified and unclassified systems.

(e) FEASIBILITY REPORT.—Not later than 270 days after the date of enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the appropriate committees of Congress a report containing an analysis of the feasibility (including the anticipated cost, personnel requirements, necessary authorities, and such other matters as may be determined appropriate by the Director for purposes of analyzing feasibility) of—

(1) conducting 360-degree performance reviews among employees of the Defense Intelligence Agency; and

(2) including leadership suitability assessments (including personality evaluations, communication style assessments, and emotional intelligence aptitude assessments) for promotions of such employees to a position within grade GS–14 or above of the General Schedule.

Subtitle D—Other Elements

SEC. 6431. MODIFICATION OF ADVISORY BOARD IN NATIONAL RECONNAISSANCE OFFICE.

Section 106A(d) of the National Security Act of 1947 (50 U.S.C. 3041a(d)) is amended—

(1) in paragraph (3)(A)(i), by inserting ", in consultation with the Director of National Intelligence and the Secretary of Defense," after "Director"; and

(2) in paragraph (7), by striking "the date that is 3 years after the date of the first meeting of the Board" and inserting "September 30, 2024".

SEC. 6432. ESTABLISHMENT OF ADVISORY BOARD FOR NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) ESTABLISHMENT.—There is established in the National Geospatial-Intelligence Agency an advisory board (in this section referred to as the "Board").

(b) DUTIES.—The Board shall—

(1) study matters relating to the mission of the National Geospatial-Intelligence Agency, including with respect to integration of commercial capabilities, promoting innovation, advice on next generation tasking, collection, processing, exploitation, and dissemination capabilities, strengthening functional management, acquisition, and such other matters as the Direc-

tor of the National Geospatial-Intelligence Agency considers appropriate; and

(2) advise and report directly to the Director with respect to such matters.

(c) MEMBERS.—

(1) NUMBER AND APPOINTMENT.—

(A) IN GENERAL.—The Board shall be composed of 6 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the Agency.

(B) NOTIFICATION.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) of such appointment.

(C) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this Act, the Director shall appoint the initial 6 members to the Board.

(2) TERMS.—Each member shall be appointed for a term of 3 years.

(3) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

(4) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

(5) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(6) EXECUTIVE SECRETARY.—The Director may appoint an executive secretary, who shall be an employee of the Agency, to support the Board.

(d) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

(e) REPORTS.—Not later than March 31 of each year, the Board shall submit to the Director and to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the activities and significant findings of the Board during the preceding year.

(f) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(g) TERMINATION.—The Board shall terminate on the date that is 5 years after the date of the first meeting of the Board.

SEC. 6433. ELEVATION OF THE COMMERCIAL AND BUSINESS OPERATIONS OFFICE OF THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

Beginning not later than 90 days after the date of the enactment of this Act, the head of the commercial and business operations of-

fice of the National Geospatial-Intelligence Agency shall report directly to the Director of the National Geospatial-Intelligence Agency.

SEC. 6435. STUDY ON PERSONNEL UNDER STRATEGIC INTELLIGENCE PARTNERSHIP PROGRAM.

(a) STUDY.—The Director of National Intelligence and the Director of the Office of Intelligence and Counterintelligence of the Department of Energy, in consultation with the National Laboratories Directors' Council and in coordination with such other entities, agencies, and departments as the Directors consider appropriate, shall jointly conduct a study of the skills, recruitment, and retention of the personnel at the national laboratories who carry out projects under the Strategic Intelligence Partnership Program.

(b) ELEMENTS.—The study under subsection (a) shall address the following:

(1) The degree to which the personnel at the national laboratories who carry out projects under the Strategic Intelligence Partnership Program have the requisite training, skillsets, or expertise in critical science, technology, and engineering areas to support ongoing and anticipated projects under such Program, and the sufficiency of such personnel.

(2) Whether such personnel have compensation, benefits, and pay scales that are competitive with comparable roles in the private sector in the geographic market in which the relevant national laboratory is located.

(3) Any challenges associated with the retention of such personnel.

(4) The talent composition of such personnel, broken down by career phase and degree status, to include any relevant exit survey data.

(5) A description of current or previous programs to enabling such personnel to rotate between elements of the intelligence community and the national laboratories, including the number of personnel on nonreimbursable or reimbursable assignment to an element of the intelligence community.

(6) The degree to which such projects and personnel support or augment other ongoing mission areas and capacities at the national laboratories.

(c) RECOMMENDATIONS.—Upon completing the study under subsection (a), the Directors shall jointly develop findings and recommendations based on the results of the study regarding the recruitment and retention of personnel at the national laboratories who carry out projects under the Strategic Intelligence Partnership Program, including with respect to the following:

(1) New or alternative business models, sponsorship arrangements, or work scope agreements.

(2) Extending eligibility for existing, or establishing new, recruitment, retention, or other career incentive programs, including student loan repayment and forgiveness programs, to such personnel.

(3) Initiating geographically flexible or remote work arrangements for such personnel.

(4) Enabling such personnel to participate in training at elements of the intelligence community, or obtain academic training at the National Intelligence University.

(5) Establishing new, or enhancing existing, opportunities for detailee or rotational programs among the intelligence community and the national laboratories.

(6) Using a compensation system modeled on the Cyber Talent Management System of the Department of Homeland Security for such personnel.

(7) Any other recommendations the Directors determine relevant.

(d) REPORT.—

(1) REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, the Directors shall jointly submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report containing the study under subsection (a) and the recommendations under subsection (c).

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(e) NATIONAL LABORATORIES DEFINED.—In this section, the term "national laboratories" means—

(1) each national security laboratory (as defined in section 3281(1) of the National Nuclear Security Administration Act (50 U.S.C. 2471(1))); and

(2) each national laboratory of the Department of Energy.

SEC. 6436. BRIEFING ON COORDINATION BETWEEN INTELLIGENCE COMMUNITY AND BUREAU OF INDUSTRY AND SECURITY.

(a) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, the Committee on Energy and Commerce, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) CLASSIFIED BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Commerce, or their designees, shall jointly provide a classified briefing to the appropriate congressional committees regarding—

(1) coordination between the intelligence community and the Bureau of Industry and Security of the Department of Commerce;

(2) existing processes of the Bureau for the access to, storage of, transmission of, and use of information provided to the Bureau by an element of the intelligence community; and

(3) such recommendations as the Director and the Secretary may have to enhance such access, storage, transmission, and use.

TITLE LXV—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Intelligence Matters Relating to the People's Republic of China

SEC. 6501. REPORT ON WEALTH AND CORRUPT ACTIVITIES OF THE LEADERSHIP OF THE CHINESE COMMUNIST PARTY.

Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of State, shall make available to the public an unclassified report on the wealth and corrupt activities of the leadership of the Chinese Communist Party, including the General Secretary of the Chinese Communist Party and senior leadership officials in the Central Committee, the Politburo, the Politburo Standing Committee, and any other regional Party Secretaries.

SEC. 6502. IDENTIFICATION AND THREAT ASSESSMENT OF COMPANIES WITH INVESTMENTS BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Commerce, Science, and Transportation and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Energy and Commerce and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, the Chairperson of the Federal Communication Commission, and the Administrator of the National Telecommunications and Information Administration, shall provide to the appropriate committees of Congress a report on the risk to national security of the use of—

(1) telecommunications companies with a 10% or greater direct or indirect foreign investment by an entity or person owned or controlled by, or subject to the jurisdiction or direction of, the People's Republic of China that is operating in the United States or providing services to affiliates and personnel of the intelligence community; and

(2) hospitality and conveyance companies with substantial investment by the People's Republic of China by affiliates and personnel of the intelligence community for travel on behalf of the United States Government.

SEC. 6503. INTELLIGENCE COMMUNITY WORKING GROUP FOR MONITORING THE ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall establish a cross-intelligence community analytical working group (in this section referred to as the "working group") on the economic and technological capabilities of the People's Republic of China.

(b) MONITORING AND ANALYSIS.—The working group shall monitor and analyze—

(1) the economic and technological capabilities of the People's Republic of China;

(2) the extent to which those capabilities rely on exports, financing, or services from the United States and other foreign countries;

(3) the links of those capabilities to the military-industrial complex of the People's Republic of China; and

(4) the threats those capabilities pose to the national security and values of the United States.

(c) ANNUAL ASSESSMENT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Energy and Commerce, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not less frequently than once each year, the working group shall submit to the appropriate committees of Congress an assessment of the economic and technological strategy, efforts, and progress of the People's Republic of China to become the dominant military, technological, and economic power in the world and undermine the rules-based world order.

(3) ELEMENTS.—Each assessment required by paragraph (2) shall include the following:

(A) An unclassified overview of the major goals, strategies, and policies of the People's Republic of China to control, shape, or develop self-sufficiency in key technologies and control related supply chains and ecosystems, including—

(i) efforts to acquire United States and other foreign technology and recruit foreign talent in technology sectors of the People's Republic of China, including the extent to which those efforts relate to the military-industrial complex of the People's Republic of China;

(ii) efforts related to incentivizing offshoring of United States and foreign manufacturing to China, influencing global supply chains, and creating supply chain vulnerabilities for the United States, including China's financing or potential financing in foreign countries to create monopolies in the processing and exporting of rare earth and other critical materials necessary for renewable energy, including cobalt, lithium, and nickel;

(iii) related tools and market access restrictions or distortions imposed by the People's Republic of China on foreign firms and laws and regulations of the People's Republic of China that discriminate against United States and other foreign firms; and

(iv) efforts of the People's Republic of China to attract or restrict financing from the United States and other foreign countries to build self-sufficient national defense capabilities, an evaluation of the relative contribution of foreign financing to China's economic support for such capabilities, and the type of capital flows from the United States into China's national defense capabilities from the specific actions taken by the Government of the People's Republic of China to attract or restrict financing to the outcome of such efforts for entities and persons of the People's Republic of China.

(B) An unclassified assessment of the progress of the People's Republic of China to achieve its goals, disaggregated by economic sector.

(C) An unclassified assessment of the impact of the transfer of capital, technology, data, talent, and technical expertise from the United States to China on the economic, technological, and military capabilities of the People's Republic of China.

(D) An unclassified list of the top 200 businesses, academic and research institutions, or other entities of the People's Republic of China that are—

(i) developing, producing, or exporting to other countries the technologies that are strategically important to the People's Republic of China or supporting entities of the People's Republic of China that are subject to sanctions imposed by the United States;

(ii) supporting the military-civil fusion program or the military industrial complex of the People's Republic of China; or

(iii) otherwise supporting the goals and efforts of the Chinese Communist Party and Chinese government entities, including the Ministry of State Security, the Ministry of Public Security, and the People's Liberation Army.

(E) An unclassified list of the top 100 development, infrastructure, or other strategic projects that the People's Republic of China is financing abroad that—

(i) advance the technology goals and strategies of the Chinese Communist Party; or

(ii) evade financial sanctions, export controls, or import restrictions imposed by the United States.

(F) An unclassified list of the top 100 businesses, research institutions, or other entities of the People's Republic of China that are developing surveillance, smart cities, or related technologies that are—

(i) exported to other countries, undermining democracy worldwide; or

(ii) provided to the security services of the People's Republic of China, enabling them to commit severe human rights abuses in China.

(G) An unclassified list of the top 100 businesses or other entities of the People's Republic of China that are—

(i) operating in the genocide zone in Xinjiang; or

(ii) supporting the Xinjiang Public Security Bureau, the Xinjiang Bureau of the Ministry of State Security, the People's Armed Police, or the Xinjiang Production and Construction Corps.

(H) A list of investment funds, public companies, or private or early-stage firms of the People's Republic of China that have received more than $100,000,000 in capital flows from the United States during the 10-year period preceding the date on which the assessment is submitted.

(4) PREPARATION OF ASSESSMENTS.—In preparing each assessment required by paragraph (2), the working group shall use open source documents in Chinese language and commercial databases.

(5) FORMAT.—An assessment required by paragraph (2) may be submitted in the format of a National Intelligence Estimate.

(6) FORM.—Each assessment required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

(7) PUBLICATION.—The unclassified portion of each assessment required by paragraph (2) shall be published on the publicly accessible website of the Director of National Intelligence.

(d) BRIEFINGS TO CONGRESS.—Not less frequently than quarterly, the working group shall provide to Congress a classified briefing on the economic and technological goals, strategies, and progress of the People's Republic of China, especially on the information that cannot be disclosed in the unclassified portion of an assessment required by subsection (c)(2).

(e) CLASSIFIED ANALYSES.—Each classified annex to an assessment required by subsection (c)(2) or corresponding briefing provided under subsection (d) shall include an analysis of—

(1) the vulnerabilities of the People's Republic of China, disaggregated by economic sector, industry, and entity; and

(2) the technological or supply chain chokepoints of the People's Republic of China that provide leverage to the United States.

(f) SUNSET.—This section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

SEC. 6504. ANNUAL REPORT ON CONCENTRATED REEDUCATION CAMPS IN THE XINJIANG UYGHUR AUTONOMOUS REGION OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(2) COVERED CAMP.—The term "covered camp" means a detention camp, prison, forced labor camp, or forced labor factory located in the Xinjiang Uyghur Autonomous Region of the People's Republic of China, referred to by the Government of the People's Republic of China as "concentrated reeducation camps" or "vocational training centers".

(b) ANNUAL REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on the status of covered camps.

(c) ELEMENTS.—Each report required by subsection (b) shall include the following:

(1) An identification of the number and geographic location of covered camps and an estimate of the number of victims detained in covered camps.

(2) A description of—

(A) the types of personnel and equipment in covered camps;

(B) the funding received by covered camps from the Government of the People's Republic of China; and

(C) the role of the security services of the People's Republic of China and the Xinjiang Production and Construction Corps in enforcing atrocities at covered camps.

(3) A comprehensive list of—

(A) the entities of the Xinjiang Production and Construction Corps, including subsidiaries and affiliated businesses, with respect to which sanctions have been imposed by the United States;

(B) commercial activities of those entities outside of the People's Republic of China; and

(C) other Chinese businesses, including in the artificial intelligence, biotechnology, and surveillance technology sectors, that are involved with the atrocities in Xinjiang or supporting the policies of the People's Republic of China in the region.

(d) FORM.—Each report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(e) PUBLICATION.—The unclassified portion of each report required by subsection (b) shall be published on the publicly accessible website of the Office of the Director of National Intelligence.

SEC. 6505. ASSESSMENTS OF PRODUCTION OF SEMICONDUCTORS BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(C) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Science, Space, and Technology, the Committee on Energy and Commerce, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(2) LEGACY SEMICONDUCTOR.—The term "legacy semiconductor" has the meaning given such term in section 9902(a)(6)(A) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652(a)(6)(A)).

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of progress by the People's Republic of China in global competitiveness in the production of semiconductors by Chinese firms, including any subsidiary, affiliate, or successor of such firms.

(c) CONSULTATION.—In carrying out subsection (b), the Director shall consult with the Secretary of Commerce and the heads of such other Federal agencies as the Director considers appropriate.

(d) ELEMENTS.—Each assessment submitted under subsection (b) shall include the following:

(1) The progress of the People's Republic of China toward self-sufficiency in the supply of semiconductors, including globally competitive Chinese firms competing in the fields of artificial intelligence, cloud computing, autonomous vehicles, next-generation and renewable energy, advanced life sciences and biotechnology, and high-performance computing.

(2) The progress of the People's Republic of China in developing indigenously or accessing foreign sources of intellectual property critical to the design and manufacturing of leading edge process nodes, including electronic design automation technology.

(3) Activity of Chinese firms with respect to the production of semiconductors that are not legacy semiconductors, including any identified export diversion to evade export controls.

(4) Any observed stockpiling efforts by Chinese firms with respect to semiconductor manufacturing equipment, substrate materials, silicon wafers, or other necessary inputs for semiconductor production.

(5) An analysis of the relative market share of different Chinese semiconductor manufacturers at different process nodes and the estimated increase or decrease of market share by that manufacturer in each product category during the preceding year.

(6) A comprehensive summary of recruitment activity of the People's Republic of China targeting semiconductor manufacturing engineers and managers from non-Chinese firms.

(7) An analysis of the capability of the workforce of the People's Republic of China to design, produce, and manufacture of semiconductors that are not legacy semiconductors and relevant equipment.

(e) FORM OF ASSESSMENTS.—Each assessment submitted under subsection (b) shall be submitted in unclassified form and include a classified annex.

(f) ADDITIONAL REPORTING.—Each assessment submitted under subsection (b) shall also be transmitted to the Secretary of Commerce, to inform, among other activities of the Department of Commerce, implementation of section 103 of the CHIPS Act of 2022 (Public Law 117–167) and title XCIX of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.).

Subtitle B—Miscellaneous Authorities, Requirements, and Limitations

SEC. 6511. NOTICE OF DEPLOYMENT OR TRANSFER OF CONTAINERIZED MISSILE SYSTEMS BY RUSSIA, CHINA, OR IRAN.

Section 501 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114–113; 129 Stat. 2923) is amended—

(1) by striking "the Russian Federation" each place it appears and inserting "a covered country";

(2) by striking "Club–K container missile system" each place it appears and inserting "missile launcher disguised as or concealed in a shipping container";

(3) in subsection (a)(1)—

(A) by striking "deploy, the" and inserting "deploy, a"; and

(B) by striking "the Russian military" and inserting "the military of the covered country";

(4) by striking subsection (c) and inserting the following new subsection:

"(c) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the following:

"(A) The congressional intelligence committees.

"(B) The Committees on Armed Services of the House of Representatives and the Senate.

"(C) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

"(D) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

"(2) COVERED COUNTRY.—The term 'covered country' means the following:

"(A) Russia.

"(B) China.

"(C) Iran.

"(D) North Korea."; and

*(5) in the heading, by striking "**CLUB–K CONTAINER MISSILE SYSTEM BY THE RUSSIAN FEDERATION**" and inserting "**CONTAINERIZED MISSILE SYSTEM BY RUSSIA OR CERTAIN OTHER COUNTRIES**".*

SEC. 6512. INTELLIGENCE COMMUNITY COORDINATOR FOR RUSSIAN ATROCITIES ACCOUNTABILITY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) ATROCITY.—The term "atrocity" means a war crime, crime against humanity, or genocide.

(3) COMMIT.—The term "commit", with respect to an atrocity, includes the planning, committing, aiding, and abetting of such atrocity.

(4) FOREIGN PERSON.—The term "foreign person" means a person that is not a United States person.

(5) RUSSIAN ATROCITY.—The term "Russian atrocity" means an atrocity that is committed by an individual who is—

(A) a member of the armed forces, or the security or other defense services, of the Russian Federation;

(B) an employee of any other element of the Russian Government; or

(C) an agent or contractor of an individual specified in subparagraph (A) or (B).

(6) UNITED STATES PERSON.—The term "United States person" has the meaning given that term in section 105A(c) of the National Security Act of 1947 (50 U.S.C. 3039).

(b) INTELLIGENCE COMMUNITY COORDINATOR FOR RUSSIAN ATROCITIES ACCOUNTABILITY.—

(1) DESIGNATION.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall designate a senior official of the Office of the Director of National Intelligence to serve as the intelligence community coordinator for Russian atrocities accountability (in this section referred to as the "Coordinator").

(2) DUTIES.—The Coordinator shall oversee the efforts of the intelligence community relating to the following:

(A) Identifying, and (as appropriate) disseminating within the United States Government, intelligence relating to

the identification, location, or activities of foreign persons suspected of playing a role in committing Russian atrocities in Ukraine.

(B) Identifying analytic and other intelligence needs and priorities of the intelligence community with respect to the commitment of such Russian atrocities.

(C) Addressing any gaps in intelligence collection relating to the commitment of such Russian atrocities and developing recommendations to address any gaps so identified, including by recommending the modification of the priorities of the intelligence community with respect to intelligence collection.

(D) Collaborating with appropriate counterparts across the intelligence community to ensure appropriate coordination on, and integration of the analysis of, the commitment of such Russian atrocities.

(E) Identifying intelligence and other information that may be relevant to preserve evidence of potential war crimes by Russia, consistent with the public commitments of the United States to support investigations into the conduct of Russia.

(F) Ensuring the Atrocities Early Warning Task Force and other relevant departments and agencies of the United States Government receive appropriate support from the intelligence community with respect to the collection, analysis, preservation, and, as appropriate, dissemination, of intelligence related to Russian atrocities in Ukraine.

(3) PLAN REQUIRED.—Not later than 30 days after the date of enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress—

(A) the name of the official designated as the Coordinator pursuant to paragraph (1); and

(B) the strategy of the intelligence community for the collection of intelligence related to Russian atrocities in Ukraine, including a detailed description of how the Coordinator shall support, and assist in facilitating the implementation of, such strategy.

(4) ANNUAL REPORT TO CONGRESS.—

(A) REPORTS REQUIRED.—Not later than May 1, 2023, and annually thereafter until May 1, 2026, the Director of National Intelligence shall submit to the appropriate committees of Congress a report detailing, for the year covered by the report—

(i) the analytical findings and activities of the intelligence community with respect to Russian atrocities in Ukraine; and

(ii) the recipients of information shared pursuant to this section for the purpose of ensuring accountability for such Russian atrocities, and the date of any such sharing.

(B) FORM.—Each report submitted under subparagraph (A) may be submitted in classified form, consistent with the protection of intelligence sources and methods.

(C) SUPPLEMENT.—The Director of National Intelligence may supplement an existing reporting requirement with the information required under subparagraph (A) on an annual basis to satisfy that requirement with prior notification of intent to do so to the appropriate committees of Congress.

(c) SUNSET.—This section shall cease to have effect on the date that is 4 years after the date of the enactment of this Act.

SEC. 6513. LEAD INTELLIGENCE COMMUNITY COORDINATOR FOR COUNTERING AND NEUTRALIZING PROLIFERATION OF IRAN-ORIGIN UNMANNED AIRCRAFT SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services, the Committee on Foreign Relations, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Armed Services, the Committee on Foreign Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) FIVE EYES PARTNERSHIP.—The term "Five Eyes Partnership" means the intelligence alliance comprising Australia, Canada, New Zealand, the United Kingdom, and the United States.

(3) UNMANNED AIRCRAFT SYSTEM.—The term "unmanned aircraft system" includes an unmanned powered aircraft (including communication links and the components that control the unmanned aircraft), that—

(A) does not carry a human operator;

(B) may fly autonomously or be piloted remotely;

(C) may be expendable or recoverable; and

(D) may carry a lethal payload or explode upon reaching a designated location.

(b) COORDINATOR.—

(1) DESIGNATION.—Not later than 30 days after the date of enactment of this Act, the Director of National Intelligence shall designate an official from an element of the intelligence community to serve as the lead intelligence community coordinator for countering and neutralizing the proliferation of Iran-origin unmanned aircraft systems (in this section referred to as the "Coordinator").

(2) PLAN.—Not later than 120 days after the date on which the Coordinator is designated under paragraph (1), the Coordinator shall—

(A) develop a comprehensive plan of action, driven by intelligence information, for countering and neutralizing the threats posed by the proliferation of Iran-origin unmanned aircraft systems; and

(B) provide to appropriate committees of Congress a briefing on such plan of action.

(3) FINAL REPORT.—

(A) SUBMISSION.—Not later than January 1, 2024, the Director of National Intelligence shall submit to the appropriate committees of Congress a final report on the activities and findings of the Coordinator.

(B) MATTERS.—The report under subparagraph (A) shall include the following:

(i) An assessment of the threats posed by Iran-origin unmanned aircraft systems, including the threat to facilities and personnel of the United States Government in the greater Middle East, particularly in the areas of such region that are located within the area of responsibility of the Commander of the United States Central Command.

(ii) A detailed description of intelligence sharing efforts, as well as other joint efforts driven by intelligence information, with allies and partners of the United States, to assist in countering and neutralizing of such threats.

