(B) the important role that Gold Star Wives of America, Inc. plays in the lives of the surviving spouses and families of the fallen members and veterans of the Armed Forces of the United States.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024

(On July 27, 2023, the Senate passed S. 2226, as follows:)

S. 2226

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2024''.

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

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

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Sec. 225. Briefing on the impediments to the transition of the Semantic Forensics program to operational use.
Sec. 226. Annual report on Department of Defense hypersonic capability funding and investment.
Sec. 227. Limitation on availability of funds for travel for office of Under Secretary of Defense for Personnel and Readiness pending a plan for modernizing Defense Travel System.
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SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four 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.

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

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 purposes 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.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 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. REPORT ON ARMY REQUIREMENTS AND ACQUISITION STRATEGY FOR NIGHT VISION DEVICES.

(a) REPORT REQUIRED.—Not later than February 29, 2024, the Secretary of the Army shall submit to the congressional defense committees a report on night vision devices.

(b) ELEMENTS.—The report required by subsection (a) shall include the following elements:

(1) An identification of the specific capabilities the Army is seeking to achieve in night vision.

(2) An identification of the capabilities in night vision required by unit, including the number and type of units for each capability.

(3) An identification of the total requirement for night vision