(iii) Recommendations for any changes in United States policy or legislative authorities to improve the capacity of the intelligence community to assist in countering and neutralizing such threats.

(C) FORM.—The report under subparagraph (A) may be submitted in classified form.

(D) ANNEX.—In submitting the report under subparagraph (A) to the congressional intelligence committees, the Director shall also include an accompanying annex, which shall be classified, that separately details all efforts supported exclusively by National Intelligence Program funds.

(c) COLLABORATION WITH FIVE EYES PARTNERSHIP AND ISRAEL.—Taking into account the findings of the final report under subsection (b)(3), the Director of National Intelligence shall seek to—

(1) develop and implement a common approach among the Five Eyes Partnership toward countering the threats posed by Iran-origin unmanned aircraft systems, including by leveraging the unique intelligence capabilities and information of the members of the Five Eyes Partnership; and

(2) intensify cooperation with Israel for the purpose of countering Iran-origin unmanned aircraft systems, including by strengthening and expanding existing cooperative efforts conducted pursuant to section 1278 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1702; 22 U.S.C. 8606 note).

(d) SUNSET.—This section shall cease to have effect on the date on which the final report is submitted under subsection (b)(3).

SEC. 6514. COLLABORATION BETWEEN INTELLIGENCE COMMUNITY AND DEPARTMENT OF COMMERCE TO COUNTER FOREIGN COMMERCIAL THREATS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the congressional intelligence committees;

(B) the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on

Foreign Relations, and the Committee on Appropriations of the Senate; and

(C) the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) FOREIGN COMMERCIAL THREAT.—

(A) IN GENERAL.—The term "foreign commercial threat" means a rare commercial item or service that is produced by, offered by, sold by, licensed by, or otherwise distributed under the control of a strategic competitor or foreign adversary in a manner that may provide the strategic competitor or foreign adversary leverage over an intended recipient.

(B) DETERMINATIONS BY WORKING GROUP.—In determining whether an item or service is a foreign commercial threat, the Working Group shall consider whether the strategic competitor or foreign adversary could—

(i) withhold, or threaten to withhold, the rare commercial item or service;

(ii) create reliance on the rare commercial item or service as essential to the safety, health, or economic wellbeing of the intended recipient; or

(iii) have its rare commercial item or service easily replaced by a United States entity or an entity of an ally or partner of the United States.

(3) RARE COMMERCIAL ITEM OR SERVICE.—The term "rare commercial item or service" means a good, service, or intellectual property that is not widely available for distribution.

(b) WORKING GROUP.—

(1) ESTABLISHMENT.—Unless the Director of National Intelligence and the Secretary of Commerce make the joint determination specified in subsection (c), the Director and the Secretary, in consultation with the Secretary of State, shall jointly establish a working group to counter foreign commercial threats (in this section referred to as the "Working Group").

(2) MEMBERSHIP.—The composition of the Working Group may include any officer or employee of a department or agency of the United States Government determined appropriate by the Director or the Secretary.

(3) DUTIES.—The duties of the Working Group shall be the following:

(A) To identify current foreign commercial threats.

(B) To identify probable future foreign commercial threats.

(C) To identify goods, services, or intellectual property that, if produced by entities within the United States, or allies or partners of the United States, would mitigate foreign commercial threats.

(4) MEETINGS.—Not later than 30 days after the date of the enactment of this Act, and on a regular basis that is not less frequently than quarterly thereafter until the date of termination under paragraph (5), the Working Group shall meet.

(5) TERMINATION.—Beginning on the date that is 2 years after the date of the establishment under paragraph (1), the Working

Group may be terminated upon the Director of National Intelligence and the Secretary of Commerce jointly—

(A) determining that termination of the Working Group is appropriate; and

(B) submitting to the appropriate congressional committees a notification of such determination (including a description of the justification for such determination).

(6) REPORTS.—

(A) SUBMISSION TO CONGRESS.—Not later than 60 days after the date of the enactment of this Act, and biannually thereafter until the date of termination under paragraph (5), the Working Group shall submit to the appropriate congressional committees a report on the activities of the Working Group.

(B) MATTERS.—Each report under subparagraph (A) shall include a description of the following:

(i) Any current or future foreign commercial threats identified by the Working Group.

(ii) The strategy of the United States Government, if any, to mitigate any current foreign commercial threats or future foreign commercial threats so identified.

(iii) The plan of the intelligence community to provide to the Department of Commerce and other nontraditional customers of the intelligence community support in addressing foreign commercial threats.

(iv) Any other significant activity of the Working Group.

(c) OPTION TO DISCHARGE OBLIGATION THROUGH OTHER MEANS.—If the Director of National Intelligence and the Secretary of Commerce make a joint determination that the requirements of the Working Group under subsection (b) (including the duties under paragraph (3) and the reporting requirement under paragraph (6) of such subsection) may be appropriately filled by an existing entity or structure, and submit to the congressional intelligence committees a notification of such determination (including a description of the justification for such determination), the Director and Secretary may task such entity or structure with such requirements in lieu of establishing the Working Group.

SEC. 6515. INTELLIGENCE ASSESSMENT ON FOREIGN WEAPONIZATION OF ADVERTISEMENT TECHNOLOGY DATA.

(a) DEFINITIONS.—In this section:

(1) ADVERTISEMENT TECHNOLOGY DATA.—The term "advertisement technology data" means commercially available data derived from advertisement technology that is used, or can be used, to geolocate individuals or gain other targeting information on individuals.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(D) the Committee on Armed Services of the House of Representatives; and

(E) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENT.—The Director of National Intelligence shall conduct an intelligence assessment of the counterintelligence risks of, and the exposure of intelligence community and Department of Defense personnel and activities to, tracking by foreign adversaries through advertisement technology data.

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director shall submit to the appropriate committees of Congress a report on the intelligence assessment under subsection (b).

SEC. 6516. INTELLIGENCE COMMUNITY ASSESSMENT REGARDING RUSSIAN GRAY ZONE ASSETS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(D) the Committee on Armed Services of the House of Representatives; and

(E) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) GRAY ZONE ACTIVITY.—The term "gray zone activity" has the meaning given that term in section 825 of the Intelligence Authorization Act for Fiscal Year 2022 (Public Law 117–103).

(3) GRAY ZONE ASSET.—The term "gray zone asset"—

(A) means an entity or proxy that is controlled, in whole or in part, by a foreign adversary of the United States and is used by such foreign adversary in connection with a gray zone activity; and

(B) includes a state-owned enterprise of a foreign adversary that is so used.

(b) INTELLIGENCE COMMUNITY ASSESSMENT REGARDING RUSSIAN GRAY ZONE ASSETS.—

(1) INTELLIGENCE COMMUNITY ASSESSMENT.—The Director of National Intelligence, acting through the National Intelligence Council, shall produce an intelligence community assessment that contains—

(A) a description of the gray zone assets of Russia;

(B) an identification of any opportunities to hold such gray zone assets at risk, as a method of influencing the behavior of Russia; and

(C) an assessment of the risks and potential benefits, with respect to the interests of the United States, that may result from the seizure of such gray zone assets to hold the assets at risk.

(2) CONSIDERATIONS.—In identifying opportunities to hold a gray zone asset of Russia at risk under paragraph (1)(B), the National Intelligence Council shall consider the following:

(A) The effect on civilians of holding the gray zone asset at risk.

(B) The extent to which the gray zone asset is substantially state-owned or substantially controlled by Russia.

(C) The likelihood that holding the gray zone asset at risk will influence the behavior of Russia.

(D) The likelihood that holding the gray asset at risk, or degrading the asset, will affect any attempt of Russia to use force to change existing borders or undermine the political independence or territorial integrity of any state, including Ukraine.

(E) Such other factors as the National Intelligence Council may determine appropriate.

(3) APPENDIX.—The intelligence community assessment under paragraph (1) shall include an appendix that contains a list of the categories of gray zone assets of Russia, with specific examples of—

(A) gray zone assets in each category; and

(B) for each such gray zone asset listed, the ways in which Russia uses the asset to advance its gray zone activities.

(4) SUBMISSION.—The Director, consistent with the protection of sources and methods, shall submit to the appropriate committees of Congress the intelligence community assessment under paragraph (1).

(5) FORM.—The intelligence community assessment under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

Subtitle C—Reports and Other Matters

SEC. 6521. REPORT ON ASSESSING WILL TO FIGHT.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the following:

(A) The congressional intelligence committees.

(B) The Committee on Foreign Relations, the Committee on Armed Services, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

(C) The Committee on Foreign Affairs, the Committee on Armed Services, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) MILITARY WILL TO FIGHT.—The term "military will to fight" means, with respect to the military of a country, the disposition and decision to fight, act, or persevere as needed.

(3) NATIONAL WILL TO FIGHT.—The term "national will to fight" means, with respect to the government of a country, the resolve to conduct sustained military and other operations for an objective even when the expectation of success decreases or the need for significant political, economic, and military sacrifices increases.

(b) FINDINGS.—Congress finds the following:

(1) According to a study by the RAND corporation, "will to fight" is poorly analyzed and the least understood aspect of war.

(2) In testimony before the Select Committee on Intelligence of the Senate in May 2022, top intelligence officials of the United States indicated that although the intelligence community accurately anticipated Russia's invasion of Ukraine, the intelligence community did not accurately assess the will of Ukrainian forces to fight in opposition to a Russian invasion or that the Ukrainian forces would succeed in averting a rapid Russian military occupation of Kyiv.

(3) According to the RAND corporation, the intelligence community estimated that the Afghan government's forces could hold out against the Taliban for as long as 2 years if all ground forces of the United States were withdrawn. This estimate was revised in June 2021 to reflect an intelligence community view that Afghanistan's military collapse could come in 6 to 12 months. In August 2021, the Afghan government fell within days after the ground forces of the United States were withdrawn.

(4) Similarly, the rapid advance of the Islamic State in Iraq and Syria and near-total collapse of the Iraqi Security Forces in 2014 appeared to take the policymakers of the United States by surprise.

(5) The apparent gaps in these analyses had important implications for policy decisions of the United States toward Russia and Afghanistan, and suggest a need for further examination of how the intelligence community assesses a foreign military's will to fight.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, acting through the National Intelligence Council and in coordination with the heads of the elements of the intelligence community that the Director determines appropriate, shall submit to the appropriate congressional committees a report examining the extent to which analyses of the military will to fight and the national will to fight informed the all-source analyses of the intelligence community regarding how the armed forces and governments of Ukraine, Afghanistan, and Iraq would perform at key junctures.

(d) ELEMENTS.—The report under subsection (c) shall include the following:

(1) The methodology of the intelligence community for measuring the military will to fight and the national will to fight of a foreign country.

(2) The extent to which analysts of the intelligence community applied such methodology when assessing the military will to fight and the national will to fight of—

(A) Afghanistan following the April 2021 announcement of the full withdrawal of the United States Armed Forces;

(B) Iraq in the face of the rapid emergence and advancement in 2014 of Islamic State in Iraq and Syria; and

(C) Ukraine and Russia during the initial phase of the invasion and march toward Kyiv by Russia in February 2022.

(3) The extent to which—

(A) the assessments described in paragraph (2) depended on the observations of personnel of the United States Armed Forces who had trained Afghan, Iraqi, and Ukrainian armed forces; and

(B) such observations reflected any standardized, objective methodology.

(4) Whether shortcomings in assessing the military will to fight and the national will to fight may have affected the capacity of the intelligence community to provide "early warning" about the collapse of government forces in Iraq and Afghanistan.

(5) The extent to which "red teaming" was used to test the assessments described in paragraph (2).

(6) The extent to which dissenting opinions of intelligence analysts were highlighted in final written products presented to senior policymakers of the United States.

(7) The extent to which analysts and supervisors adhered to the policies, procedures, directives, and best practices of the intelligence community.

(8) Recommendations for analyses by the intelligence community going forward to incorporate lessons learned and enhance the quality of future analytical products to more accurately reflect the military will to fight and the national will to fight and improve the capacity of the intelligence community to accurately predict the success or failure of the armed forces of a foreign country.

(e) ANNEX.—In submitting the report under subsection (c) to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, the Director shall also include an accompanying annex, which shall be classified, providing an inventory of the following:

(1) Collection gaps and challenges that may have affected the analysis of the collapse of government forces in Iraq and Afghanistan.

(2) Actions that the Director of National Intelligence has taken to mitigate such gaps and challenges.

(f) FORM.—The report under subsection (c) may be submitted in classified form, but if so submitted, shall include an unclassified summary of key findings, consistent with the protection of intelligence sources and methods.

SEC. 6522. REPORT ON THREAT FROM HYPERSONIC WEAPONS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report containing an assessment of the threat to the United States, and to allies and partners of the United States, from hypersonic weapons in light of the use of such weapons by Russia in Ukraine.

(c) ELEMENTS.—The assessment under subsection (b) shall include the following:

(1) The information learned by the United States regarding the hypersonic weapons capabilities of Russia.

(2) Insights into the doctrine of Russia regarding the use of hypersonic weapons.

(3) An assessment of how allies and partners of the United States view the threat of hypersonic weapons.

(4) An assessment of the degree to which the development of missiles with similar capabilities as hypersonic weapons used by Russia would enhance or reduce the ability of the United States to deter Russia from threatening the national security of the United States.

(d) FORM.—The report under subsection (b) may be submitted in classified form.

SEC. 6523. REPORT ON ORDNANCE OF RUSSIA AND CHINA.

(a) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees and the congressional defense committees a report on ordnance of Russia and China, including the technical specificity required for the safe handling and disposal of such ordnance.

(b) COORDINATION.—The Director shall carry out subsection (a) in coordination with the head of any element of the Defense Intelligence Enterprise that the Director determines appropriate.

(c) DEFINITIONS.—In this section:

(1) CONGRESSIONAL DEFENSE COMMITTEES.—The term "congressional defense committees" has the meaning given that term in section 101(a) of title 10, United States Code.

(2) DEFENSE INTELLIGENCE ENTERPRISE.—The term "Defense Intelligence Enterprise" has the meaning given that term in section 426(b) of title 10, United States Code.

SEC. 6524. REPORT ON ACTIVITIES OF CHINA AND RUSSIA TARGETING LATIN AMERICA AND THE CARIBBEAN.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs, the Committee on Armed Services, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) FOREIGN MALIGN INFLUENCE.—The term "foreign malign influence" means any hostile effort undertaken by, at the direc-

tion of, or on behalf of or with the substantial support of, the government of a foreign country with the objective of influencing, through overt or covert means—

(A) the political, military, economic, or other policies or activities of the government of the country that is the target of the hostile effort, including any election within such target country; or

(B) the public opinion within such target country.

(3) LATIN AMERICA AND THE CARIBBEAN.—The term "Latin America and the Caribbean" means the countries and non-United States territories of South America, Central America, the Caribbean, and Mexico.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, acting through the National Intelligence Council and in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a report on activities undertaken by China and Russia in Latin America and the Caribbean that are intended to increase the influence of China and Russia, respectively, therein. Such report shall include a description of the following:

(1) Foreign malign influence campaigns by China and Russia targeting Latin America and the Caribbean.

(2) Financial investments intended to increase Chinese or Russian influence in Latin America and the Caribbean.

(3) Efforts by China and Russia to expand diplomatic, military, or other ties to Latin America and the Caribbean.

(4) Any other activities determined appropriate by the Director.

(c) MATTERS.—With respect to the description of foreign malign influence campaigns under subsection (b), the report shall include an assessment of the following:

(1) The objectives of any such campaign.

(2) The themes and messaging used in any such campaign.

(3) The scale and nature of the threat posed by any such campaign.

(4) The effect of such threat on the national security, diplomatic, military, or economic interests of the United States.

(d) FORM.—The report under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6525. REPORT ON SUPPORT PROVIDED BY CHINA TO RUSSIA.

(a) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Armed Services, the Committee on Ways and Means, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, consistent with the protection of intelligence sources and methods, the Director of National Intelligence, in consultation with the heads of elements of the intelligence community that the Director determines appropriate, shall submit to the appropriate congressional committees a report on whether and how China, including with respect to the Government of the People's Republic of China, the Chinese Communist Party, any Chinese state-owned enterprise, and any other Chinese entity, has provided support to Russia with respect to the unprovoked invasion of and full-scale war by Russia against Ukraine.

(c) MATTERS INCLUDED.—The report under subsection (b) shall include a discussion of support provided by China to Russia with respect to—

(1) helping the Government of Russia or Russian entities evade or circumvent sanctions by the United States or multilateral sanctions and export controls;

(2) deliberately inhibiting onsite United States Government export control end-use checks, including interviews and investigations, in China;

(3) providing Russia with any technology, including semiconductors classified as EAR99, that supports Russian intelligence or military capabilities;

(4) establishing economic or financial arrangements that will have the effect of alleviating the effect of sanctions by the United States or multilateral sanctions; and

(5) providing any material, technical, or logistical support, including to Russian military or intelligence agencies and state-owned or state-linked enterprises.

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

(e) SUNSET.—The requirement to submit the report under subsection (b) shall terminate on the earlier of—

(1) the date on which the Director of National Intelligence determines the conflict in Ukraine has ended; or

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

SEC. 6526. REPORT ON GLOBAL CCP FINANCING OF PORT INFRASTRUCTURE.

(a) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of State and the Secretary of Defense, shall submit to the appropriate congressional committees a report

documenting all Chinese financing of port infrastructure globally, during the period beginning on January 1, 2012, and ending on the date of the submission of the report, and the commercial and economic implications of such investments. The report shall also include the following:

(1) A review of existing and potential or planned future Chinese financing, including financing by government entities, and state-owned enterprises, in port infrastructure at such ports.

(2) Any known Chinese interest in establishing a military or intelligence presence at or near such ports.

(3) An assessment of China's current and potential future ability to leverage commercial ports for military or intelligence collection purposes and the implications of such ability for the national security of the United States and allies and partners of the United States.

(4) A description of activities undertaken by the United States and allies and partners of the United States to help identify and provide alternatives to Chinese investments in port infrastructure.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form but may include a classified annex produced consistent with the protection of sources and methods.

SEC. 6527. SENSE OF CONGRESS ON PROVISION OF SUPPORT BY INTELLIGENCE COMMUNITY FOR ATROCITY PREVENTION AND ACCOUNTABILITY.

(a) DEFINITIONS.—In this section:

(1) ATROCITIES.—The term "atrocities" has the meaning given that term in section 6 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441; 132 Stat. 5586).

(2) ATROCITY CRIME SCENE.—The term "atrocity crime scene" means 1 or more locations that are relevant to the investigation of an atrocity, including buildings or locations (including bodies of water) where physical evidence may be collected relating to the perpetrators, victims, and events of the atrocity, such as mass graves and other sites containing deceased individuals.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the efforts of the United States Government regarding atrocity prevention and response through interagency coordination, such as the Atrocity Warning Task Force, are critically important and that the Director of National Intelligence and the Secretary of Defense should, as appropriate and in compliance with the American Servicemembers' Protection Act of 2002 (22 U.S.C. 7421 et seq.), do the following:

(1) Require each element of the intelligence community to support the Atrocity Warning Task Force in its mission to prevent genocide and atrocities through policy formulation and program development by—

(A) collecting and analyzing intelligence identified as an atrocity, as defined in the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441; 132 Stat. 5586);

(B) preparing unclassified intelligence data and geospatial imagery products for coordination with appropriate domestic, foreign, and international courts and tribunals prosecuting persons responsible for crimes for which

such imagery and intelligence may provide evidence (including genocide, crimes against humanity, and war crimes, including with respect to missing persons and suspected atrocity crime scenes); and

(C) reassessing archived geospatial imagery containing indicators of war crimes, other atrocities, forced disappearances, and atrocity crime scenes.

(2) Continue to make available inputs to the Atrocity Warning Task Force for the development of the Department of State Atrocity Early Warning Assessment and share open-source data to support pre-atrocity and genocide indicators and warnings to the Atrocity Warning Task Force.

(3) Provide the President and Congress with recommendations to improve policies, programs, resources, and tools relating to atrocity intelligence collection and interagency coordination.

(4) Regularly consult and participate with designated interagency representatives of relevant agencies and departments of the United States Government.

(5) Ensure resources are made available for the policies, programs, and tools relating to atrocity intelligence collection and coordination with the Atrocity Warning Task Force.

TITLE LXVI—INTELLIGENCE COMMUNITY WORKFORCE MATTERS

SEC. 6601. IMPROVING ONBOARDING OF PERSONNEL IN INTELLIGENCE COMMUNITY.

(a) DEFINITION OF ONBOARD PERIOD.—In this section, the term "onboard period" means the period beginning on the date on which an individual submits an application for employment and ending on—

(1) the date on which the individual is offered one or more entrance on duty dates; or

(2) the date on which the individual enters on duty.

(b) POLICY GUIDANCE.—The Director of National Intelligence shall establish policy guidance appropriate for all elements of the intelligence community that can be used to measure, consistently and reliably, the onboard period.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the time it takes to onboard personnel in the intelligence community.

(2) ELEMENTS.—The report submitted under paragraph (1) shall cover the mean and median time it takes to onboard personnel in the intelligence community, disaggregated by mode of onboarding and element of the intelligence community.

(d) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the

heads of the elements of the intelligence community, shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a plan to reduce the onboard period for personnel in the intelligence community, for elements of the intelligence community that currently have median onboarding times that exceed 180 days.

(2) ELEMENTS.—The plan submitted under paragraph (1) shall include milestones to achieve certain specific goals with respect to the mean, median, and mode time it takes to onboard personnel in the elements of the intelligence community described in such paragraph, disaggregated by element of the intelligence community.

(e) IMPLEMENTATION.—The heads of the elements of the intelligence community, including the Director of the Central Intelligence Agency, shall implement the plan submitted under subsection (d) and take all such actions each head considers appropriate and necessary to ensure that by December 31, 2023, the median duration of the onboard period for new employees at each element of the intelligence community is equal to less than 180 days.

SEC. 6602. REPORT ON LEGISLATIVE ACTION REQUIRED TO IMPLEMENT TRUSTED WORKFORCE 2.0 INITIATIVE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall, in the Deputy Director's capacity as the Chair of the Security, Suitability, and Credentialing Performance Accountability Council pursuant to section 2.4 of Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for Government employment, fitness for contractor employees, and eligibility for access to classified national security information), submit to Congress a report on the legislative action required to implement the Trusted Workforce 2.0 initiative.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) Specification of the statutes that require amendment in order to implement the initiative described in subsection (a).

(2) For each statute specified under paragraph (1), an indication of the priority for enactment of an amendment.

(3) For each statute specified under paragraph (1), a description of the consequences if the statute is not amended.

SEC. 6603. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY ASSESSMENT OF ADMINISTRATION OF POLYGRAPHS IN INTELLIGENCE COMMUNITY.

(a) ASSESSMENT REQUIRED.—The Inspector General of the Intelligence Community shall conduct an assessment of the administration of polygraph evaluations that are needed in the intelligence community to meet current annual personnel hiring requirements.

(b) ELEMENTS.—The assessment completed under subsection (a) shall include the following:

(1) Identification of the number of polygraphers currently available at each element of the intelligence community to meet the requirements described in subsection (a).

(2) If the demand described in subsection (a) cannot be met, an identification of the number of polygraphers that would need to be hired and certified to meet it.

(3) A review of the effectiveness of alternatives to the polygraph, including methods being researched by the National Center for Credibility Assessment.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall brief the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives on the preliminary findings of the Inspector General with respect to the assessment conducted pursuant to subsection (a).

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the committees described in subsection (c) a report on the findings of the Inspector General with respect to the assessment conducted pursuant to subsection (a).

SEC. 6604. TIMELINESS IN THE ADMINISTRATION OF POLYGRAPHS.

(a) STANDARDS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in the Director's capacity as the Security Executive Agent pursuant to section 803(a) of the National Security Act of 1947 (50 U.S.C. 3162a(a)), issue standards for timeliness for Federal agencies to administer polygraphs conducted for the purpose of—

(A) adjudicating decisions regarding eligibility for access to classified information (as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a))); and

(B) granting reciprocity pursuant to Security Executive Agent Directive 2, or successor directive.

(2) PUBLICATION.—The Director shall publish the standards issued under paragraph (1) in the Federal Register or such other venue as the Director considers appropriate.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to Congress a report on how Federal agencies will comply with the standards issued under subsection (a). Such plan shall specify the resources required by Federal agencies to comply with such standards and the timeline for doing so.

SEC. 6605. POLICY ON SUBMITTAL OF APPLICATIONS FOR ACCESS TO CLASSIFIED INFORMATION FOR CERTAIN PERSONNEL.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in the Director's capacity as the Security Executive Agent pursuant to section 803(a) of the National Security Act of 1947 (50 U.S.C. 3162a(a)), issue a policy that allows a private person to submit a certain number or proportion of applications, on a nonreimbursable basis, for employee access to classified information for personnel who perform key management and oversight functions who may not merit an application due to their work under any one contract.

SEC. 6606. TECHNICAL CORRECTION REGARDING FEDERAL POLICY ON SHARING OF COVERED INSIDER THREAT INFORMATION.

Section 806(b) of the Intelligence Authorization Act for Fiscal Year 2022 (Public Law 117–103) is amended by striking "contracting agency" and inserting "contractor that employs the contractor employee".

SEC. 6607. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON USE OF SPACE CERTIFIED AS SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on the utilization of space owned or sponsored by an element of the intelligence community, located in the continental United States, that is certified as a sensitive compartmented information facility under intelligence community or Department of Defense policy.

SEC. 6608. IMPROVING PROHIBITION OF CERTAIN PERSONNEL PRACTICES IN INTELLIGENCE COMMUNITY WITH RESPECT TO CONTRACTOR EMPLOYEES.

Section 1104(c)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3234(c)(1)(A)) is amended—

(1) by striking "a supervisor of the contracting agency" and inserting "a supervisor of the employing or contracting agency or employing contractor";

(2) by striking "contracting agency (or an employee designated by the head of that agency for such purpose)" and inserting "employing or contracting agency (or an employee designated by the head of that agency for that purpose) or employing contractor"; and

(3) by striking "appropriate inspector general of the contracting agency" and inserting "appropriate inspector general of the employing or contracting agency".

SEC. 6609. DEFINITIONS REGARDING WHISTLEBLOWER COMPLAINTS AND INFORMATION OF URGENT CONCERN RECEIVED BY INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) NATIONAL SECURITY ACT OF 1947.—Section 103H(k)(5)(G)(i)(I) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)(G)(i)(I)) is amended by striking "within the" and all that follows through "policy matters." and inserting the following: "of the Federal Government that is—

"(aa) a matter of national security; and

"(bb) not a difference of opinion concerning public policy matters.".

(b) INSPECTOR GENERAL ACT OF 1978.—Section 8H(h)(1)(A)(i) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking "involving" and all that follows through "policy matters." and inserting the following: "of the Federal Government that is—

"(I) a matter of national security; and

"(II) not a difference of opinion concerning public policy matters.".

(c) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Section 17(d)(5)(G)(i)(I)(aa) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)(G)(i)(I)(aa)) is amended by striking "involv-

ing" and all that follows through "policy matters." and inserting the following: "of the Federal Government that is—

"(AA) a matter of national security; and

"(BB) not a difference of opinion concerning public policy matters.".

TITLE LXVII—MATTERS RELATING TO EMERGING TECHNOLOGIES

Subtitle A—General Matters

SEC. 6701. DEFINITIONS.

In this title:

(1) ARTIFICIAL INTELLIGENCE.—The term "artificial intelligence" has the meaning given that term in section 5002 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401).

(2) AUTHORIZATION TO OPERATE.—The term "authorization to operate" has the meaning given that term in Circular Number A-130 of the Office of Management and Budget, "Managing Information as a Strategic Resource", or any successor document.

(3) CODE-FREE ARTIFICIAL INTELLIGENCE ENABLEMENT TOOLS.—The term "code-free artificial intelligence enablement tools" means software that provides an environment in which visual drag-and-drop applications, or similar tools, allow one or more individuals to program applications without linear coding.

(4) COMMERCIAL PRODUCT.—The term "commercial product" has the meaning given that term in section 103 of title 41, United States Code.

(5) COMMERCIAL SERVICE.—The term "commercial service" has the meaning given that term in section 103a of title 41, United States Code.

(6) COVERED ITEM OR SERVICE.—The term "covered item or service" means a product, system, or service that is not a commercially available off-the-shelf item, a commercial service, or a nondevelopmental item, as those terms are defined in title 41, United States Code.

(7) COVERED PRODUCT.—The term "covered product" means a commercial software product that involves emerging technologies or artificial intelligence.

(8) EMERGING TECHNOLOGY.—The term "emerging technology" means—

(A) technology that is in a developmental stage or that may be developed during the 10-year period beginning on January 1, 2022; or

(B) any technology included in the Critical and Emerging Technologies List published by the White House in February 2022, or any successor document.

SEC. 6702. ADDITIONAL RESPONSIBILITIES OF DIRECTOR OF NATIONAL INTELLIGENCE FOR ARTIFICIAL INTELLIGENCE POLICIES, STANDARDS, AND GUIDANCE FOR THE INTELLIGENCE COMMUNITY.

(a) RESPONSIBILITIES OF DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence, in consultation with the heads of the elements of the intelligence community or the officials designated under subsection (b), shall—

(1) establish, and periodically conduct reviews of, policies, standards, and procedures relating to the acquisition, adoption, development, use, coordination, and maintenance of artificial intelligence capabilities and associated data, frameworks, computing environments, and other enablers by the intelligence community (including by incorporating and updating such policies based on emerging technology capabilities), to accelerate and increase the adoption of artificial intelligence capabilities within the intelligence community;

(2) ensure policies established or updated pursuant to paragraph (1) are consistent with—

(A) the principles outlined in the guidance of the Office of the Director of National Intelligence titled "Principles of Artificial Intelligence Ethics for the Intelligence Community and its Artificial Intelligence Ethics Framework for the Intelligence Community", or any successor guidance; and

(B) any other principles developed by the Director relating to the governance, documentation, auditability, or evaluation of artificial intelligence systems or the accurate, secure, ethical, and reliable adoption or use of artificial intelligence; and

(3) provide to the heads of the elements of the intelligence community guidance for developing the National Intelligence Program budget pertaining to such elements to facilitate the acquisition, adoption, development, use, and maintenance of element-specific artificial intelligence capabilities, and to ensure the associated data, frameworks, computing environments, and other enablers are appropriately prioritized.

(b) DESIGNATED LEADS WITHIN EACH ELEMENT OF THE INTELLIGENCE COMMUNITY.—Each head of an element of the intelligence community, in coordination with the Director of National Intelligence, shall identify a senior official within the element to serve as the designated element lead responsible for overseeing and coordinating efforts relating to artificial intelligence, including through the integration of the acquisition, technology, human capital, and financial management aspects necessary for the adoption of artificial intelligence solutions. Such designated element leads shall meet regularly to consult and coordinate with the Director of National Intelligence regarding the implementation of this section and this title.

SEC. 6703. DIRECTOR OF SCIENCE AND TECHNOLOGY.

(a) EMERGING TECHNOLOGY ADOPTION.—The Director of Science and Technology may—

(1) conduct reviews of the policies, standards, and procedures of the intelligence community that relate to emerging technologies and, as appropriate, recommend to the Director of National Intelligence changes to such policies, standards, and pro-

cedures, to accelerate and increase the adoption of emerging technologies by the intelligence community;

(2) make recommendations, in coordination with the heads of the elements of the intelligence community, to the Director of National Intelligence with respect to the budgets of such elements, to accelerate and increase the adoption of emerging technologies by such elements; and

(3) coordinate with the Under Secretary of Defense for Research and Engineering on initiatives, policies, and programs carried out jointly between the intelligence community and the Department of Defense to accelerate and increase the adoption of emerging technologies.

(b) APPOINTMENT CRITERIA.—Section 103E(b) of the National Security Act of 1947 (50 U.S.C. 3030(b)) is amended by adding at the end the following: "In making such appointment, the Director of National Intelligence may give preference to an individual with experience outside of the United States Government.".

SEC. 6704. INTELLIGENCE COMMUNITY CHIEF DATA OFFICER.

Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended by inserting after section 103J the following new section (and conforming the table of contents at the beginning of such Act accordingly):

"SEC. 103K. INTELLIGENCE COMMUNITY CHIEF DATA OFFICER.

"(a) INTELLIGENCE COMMUNITY CHIEF DATA OFFICER.—There is an Intelligence Community Chief Data Officer within the Office of the Director of National Intelligence who shall be appointed by the Director of National Intelligence.

"(b) REQUIREMENT RELATING TO APPOINTMENT.—An individual appointed as the Intelligence Community Chief Data Officer shall have a professional background and experience appropriate for the duties of the Intelligence Community Chief Data Officer. In making such appointment, the Director of National Intelligence may give preference to an individual with experience outside of the United States Government.

"(c) DUTIES.—The Intelligence Community Chief Data Officer shall—

"(1) act as the chief representative of the Director of National Intelligence for data issues within the intelligence community;

"(2) coordinate, to the extent practicable and advisable, with the Chief Data Officer of the Department of Defense to ensure consistent data policies, standards, and procedures between the intelligence community and the Department of Defense;

"(3) assist the Director of National Intelligence regarding data elements of the budget of the Office of the Director of National Intelligence; and

"(4) perform other such duties as may be prescribed by the Director of National Intelligence or specified in law.".

Subtitle B—Improvements Relating to Procurement

SEC. 6711. ADDITIONAL TRANSACTION AUTHORITY.

(a) ANNUAL REPORTS; FEASIBILITY AND ADVISABILITY STUDY.—

(1) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the use of the authority under paragraph (5) of section 102A(n) of the National Security Act of 1947 (50 U.S.C. 3024(n)), as added by subsection (b).

(2) FEASIBILITY AND ADVISABILITY STUDY.—

(A) STUDY.—The Director of National Intelligence shall conduct a feasibility and advisability study on whether to provide to the heads of the elements of the intelligence community an additional transaction authority that is not restricted only to basic, applied, and advanced research projects and prototype projects (similar to such less restrictive additional transaction authorities of the Transportation Security Administration and the National Aeronautics and Space Administration).

(B) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives the findings of the study conducted under subparagraph (A), including, if the Director determines a less restrictive additional transaction authority is advisable pursuant to such study, an identification of any legislative solutions or other actions necessary to implement such authority.

(b) ADDITIONAL TRANSACTION AUTHORITY.—Section 102A(n) of the National Security Act of 1947 (50 U.S.C. 3024(n)) is amended by adding at the end the following:

"(5) OTHER TRANSACTION AUTHORITY.—

"(A) IN GENERAL.—In addition to other acquisition authorities, the Director of National Intelligence may exercise the acquisition authorities referred to in sections 4021 and 4022 of title 10, United States Code, subject to the provisions of this paragraph.

"(B) DELEGATION.—(i) The Director shall delegate the authorities provided by subparagraph (A) to the heads of elements of the intelligence community.

"(ii) The heads of elements of the intelligence community shall, to the maximum extent practicable, delegate the authority delegated under clause (i) to the official of the respective element of the intelligence community responsible for decisions with respect to basic, applied, or advanced research activities or the adoption of such activities within such element.

"(C) INTELLIGENCE COMMUNITY AUTHORITY.—(i) For purposes of this paragraph, the limitation in section 4022(a)(1) of title

10, United States Code, shall not apply to elements of the intelligence community.

"(ii) Subject to section 4022(a)(2) of such title, the Director may enter into transactions and agreements (other than contracts, cooperative agreements, and grants) of amounts not to exceed $75,000,000 under this paragraph to carry out basic, applied, and advanced research projects and prototype projects in support of intelligence activities.

"(iii) For purposes of this paragraph, the limitations specified in section 4022(a)(2) of such title shall apply to the intelligence community in lieu of the Department of Defense, and the Director shall—

"(I) identify appropriate officials who can make the determinations required in subparagraph (B)(i) of such section for the intelligence community; and

"(II) brief the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives in lieu of the congressional defense committees, as specified in subparagraph (B)(ii) of such section.

"(iv) For purposes of this paragraph, the limitation in section 4022(a)(3) of such title shall not apply to elements of the intelligence community.

"(v) In carrying out this paragraph, section 4022(d)(1) of such title shall be applied by substituting 'Director of National Intelligence' for 'Secretary of Defense'.

"(vi) For purposes of this paragraph, the limitations in section 4022(d)(2) of such title shall not apply to elements of the intelligence community.

"(vii) In addition to the follow-on production contract criteria in section 4022(f)(2) of such title, the following additional criteria shall apply:

"(I) The authorizing official of the relevant element of the intelligence community determines that Government users of the proposed production product or production service have been consulted.

"(II) In the case of a proposed production product that is software, there are mechanisms in place for Government users to provide ongoing feedback to participants to the follow-on production contract.

"(III) In the case of a proposed production product that is software, there are mechanisms in place to promote the interoperability and accessibility with and between Government and commercial software providers, including by the promotion of open application programming interfaces and requirement of appropriate software documentation.

"(IV) The award follows a documented market analysis as mandated by the Federal Acquisition Regulations surveying available and comparable products.

"(V) In the case of a proposed production product that is software, the follow-on production contract includes a requirement that, for the duration of such contract (or such

other period of time as may be agreed to as a term of such contract)—

"(aa) the participants provide the most up-to-date version of the product that is available in the commercial marketplace and is consistent with security requirements;

"(bb) there are mechanisms in place for the participants to provide timely updates to the production product; and

"(cc) the authority specified in section 4022(f)(5) of such title shall be exercised by the Director in lieu of the Secretary of Defense.

"(D) IMPLEMENTATION POLICY.—The Director, in consultation with the heads of the elements of the intelligence community, shall—

"(i) not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, establish and implement an intelligence community-wide policy prescribing the use and limitations of the authority under this paragraph, particularly with respect to the application of subparagraphs (B) and (C);

"(ii) periodically review and update the policy established under clause (i); and

"(iii) submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives the policy when established under clause (i) or updated under clause (ii).

"(E) ANNUAL REPORT.—

"(i) IN GENERAL.—Not less frequently than annually, the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report detailing the use by the intelligence community of the authority provided by this paragraph.

"(ii) ELEMENTS.—

"(I) REQUIRED ELEMENTS.—Each report required by clause (i) shall detail the following:

"(aa) The number of transactions.

"(bb) The participants to such transactions.

"(cc) The purpose of the transaction.

"(dd) The amount of each transaction.

"(ee) Concerns with the efficiency of the policy.

"(ff) Any recommendations for how to improve the process.

"(II) OTHER ELEMENTS.—Each report required by clause (i) may describe such transactions which have been awarded follow-on production contracts either pursuant to the authority provided by this paragraph or another acquisition authority available to the intelligence community.".

SEC. 6712. IMPLEMENTATION PLAN AND ADVISABILITY STUDY FOR OFFICES OF COMMERCIAL INTEGRATION.

(a) PLAN AND STUDY.—

(1) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives—

(A) a plan for the establishment of a centralized office or offices within each appropriate element of the intelligence community, to be known as the "Office of Commercial Integration", for the purpose of—

(i) assisting persons desiring to submit an offer for a contract with the intelligence community; and

(ii) assisting with the procurement of commercial products and commercial services; and

(B) the findings of a study conducted by the Director into the advisability of implementing such plan, including an assessment of—

(i) whether there should be a single Office of Commercial Integration for the intelligence community or whether each element of the intelligence community shall establish such an Office;

(ii) the costs and benefits of the implementation of such plan; and

(iii) whether there is within any element of the intelligence community an existing office or program similar to the proposed Office of Commercial Integration.

(2) ELEMENTS.—The materials submitted under paragraph (1) shall include the following:

(A) A recommendation by the Director, based on the findings of the study under paragraph (1)(B), on—

(i) how the plan under paragraph (1)(A) compares to specific alternative actions of the intelligence community that could be taken to assist persons desiring to submit an offer for a contract with the intelligence community and assist with the procurement of commercial products and commercial services; and

(ii) whether to implement such plan.

(B) A proposal for the designation of a senior official of the Office of the Director of National Intelligence who would be responsible for the coordination across the intelligence community or across the Offices of Commercial Integration, depending on the findings of the study under paragraph (1)(B).

(C) Draft guidelines that would require the coordination and sharing of best practices and other information across the intelligence community.

(D) A timeline of the steps that would be necessary to establish each Office of Commercial Integration by the date that is not later than 2 years after the date of the enactment of this Act.

(E) An assessment of the personnel requirements, and any other resource requirements, that would be necessary to

establish the Office or Offices of Commercial Integration by such date, including—

(i) the amount of personnel necessary for the establishment of the Office or Offices of Commercial Integration; and

(ii) the necessary qualifications of any such personnel.

(F) Policies regarding the types of assistance that, if an Office or Offices of Commercial Integration were to be established, could be provided to contractors by the Director of such Office, taking into account the role of such assistance as an incentive for emerging technology companies to enter into contracts with the heads of the elements of the intelligence community.

(G) Eligibility criteria for determining the types of offerors or contractors that would be eligible to receive assistance provided by each Office of Commercial Integration.

(H) Policies regarding outreach efforts that would be required to be conducted by the Office or Offices of Commercial Integration with respect to eligible contractors.

(I) Policies regarding how the intelligence community would coordinate with the Director of the Federal Bureau of Investigation to provide proactive counterintelligence risk analysis and assistance to entities in the private sector.

(J) Draft guidelines that would require the Office or Offices of Commercial Integration to appoint and assign personnel with expertise in a range of disciplines necessary for the accelerated integration of commercial technologies into the intelligence community (as determined by the Office or Offices of Commercial Integration), including expertise in the following:

(i) Authorizations to operate.

(ii) Contracting.

(iii) Facility clearances.

(iv) Security clearances.

(K) Such other intelligence community-wide policies as the Director of National Intelligence may prescribe relating to the improvement of commercial integration (and the coordination of such improvements) by and among the elements of the intelligence community.

(b) PUBLIC WEBSITE ON COMMERCIAL INTEGRATION.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of the date of enactment of this Act, the Director of National Intelligence, in coordination with the head of the relevant elements of the intelligence community (as determined by the Director) and the designated element leads under section 6702(b), shall establish a publicly accessible website that includes relevant information necessary for offerors or contractors to conduct business with each element of the intelligence community.

(2) INCLUSION OF CERTAIN INFORMATION.—If there is established an Office or Offices of Commercial Integration in accordance with subsection (a), the website under paragraph (1) shall include—

(A) information, as appropriate, on the elements under subsection (a)(2) relating to that Office; and

(B) contact information for the relevant senior officers of the Office or Offices.

SEC. 6713. PILOT PROGRAM ON DESIGNATED EMERGING TECHNOLOGY TRANSITION PROJECTS.

(a) PILOT PROGRAM.—The Director of National Intelligence shall carry out a pilot program to more effectively transition promising prototypes or products in a developmental stage to a production stage, through designating eligible projects as "Emerging Technology Transition Projects".

(b) DESIGNATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall issue guidelines to implement the pilot program under subsection (a).

(2) REQUIREMENTS.—The guidelines issued pursuant to paragraph (1) shall include the following requirements:

(A) Each head of an element of the intelligence community shall submit to the Director of National Intelligence a prioritized list of not more than 10 eligible projects per year to be considered for designation by the Director of National Intelligence as Emerging Technology Transition Projects during the budget formulation process.

(B) The Director of National Intelligence shall designate not more than 10 eligible projects per year as Emerging Technology Transition Projects.

(C) No eligible project may be designated by the Director of National Intelligence as an Emerging Technology Transition Project unless the head of an element of the intelligence community includes the project in the prioritized list under subparagraph (A) and submits to the Director of National Intelligence, with respect to the project, each of the following:

(i) A justification of why the product was nominated for transition, including a description of the importance of the proposed product to the mission of the intelligence community and the nominating agency.

(ii) A certification that the project provides new technologies or processes, or new applications of existing technologies, that shall enable more effective alternatives to existing programs, systems, or initiatives of the intelligence community.

(iii) A certification that the project provides future cost savings, significantly reduces the time to deliver capabilities to the intelligence community, or significantly improves a capability of the intelligence community.

(iv) A certification that funding is not proposed for the project in the budget request of the respective covered element for the fiscal year following the fiscal year in which the project is submitted for consideration.

(v) A certification in writing by the nominating head that the project meets all applicable criteria and re-

quirements of the respective covered element for transition to production and that the nominating head would fund the project if additional funds were made available for such purpose.

(vi) A description of the means by which the proposed production product shall be incorporated into the activities and long-term budget of the respective covered element following such transition.

(vii) A description of steps taken to ensure that the use of the product shall reflect commercial best practices, as applicable.

(D) A clear description of the selection of eligible projects, including specific criteria, that shall include, at a minimum, the requirements specified in subparagraph (C).

(E) The designation of an official responsible for implementing this section and coordinating with the heads of the elements of the intelligence community with respect to the guidelines issued pursuant to paragraph (1) and overseeing the awards of funds to Emerging Technology Transition Projects with respect to that element.

(3) REVOCATION OF DESIGNATION.—The designation of an Emerging Technology Transition Project under subsection (b) may be revoked at any time by—

(A) the Director of National Intelligence; or

(B) the relevant head of a covered element of the intelligence community that previously submitted a project under subsection (b), in consultation with the Director of National Intelligence.

(c) BENEFITS OF DESIGNATION.—

(1) INCLUSION IN MULTIYEAR NATIONAL INTELLIGENCE PROGRAM PLAN.—The Director of National Intelligence shall include in the relevant multiyear national intelligence program plan submitted to Congress under section 1403 of the National Defense Authorization Act for Fiscal Year 1991 (50 U.S.C. 3301) the planned expenditures, if any, of each designated project during the period of its designation.

(2) INCLUSION UNDER SEPARATE EXHIBIT.—The heads of elements of the intelligence community shall ensure that each designated project is included in a separate budget exhibit in the relevant multiyear national intelligence program plan submitted to Congress under such section 1403 of the National Defense Authorization Act for Fiscal Year 1991 (50 U.S.C. 3301) for the period of the designation of such project.

(3) CONSIDERATION IN PROGRAMMING AND BUDGETING.—Each designated project shall be taken into consideration by the nominating head in the programming and budgeting phases of the intelligence planning, programming, budgeting, and evaluation process during the period of its designation.

(d) REPORTS TO CONGRESS.—

(1) ANNUAL REPORTS.—On an annual basis for each fiscal year during which the pilot program under subsection (a) is carried out, concurrently with the submission of the budget of the President for that fiscal year under section 1105(a) of title 31, United States Code, the Director of National Intelligence

shall submit to the congressional intelligence committees and the Committees on Appropriations of the House of Representatives and the Senate a report that includes the following:

(A) A description of each designated project.

(B) A summary of the potential of each designated project, as specified in subsection (b)(2)(C).

(C) For each designated project, a description of the progress made toward delivering on such potential.

(D) A description of any funding proposed for the designated project in the future-years intelligence program, including by program, appropriation account, expenditure center, and project.

(E) Such other information on the status of such pilot program as the Director considers appropriate.

(2) FINAL REPORT.—In the final report submitted under paragraph (1) prior to the date of termination under subsection (e), the Director of National Intelligence shall include a recommendation on whether to extend the pilot program under subsection (a) and the appropriate duration of such extension, if any.

(e) TERMINATION DATE.—The authority to carry out the pilot program under subsection (a) shall terminate on December 31, 2027.

(f) DEFINITION OF COVERED ELEMENT OF THE INTELLIGENCE COMMUNITY.—In this section, the term "covered element of the intelligence community" means the following:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The National Security Agency.

(4) The National Geospatial-Intelligence Agency.

(5) The National Reconnaissance Office.

(6) The Defense Intelligence Agency.

SEC. 6714. HARMONIZATION OF AUTHORIZATIONS TO OPERATE.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Armed Services of the House of Representatives; and

(5) the Committee on Appropriations of the House of Representatives.

(b) PROTOCOL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of Defense and the heads of the elements of the intelligence community, shall develop and submit to the appropriate committees of Congress a single protocol setting forth policies and procedures relating to authorizations to operate for Department of Defense or intelligence community systems held by industry providers.

(c) LIMITATION.—The protocol under subsection (b) shall be limited to authorizations to operate for Department of Defense and intelligence community systems.

(d) ELEMENTS.—The protocol under subsection (b) shall include, at a minimum, the following:

(1) A policy for reciprocal recognition, as appropriate, among the elements of the intelligence community and the Department of Defense of authorizations to operate held by commercial providers. Such reciprocal recognition shall be limited to authorizations to operate for systems that collect, process, maintain, use, share, disseminate, or dispose of data classified at an equal or lower classification level than the original authorization.

(2) Procedures under which, subject to such criteria as may be prescribed by the Director of National Intelligence jointly with the Secretary of Defense, a provider that holds an authorization to operate for a Department of Defense or intelligence community system may provide to the head of an element of the intelligence community or the Department of Defense the most recently updated version of any software, data, or application for use on such system without being required to submit an application for new or renewed authorization.

(3) Procedures for the review, renewal, and revocation of authorizations to operate held by commercial providers, including procedures for maintaining continuous authorizations to operate, subject to such conditions as may be prescribed by the Director of National Intelligence, in coordination with the Secretary of Defense. Such procedures may encourage greater use of modern security practices already being adopted by the Department of Defense and other Federal agencies, such as continuous authorization with system security focused on continuous monitoring of risk and security controls, active system defense, and the use of an approved mechanism for secure and continuous delivery of software (commonly referred to as "DevSecOps").

(4) A policy for the harmonization of documentation requirements for commercial providers submitting applications for authorizations to operate, with the goal of a uniform requirement across the Department of Defense and the elements of the intelligence community (subject to exceptions established by the Director and the Secretary). Such policy shall include the following requirements:

(A) A requirement for the full disclosure of evidence in the reciprocity process across the Department of Defense and the elements of the intelligence community.

(B) With respect to a system with an existing authorization to operate, a requirement for approval by the Chief Information Officer or a designated official (as the head of the respective element of the intelligence community determines appropriate) for such system to operate at an equal or higher level classification level, to be granted prior to the performance of an additional security assessment with respect to such system, and regardless of which element of the intelligence community or Department of Defense granted the original authorization.

(5) A requirement to establish a joint secure portal of the Office of the Director of National Intelligence and the Department of Defense for the maintenance of records, applications, and system requirements for authorizations to operate.

(6) A plan to examine, and if necessary, address, the shortage of intelligence community and Department of Defense personnel authorized to support and grant an authorization to operate. Such plan shall include—

(A) a report on the current average wait times for authorizations to operate and backlogs, disaggregated by each element of the intelligence community and the Department of Defense;

(B) appropriate recommendations to increase pay or implement other incentives to recruit and retain such personnel; and

(C) a plan to leverage independent third-party assessment organizations to support assessments of applications for authorizations to operate.

(7) Procedures to ensure data security and safety with respect to the implementation of the protocol.

(8) A proposed timeline for the implementation of the protocol by the deadline specified in subsection (g).

(e) COORDINATING OFFICIALS.—Not later than 60 days after the date of the enactment of this Act—

(1) the Director of National Intelligence shall designate an official of the Office of the Director of National Intelligence responsible for implementing this section on behalf of the Director and leading coordination across the intelligence community for such implementation;

(2) the Secretary of Defense shall designate an official of the Department of Defense responsible for implementing this section on behalf of the Secretary and leading coordination across the Department of Defense for such implementation; and

(3) each head of an element of the intelligence community shall designate an official of that element responsible for implementing this section and overseeing implementation of the protocol under subsection (b) with respect to the element.

(f) DOCUMENTATION REQUIREMENTS.—Under the protocol under subsection (b), no head of a Federal agency may commence the operation of a system using an authorization to operate granted by another Federal agency without possessing documentation of the original authorization to operate.

(g) IMPLEMENTATION REQUIRED.—The protocol under subsection (b) shall be implemented not later than January 1, 2025.

SEC. 6715. PLAN TO EXPAND SENSITIVE COMPARTMENTED INFORMATION FACILITY ACCESS BY CERTAIN CONTRACTORS; REPORTS ON EXPANSION OF SECURITY CLEARANCES FOR CERTAIN CONTRACTORS.

(a) PLAN; BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the date of enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense and the heads of such other elements of the intelligence community as the Director of National Intelligence may determine appropriate, shall—

(A) develop a plan to expand access by contractors of small emerging technology companies to sensitive compartmented information facilities for the purpose of providing

such contractors with a facility to securely perform work; and

(B) provide to the congressional intelligence committees, the Committee on Armed Services and the Committee on Appropriations of the Senate, and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives a briefing on such plan.

(2) MATTERS.—The plan under paragraph (1) shall include the following:

(A) An overview of the existing sensitive compartmented information facilities, if any, that may be available for the purpose specified in paragraph (1).

(B) An assessment of the feasibility of building additional sensitive compartmented information facilities for such purpose.

(C) An assessment of the relative costs and benefits of repurposing existing, or building additional, sensitive compartmented information facilities for such purpose.

(D) The eligibility criteria for determining which contractors under this section may be granted access to sensitive compartmented information facilities for such purpose.

(E) An estimate of the maximum number of contractors that may be provided access to sensitive compartmented information facilities for such purpose, taking into account the matters specified in subparagraphs (A) and (B).

(F) Policies to ensure the efficient and narrow use of sensitive compartmented information facilities for such purpose, including a timeline for the length of such use by a contractor under this section and a detailed description of the process to terminate access to the sensitive compartmented information facility by such contractor upon—

(i) the expiration of the contract or agreement of the contractor; or

(ii) a determination that the contractor no longer has a need for such access to fulfill the terms of such contract or agreement.

(G) Pricing structures for the use of sensitive compartmented information facilities by contractors for the purpose specified in paragraph (1). Such pricing structures—

(i) may include free use (for the purpose of incentivizing future contracts), with the potential for pricing to increase dependent on the length of the contract or agreement, the size of the contractor, and the need for such use; and

(ii) shall ensure that the cumulative cost for a contractor to rent and independently certify a sensitive compartmented information facility for such purpose does not exceed the market average for the Director of National Intelligence or the Secretary of Defense to build, certify, and maintain a sensitive compartmented information facility.

(H) A security plan for vetting each contractor prior to the access of a sensitive compartmented information facility by the contractor for the purpose specified in paragraph (1),

and an assessment of potential security concerns regarding such access.

(I) A proposed timeline for the expansion of access to sensitive compartmented information facilities in accordance with paragraph (1).

(J) Such other matters as the Director of National Intelligence or the Secretary of Defense considers relevant to such expansion.

(b) ELIGIBILITY CRITERIA FOR CONTRACTORS.—Unless the Director of National Intelligence determines the source of the financing of a contractor poses a national security risk, such source of financing may not be taken into consideration in making a determination as to the eligibility of the contractor in accordance with subsection (a)(2)(D).

(c) REPORTS ON EXPANSION OF SECURITY CLEARANCES FOR CERTAIN CONTRACTORS.—

(1) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Director of National Intelligence and the Secretary of Defense shall jointly submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the extent to which security clearance requirements delay, limit, or otherwise disincentivize emerging technology companies from entering into contracts with the United States Government.

(2) MATTERS.—Each report under paragraph (1) shall include the following:

(A) Statistics on the periods of time between the submission of applications for security clearances by employees of emerging technology companies and the grant of such security clearances, disaggregated by the size of the respective company.

(B) The number of security clearances granted to employees of small emerging technology companies during the period covered by the report.

(C) The number of applications for security clearances submitted by employees of emerging technology companies that have yet to be adjudicated as of the date on which the report is submitted.

(D) A projection, for the year following the date on which the report is submitted, of the number of security clearances necessary for employees of emerging technology companies to perform work on behalf of the intelligence community during such year, and an assessment of the capacity of the intelligence community to meet such demand.

(E) An identification of each occurrence, during the period covered by the report, in which an emerging technology company withdrew from or declined to accept a contract with the United States Government on the sole basis of delays, limitations, or other issues involving security clearances, and a description of the types of business the United States Government has lost as a result of such occurrences.

(F) Recommendations for expediting the grant of security clearances to employees of emerging technology companies, including with respect to any additional resources, authorities, or personnel that the Director of National Intelligence determines may be necessary for such expedition.

(3) FORM.—Each report under paragraph (1) may be submitted in classified form, but if so submitted shall include an unclassified executive summary.

(d) PROPOSAL CONCURRENT WITH BUDGET SUBMISSION.—At the time that the President submits to Congress the budget for fiscal year 2024 pursuant to section 1105 of title 31, United States Code, the Director of National Intelligence shall submit to the congressional intelligence committees a proposal to improve the capacity of the workforce responsible for the investigation and adjudication of security clearances, with the goal of reducing the period of time specified in subsection (c)(2)(A) to fewer than 60 days. Such proposal shall include an identification of any resources the Director of National Intelligence determines necessary to expand the number of individuals authorized to conduct polygraphs on behalf of the intelligence community, including by furnishing necessary training to such individuals.

(e) APPLICABILITY.—The plan, briefing, reports, and proposal required by this section shall apply only with respect to the intelligence community and the Department of Defense.

SEC. 6716. COMPLIANCE BY INTELLIGENCE COMMUNITY WITH REQUIREMENTS OF FEDERAL ACQUISITION REGULATION RELATING TO COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEMS AND COMMERCIAL SERVICES.

(a) COMPLIANCE POLICY.—

(1) REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall implement a policy to ensure that each element of the intelligence community complies with parts 10 and 12 of the Federal Acquisition Regulation with respect to any Federal Acquisition Regulation-based procurements.

(2) ELEMENTS.—The policy under paragraph (1) shall include the following:

(A) Written criteria for an element of the intelligence community to evaluate when a procurement of a covered item or service is permissible, including—

(i) requiring the element to conduct an independent market analysis to determine whether a commercially available off-the-shelf item, nondevelopmental item, or commercial service is viable; and

(ii) a description of the offeror for such covered item or service and how the covered item or service to be acquired will be integrated into existing systems of the intelligence community.

(B) A detailed set of performance measures for the acquisition personnel of the intelligence community that—

(i) prioritizes adherence to parts 10 and 12 of the Federal Acquisition Regulation;

(ii) encourages acquisition of commercially available off-the-shelf items, nondevelopmental items, or commercial services; and

(iii) incentivizes such personnel of the intelligence community that enter into contracts for covered items or services only when necessary.

(3) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives—

(A) the policy developed pursuant to paragraph (1); and

(B) the plan to implement such policy by not later than 1 year after the date of such enactment.

(4) MARKET ANALYSIS.—In carrying out the independent market analysis pursuant to paragraph (2)(A)(i), the Director may enter into a contract with an independent market research group with qualifications and expertise to find available commercial products or commercial services to meet the needs of the intelligence community.

(b) ANNUAL REPORTS.—

(1) REQUIREMENT.—Not later than 2 years after the date of the enactment of this Act, and annually thereafter for 3 years, the Director, in consultation with the head of each element of the intelligence community, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on the policy developed under subsection (a).

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to the period covered by the report, the following:

(A) An evaluation of the success of the policy, including with respect to the progress the elements have made in complying with parts 10 and 12 of the Federal Acquisition Regulation.

(B) A description of how any market analyses are conducted pursuant to subsection (a)(2)(A)(i).

(C) Any recommendations to improve compliance with such parts 10 and 12.

SEC. 6717. POLICY ON REQUIRED USER ADOPTION METRICS IN CERTAIN CONTRACTS FOR ARTIFICIAL INTELLIGENCE AND EMERGING TECHNOLOGY SOFTWARE PRODUCTS.

(a) POLICY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall establish a policy regarding user adoption metrics for contracts and other agreements for the procurement of covered products as follows:

(1) With respect to a contract or other agreement entered into between the head of an element of the intelligence community and a commercial provider for the procurement of a covered product for users within the intelligence community, a requirement that each such contract or other agreement include, as a

term of the contract or agreement, an understanding of the anticipated use of the covered product with a clear metric for success and for collecting user adoption metrics, as appropriate, for assessing the adoption of the covered product by such users.

(2) Such exceptions to the requirements under paragraph (1) as may be determined appropriate pursuant to guidance established by the Director of National Intelligence.

(3) A requirement that prior to the procurement of, or the continuation of the use of, any covered product procured by the head of an element of the intelligence community, the head has determined a method for assessing the success of the covered product from user adoption metrics.

(b) SUBMISSION.—Not later than 60 days after the date on which the policy under subsection (a) is established, the Director of National Intelligence shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives such policy.

SEC. 6718. CERTIFICATION RELATING TO INFORMATION TECHNOLOGY AND SOFTWARE SYSTEMS.

(a) CERTIFICATIONS REQUIRED.—Prior to the date on which the head of an element of the intelligence community enters into, renews, or extends a contract for the acquisition of an information technology or software system, the head shall certify to the Director of National Intelligence the following:

(1) That the information technology or software system is the most up-to-date version of the system available or, if it is not, why a more out of date version was chosen.

(2) That the information technology or software system is compatible with integrating new and emerging technologies, such as artificial intelligence.

(3) That the information technology or software system was thoroughly reviewed and alternative products are not superior to meet the requirements of the element.

(b) EXEMPTION.—The Director of National Intelligence may exempt elements of the intelligence community, as appropriate, from the requirements under (a) if meeting such requirements may pose security or operational risks.

(c) GUIDANCE.—The Director shall issue to the heads of the elements of the intelligence community, and submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, guidance to—

(1) establish guidelines that the heads of the relevant elements of the intelligence community shall use to evaluate the criteria required for the certifications under subsection (a);

(2) incentivize each such head to adopt and integrate new and emerging technology within information technology and software systems of the element and to decommission and replace outdated systems, including through potential funding enhancements; and

(3) incentivize, and hold accountable, personnel of the intelligence community with respect to the integration of new and emerging technology within such systems, including through the provision of appropriate training programs and evaluations.

Subtitle C—Reports

SEC. 6721. REPORTS ON INTEGRATION OF ARTIFICIAL INTELLIGENCE WITHIN INTELLIGENCE COMMUNITY.

(a) REPORTS BY ELEMENTS OF INTELLIGENCE COMMUNITY.—Not later than 180 days after the date of the enactment of this Act, each senior official within an element of the intelligence community identified as a designated element lead pursuant to section 6702(b) shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on the efforts of that element to develop, acquire, adopt, and maintain artificial intelligence to improve intelligence collection and analysis and optimize internal work flows. Each such report shall include the following:

(1) A description of the authorities of the element relating to the use of artificial intelligence.

(2) A list of any resource or authority necessary to accelerate the adoption by the element of artificial intelligence solutions, including commercial products, or personnel authorities.

(3) A description of the element's roles, responsibilities, and authorities for accelerating the adoption by the element of artificial intelligence solutions.

(4) The application of the policies and principles described in section 6702(a)(2) to paragraphs (1), (2), and (3).

(b) AUDITS BY INSPECTORS GENERAL.—

(1) AUDITS.—Not later than 2 years after the date of the enactment of this Act, each inspector general with oversight responsibility for an element of the intelligence community shall conduct and audit, and brief congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives the findings of the audit, to evaluate the following:

(A) The efforts of such element to develop, acquire, adopt, and maintain artificial intelligence capabilities for the purpose of improving intelligence collection and analysis in a timely manner and the extent to which such efforts are consistent with the policies and principles described in section 6702(a)(2);

(B) The degree to which the element has implemented each of the provisions of this title.

(C) Any administrative or technical barriers to the accelerated adoption of artificial intelligence by such element.

(2) INPUT REQUIRED.—The results of each audit under paragraph (1) shall be disaggregated by, and include input from, organizational units of the respective element of the intelligence community that focus on the following:

(A) Acquisitions and contracting.

(B) Personnel and workforce matters.

(C) Financial management and budgeting.

(D) Operations and capabilities.

(3) AUDIT OF OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE.—With respect to the audit of the Office of the Director of National Intelligence conducted by the Inspector General of the Intelligence Community under paragraph (1), the Inspector General shall also audit the extent to which the Director of National Intelligence coordinates across the intelligence community for the purpose of ensuring the adoption of best practices, the use of shared contracting vehicles for products and services that meet common requirements, the sharing of information, and the efficient use of resources, relating to artificial intelligence.

(c) ANNUAL REPORT BY DIRECTOR OF NATIONAL INTELLIGENCE.—

(1) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 3 years, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on the progress of the adoption of artificial intelligence within the intelligence community.

(2) MATTERS.—Each report under paragraph (1) shall include, with respect to the year covered by the report, the following:

(A) A detailed description of the progress of each element of the intelligence community in the adoption and maintenance of artificial intelligence during such year, including a detailed description of any—

(i) artificial intelligence programs or systems adopted by the element;

(ii) contracts entered into by the head of the element with small- or medium-sized emerging technology companies for commercial products involving artificial intelligence; and

(iii) relevant positions established or filled within the element.

(B) A description of any policies of the intelligence community issued during such year that relate to the adoption of artificial intelligence within the intelligence community, including an assessment of the compliance with such policies by the elements of the intelligence community.

(C) A list of recommendations for the efficient, accelerated, and comprehensive adoption of artificial intelligence across the intelligence community during the year following the year covered by the report, including any technological advances in artificial intelligence that the intelligence community should leverage from industry actors.

(D) An overview of the advances of foreign adversaries in the field of artificial intelligence, and steps that may be

taken to ensure the United States Government outpaces foreign adversaries in such field.

(E) Any gaps in resource or authorities, or other administrative or technical barriers, to the adoption of artificial intelligence by the intelligence community.

(F) Such other matters as the Director may determine appropriate.

(3) FORM.—Each report under paragraph (1) may be submitted in classified form.

(4) ENTRY BY CHIEF DATA OFFICER.—Each report under paragraph (1) shall include an entry by the Intelligence Community Chief Data Officer that addresses each of the matters specified in paragraph (2) with respect to the organization of data for the accelerated adoption of artificial intelligence solutions.

SEC. 6722. REPORT ON POTENTIAL BENEFITS OF ESTABLISHMENT OF ICWERX.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and the Director of the National Security Agency, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives an assessment of whether the intelligence community would benefit from the establishment of a new organization to be known as "ICWERX", the mission and activities of which would incorporate lessons learned from AFWERX of the Air Force (or such successor program), the Defense Innovation Unit of the Department of Defense, In-Q-Tel, and other programs sponsored by the Federal Government with a focus on accelerating the adoption of emerging technologies for mission-relevant applications or innovation.

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

(1) A review of the existing avenues for small- and medium-sized emerging technology companies to provide to the intelligence community artificial intelligence or other technology solutions, including an identification, for each of the 5 years preceding the year in which the report is submitted, of the annual number of such companies that have provided the intelligence community with such solutions.

(2) A review of the existing processes by which the heads of the elements of the intelligence community acquire and transition commercial research of small- and medium-sized emerging technology companies in a prototype or other early developmental stage.

(3) An assessment of—

(A) whether the intelligence community is currently postured to incorporate the technological innovations of emerging technology companies, including in software and hardware; and

(B) any areas in which the intelligence community lacks resources, authorities, personnel, expertise, or institutional mechanisms necessary for such incorporation.

(4) An assessment of whether a potential ICWERX would be positioned to—

(A) assist small emerging technology companies, and potentially medium-sized emerging technology companies, in accelerating the procurement and fielding of innovative technologies; and

(B) provide the intelligence community with greater access to innovative companies at the forefront of emerging technologies.

(5) An assessment of the potential costs and benefits associated with the establishment of ICWERX in accordance with subsection (a).

SEC. 6723. REQUIREMENTS AND REPORT ON WORKFORCE NEEDS OF INTELLIGENCE COMMUNITY RELATING TO SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH, AND RELATED AREAS.

(a) REQUIREMENTS.—The Director of National Intelligence, in coordination with the heads of human capital from each element of the intelligence community, shall—

(1) develop a plan for the recruitment and retention of personnel to positions the primary duties of which involve the integration, maintenance, or use of artificial intelligence (and the retention and training of personnel serving in such positions), including with respect to the authorities and requirements under section 6732(b);

(2) develop a plan for the review and evaluation, on a continuous basis, of the expertise necessary to accelerate the adoption of artificial intelligence and other emerging technology solutions; and

(3) coordinate and share information and best practices relating to such recruitment and retention within the element and across the intelligence community.

(b) REPORT.—

(1) SUBMISSION.—Not later than January 1, 2024, the Director of National Intelligence, in coordination with heads of human capital from each element of the intelligence community, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a single report on the workforce needs of each element of the intelligence community relating to emerging technologies, with a specific focus on artificial intelligence.

(2) ELEMENTS.—The report under paragraph (1) shall include, with respect to each element of the intelligence community, the following:

(A) A description of the number and types of personnel in work roles whose primary official duties include artificial intelligence responsibilities.

(B) A detailed description of the plans for each element developed pursuant to subsection (a).

(3) OTHER MATTERS.—The report under paragraph (1) shall also include an assessment of the quality and sustainability of the talent pipeline of the intelligence community with respect to

talent in emerging technologies, including artificial intelligence. Such assessment shall include the following:

(A) A description of the education, recruitment, and retention programs (including skills-based training and career and technical educational programs) available to personnel of the intelligence community, regardless of whether such programs are administered by the head of an element of the intelligence community or the head of another Federal department or agency, and an analysis of how such programs support the quality and sustainability of such talent pipeline.

(B) A description of the relevant authorities available to the heads of the elements of the intelligence community to promote the quality and sustainability of such talent pipeline.

(C) An assessment of any gaps in authorities, resources, recruitment or retention incentives, skills-based training, or educational programs, that may negatively affect the quality or sustainability of such talent pipeline.

(4) FORM.—The report under paragraph (1) shall be submitted in classified or unclassified form, as appropriate.

(c) INFORMATION ACCESS.—The heads of the elements of the intelligence community shall furnish to the Director of National Intelligence such information as may be necessary for the development of the report under subsection (b).

Subtitle D—Talent, Education, and Training

SEC. 6731. REPORT ON ESTABLISHMENT OF TECHNOLOGY ACQUISITION CADRE.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report containing a feasibility and advisability study on establishing a cadre of personnel who are experts in emerging technologies, software development, systems integration, and acquisition, to improve the adoption of commercial solutions for emerging technologies across the intelligence community, particularly as the technologies relate to artificial intelligence.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) An examination regarding whether a cadre of personnel described in subsection (a) would be an effective and efficient means to substantially improve and accelerate the adoption of commercial artificial intelligence and other emerging technology products and services in support of the missions of the intelligence community if the cadre has the capacity and relevant expertise to—

(A) accelerate the adoption of emerging technologies, including with respect to artificial intelligence;

(B) assist with software development and acquisition; and

(C) develop training requirements for acquisition professionals within the elements of the intelligence community.

(2) An assessment of—

(A) whether the establishment of the cadre would require additional statutory authorities or resources, including to recruit, hire, and retain the talent and expertise needed to establish the cadre;

(B) the benefits, costs, and risks associated with the establishment of a cadre;

(C) a recommendation on whether to establish the cadre; and

(D) if a recommendation to establish the cadre is made, a plan for implementation of the cadre, including the proposed size of the cadre, how the cadre would be resourced, managed, and organized, and whether the cadre should be centrally managed or reside at individual elements of the intelligence community.

SEC. 6732. EMERGING TECHNOLOGY EDUCATION AND TRAINING.

(a) TRAINING CURRICULUM.—

(1) REQUIREMENT.—No later than 270 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Defense, in consultation with the President of the Defense Acquisition University and the heads of the elements of the intelligence community that the Director and Secretary determine appropriate, shall jointly establish a training curriculum for members of the acquisition workforce in the Department of Defense (as defined in section 101 of title 10, United States Code) and the acquisition officials within the intelligence community focused on improving the understanding and awareness of contracting authorities and procedures for the acquisition of emerging technologies.

(2) PROVISION OF TRAINING.—The Director shall ensure that the training curriculum under paragraph (1) is made available to each element of the intelligence community not later than 60 days after the completion of the curriculum.

(3) REPORT.—Not later than January 1, 2024, the Director and Secretary shall jointly submit to the congressional intelligence committees, the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report containing an update on the status of the curriculum under paragraph (1).

(b) AGREEMENTS OFFICERS.—Not later than October 1, 2024, the Director of National Intelligence shall ensure that at least 75 percent of the contracting staff within the intelligence community whose primary responsibilities include the acquisition of emerging technologies shall have received the appropriate training to become warranted as agreements officers who are given authority to execute and administer the transactions authorized by paragraph (5) of section 102A(n) of the National Security Act of 1947 (50 U.S.C. 3024(n)), as added by section 6711. The training shall include—

(1) the appropriate courses offered by the Defense Acquisition University;

(2) the training curriculum established under subsection (a); and

(3) best practices for monitoring, identifying, and procuring emerging technologies with potential benefit to the intelligence community, including commercial services and products.

(c) ESTABLISHMENT OF EMERGING TECHNOLOGY TRAINING ACTIVITIES.—

(1) REQUIREMENT.—Not later than January 1, 2024, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community that the Director determines relevant, shall establish and implement training activities designed for appropriate mid-career and senior managers across the intelligence community to train the managers on how to identify, acquire, implement, and manage emerging technologies as such technologies may be applied to the intelligence community.

(2) CERTIFICATION.—Not later than 2 years after the date on which the Director establishes the training activities under paragraph (1), each head of an element of the intelligence community shall certify to the Director whether the managers of the element described in paragraph (1) have successfully completed the education activities.

(3) BRIEFING.—Not later than January 1, 2024, the Director of National Intelligence shall provide to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a briefing regarding the training activities established under paragraph (1), including—

(A) an overview of—

(i) the managers described in paragraph (1) who participated in the training activities; and

(ii) what technologies were included in the training activities; and

(B) an identification of other incentives, activities, resources, or programs the Director determines may be necessary to ensure the managers are generally trained in the most emerging technologies and able to retain and incorporate such technologies across the intelligence community.

Subtitle E—Other Matters

SEC. 6741. IMPROVEMENTS TO USE OF COMMERCIAL SOFTWARE PRODUCTS.

(a) POLICY REGARDING PROCUREMENT OF COMMERCIAL SOFTWARE PRODUCTS.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community and appropriate nongovernmental experts that the Director determines relevant, shall issue an intelligence community-wide policy to ensure the procurement of commercial software products by the intelligence community is carried out—

(1) using, to the extent practicable, standardized terminology; and

(2) in accordance with acquisition and operation best practices reflecting modern software as a service capabilities.

(b) ELEMENTS.—The policy issued under subsection (a) shall include the following:

(1) Guidelines for the heads of the elements of the intelligence community to determine which contracts for commercial software products are covered by the policy, including with respect to agreements, authorizations to operate, and other acquisition activities.

(2) Guidelines for using standardized terms in such contracts, modeled after commercial best practices, including common procedures and language regarding—

(A) terms for the responsible party and timelines for system integration under the contract;

(B) a mechanism included in each contract to ensure the ability of the vendor to provide, and the United States Government to receive, continuous updates and version control for the software, subject to appropriate security considerations;

(C) automatic technological mechanisms for security and data validation, including security protocols that are predicated on commercial best practices; and

(D) procedures to provide incentives, and a technical framework, for system integration for new commercial software solutions to fit within existing workflows and information technology infrastructure.

(3) Guidelines and a timeline for enforcing the policy.

(c) REPORT.—Not later than January 1, 2025, and annually thereafter through 2028, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on the policy issued under subsection (a), including the following with respect to the period covered by the report:

(1) An evaluation of compliance with such policy by each of the elements of the intelligence community.

(2) Additional recommendations to better coordinate system integration throughout the intelligence community using best practices.

SEC. 6742. CODE-FREE ARTIFICIAL INTELLIGENCE ENABLEMENT TOOLS POLICY.

(a) DRAFT POLICY.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the National Reconnaissance Office, the Director of the National Geospatial-Intelligence Agency, and the Director of the Defense Intelligence Agency, and any additional heads of the elements of the intelligence community that the Director of National Intelligence determines appropriate, shall draft a potential policy to promote the

intelligence community-wide use of code-free artificial intelligence enablement tools.

(b) ELEMENTS.—The draft policy under subsection (a) shall include the following:

(1) The objective for the use by the intelligence community of code-free artificial intelligence enablement tools.

(2) A detailed set of incentives for using code-free artificial intelligence enablement tools.

(3) A plan to ensure coordination throughout the intelligence community, including consideration of designating an official of each element of the intelligence community to oversee implementation of the policy and such coordination.

(c) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives the following:

(1) The draft policy under subsection (a).

(2) A recommendation regarding the feasibility and advisability of implementing the draft policy, including an assessment of the costs and advantages and disadvantages of such implementation.

(3) An assessment of whether any element of the intelligence community already has a similar existing policy.

(4) A specific plan and timeline of the steps that would be necessary to implement the draft policy.

(5) An assessment of the personnel requirements, budget requirements, and any other resource requirements, that would be necessary to implement the draft policy in the timeline identified in paragraph (4).

TITLE LXVIII—OTHER MATTERS

SEC. 6801. IMPROVEMENTS RELATING TO CONTINUITY OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD MEMBERSHIP.

Paragraph (4) of section 1061(h) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(h)) is amended to read as follows:

"(4) TERM.—

"(A) COMMENCEMENT.—Each member of the Board shall serve a term of 6 years, commencing on the date of the appointment of the member to the Board.

"(B) REAPPOINTMENT.—A member may be reappointed to one or more additional terms.

"(C) VACANCY.—A vacancy on the Board shall be filled in the manner in which the original appointment was made.

"(D) EXTENSION.—Upon the expiration of the term of office of a member, the member may continue to serve for up to one year after the date of expiration, at the election of the member—

"(i) during the period preceding the reappointment of the member pursuant to subparagraph (B); or

"(ii) until the member's successor has been appointed and qualified.".

SEC. 6802. MODIFICATION OF REQUIREMENT FOR OFFICE TO ADDRESS UNIDENTIFIED ANOMALOUS PHENOMENA.

(a) IN GENERAL.—Section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by title XVI of this Act, is amended to read as follows:

"SEC. 1683. ESTABLISHMENT OF ALL-DOMAIN ANOMALY RESOLUTION OFFICE.

"(a) ESTABLISHMENT OF OFFICE.—

"(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, the Secretary of Defense, in coordination with the Director of National Intelligence, shall establish an office within a component of the Office of the Secretary of Defense, or within a joint organization of the Department of Defense and the Office of the Director of National Intelligence, to carry out the duties of the Unidentified Aerial Phenomena Task Force, as in effect on December 26, 2021, and such other duties as are required by this section, including those pertaining to unidentified anomalous phenomena.

"(2) DESIGNATION.—The office established under paragraph (1) shall be known as the 'All-domain Anomaly Resolution Office' (in this section referred to as the 'Office').

"(b) DIRECTOR AND DEPUTY DIRECTOR OF THE OFFICE.—

"(1) APPOINTMENT OF DIRECTOR.—The head of the Office shall be the Director of the All-domain Anomaly Resolution Office (in this section referred to as the 'Director of the Office'), who shall be appointed by the Secretary of Defense in consultation with the Director of National Intelligence.

"(2) APPOINTMENT OF DEPUTY DIRECTOR.—The Deputy Director of the Office shall be appointed by the Director of National Intelligence in coordination with the Secretary of Defense.

"(3) REPORTING.—

"(A) IN GENERAL.—The Director of the Office shall report directly to the Deputy Secretary of Defense and the Principal Deputy Director of National Intelligence.

"(B) ADMINISTRATIVE AND OPERATIONAL AND SECURITY MATTERS.—The Director of the Office shall report—

"(i) to the Under Secretary of Defense for Intelligence and Security on all administrative matters of the Office; and

"(ii) to the Deputy Secretary of Defense and the Principal Deputy Director of National Intelligence on all operational and security matters of the Office.

"(c) DUTIES.—The duties of the Office shall include the following:

"(1) Developing procedures to synchronize and standardize the collection, reporting, and analysis of incidents, including adverse physiological effects, regarding unidentified anomalous phenomena across the Department of Defense and the intelligence community, in coordination with the Director of National Intelligence, which shall be provided to the congressional defense committees, the congressional intelligence committees, and congressional leadership.

"(2) Developing processes and procedures to ensure that such incidents from each component of the Department and each element of the intelligence community are reported and stored in an appropriate manner that allows for the integration of analysis of such information.

"(3) Establishing procedures to require the timely and consistent reporting of such incidents.

"(4) Evaluating links between unidentified anomalous phenomena and adversarial foreign governments, other foreign governments, or nonstate actors.

"(5) Evaluating the threat that such incidents present to the United States.

"(6) Coordinating with other departments and agencies of the Federal Government, as appropriate, including the Federal Aviation Administration, the National Aeronautics and Space Administration, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, the National Science Foundation, and the Department of Energy.

"(7) As appropriate, and in coordination with the Secretary of State, the Secretary of Defense, and the Director of National Intelligence, consulting with allies and partners of the United States to better assess the nature and extent of unidentified anomalous phenomena.

"(8) Preparing reports for Congress, in both classified and unclassified form, including under subsection (j).

"(d) RESPONSE TO AND FIELD INVESTIGATIONS OF UNIDENTIFIED ANOMALOUS PHENOMENA.—

"(1) DESIGNATION.—The Secretary of Defense and the Director of National Intelligence shall jointly designate from within their respective organizations an official, to be under the direction of the Director of the Office, responsible for ensuring the appropriate expertise, authorities, accesses, data, systems, platforms, and capabilities are available for the rapid response to, and support for, the conduct of field investigations of incidents involving unidentified anomalous phenomena.

"(2) ABILITY TO RESPOND.—The Secretary of Defense and the Director of National Intelligence shall ensure field investigations are supported by personnel with the requisite expertise, equipment, transportation, and other resources necessary to respond rapidly to incidents or patterns of observations involving unidentified anomalous phenomena.

"(e) SCIENTIFIC, TECHNOLOGICAL, AND OPERATIONAL ANALYSES OF DATA ON UNIDENTIFIED ANOMALOUS PHENOMENA.—

"(1) DESIGNATION.—The Secretary of Defense, in coordination with the Director of National Intelligence, shall designate one or more line organizations that will be primarily responsible for scientific, technical, and operational analysis of data gathered by field investigations conducted pursuant to subsection (d) and data from other sources, including with respect to the testing of materials, medical studies, and development of theoretical models, to better understand and explain unidentified anomalous phenomena.

"(2) AUTHORITY.—The Secretary of Defense and the Director of National Intelligence shall each issue such directives as are

necessary to ensure that each line organization designated under paragraph (1) has authority to draw on the special expertise of persons outside the Federal Government with appropriate security clearances.

"(f) DATA; INTELLIGENCE COLLECTION.—

"(1) AVAILABILITY OF DATA AND REPORTING ON UNIDENTIFIED ANOMALOUS PHENOMENA.—

"(A) AVAILABILITY OF DATA.—The Director of National Intelligence, in coordination with the Secretary of Defense, shall ensure that each element of the intelligence community with data relating to unidentified anomalous phenomena makes such data available immediately to the Office.

"(B) REPORTING.—The Director of National Intelligence and the Secretary of Defense shall each, in coordination with one another, ensure that military and civilian personnel of the Department of Defense or an element of the intelligence community, and contractor personnel of the Department or such an element, have access to procedures by which the personnel shall report incidents or information, including adverse physiological effects, involving or associated with unidentified anomalous phenomena directly to the Office.

"(2) INTELLIGENCE COLLECTION AND ANALYSIS PLAN.—The Director of the Office, acting in coordination with the Secretary of Defense and the Director of National Intelligence, shall supervise the development and execution of an intelligence collection and analysis plan to gain as much knowledge as possible regarding the technical and operational characteristics, origins, and intentions of unidentified anomalous phenomena, including with respect to the development, acquisition, deployment, and operation of technical collection capabilities necessary to detect, identify, and scientifically characterize unidentified anomalous phenomena.

"(3) USE OF RESOURCES AND CAPABILITIES.—In developing the plan under paragraph (2), the Director of the Office shall consider and propose, as appropriate, the use of any resource, capability, asset, or process of the Department and the intelligence community.

"(g) SCIENCE PLAN.—The Director of the Office, on behalf of the Secretary of Defense and the Director of National Intelligence, shall supervise the development and execution of a science plan to develop and test, as practicable, scientific theories to—

"(1) account for characteristics and performance of unidentified anomalous phenomena that exceed the known state of the art in science or technology, including in the areas of propulsion, aerodynamic control, signatures, structures, materials, sensors, countermeasures, weapons, electronics, and power generation; and

"(2) provide the foundation for potential future investments to replicate or otherwise better understand any such advanced characteristics and performance.

"(h) ASSIGNMENT OF PRIORITY.—The Director of National Intelligence, in consultation with and with the recommendation of the

Secretary of Defense, shall assign an appropriate level of priority within the National Intelligence Priorities Framework to the requirement to understand, characterize, and respond to unidentified anomalous phenomena.

"(i) DETAILEES FROM ELEMENTS OF THE INTELLIGENCE COMMUNITY.—The heads of the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the Department of Energy, the National Geospatial-Intelligence Agency, the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard, the Department of Homeland Security, and such other elements of the intelligence community as the Director of the Office considers appropriate may provide to the Office a detailee of the element to be physically located at the Office.

"(j) HISTORICAL RECORD REPORT.—

"(1) REPORT REQUIRED.—

"(A) IN GENERAL.—Not later than 540 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, the Director of the Office shall submit to the congressional defense committees, the congressional intelligence committees, and congressional leadership a written report detailing the historical record of the United States Government relating to unidentified anomalous phenomena, including—

"(i) the records and documents of the intelligence community;

"(ii) oral history interviews;

"(iii) open source analysis;

"(iv) interviews of current and former Government officials;

"(v) classified and unclassified national archives including any records any third party obtained pursuant to section 552 of title 5, United States Code; and

"(vi) such other relevant historical sources as the Director of the Office considers appropriate.

"(B) OTHER REQUIREMENTS.—The report submitted under subparagraph (A) shall—

"(i) focus on the period beginning on January 1, 1945, and ending on the date on which the Director of the Office completes activities under this subsection; and

"(ii) include a compilation and itemization of the key historical record of the involvement of the intelligence community with unidentified anomalous phenomena, including—

"(I) any program or activity that was protected by restricted access that has not been explicitly and clearly reported to Congress;

"(II) successful or unsuccessful efforts to identify and track unidentified anomalous phenomena; and

"(III) any efforts to obfuscate, manipulate public opinion, hide, or otherwise provide incorrect unclassified or classified information about unidentified anomalous phenomena or related activities.

"(2) ACCESS TO RECORDS OF THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.—The Archivist of the United States shall make available to the Office such information maintained by the National Archives and Records Administration, including classified information, as the Director of the Office considers necessary to carry out paragraph (1).

"(k) ANNUAL REPORTS.—

"(1) REPORTS FROM DIRECTOR OF NATIONAL INTELLIGENCE AND SECRETARY OF DEFENSE.—

"(A) REQUIREMENT.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, and annually thereafter for four years, the Director of National Intelligence and the Secretary of Defense shall jointly submit to the appropriate congressional committees a report on unidentified anomalous phenomena.

"(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include, with respect to the year covered by the report, the following information:

"(i) All reported unidentified anomalous phenomena-related events that occurred during the one-year period.

"(ii) All reported unidentified anomalous phenomena-related events that occurred during a period other than that one-year period but were not included in an earlier report.

"(iii) An analysis of data and intelligence received through each reported unidentified anomalous phenomena-related event.

"(iv) An analysis of data relating to unidentified anomalous phenomena collected through—

"(I) geospatial intelligence;

"(II) signals intelligence;

"(III) human intelligence; and

"(IV) measurement and signature intelligence.

"(v) The number of reported incidents of unidentified anomalous phenomena over restricted airspace of the United States during the one-year period.

"(vi) An analysis of such incidents identified under clause (v).

"(vii) Identification of potential aerospace or other threats posed by unidentified anomalous phenomena to the national security of the United States.

"(viii) An assessment of any activity regarding unidentified anomalous phenomena that can be attributed to one or more adversarial foreign governments.

"(ix) Identification of any incidents or patterns regarding unidentified anomalous phenomena that indicate a potential adversarial foreign government may have achieved a breakthrough aerospace capability.

"(x) An update on the coordination by the United States with allies and partners on efforts to track, understand, and address unidentified anomalous phenomena.

"(xi) An update on any efforts underway on the ability to capture or exploit discovered unidentified anomalous phenomena.

"(xii) An assessment of any health-related effects for individuals that have encountered unidentified anomalous phenomena.

"(xiii) The number of reported incidents, and descriptions thereof, of unidentified anomalous phenomena associated with military nuclear assets, including strategic nuclear weapons and nuclear-powered ships and submarines.

"(xiv) In consultation with the Administrator for Nuclear Security, the number of reported incidents, and descriptions thereof, of unidentified anomalous phenomena associated with facilities or assets associated with the production, transportation, or storage of nuclear weapons or components thereof.

"(xv) In consultation with the Chairman of the Nuclear Regulatory Commission, the number of reported incidents, and descriptions thereof, of unidentified anomalous phenomena or drones of unknown origin associated with nuclear power generating stations, nuclear fuel storage sites, or other sites or facilities regulated by the Nuclear Regulatory Commission.

"(xvi) The names of the line organizations that have been designated to perform the specific functions under subsections (d) and (e), and the specific functions for which each such line organization has been assigned primary responsibility.

"(xvii) A summary of the reports received using the mechanism for authorized reporting established under section 1673 of the National Defense Authorization Act for Fiscal Year 2023.

"(2) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

"(l) SEMIANNUAL BRIEFINGS.—

"(1) REQUIREMENT.—Not later than December 31, 2022, and not less frequently than semiannually thereafter until December 31, 2026, the Director of the Office shall provide to the appropriate congressional committees classified briefings on unidentified anomalous phenomena.

"(2) FIRST BRIEFING.—The first briefing provided under paragraph (1) shall include all incidents involving unidentified anomalous phenomena that were reported to the Unidentified Aerial Phenomena Task Force or to the Office established under subsection (a) after June 24, 2021, regardless of the date of occurrence of the incident.

"(3) SUBSEQUENT BRIEFINGS.—Each briefing provided subsequent to the first briefing described in paragraph (2) shall include, at a minimum, all events relating to unidentified anomalous phenomena that occurred during the previous 180 days, and events relating to unidentified anomalous phenomena that were not included in an earlier briefing.

"(4) INSTANCES IN WHICH DATA WAS NOT SHARED.—For each briefing period, the Director of the Office shall jointly provide to the chairman or chair and the ranking member or vice chairman of the congressional committees specified in subparagraphs (A) and (D) of subsection (n)(1) an enumeration of any instances in which data relating to unidentified anomalous phenomena was not provided to the Office because of classification restrictions on that data or for any other reason.

"(m) TASK FORCE TERMINATION.—Not later than the date on which the Secretary of Defense establishes the Office under subsection (a), the Secretary shall terminate the Unidentified Aerial Phenomena Task Force.

"(n) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the following:

"(A) The Committees on Armed Services of the Senate and the House of Representatives.

"(B) The Committees on Appropriations of the Senate and the House of Representatives.

"(C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

"(D) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

"(E) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

"(F) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

"(2) CONGRESSIONAL DEFENSE COMMITTEES.—The term 'congressional defense committees' has the meaning given such term in section 101(a) of title 10, United States Code.

"(3) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term 'congressional intelligence committees' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

"(4) CONGRESSIONAL LEADERSHIP.—The term 'congressional leadership' means—

"(A) the majority leader of the Senate;

"(B) the minority leader of the Senate;

"(C) the Speaker of the House of Representatives; and

"(D) the minority leader of the House of Representatives.

"(5) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

"(6) LINE ORGANIZATION.—The term 'line organization' means, with respect to a department or agency of the Federal Government, an organization that executes programs and activities to directly advance the core functions and missions of the department or agency to which the organization is subordinate, but, with respect to the Department of Defense, does not include a component of the Office of the Secretary of Defense.

"(7) TRANSMEDIUM OBJECTS OR DEVICES.—The term 'transmedium objects or devices' means objects or devices that are—

"(A) observed to transition between space and the atmosphere, or between the atmosphere and bodies of water; and

"(B) not immediately identifiable.

"(8) UNIDENTIFIED ANOMALOUS PHENOMENA.—The term 'unidentified anomalous phenomena' means—

"(A) airborne objects that are not immediately identifiable;

"(B) transmedium objects or devices; and

"(C) submerged objects or devices that are not immediately identifiable and that display behavior or performance characteristics suggesting that the objects or devices may be related to the objects described in subparagraph (A).".

(b) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 1683 of division A and inserting the following new item:

"Sec. 1683. Establishment of All-domain Anomaly Resolution Office.".

SEC. 6803. COMPTROLLER GENERAL OF THE UNITED STATES AUDITS AND BRIEFINGS ON UNIDENTIFIED ANOMALOUS PHENOMENA HISTORICAL RECORD REPORT.

(a) DEFINITIONS.—In this section, the terms "congressional leadership" and "Office" have the meanings given such terms in section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 6802.

(b) AUDIT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall identify appropriately cleared personnel of the Government Accountability Office to audit the historical record report process described in section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 6802, including personnel to conduct work on-site as appropriate.

(2) PROVISION OF INFORMATION.—On a quarterly basis, and as appropriate and consistent with Government Auditing Standards, the Comptroller General of the United States shall provide the Office with information on the findings of any audits conducted by the personnel identified under paragraph (1).

(c) VERBAL BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter, the Comptroller General of the United States shall verbally brief the congressional intelligence committees, the congressional defense committees, and congressional leadership on the progress of the Office with respect to the historical record report described in section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 6802, and compliance with legislative requirements.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to restrict access of a committee of Congress under section 719(f) of title 31, United States Code, to an audit under subsection (b).

SEC. 6804. REPORT ON PRECURSOR CHEMICALS USED IN THE PRODUCTION OF SYNTHETIC OPIOIDS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(3) the Committee on the Judiciary, the Committee on Homeland Security, the Committee on Foreign Affairs, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on licit precursor chemicals originating abroad, including in the People's Republic of China and any other country the Director considers appropriate, that are bound for use in the illicit production of synthetic opioids intended for distribution in the United States.

(c) FORM OF REPORT.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex produced consistent with the protection of sources and methods.

SEC. 6805. ASSESSMENT AND REPORT ON MASS MIGRATION IN THE WESTERN HEMISPHERE.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall assess, and submit to the appropriate committees of Congress a report on—

(1) the threats to the interests of the United States created or enhanced by, or associated with, the mass migration of people within the Western Hemisphere, particularly to the southern border of the United States; and

(2) the use of or the threat of using mass migration in the Western Hemisphere by the regimes of Daniel Ortega in Nicaragua, Nicolás Maduro in Venezuela, and the regime of Miguel Díaz-Canel and Raúl Castro in Cuba—

(A) to effectively curate populations so that people who remain in those countries are powerless to meaningfully dissent; and

(B) to enable the increase of remittances from migrants residing in the United States as a result of the mass migra-

tion to help finance the regimes in Nicaragua, Venezuela, and Cuba.

(c) FORM OF REPORT.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6806. REPORT ON INTERNATIONAL NORMS, RULES, AND PRINCIPLES APPLICABLE IN SPACE.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the congressional defense committees;

(3) the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate; and

(4) the Committee on Foreign Affairs, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce of the House of Representatives.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Chair of the National Space Council, in consultation with the Director of National Intelligence, the Secretary of State, the Secretary of Defense, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the heads of any other agencies as the Chair considers necessary, shall submit to the appropriate committees of Congress a report on voluntary, non-legally binding responsible international norms, rules, and principles applicable in space.

(c) ELEMENTS.—The report submitted under subsection (b) shall—

(1) identify threats to the interests of the United States in space that may be mitigated by voluntary, non-legally binding responsible international norms, rules, and principles;

(2) identify opportunities for the United States to influence voluntary, non-legally binding responsible international norms, rules, and principles applicable in space, including through bilateral and multilateral engagement;

(3) assess the willingness of space faring foreign nations to adhere to voluntary, non-legally-binding responsible international norms, rules, or principles applicable in space;

(4) include a list and description of known or suspected adversary offensive weapon systems that could be used to degrade or destroy satellites in orbit during the previous five years;

(5) include a list and description of known or suspected adversary offensive weapon systems in development that could be used to degrade or destroy satellites that are anticipated to be put operational during the course of the next five years; and

(6) include an analysis of the extent to which adversary space faring foreign nations use civilian and commercial space assets, and civilian and commercial space relationship, to advance military and intelligence programs and activities.

(d) INPUT FROM COMMERCIAL SPACE SECTOR.—In identifying threats under subsection (c)(1), the Chair of the National Space Council shall obtain input from the commercial space sector.

(e) FORM.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6807. ASSESSMENTS OF THE EFFECTS OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION'S INVASION OF UKRAINE.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Armed Services, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for 2 years, the Director of National Intelligence shall, in coordination with the Secretary of State, the Secretary of the Treasury, and the heads of such other government agencies as the Director considers appropriate, submit to the appropriate committees of Congress an assessment of the cumulative and material effects of the sanctions imposed by the United States, European countries, and the international community with respect to the Russian Federation in response to the February 24, 2022, full-scale invasion of Ukraine and subsequent actions by the Russian Federation.

(c) ELEMENTS.—Each assessment submitted under subsection (b) shall include the following:

(1) A description of efforts by the Russian Federation to evade or circumvent sanctions imposed by the United States, European countries, or the international community through direct or indirect engagement or direct or indirect assistance from—

(A) the regimes in Cuba and Nicaragua and the regime of Nicolás Maduro in Venezuela;

(B) the People's Republic of China;

(C) the Islamic Republic of Iran; and

(D) any other country the Director considers appropriate.

(2) An assessment of the cumulative effect of the efforts described in paragraph (1), including on the Russian Federation's strategic relationship with the regimes and countries described in such paragraph.

(3) A description of the material effect of the sanctions described in subsection (b), including the effect of those sanctions on individual sectors of the economy of Russia, senior leadership, senior military officers, state-sponsored actors, and other state-affiliated actors in the Russian Federation that are either directly or incidentally subject to such sanctions. Such description shall include a discussion of those sanctions that had significant effects, as well as those that had no observed effects.

(4) Methodologies for assessing the effects of different categories of financial and economic sanctions on the targets of such action, including with respect to specific industries, entities, individuals, and transactions.

(5) A description of evasion techniques, including the use of digital assets, used by the Government of Russia, entities and persons covered by the sanctions, and by other governments, en-

tities, and persons who have assisted in the use of such techniques, in response to the sanctions.

(6) A description of any developments by other countries in creating alternative payment systems as a result of the invasion of Ukraine.

(7) An assessment of how countries have assessed the risk of holding reserves in United States dollars since the February 24, 2022, invasion of Ukraine.

(8) If sufficient collection allows, an assessment of the impact of any general licenses issued in relation to the sanctions described in subsection (b), including—

(A) the extent to which authorizations for internet-based communications have enabled continued monetization by Russian influence actors, while not silencing human-right activists and independent media; and

(B) the extent to which licenses authorizing energy-related transactions have affected the Russian Federation's ability to earn hard currency.

(d) FORM OF ASSESSMENTS.—Each assessment submitted under subsection (b) shall be submitted in unclassified form and include a classified annex.

SEC. 6808. ASSESSMENT OF IMPACT OF RUSSIA'S INVASION OF UKRAINE ON FOOD SECURITY.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Assistant Secretary of State for Intelligence and Research and such other heads of elements of the intelligence community as the Director determines appropriate, submit to the appropriate committees of Congress an assessment of the current and potential impact of the invasion by Russia of Ukraine on global food security.

(2) ELEMENTS.—The assessment under paragraph (1) shall include the following:

(A) An assessment of the current and potential impact of the invasion by Russia of Ukraine on food security, disaggregated by region.

(B) An analysis of the potential for political instability and security crises to occur as a result of such food insecurity, disaggregated by region.

(C) A description of the factors that could reduce or increase the effects of such food insecurity on political stability and security, disaggregated by region.

(D) An assessment of the efforts of Russia to steal grain from illegally occupied territories in Ukraine and a list of customers who have purchased such stolen grain.

(E) An assessment of whether Russia has taken intentional steps to cause a global food shortage.

(3) FORM.—The assessment under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) BRIEFING.—Not later than 30 days after the date on which the assessment prepared under subsection (b)(1) is completed, the Director of National Intelligence shall brief the appropriate committees of Congress on the findings of the Director with respect to the assessment.

SEC. 6809. PILOT PROGRAM FOR DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION TO UNDERTAKE AN EFFORT TO IDENTIFY INTERNATIONAL MOBILE SUBSCRIBER IDENTITY-CATCHERS.

Section 5725 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3024 note; Public Law 116–92) is amended—

(1) in subsection (a), in the matter before paragraph (1)—

(A) by striking "The Director of National Intelligence and the Director of the Federal Bureau of Investigation" and inserting "The Director of the Federal Bureau of Investigation";

(B) by inserting "the Director of National Intelligence," before "the Under Secretary"; and

(C) by striking "Directors determine" and inserting "Director of the Federal Bureau of Investigation determines";

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively;

(3) by inserting after subsection (a) the following:

"(b) PILOT PROGRAM.—

"(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, in collaboration with the Director of National Intelligence, the Under Secretary of Homeland Security for Intelligence and Analysis, and the heads of such other Federal, State, or local agencies as the Director of the Federal Bureau of Investigation determines appropriate, and in accordance with applicable law and policy, shall conduct a pilot program designed to implement subsection (a)(1)(A) with respect to the National Capital Region.

"(2) COMMENCEMENT; COMPLETION.—The Director of the Federal Bureau of Investigation shall—

"(A) commence carrying out the pilot program required by paragraph (1) not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023; and

"(B) complete the pilot program not later than 2 years after the date on which the Director commences carrying out the pilot program under subparagraph (A).

"(c) NOTIFICATIONS REQUIRED.—The Director of the Federal Bureau of Investigation shall notify the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Rep-

resentatives, the minority leader of the House of Representatives, and the Capitol Police Board of—

"(1) the placement of sensors designed to identify International Mobile Subscriber Identity-catchers capable of conducting surveillance against the United States Capitol or associated buildings and facilities; and

"(2) the discovery of any International Mobile Subscriber Identity-catchers capable of conducting surveillance against the United States Capitol or associated buildings and facilities and any countermeasures against such International Mobile Subscriber Identity-catchers."; and

(4) in subsection (d), as redesignated by paragraph (2)—

(A) in the matter before paragraph (1), by striking "Prior" and all that follows through "Investigation" and inserting "Not later than 180 days after the date on which the Director of the Federal Bureau of Investigation determines that the pilot program required by subsection (b)(1) is operational, the Director";

(B) in paragraph (1), by striking "within the United States"; and

(C) in paragraph (2), by striking "by the intelligence community" and inserting "deployed by the Federal Bureau of Investigation".

SEC. 6810. DEPARTMENT OF STATE BUREAU OF INTELLIGENCE AND RESEARCH ASSESSMENT OF ANOMALOUS HEALTH INCIDENTS.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of State for Intelligence and Research shall submit to the appropriate committees of Congress an assessment of the findings relating to the events that have been collectively labeled as "anomalous health incidents".

(c) CONTENTS.—The assessment submitted under subsection (b) shall include the following:

(1) Any diplomatic reporting or other relevant information on the causation of anomalous health incidents.

(2) Any diplomatic reporting or other relevant information on any person or entity who may be responsible for such incidents.

(3) Detailed plans, including metrics, timelines, and measurable goals, for the Bureau of Intelligence and Research to understand anomalous health incidents and share findings with other elements of the intelligence community.

SEC. 6811. REPEAL AND MODIFICATION OF CERTAIN REPORTING AND BRIEFING REQUIREMENTS.

(a) REPORTS ON SECURITY SERVICES OF THE PEOPLE'S REPUBLIC OF CHINA IN THE HONG KONG SPECIAL ADMINISTRATIVE REGION.—Section 1107A of the National Security Act of 1947 (50 U.S.C. 3237a) is repealed.

(b) ANNUAL UPDATE TO REPORT ON FOREIGN WEAPONIZATION OF DEEPFAKES AND DEEPFAKE TECHNOLOGY.—Section 5709 of the National Defense Authorization Act for Fiscal Year 2020 (50 U.S.C. 3369a) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

(c) INFORMATION SHARING PERFORMANCE MANAGEMENT REPORTS.—

(1) IN GENERAL.—Section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485) is amended—

(A) by striking subsection (h); and

(B) by redesignating subsections (i) through (l) as subsections (h) through (k), respectively.

(2) CONFORMING AMENDMENT.—Section 210(b) of the Homeland Security Act of 2002 (6 U.S.C. 124g(b)) is amended by striking "section 1016(i) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(i))" and inserting "section 1016(h) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(h))".

(d) PERIODIC REPORTS ON ACTIVITIES OF PRIVACY OFFICERS AND CIVIL LIBERTIES OFFICERS.—Section 1062(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee–1(f)(1)) is amended, in the matter preceding subparagraph (A), by striking "semiannually" and inserting "annually".

(e) BRIEFING ON HIZBALLAH'S ASSETS AND ACTIVITIES RELATED TO FUNDRAISING, FINANCING, AND MONEY LAUNDERING WORLDWIDE.—Section 204(b) of the Hizballah International Financing Prevention Act of 2015 (Public Law 114–102; 129 Stat. 2212) is amended by striking "every 180 days" and inserting "annually".

(f) INSPECTORS GENERAL REPORTS ON CLASSIFICATION.—Section 6721(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 2231) is amended by striking "per year in each of the three" and inserting "every two years in each of the six".

(g) REPORT ON EFFORTS OF STATE SPONSORS OF TERRORISM, OTHER FOREIGN COUNTRIES, OR ENTITIES TO ILLICITLY ACQUIRE SATELLITES AND RELATED ITEMS.—Section 1261(e)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2019) is amended by striking "annually" and inserting "once every two years".

(h) REPORTS AND BRIEFINGS ON DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON USE OF INTELLIGENCE RESOURCES IN EFFORTS TO SANCTION FOREIGN OPIOID TRAFFICKERS.—Section 7231(c) of the National Defense Authorization Act for Fiscal Year 2020 (21 U.S.C. 2331(c)) is amended—

(1) in the subsection heading, by inserting "AND BRIEFINGS" after "REPORTS"; and

(2) in paragraph (1)—

(A) by striking "(1) QUARTERLY REPORTS ON PROGRAM.—Not later than" and inserting the following:

"(1) REPORTS AND BRIEFINGS ON PROGRAM.—

"(A) ANNUAL REPORTS.—Not later than";

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph—

(i) by striking "every 90 days" and inserting "annually";

(ii) by striking "90-day period" and inserting "year"; and

(iii) by striking "under this paragraph" and inserting "under this subparagraph"; and

(C) by adding at the end the following:

"(B) SEMIANNUAL BRIEFINGS.—On a semiannual basis, the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly brief the appropriate congressional committees and leadership on the status and accomplishments of the program required by subsection (a).".

SEC. 6812. INCREASED INTELLIGENCE-RELATED ENGINEERING, RESEARCH, AND DEVELOPMENT CAPABILITIES OF MINORITY INSTITUTIONS.

(a) PLAN.—

(1) REQUIREMENT.—The Director of National Intelligence shall develop a plan to promote intelligence-related engineering, research, and development activities at covered institutions for the purpose of contributing toward the research necessary to achieve the intelligence advantage of the United States.

(2) ELEMENTS.—The plan under paragraph (1) shall include the following:

(A) An assessment of opportunities to support engineering, research, and development at covered institutions in computer sciences, including artificial intelligence, quantum computing, and machine learning, and synthetic biology and an assessment of opportunities to support the associated workforce and physical research infrastructure of such institutions.

(B) An assessment of opportunities to enhance the ability of covered institutions—

(i) to participate in intelligence-related engineering, research, and development activities; and

(ii) to effectively compete for intelligence-related engineering, research and development contracts in support of the most urgent research requirements of the intelligence community.

(C) An assessment of the activities and investments the Director determines necessary—

(i) to expand opportunities for covered institutions to partner with other research organizations and educational institutions that the intelligence community frequently partners with to conduct research; and

(ii) to increase participation of covered institutions in intelligence-related engineering, research, and development activities.

(D) Recommendations identifying actions that may be taken by the Director, Congress, covered institutions, and other organizations to increase participation of such institutions in intelligence-related engineering, research, and development activities and contracts.

(E) Specific goals, incentives, and metrics to increase and measure the capacity of covered institutions to address the engineering, research, and development needs of the intelligence community.

(3) CONSULTATION.—In developing the plan under paragraph (1), the Director shall consult with covered institutions and other departments or agencies of the United States Government or private sector organizations that the Director determines appropriate.

(4) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and make publicly available on the internet website of the Director, a report containing the plan under paragraph (1).

(b) ACTIVITIES TO SUPPORT RESEARCH AND ENGINEERING CAPACITY.—Subject to the availability of appropriations for such purpose, the Director may establish a program to award contracts, grants, or other agreements, on a competitive basis, and to perform other appropriate activities, for any of the following purposes:

(1) Developing the capability, including the workforce and the research infrastructure, for covered institutions to more effectively compete for intelligence-related engineering, research, and development activities and contracts.

(2) Any other purposes the Director determines appropriate to enhance the capabilities of covered institutions to carry out intelligence-related engineering, research, and development activities and contracts.

(c) INCREASED PARTNERSHIPS BETWEEN IARPA AND COVERED INSTITUTIONS.—The Director shall establish goals and incentives to encourage the Intelligence Advanced Research Projects Activity to—

(1) partner with covered institutions to advance the research and development needs of the intelligence community through partnerships and collaborations with the Intelligence Advanced Research Projects Activity; and

(2) if the Director determines appropriate, foster the establishment of similar relationships between such institutions and other organizations that have partnerships with the Intelligence Advanced Research Projects Activity.

(d) COVERED INSTITUTION DEFINED.—In this section, the term "covered institution" means the following:

(1) A part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)).

(2) An institution of higher education (as defined in section 101 of the Higher Education Act of 1965(20 U.S.C. 1001)) not covered by paragraph (1) at which not less than 50 percent of the total student enrollment consists of students from ethnic

groups that are underrepresented in the fields of science and engineering, as determined by the Director of National Intelligence.

SEC. 6813. REPORTS ON PERSONNEL VETTING PROCESSES AND PROGRESS UNDER TRUSTED WORKFORCE 2.0 INITIATIVE.

(a) DEFINITIONS.—In this section:

(1) AUTHORIZED ADJUDICATIVE AGENCY; AUTHORIZED INVESTIGATIVE AGENCY; PERSONNEL SECURITY INVESTIGATION; PERIODIC REINVESTIGATION.—The terms "authorized adjudicative agency", "authorized investigative agency", "personnel security investigation", and "periodic reinvestigation" have the meanings given those terms in section 3001(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(a)).

(2) CONTINUOUS VETTING; COUNCIL; SECURITY EXECUTIVE AGENT.—The terms "continuous vetting", "Council", and "Security Executive Agent" have the meanings given those terms in section 6601 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3352).

(b) REPORTS.—Not later than September 30, 2023, and annually thereafter until September 30, 2027, the Security Executive Agent, in coordination with the Chair and other Principals of the Council, shall submit to Congress a report on the personnel vetting processes of the United States Government.

(c) ELEMENTS.—Each report under subsection (b) shall include, with respect to the preceding fiscal year, the following:

(1) An analysis of the timeliness, costs, and other related information for the initiations, investigations (including initial investigations and any required periodic reinvestigations), and adjudications for personnel vetting purposes. Such analysis shall include the following:

(A) The average periods of time taken (from the date of an agency's receipt of a completed security clearance application to the date of the ultimate disposition and notification to the subject and the employer of the subject) by each authorized investigative agency and authorized adjudicative agency, to the greatest extent practicable, to initiate investigations, conduct investigations, and adjudicate security clearances, as compared with established timeliness objectives.

(B) The number of initial investigations and periodic reinvestigations initiated and adjudicated by each authorized investigative agency and authorized adjudicative agency, to the extent practicable.

(C) The number of initial investigations and periodic reinvestigations carried over to the fiscal year covered by the report from a prior fiscal year by each authorized investigative agency and authorized adjudicative agency, to the greatest extent practicable.

(D) The number of initial investigations and periodic reinvestigations that resulted in a denial or revocation of a security clearance by each authorized adjudicative agency.

(E) The costs to the executive branch relating to personnel security clearance initiations, investigations, adjudications,

revocations, and continuous vetting with respect to such clearances.

(F) A discussion of any impediments, including with respect to resources, personnel, or authorities, to the timely processing of personnel security clearances.

(G) The number of individuals who hold a personnel security clearance and are enrolled in a program of continuous vetting with respect to such clearance, and the numbers and types of adverse actions taken by each authorized adjudicative agency as a result of such continuous vetting.

(H) The number of personnel security clearances awaiting or under investigation (including initial investigation and periodic reinvestigation) by the Director of the Defense Counterintelligence and Security Agency and each authorized investigative agency.

(I) Such other information as the Security Executive Agent may determine appropriate, including any recommendations to improve the effectiveness, timeliness, and efficiency of personnel security clearance initiations, investigations, and adjudications.

(2) An analysis of the status of the implementation of the Trusted Workforce 2.0 initiative sponsored by the Council, including the following:

(A) A list of the policies issued by the Council for the Trusted Workforce 2.0 initiative, and a list of expected issuance dates for planned policies of the Council for such initiative.

(B) A list of the departments and agencies of the executive branch that have identified a senior implementation official to be accountable for the implementation of the Trusted Workforce 2.0 initiative, in accordance with the memorandum on transforming Federal personnel vetting issued by the Assistant to the President for National Security Affairs on December 14, 2021, including an identification of the position of such senior implementation official within the respective department or agency.

(C) A list of the departments and agencies of the executive branch that have submitted implementation plans, and subsequent progress reports, with respect to the Trusted Workforce 2.0 initiative, as required by the memorandum specified in subparagraph (B).

(D) A summary of the progress that the departments and agencies of the executive branch have made implementing the Trusted Workforce 2.0 initiative.

(3) An analysis of the transfers between, and reciprocal recognition among, the heads of the departments and agencies of the executive branch of security clearance background investigations and determinations and other investigations and determinations relating to personnel vetting (including with respect to trust, suitability, fitness, credentialing, and access). Such analysis shall include, with respect to such investigations and determinations, the following:

(A) The number of employees for whom a prior such investigation or determination was recognized and accepted

by the head of a department or agency without the head requiring additional investigative or adjudicative steps, disaggregated by department or agency, to the greatest extent practicable.

(B) The number of employees for whom a prior such investigation or determination was not recognized or accepted by the head of a department or agency without the head requiring additional investigative or adjudicative steps, disaggregated by department or agency, to the greatest extent practicable.

(C) The reasons most frequently cited by such heads for the failure to recognize or accept a prior such investigation or determination, disaggregated by department or agency.

(D) The average number of days for the head of a department or agency to recognize and accept a prior such investigation or determination (from the date the head initiates the process to consider the prior investigation or determination for recognition and acceptance, to the date the head makes a final determination on such recognition and acceptance), disaggregated by agency, to the greatest extent practicable.

(4) A discussion of any impediments, constraints, and opportunities relating to—

(A) the timeliness of the personnel security clearance process across the United States Government;

(B) the implementation of the Trusted Workforce 2.0 initiative;

(C) the transfer and reciprocal recognition of determinations relating to personnel vetting between and among departments and agencies; and

(D) the completeness and provision of data from elements of the intelligence community, pursuant to paragraphs (1), (2), and (3) of this subsection.

SEC. 6814. REPORTS RELATING TO PROGRAMS OF RECORD OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) FINDINGS.—Congress finds the following:

(1) The comprehensive identification of National Geospatial-Intelligence Agency programs and activities, to include significant, enduring programs determined by the Agency to be "programs of record", is a critical element for enabling budget auditability and oversight by the Office of the Director of National Intelligence, the Office of Management and Budget, and the congressional intelligence committees.

(2) In order to improve how the National Geospatial-Intelligence Agency justifies and oversees resources in support of core missions and authorities, the Agency has committed to establish a deliberate acquisition structure, modeled after Department of Defense best practices, with programs and activities aligned under a Program Executive Office structure.

(3) Establishing an effective Program Executive Office structure at the National Geospatial-intelligence Agency will ensure clearly articulated acquisition efforts that have defined requirements and program scope with traceability from capabilities to deliverables to Programs of Record to budget materials.

(b) REPORTS REQUIRED.—

(1) REPORTS TO CONGRESSIONAL INTELLIGENCE COMMITTEES AND DEFENSE SUBCOMMITTEES OF CONGRESSIONAL APPROPRIATIONS COMMITTEES.—Not later than February 1, 2023, the Director of the National Geospatial-Intelligence Agency, consistent with the protection of intelligence sources and methods, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives reports on the programs and activities of the Agency. Such reports shall include, at a minimum, the following:

(A) An identification of any definition for the term "program of record" used by the Agency during the period beginning October 1, 2017, and ending on the date of the submission of the report.

(B) A detailed description of each current program and activity of the Agency, including each current program of record of the Agency.

(C) A detailed explanation of how funding and other information relating to each such program of record or other program or activity may be located within the budget justification materials submitted to Congress.

(D) An in-process review of the program element office planning and implementation efforts.

(E) Identification of limitations and additional support required by the Agency to implement program element offices and related changes to financial management systems.

(2) REPORT TO CONGRESSIONAL INTELLIGENCE AND DEFENSE COMMITTEES.—

(A) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(i) the congressional intelligence committees; and

(ii) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(iii) the Committee on Armed Services and Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(B) REPORT REQUIRED.—Not later than February 1, 2023, the Director of the National Geospatial-Intelligence Agency, consistent with the protection of intelligence sources and methods, shall submit to the appropriate congressional committees a report on the programs and activities of the Agency that are funded in full or in part under the Military Intelligence Program. Such report shall include, at a minimum, the following:

(i) An identification of any definition for the term "program of record" used by the Agency during the period beginning October 1, 2017 and ending on the date of the submission of the report.

(ii) A detailed description of each current program and activity of the Agency funded in full or in part

under the Military Intelligence Program, including each current program of record of the Agency funded in full or in part under the Military Intelligence Program.

(iii) A detailed explanation of how funding and other information relating to each such program of record or other program or activity funded in full or in part under the Military Intelligence Program may be located within the budget justification materials submitted to Congress.

(3) FORM.—Each report under this subsection may be submitted in classified form.

SEC. 6815. PLAN REGARDING SOCIAL MEDIA DATA AND THREAT ANALYSIS CENTER.

(a) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" has the meaning given that term in section 5323(h) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3369(h)).

(b) PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees a plan to operationalize the Social Media Data and Threat Analysis Center in accordance with section 5323 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3369).

(c) ELEMENTS.—The plan under subsection (b) shall include a description of how the Social Media Data and Threat Analysis Center shall—

(1) coordinate with social media companies, independent organizations and researchers, and other public-facing internet-based platforms to determine—

(A) what categories of data and metadata are useful indicators of internet-based foreign malign influence activities; and

(B) how such data and metadata may be shared effectively with the Center and with independent organizations and researchers while protecting the privacy and civil liberties of United States users of social media platforms and other public-facing internet-based platforms; and

(2) develop criteria under which social media companies and other public-facing internet-based platforms share indicators of internet-based foreign malign influence activities with the Center and independent organizations and researchers, including a description of—

(A) the timeliness and consistency of such sharing of indicators;

(B) the categories of indicators to be shared; and

(C) the protection, in consultation with the head of the Office of Civil Liberties, Privacy, and Transparency as may be appropriate, of privacy, civil liberties, and constitutionally protected activities of users of social media platforms and other public-facing internet-based platforms.

SEC. 6816. REPORT ON USE OF PUBLICLY AVAILABLE SOCIAL MEDIA INFORMATION IN PERSONNEL VETTING DETERMINATIONS.

(a) DEFINITIONS OF CONTINUOUS VETTING, COUNCIL, AND SECURITY EXECUTIVE AGENT.—In this section, the terms "continuous vetting", "Council", and "Security Executive Agent" have the meanings given those terms in section 6601 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3352).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with other heads of the elements of the intelligence community that the Director determines appropriate, and in consultation with the other principal members of the Council, shall submit to Congress a report regarding the current and planned use of publicly available social media information in the personnel vetting and security clearance processes.

(c) ELEMENTS.—The report under subsection (b) shall include the following:

(1) A description of how departments and agencies of the United States Government have implemented Security Executive Agent Directive 5 titled "Collection, Use, and Retention of Publicly Available Social Media Information in Personnel Security Background Investigations and Adjudications", and relevant agency implementing guidance, including Department of Defense Instruction 1325.06 titled "Handling Protest, Extremist, and Criminal Gang Activities among Members of the Armed Forces".

(2) A description of how the use of publicly available social media in personnel vetting determinations and security clearance investigations and adjudications is, or will be, captured in the National Background Investigation Services system and other information technology systems used in the personnel vetting process.

(3) A description of how publicly available social media information is used, and will be used, in continuous vetting and security clearances processes and insider threat programs.

(4) A description of any privacy or civil liberties concerns with the use of publicly available social media information in personnel vetting or security clearance determinations, including a discussion of the risks, benefits, and drawbacks of allowing for the voluntary provision of, or voluntary access to, non-publicly available social media information in the regular course of personnel vetting and security clearance processes.

(5) A discussion of the extent to which officials and entities of the United States Government responsible for privacy and civil liberties matters, including the Chief of the Office of Civil Liberties, Privacy, and Transparency of the Office of the Director of National Intelligence and the civil liberties officers of departments and agencies of the United States Government, are involved in the development and operation of programs to use social media information in personnel vetting and security clearance processes.

(6) A discussion of any impediments, constraints, risks, or drawbacks relating to the use of publicly available social media

information in personnel vetting and security clearance processes, including—

(A) challenges associated with implementation of Security Executive Agent Directive 5, Department of Defense Instruction 1325.06, and other relevant guidance;

(B) the resources required, including with respect to personnel, funding, and information systems, to gather, assess, and make use of such information; and

(C) an analysis of the costs and benefits of the use of publicly available social media information.

(7) An implementation plan for the future use of publicly available social media information, based on relevant findings under paragraphs (1) through (6).

SEC. 6817. REPORT ON STRENGTHENING WORKFORCE DIVERSITY PLANNING AND OVERSIGHT.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community, shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report discussing steps to enhance the strategic planning for, measure the progress of, and assess barriers to workforce diversity in the intelligence community.

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

(1) A discussion of existing, updated, or new guidance requiring all elements of the intelligence community to maintain current and complete diversity strategic plans that contain specific objectives, timeframes, and responsibilities.

(2) A discussion of progress made by individual elements toward maintaining such plans.

(3) A discussion of existing, updated, or new guidance to ensure individual elements develop performance measures to assess the contribution of activities toward achieving diversity goals and overall progress.

(4) A discussion of progress made by individual elements toward developing measures to assess progress toward achieving diversity management efforts.

(5) A discussion of existing, updated, or new guidance ensuring that each element routinely identifies and takes steps toward eliminating barriers to workforce diversity.

(6) A discussion of steps taken by the Director to ensure that individual elements are routinely completing required assessments to identify and eliminate barriers to diversity.

(7) A discussion of steps taken by the Director to establish specific implementation objectives and timeframes for the elements that support intelligence community-wide diversity goals to ensure the elements are held accountable for making progress.

SEC. 6818. REPORT ON TRANSITION OF NATIONAL RECONNAISSANCE OFFICE TO DIGITAL ENGINEERING ENVIRONMENT.

(a) FINDINGS.—Congress finds the following:

(1) Potential foreign adversaries are outpacing the United States in the fielding of new generations of space systems that dull the edge the United States has enjoyed in space.

(2) A digital engineering environment, also known as digital systems engineering, reduces the time to field new space systems.

(3) Digital engineering environment tools enable the rapid iterations of requirements and architectures into digital system depictions capable of use by private industry to further the design and development of space systems.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to maintain a competitive advantage in space, the National Reconnaissance Office should transition to a digital engineering environment by not later than 3 years after the date of the enactment of this Act.

(c) REPORT.—

(1) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Reconnaissance Office shall submit to the appropriate congressional committees a report that contains the following:

(A) A plan for the transition of the National Reconnaissance Office to a digital engineering environment.

(B) An identification of the date by which such transition shall be completed.

(C) A description of the metrics the Director plans to use to measure progress made with respect to such transition and resulting efficiencies gained.

(D) A description of the initial pilot programs of the National Reconnaissance Office relating to digital engineering and the plans to expand such pilot programs in scale and scope with respect to acquisition carried out under such pilot programs.

(E) A description of any training requirements or certifications necessary to advance a digital engineering environment within the National Reconnaissance Office.

(F) A description of how the Director plans to incorporate input and best practices from private industry to facilitate and accelerate the transition of the National Reconnaissance Office to a digital engineering environment.

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the congressional intelligence committees; and

(2) the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

SEC. 6819. BRIEFING ON DEPARTMENT OF HOMELAND SECURITY INTELLIGENCE ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the following:

(A) The congressional intelligence committees.

(B) The Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(C) The Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.

(2) COMPONENT OF THE DEPARTMENT OF HOMELAND SECURITY.—The term "component of the Department of Homeland Security" means the following components of the Department of Homeland Security:

(A) The Cybersecurity and Infrastructure Security Agency Threat Management Division.

(B) The Federal Emergency Management Agency Protection and National Preparedness, Office of Counterterrorism and Security Preparedness.

(C) The Transportation Security Administration Office of Intelligence and Analysis.

(D) The United States Citizenship and Immigration Services Fraud Detection and National Security Directorate, Field Operations Directorate, and Collateral Duty Intelligence.

(E) The United States Customs and Border Protection Office of Intelligence.

(F) The United States Immigration and Customs Enforcement Homeland Security Investigations, Office of Intelligence, and Special Agent in Charge Intelligence Program.

(3) INTELLIGENCE ACTIVITY.—The term "intelligence activity" shall be interpreted consistent with how such term is used in section 502 of the National Security Act of 1947 (50 U.S.C. 3092).

(b) BRIEFING ON INTELLIGENCE ACTIVITIES.—Consistent with section 501 of the National Security Act of 1947 (50 U.S.C. 3091), not later than 30 days after the date of the enactment of this Act, the Chief Intelligence Officer of the Department of Homeland Security shall provide the appropriate congressional committees a briefing on the intelligence activities of elements of the Department of Homeland Security that are not elements of the intelligence community. Such briefing shall include the following:

(1) A comprehensive description of all intelligence activities conducted during the period beginning on January 1, 2018, and ending on the date of the briefing, by any component of the Department of Homeland Security that conducts intelligence activities.

(2) With respect to each such intelligence activity, a description of the activity, including, at a minimum—

(A) the nature of the activity;

(B) the component undertaking the activity;

(C) the legal authority for such activity; and

(D) the source of funding for such activity.

(3) A description and the quantity of any types of finished intelligence products, or intelligence information reports, produced or contributed to by a component of the Department of Homeland Security that conducts intelligence activities during the period specified in paragraph (1).

(4) An identification of any external or internal guidelines, policies, processes, practices, or programs governing the collection, retention, analysis, or dissemination by such a component of information regarding United States citizens, lawful perma-

nent residents of the United States, or individuals located within the United States.

(c) FORM.—The briefing under subsection (b) may be provided in classified form.

(d) ADDITIONAL BRIEFINGS.—Not later than 1 year after the date on which the Chief Intelligence Officer provides the briefing under subsection (b) and not less frequently than once each year thereafter, the Chief Intelligence Officer shall provide the appropriate congressional committees a briefing on any new intelligence activities commenced by any component of the Department of Homeland Security and any that have been terminated.

SEC. 6820. REPORT ON DECLASSIFICATION EFFORTS OF CENTRAL INTELLIGENCE AGENCY.

Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Central Intelligence Agency shall submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a report on the declassification efforts of the Central Intelligence Agency. Such report shall include—

(1) an identification of the resources that are dedicated to such efforts; and

(2) an assessment as to whether such resources are sufficient.

SEC. 6821. REPORT ON NATIONAL SPACE INTELLIGENCE CENTER.

(a) REPORT.—Not later than March 1, 2023, the Director of National Intelligence, in coordination with the Chief of Space Operations, shall submit to the appropriate congressional committees a report on the National Space Intelligence Center.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) A description of the status of the National Space Intelligence Center since the activation of the Center and the implications of the Center being aligned under a Field Command rather than a field operating agency aligned to the Director of Intelligence, Surveillance, and Reconnaissance of the Space Force.

(2) A review of the ability of the Center to address the full set of national space intelligence analytical demands (including with respect to acquisition and operational mission requirements of the Space Force, the Department of Defense, the intelligence community, and other national customers) while being assigned as a subordinate to Space Operations Command, a Field Command, including—

(A) an assessment of the ability of the Center to respond to the broadest space intelligence requirements as compared to a service specific need; and

(B) a review specifically addressing any perceived mission misalignment, potential mitigating measures, or other structural organization concerns.

(3) An assessment of—

(A) the current resourcing posture, including any additional personnel required as a result of subordination to a Field Command; and

(B) the resourcing posture if the Center were aligned to the Director of Intelligence, Surveillance, and Reconnaissance of the Space Force as described in paragraph (1).

(4) Lessons learned since unit activation, including with respect to—

(A) organizational efficiencies and inefficiencies;

(B) financial implications;

(C) organizational redundancy;

(D) parity mismatch and synergies with other service intelligence centers; and

(E) lessons learned through comparisons to other service intelligence centers organized as a field operating agency and aligned under the senior intelligence officer of the respective Armed Force.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional intelligence committees.

(2) The congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

SEC. 6822. REPORT ON IMPLEMENTATION OF EXECUTIVE ORDER 13556, REGARDING CONTROLLED UNCLASSIFIED INFORMATION.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence and the Under Secretary of Defense for Intelligence and Security, in coordination with the heads of other elements of the intelligence community, shall submit to the appropriate committees of Congress a report on the implementation by the intelligence community of Executive Order 13556 (44 U.S.C. 3501 note; relating to controlled unclassified information).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the National Security Council should accelerate the process of revising or replacing Executive Order 13556.

SEC. 6823. NATIONAL MUSEUM OF INTELLIGENCE AND SPECIAL OPERATIONS.

(a) RECOGNITION.—The privately-funded museum to honor the intelligence community and special operations forces that is planned to be constructed in Ashburn, Virginia, may be recognized, upon completion, as the "National Museum of Intelligence and Special Operations".

(b) PURPOSES.—The purpose of recognizing the National Museum of Intelligence and Special Operations under subsection (a) are to—

(1) commemorate the members of the intelligence community and special operations forces who have been critical to securing the Nation against enemies of the United States for nearly a century;

(2) preserve and support the historic role that the intelligence community and special operations forces have played, and continue to play, both in secrecy as well as openly, to keep the United States and its values and way of life secure; and

(3) foster a greater understanding of the intelligence community and special operations forces to ensure a common understanding, dispel myths, recognize those who are not otherwise able to be publicly recognized, and increase science, technology, engineering, and math education through museum programs designed to promote more interest and greater diversity in recruiting with respect to the intelligence and special operations career field.

SEC. 6824. TECHNICAL CORRECTIONS.

(a) NATIONAL SECURITY ACT OF 1947.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.), as amended by this Act, is further amended as follows:

(1) In section 105(a)(1) (50 U.S.C. 3038(a)(1)), by striking "chairman" and inserting "Chairman".

(2) In section 113B(b) (50 U.S.C. 3049a(b))—

(A) in paragraph (1)(A), by striking "Under Secretary of Defense for Intelligence" and inserting "Under Secretary of Defense for Intelligence and Security"; and

(B) in paragraph (4), by striking "section 226 of the Homeland Security Act of 2002 (6 U.S.C. 147)" and inserting "section 2208 of the Homeland Security Act of 2002 (6 U.S.C. 658)".

(3) In section 118(a) (50 U.S.C. 3055(a)), by striking "a annual" and inserting "an annual".

(4) In section 301(j) (50 U.S.C. 3071(j)), by striking "and includes" and inserting "and including".

(5) In section 506G(c) (50 U.S.C. 3103(c)), by striking "pursuant section" and inserting "pursuant to section".

(6) In section 507(a)(1) (50 U.S.C. 3106(a)(1)), by striking "Generals" and inserting "General".

(7) In section 1024(g)(7)(A) (50 U.S.C. 3224(g)(7)(A)), by striking "places" and inserting "place".

(8) In section 1104(b)(1)(B) (50 U.S.C. 3234(b)(1)(B)), by striking the period at the end and inserting a semicolon.

(b) DAMON PAUL NELSON AND MATTHEW YOUNG POLLARD INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2018, 2019, AND 2020.—The Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (division E of Public Law 116–92) is amended—

(1) in section 5704(b)(1) (50 U.S.C. 3334b(b)(1)), by striking ", and subject to paragraph (3)";

(2) in section 6316 (50 U.S.C. 3334b note), by striking "congressional committees" and inserting "congressional intelligence committees"; and

(3) in section 6604 (50 U.S.C. 3352c), by striking "subsections (b) and (c)" both places it appears and inserting "subsections (a) and (b)".

(c) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Section 309(a)(5) of the Intelligence Authorization Act for Fiscal Year 2012 (50 U.S.C. 3334e) is amended by striking "section 3542(b)" and inserting "section 3552".

(d) PUBLIC INTEREST DECLASSIFICATION ACT OF 2000.—The Public Interest Declassification Act of 2000 (50 U.S.C. 3355 et seq.) is amended—

(1) in section 703(a)(2) (50 U.S.C. 3355a(a)(2)), by striking "Executive Order 12958" and inserting "Executive Order 13526";

(2) in section 704(e)(3) (50 U.S.C. 3355b(e)(3)), by striking the comma before "shall";

(3) in section 705(c) (50 U.S.C. 3355c(c)), by striking "section 103(c)(6) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(6))" and inserting "section 102A(i) of the National Security Act of 1947 (50 U.S.C. 3024(i))"; and

(4) in section 706 (50 U.S.C. 3355d), by striking "Executive Order No. 12958" both places it appears and inserting "Executive Order 13526".

DIVISION G—HOMELAND SECURITY

TITLE LXXI—HOMELAND SECURITY MATTERS

Subtitle A—Strengthening Security in Our Communities

Sec. 7101. Enhancements to funding and administration of Nonprofit Security Grant Program of the Department of Homeland Security.
Sec. 7102. Preservation of homeland security capabilities.
Sec. 7103. School and daycare protection.
Sec. 7104. Cybersecurity grants for schools.
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Subtitle B—Strengthening DHS Management, Policymaking, and Operations

Sec. 7111. Joint Task Forces of the Department of Homeland Security.
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Sec. 7116. DHS economic security council.

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Sec. 7121. President's Cup Cybersecurity Competition.
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Sec. 7131. TSA reaching across nationalities, societies, and languages to advance traveler education.
Sec. 7132. One-stop pilot program.
Sec. 7133. Report on efforts of the Department of Homeland Security to deter vehicular terrorist attacks (Darren Drake).

Sec. 7134. DHS illicit cross-border tunnel defense.
Sec. 7135. Providing training for U.S. Customs and Border Protection personnel on the use of containment devices to prevent secondary exposure to fentanyl and other potentially lethal substances.
Sec. 7136. Reports, evaluations, and research regarding drug interdiction at and between ports of entry.

Subtitle E—Technical Corrections, Conforming Changes, and Improvements

Sec. 7141. Quadrennial homeland security review technical corrections.
Sec. 7142. Technical, conforming, and clerical amendments.
Sec. 7143. CISA technical corrections and improvements.

Subtitle A—Strengthening Security in Our Communities

SEC. 7101. ENHANCEMENTS TO FUNDING AND ADMINISTRATION OF NONPROFIT SECURITY GRANT PROGRAM OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Section 2009 of the Homeland Security Act of 2002 (6 U.S.C. 609a) is amended—

(1) in subsection (a), by inserting "or other threats" before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "(a)"; and

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

"(2) determined by the Secretary to be at risk of terrorist attacks or other threats.";

(3) in subsection (c)—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (E), respectively, and moving such subparagraphs, as so redesignated, two ems to the right;

(B) in the matter preceding subparagraph (A), as so redesignated, by striking "The recipient" and inserting the following:

"(1) IN GENERAL.—The recipient";

(C) in subparagraph (A), as so redesignated, by striking "equipment and inspection and screening systems" and inserting "equipment, inspection and screening systems, and alteration or remodeling of existing buildings or physical facilities";

(D) by inserting after subparagraph (B), as so redesignated, the following new subparagraphs:

"(C) Facility security personnel costs.

"(D) Expenses directly related to the administration of the grant, except that those expenses may not exceed 5 percent of the amount of the grant."; and

(E) by adding at the end the following new paragraphs:

"(2) RETENTION.—Each State through which a recipient receives a grant under this section may retain not more than 5 percent of each grant for expenses directly related to the administration of the grant.

"(3) OUTREACH AND TECHNICAL ASSISTANCE.—

"(A) IN GENERAL.—If the Administrator establishes target allocations in determining award amounts under the Pro-

gram, a State may request a project to use a portion of the target allocation for outreach and technical assistance if the State does not receive enough eligible applications from nonprofit organizations located outside high-risk urban areas.

"(B) PRIORITY.—Any outreach or technical assistance described in subparagraph (A) should prioritize underserved communities and nonprofit organizations that are traditionally underrepresented in the Program.

"(C) PARAMETERS.—In determining grant guidelines under subsection (g), the Administrator may determine the parameters for outreach and technical assistance.";

(4) in subsection (e)—

(A) by striking "2020 through 2024" and inserting "2022 through 2028";

(B) by striking "on the expenditure" and inserting "on the following:

"(1) The expenditure"; and

(C) by adding at the end the following new paragraphs:

"(2) The number of applications submitted by eligible nonprofit organizations to each State.

"(3) The number of applications submitted by each State to the Administrator.

"(4) The operations of the program office of the Program, including staffing resources and efforts with respect to subparagraphs (A) through (D) of subsection (c)(1)."; and

(5) by striking subsection (f) and inserting the following new subsections:

"(f) ADMINISTRATION.—Not later than 120 days after the date of enactment of this subsection, the Administrator shall ensure that within the Federal Emergency Management Agency a program office for the Program (in this subsection referred to as the 'program office') shall—

"(1) be headed by a senior official of the Agency; and

"(2) administer the Program (including, where appropriate, in coordination with States), including relating to—

"(A) outreach, engagement, education, and technical assistance and support to eligible nonprofit organizations described in subsection (b), with particular attention to those organizations in underserved communities, before, during, and after the awarding of grants, including web-based training videos for eligible nonprofit organizations that provide guidance on preparing an application and the environmental planning and historic preservation process;

"(B) the establishment of mechanisms to ensure program office processes are conducted in accordance with constitutional, statutory, and regulatory requirements that protect civil rights and civil liberties and advance equal access for members of underserved communities;

"(C) the establishment of mechanisms for the Administrator to provide feedback to eligible nonprofit organizations that do not receive grants;

"(D) the establishment of mechanisms to identify and collect data to measure the effectiveness of grants under the Program;

"(E) the establishment and enforcement of standardized baseline operational requirements for States, including requirements for States to eliminate or prevent any administrative or operational obstacles that may impact eligible nonprofit organizations described in subsection (b) from receiving grants under the Program;

"(F) carrying out efforts to prevent waste, fraud, and abuse, including through audits of grantees; and

"(G) promoting diversity in the types and locations of eligible nonprofit organizations that are applying for grants under the Program.

"(g) GRANT GUIDELINES.—For each fiscal year, before awarding grants under this section, the Administrator—

"(1) shall publish guidelines, including a notice of funding opportunity or similar announcement, as the Administrator determines appropriate; and

"(2) may prohibit States from closing application processes before the publication of those guidelines.

"(h) PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act'), shall not apply to any changes to the application materials, Program forms, or other core Program documentation intended to enhance participation by eligible nonprofit organizations in the Program.

"(i) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There is authorized to be appropriated $360,000,000 for each of fiscal years 2023 through 2028 for grants under this section, of which—

"(A) $180,000,000 each such fiscal year shall be for recipients in high-risk urban areas that receive funding under section 2003; and

"(B) $180,000,000 each such fiscal year shall be for recipients in jurisdictions that do not so receive such funding.

"(2) OPERATIONS AND SUPPORT.—There is authorized to be appropriated $18,000,000 for each of fiscal years 2023 through 2028 for Operations and Support at the Federal Emergency Management Agency for costs incurred for the management and administration (including evaluation) of this section.".

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall seek to enter into a contract or other agreement with an independent research organization pursuant to which the organization will conduct a study that analyzes and reports on the following:

(A) The effectiveness of the Nonprofit Security Grant Program established under section 2009(a) of the Homeland Security Act 2002 (6 U.S.C. 609a(a)), as amended by subsection (a), for preparedness against terrorist attacks or other threats.

(B) The risk-based formula and allocations under such Program.

(C) The risk profile of and any identifiable factors leading to the low participation of traditionally underrepresented groups and States under such Program.

(2) SUBMISSION.—The report required under paragraph (1) shall be submitted to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives.

(3) FUNDING.—The Administrator may use funding authorized under subsection (j) of section 2009 of the Homeland Security Act of 2002 (6 U.S.C. 609a)), as amended by subsection (a), to carry out this subsection.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (c) by striking "sections 2003 and 2004" and inserting "sections 2003, 2004, and 2009"; and

(2) in subsection (e), by striking "section 2003 or 2004" and inserting "section 2003, 2004, or 2009".

SEC. 7102. PRESERVATION OF HOMELAND SECURITY CAPABILITIES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Federal Emergency Management Agency.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(3) COVERED HOMELAND SECURITY CAPABILITY.—The term "covered homeland security capability" means a homeland security capability related to preventing, preparing for, protecting against, or responding to acts of terrorism that—

(A) was developed or otherwise supported through grant funding under the UASI before the current fiscal year; and

(B) is at risk of being reduced or eliminated without additional Federal financial assistance.

(4) COVERED URBAN AREA.—The term "covered urban area" means an urban area that—

(A) during the current fiscal year did not receive grant funding under the UASI; and

(B) requires continued Federal assistance for the purpose of preserving a covered homeland security capability.

(5) SECRETARY.—The term "Secretary" means the Secretary of Homeland Security.

(6) UASI.—The term "UASI" means the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604).

(b) REPORT AND PROPOSAL.—

(1) SUBMISSION TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Secretary, acting through the Administrator, shall submit to the appropriate congressional committees a report regarding covered homeland security capabilities, including a proposal relating to providing Federal assistance to covered urban areas to preserve such ca-

pabilities that is informed by the survey information collected pursuant to subsection (c)—

(A) under which the Administrator would make Federal financial assistance available for at least three consecutive fiscal years to covered urban areas; and

(B) that would allow covered urban areas to transition to other sources funding for such covered homeland security capabilities.

(2) REQUIREMENTS RELATING TO UASI FUNDS.—The proposal required under paragraph (1) shall contain the following:

(A) A prohibition on a covered urban area that receives Federal financial assistance described in paragraph (1)(A) during a fiscal year from also receiving funds under the UASI during such fiscal year.

(B) A requirement for a covered urban area to submit to the Administrator notice of whether such covered urban area would elect to receive—

(i) Federal financial assistance under paragraph (1)(A); or

(ii) funding under the UASI.

(3) ANALYSIS.—The report required under paragraph (1) shall include the following:

(A) An analysis of whether providing additional Federal financial assistance, as described in paragraph (1)(A), would allow covered urban areas to preserve covered homeland security capabilities on a long-term basis.

(B) An analysis of whether legislative changes to the UASI are necessary to ensure urban areas receiving funds under the UASI are able to preserve covered homeland security capabilities on a long-term basis.

(4) OTHER CONTENTS OF PROPOSAL.—The proposal required under paragraph (1) shall—

(A) set forth eligibility criteria for covered urban areas to receive Federal assistance described in paragraph (1)(A);

(B) identify annual funding levels that would be required to provide such Federal assistance, in accordance with the survey required under subsection (c); and

(C) consider a range of approaches to make such Federal assistance available to covered urban areas, including—

(i) modifications to the UASI in a manner that would not affect the availability of funding to urban areas under the UASI;

(ii) the establishment of a competitive grant program;

(iii) the establishment of a formula grant program; and

(iv) a timeline for the implementation of any such approach and, if necessary, a legislative proposal to authorize any such approach.

(c) SURVEY.—In developing the proposal required under subsection (b), the Administrator shall, to ascertain the scope of Federal financial assistance required, survey the following:

(1) Urban areas that did not receive grant funding under the UASI during the current fiscal year concerning covered home-

land security capabilities that are at risk of being reduced or eliminated without additional Federal financial assistance.

(2) Urban areas that received grant funding under the UASI during the current fiscal year, but did not receive such funding during at least one fiscal year of the seven fiscal years immediately preceding the current fiscal year.

(3) Any other urban areas the Secretary determines appropriate.

(d) EXEMPTION.—The Secretary may exempt the Administrator from the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the "Paperwork Reduction Act"), for purposes of carrying out subsection (c) if the Secretary determines that complying with such requirements would delay the development of the proposal required under subsection (b).

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed as directing or authorizing the Administrator to implement the proposal required under subsection (b).

SEC. 7103. SCHOOL AND DAYCARE PROTECTION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the following:

(1) The Department of Homeland Security's activities, policies, and plans to enhance the security of early childhood education programs, elementary schools, and secondary schools during the preceding year that includes information on the Department's activities through the Federal School Safety Clearinghouse.

(2) Information on all structures or efforts within the Department intended to bolster coordination among departmental components and offices involved in carrying out paragraph (1) and, with respect to each structure or effort, specificity on which components and offices are involved and which component or office leads such structure or effort.

(3) A detailed description of the measures used to ensure privacy rights, civil rights, and civil liberties protections in carrying out these activities.

(b) BRIEFING.—Not later than 30 days after the submission of each report required under subsection (a), the Secretary of Homeland Security shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a briefing regarding such report and the status of efforts to carry out plans included in such report for the preceding year.

(c) DEFINITIONS.—In this section, the terms "early childhood education program", "elementary school", and "secondary school" have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 7104. CYBERSECURITY GRANTS FOR SCHOOLS.

(a) IN GENERAL.—Section 2220 of the Homeland Security Act of 2002 (6 U.S.C. 665f) is amended by adding at the end the following new subsection:

"(e) GRANTS AND COOPERATIVE AGREEMENTS.—The Director may award financial assistance in the form of grants or cooperative agreements to States, local governments, institutions of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), nonprofit organizations, and other non-Federal entities as determined appropriate by the Director for the purpose of funding cybersecurity and infrastructure security education and training programs and initiatives to—

"(1) carry out the purposes of CETAP; and

"(2) enhance CETAP to address the national shortfall of cybersecurity professionals.".

(b) BRIEFINGS.—Paragraph (2) of subsection (c) of section 2220 of the Homeland Security Act of 2002 (6 U.S.C. 665f) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E) respectively; and

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) information on any grants or cooperative agreements made pursuant to subsection (e), including how any such grants or cooperative agreements are being used to enhance cybersecurity education for underserved populations or communities;".

SEC. 7105. TRANSNATIONAL CRIMINAL INVESTIGATIVE UNIT STIPEND.

(a) SHORT TITLE.—This section may be cited as the "Transnational Criminal Investigative Unit Stipend Act".

(b) STIPENDS FOR TRANSNATIONAL CRIMINAL INVESTIGATIVE UNITS.—

(1) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

"SEC. 890C. TRANSNATIONAL CRIMINAL INVESTIGATIVE UNITS.

"(a) IN GENERAL.—The Secretary, with the concurrence of the Secretary of State, shall operate Transnational Criminal Investigative Units within Homeland Security Investigations.

"(b) COMPOSITION.—Each Transnational Criminal Investigative Unit shall be composed of trained foreign law enforcement officials who shall collaborate with Homeland Security Investigations to investigate and prosecute individuals involved in transnational criminal activity.

"(c) VETTING REQUIREMENT.—

"(1) IN GENERAL.—Before entry into a Transnational Criminal Investigative Unit, and at periodic intervals while serving in such a unit, foreign law enforcement officials shall be required to pass certain security evaluations, which may include a background check, a polygraph examination, a urinalysis test, or other measures that the Secretary determines to be appropriate.

"(2) LEAHY VETTING REQUIRED.—No member of a foreign law enforcement unit may join a Transnational Criminal Investiga-

tive Unit if the Secretary, in coordination with the Secretary of State, has credible information that such foreign law enforcement unit has committed a gross violation of human rights, consistent with the limitations set forth in section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

"(3) APPROVAL AND CONCURRENCE.—The establishment and continued support of the Transnational Criminal Investigative Units who are assigned under paragraph (1)—

"(A) shall be performed with the approval of the chief of mission to the foreign country to which the personnel are assigned;

"(B) shall be consistent with the duties and powers of the Secretary of State and the chief of mission for a foreign country under section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4802) and section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927), respectively; and

"(C) shall not be established without the concurrence of the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs.

"(4) REPORT.—The Executive Associate Director of Homeland Security Investigations shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives that describes—

"(A) the procedures used for vetting Transnational Criminal Investigative Unit members to include compliance with the vetting required under this subsection; and

"(B) any additional measures that should be implemented to prevent personnel in vetted units from being compromised by criminal organizations.

"(d) MONETARY STIPEND.—The Executive Associate Director of Homeland Security Investigations is authorized to pay vetted members of a Transnational Criminal Investigative Unit a monetary stipend in an amount associated with their duties dedicated to unit activities.

"(e) ANNUAL BRIEFING.—The Executive Associate Director of Homeland Security Investigations, during the 5-year period beginning on the date of the enactment of this section, shall provide an annual unclassified briefing to the congressional committees referred to in subsection (c)(4), which may include a classified session, if necessary, that identifies—

"(1) the number of vetted members of Transnational Criminal Investigative Unit in each country;

"(2) the amount paid in stipends to such members, disaggregated by country;

"(3) relevant enforcement statistics, such as arrests and progress made on joint investigations, in each such country; and

"(4) whether any vetted members of the Transnational Criminal Investigative Unit in each country were involved in any unlawful activity, including human rights abuses or significant acts of corruption.".

(2) CLERICAL AMENDMENT.—The table of contents for the Homeland Security Act of 2002 (Public Law 107–296) is amended by inserting after the item relating to section 890B the following:

"Sec. 890C. Transnational Criminal Investigative Units.".

SEC. 7106. CHEMICAL SECURITY ANALYSIS CENTER.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following new section:

"SEC. 323. CHEMICAL SECURITY ANALYSIS CENTER.

"(a) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and Technology, shall designate the laboratory described in subsection (b) as an additional laboratory pursuant to the authority under section 308(c)(2), which shall be used to conduct studies, analyses, and research to assess and address domestic chemical security events.

"(b) LABORATORY DESCRIBED.—The laboratory described in this subsection is the laboratory known, as of the date of enactment of this section, as the Chemical Security Analysis Center.

"(c) LABORATORY ACTIVITIES.—Pursuant to the authority under section 302(4), the Chemical Security Analysis Center shall—

"(1) identify and develop approaches and mitigation strategies to domestic chemical security threats, including the development of comprehensive, research-based definable goals relating to such approaches and mitigation strategies;

"(2) provide an enduring science-based chemical threat and hazard analysis capability;

"(3) provide expertise regarding risk and consequence modeling, chemical sensing and detection, analytical chemistry, acute chemical toxicology, synthetic chemistry and reaction characterization, and nontraditional chemical agents and emerging chemical threats;

"(4) staff and operate a technical assistance program that provides operational support and subject matter expertise, design and execute laboratory and field tests, and provide a comprehensive knowledge repository of chemical threat information that is continuously updated with data from scientific, intelligence, operational, and private sector sources;

"(5) consult, as appropriate, with the Countering Weapons of Mass Destruction Office of the Department to mitigate, prepare, and respond to threats, hazards, and risks associated with domestic chemical security events; and

"(6) carry out such other activities authorized under this section as the Secretary determines appropriate.

"(d) SPECIAL RULE.—Nothing in this section amends, alters, or affects—

"(1) the responsibilities of the Countering Weapons of Mass Destruction Office of the Department; or

"(2) the activities or requirements authorized to other entities within the Federal Government, including the activities and requirements of the Environmental Protection Agency under section 112(r) of the Clean Air Act (42 U.S.C. 7412(r)), the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (commonly referred to as 'Superfund'; 42 U.S.C. 9601 et seq.).".

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 322 the following new item:

"Sec. 323. Chemical Security Analysis Center.".

Subtitle B—Strengthening DHS Management, Policymaking, and Operations

SEC. 7111. JOINT TASK FORCES OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) SHORT TITLE.—This section may be cited as the "DHS Joint Task Forces Reauthorization Act of 2022".

(b) DHS JOINT TASK FORCES.—Subsection (b) of section 708 of the Homeland Security Act of 2002 (6 U.S.C. 348) is amended—

(1) by amending paragraph (8) to read as follows:

"(8) JOINT TASK FORCE STAFF.—

"(A) IN GENERAL.—Each Joint Task Force shall have a staff, composed of personnel from relevant components and offices of the Department, to assist the Director of such Joint Task Force in carrying out the mission and responsibilities of such Joint Task Force.

"(B) REPORT.—The Secretary shall include in the report submitted under paragraph (6)(F)—

"(i) the number of personnel of each component or office permanently assigned to each Joint Task Force; and

"(ii) the number of personnel of each component or office assigned on a temporary basis to each Joint Task Force.";

(2) in paragraph (9)—

(A) in the heading, by striking "ESTABLISHMENT" and inserting "MISSION; ESTABLISHMENT";

(B) by amending subparagraph (A) to read as follows:

"(A) using leading practices in performance management and lessons learned by other law enforcement task forces and joint operations, establish—

"(i) the mission, strategic goals, and objectives of each Joint Task Force;

"(ii) the criteria for terminating each Joint Task Force; and

"(iii) outcome-based and other appropriate performance metrics for evaluating the effectiveness of each Joint Task Force with respect to the mission, strategic

goals, and objectives established pursuant to clause (i), including—

"(I) targets for each Joint Task Force to achieve by not later than one and three years after such establishment; and

"(II) a description of the methodology used to establish such metrics;";

(C) in subparagraph (B)—

(iii) by striking "date of the enactment of this section" and insert "date of the enactment of the DHS Joint Task Forces Reauthorization Act of 2022";

(iv) by inserting "mission, strategic goals, objectives, and" before "metrics"; and

(v) by striking the period at the end and inserting "; and"; and

(D) by amending subparagraph (C) to read as follows:

"(C) not later than one year after the date of the enactment of the DHS Joint Task Forces Reauthorization Act of 2022 and annually thereafter, submit to the committees specified in subparagraph (B) a report that contains information on the progress in implementing the outcome-based and other appropriate performance metrics established pursuant to subparagraph (A)(iii).";

(3) in paragraph (11)—

(A) in the heading, by inserting "OR TERMINATION" after "FORMATION"; and

(B) by amending subparagraph (A) to read as follows:

"(A) IN GENERAL.—Not later than seven days after establishing or terminating a Joint Task Force under this subsection, the Secretary shall submit to the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, the majority leader of the House of Representatives, the minority leader of the House of Representatives, and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate a notification regarding such establishment or termination, as the case may be. The contents of any such notification shall include the following:

"(i) The criteria and conditions required to establish or terminate the Joint Task Force at issue.

"(ii) The primary mission, strategic goals, objectives, and plan of operations of such Joint Task Force.

"(iii) If such notification is a notification of termination, information on the effectiveness of such Joint Task Force as measured by the outcome-based performance metrics and other appropriate performance metrics established pursuant to paragraph (9)(A)(iii).

"(iv) The funding and resources required to establish or terminate such Joint Task Force.

"(v) The number of personnel of each component or office permanently assigned to such Joint Task Force.

"(vi) The number of personnel of each component and office assigned on a temporary basis to such Joint Task Force.

"(vii) If such notification is a notification of establishment, the anticipated costs of establishing and operating such Joint Task Force.

"(viii) If such notification is a notification of termination, funding allocated in the immediately preceding fiscal year to such Joint Task Force for—

"(I) operations, notwithstanding such termination; and

"(II) activities associated with such termination.

"(ix) The anticipated establishment or actual termination date of such Joint Task Force, as the case may be.";

(4) in paragraph (12)—

(A) in subparagraph (A)—

(i) by striking "January 31, 2018, and January 31, 2021, the Inspector General of the Department" and inserting "one year after the date of the enactment of the DHS Joint Task Forces Reauthorization Act of 2022, the Comptroller General of the United States"; and

(ii) by inserting "an assessment of the effectiveness of the Secretary's utilization of the authority provided under this section for the purposes specified in subsection (b)(2) as among the range of options available to the Secretary to conduct joint operations among departmental components and offices and" before "a review of the Joint Task Forces"; and

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking "reviews" and inserting "review"; and

(ii) by amending clauses (i) and (ii) to read as follows:

"(i) an assessment of methodology utilized to determine whether to establish or terminate each Joint Task Force; and

"(ii) an assessment of the effectiveness of oversight over each Joint Task Force, with specificity regarding the Secretary's utilization of outcome-based or other appropriate performance metrics (established pursuant to paragraph (9)(A)(iii)) to evaluate the effectiveness of each Joint Task Force in measuring progress with respect to the mission, strategic goals, and objectives (established pursuant to paragraph (9)(A)(i)) of such Joint Task Force."; and

(5) in paragraph (13), by striking "2022" and inserting "2024".

SEC. 7112. HOMELAND PROCUREMENT REFORM ACT.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following new section:

"SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS.

"(a) DEFINITIONS.—In this section:

"(1) COVERED ITEM.—The term 'covered item' means any of the following:

"(A) Footwear provided as part of a uniform.

"(B) Uniforms.

"(C) Holsters and tactical pouches.

"(D) Patches, insignia, and embellishments.

"(E) Chemical, biological, radiological, and nuclear protective gear.

"(F) Body armor components intended to provide ballistic protection for an individual, consisting of 1 or more of the following:

"(i) Soft ballistic panels.

"(ii) Hard ballistic plates.

"(iii) Concealed armor carriers worn under a uniform.

"(iv) External armor carriers worn over a uniform.

"(G) Any other item of clothing or protective equipment as determined appropriate by the Secretary.

"(2) FRONTLINE OPERATIONAL COMPONENT.—The term 'frontline operational component' means any of the following entities of the Department:

"(A) U.S. Customs and Border Protection.

"(B) U.S. Immigration and Customs Enforcement.

"(C) The United States Secret Service.

"(D) The Transportation Security Administration.

"(E) The Federal Protective Service.

"(F) The Federal Emergency Management Agency.

"(G) The Federal Law Enforcement Training Centers.

"(H) The Cybersecurity and Infrastructure Security Agency.

"(b) REQUIREMENTS.—

"(1) IN GENERAL.—The Secretary shall ensure that any procurement of a covered item for a frontline operational component meets the following criteria:

"(A)(i) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items that are manufactured or supplied in the United States by entities that qualify as small business concerns, as such term is described under section 3 of the Small Business Act (15 U.S.C. 632).

"(ii) Covered items may only be supplied pursuant to subparagraph (A) to the extent that United States entities that qualify as small business concerns—

"(I) are unable to manufacture covered items in the United States; and

"(II) meet the criteria identified in subparagraph (B).

"(B) Each contractor with respect to the procurement of such a covered item, including the end-item manufacturer of such a covered item—

"(i) is an entity registered with the System for Award Management (or successor system) administered by the General Services Administration; and

"(ii) is in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) or a standard determined appropriate by the Secretary to ensure the quality of products and adherence to applicable statutory and regulatory requirements.

"(C) Each supplier of such a covered item with an insignia (such as any patch, badge, or emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

"(i) store such covered item with such insignia or such insignia in a locked area;

"(ii) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

"(iii) destroy any such defective or unusable covered item with insignia or insignia in a manner established by the Secretary, and maintain records, for three years after the creation of such records, of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of the covered item with insignia or insignia destroyed, and the method of destruction.

"(2) WAIVER.—

"(A) IN GENERAL.—In the case of a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) or a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may waive a requirement in subparagraph (A), (B) or (C) of paragraph (1) if the Secretary determines there is an insufficient supply of a covered item that meets such requirement.

"(B) NOTICE.—Not later than 60 days after the date on which the Secretary determines a waiver under subparagraph (A) is necessary, the Secretary shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives notice of such determination, which shall include the following:

"(i) Identification of the national emergency or major disaster declared by the President.

"(ii) Identification of the covered item for which the Secretary intends to issue the waiver.

"(iii) A description of the demand for the covered item and corresponding lack of supply from contractors

able to meet the criteria described in subparagraph (B) or (C) of paragraph (1).

"(c) PRICING.—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

"(d) REPORT.—Not later than one year after the date of the enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, the Committee on Small Business, and the Committee on Appropriations of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Committee on Small Business and Entrepreneurship, and the Committee on Appropriations of the Senate a briefing on instances in which vendors have failed to meet deadlines for delivery of covered items and corrective actions taken by the Department in response to such instances.

"(e) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any frontline operational component on or after the date that is 180 days after the date of the enactment of this section.".

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a study of the adequacy of uniform allowances provided to employees of frontline operational components (as such term is defined in section 836 of the Homeland Security Act of 2002, as added by subsection (a)).

(2) REQUIREMENTS.—The study conducted under paragraph (1) shall—

(A) be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have had on employee morale and retention;

(B) assess the adequacy of the most recent increase made to the uniform allowance for first year employees; and

(C) consider increasing by 50 percent, at minimum, the annual allowance for all other employees.

(c) ADDITIONAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall provide a report with recommendations on how the Department of Homeland Security could procure additional items from domestic sources and bolster the domestic supply chain for items related to national security to—

(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Small Business and Entrepreneurship, and the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security, the Committee on Oversight and Reform, the Committee on Small Business, and the Committee on Appropriations of the House of Representatives.

(2) CONTENTS.—The report required under paragraph (1) shall include the following:

(A) A review of the compliance of the Department of Homeland Security with the requirements under section 604 of title VI of division A of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b) to buy certain items related to national security interests from sources in the United States.

(B) An assessment of the capacity of the Department of Homeland Security to procure the following items from domestic sources:

(i) Personal protective equipment and other items necessary to respond to a pandemic such as that caused by COVID–19.

(ii) Helmets that provide ballistic protection and other head protection and components.

(iii) Rain gear, cold weather gear, and other environmental and flame resistant clothing.

(d) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

"Sec. 836. Requirements to buy certain items related to national security interests.".

SEC. 7113. DAILY PUBLIC REPORT OF COVERED CONTRACT AWARDS.

(a) DAILY CONTRACT REPORTING REQUIREMENTS.—

(1) REPORT.—

(A) IN GENERAL.—The Secretary shall post, maintain, and update in accordance with paragraph (2), on a publicly available website of the Department, a daily report of all covered contract awards.

(B) CONTENTS.—Each report under this paragraph shall include, for each covered contract award, information relating to the following:

(i) The contract number, modification number, or delivery order number.

(ii) The contract type.

(iii) The amount obligated for the award.

(iv) The total contract value for the award, including all options.

(v) The description of the purpose for the award.

(vi) The number of proposals or bids received.

(vii) The name and address of the vendor, and whether the vendor is a small business.

(viii) The period and primary place of performance for the award.

(ix) Whether the award is multiyear.

(x) The contracting office.

(2) UPDATE.—The Secretary shall make updates referred to in paragraph (1) not later than five business days after the date on which a covered contract is authorized or modified.

(3) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(b) UNDEFINITIZED CONTRACT ACTION OR DEFINITIZED AMOUNT.—If a covered contract award reported under subsection (a) includes an undefinitized contract action, the Secretary shall—

(1) report the estimated total contract value for the award and the amount obligated upon award; and

(2) once there is a definitized amount for the award, update the total contract value and amount obligated.

(c) EXEMPTION.—Each report required under subsection (a) shall not include covered contract awards for which synopsis was exempted under section 5.202(a)(1) of the Federal Acquisition Regulation, or any successor thereto.

(d) DEFINITIONS.—In this section:

(1) COVERED CONTRACT AWARD.—The term "covered contract award"—

(A) means a contract action of the Department with a total contract value of not less than $4,000,000, including unexercised options; and

(B) includes—

(i) contract awards governed by the Federal Acquisition Regulation;

(ii) modifications to a contract award that increase the total value, expand the scope of work, or extend the period of performance;

(iii) orders placed on a multiple-award or multiple-agency contract that includes delivery or quantity terms that are indefinite;

(iv) other transaction authority agreements; and

(v) contract awards made with other than full and open competition.

(2) DEFINITIZED AMOUNT.—The term "definitized amount" means the final amount of a covered contract award after agreement between the Department and the contractor at issue.

(3) DEPARTMENT.—The term "Department" means the Department of Homeland Security.

(4) SECRETARY.—The term "Secretary" means the Secretary of Homeland Security.

(5) SMALL BUSINESS.—The term "small business" means an entity that qualifies as a small business concern, as defined under section 3 of the Small Business Act (15 U.S.C. 632).

(6) TOTAL CONTRACT VALUE.—The term "total contract value" means the total amount of funds expected to be provided to the contractor at issue under the terms of the contract through the full period of performance.

(7) UNDEFINITIZED CONTRACT ACTION.—The term "undefinitized contract action" means any contract action for which the contract terms, specifications, or price is not established prior to the start of the performance of the covered contract award.

(e) SUNSET.—This section shall cease to have force or effect on the date that is five years after the date of the enactment of this Act.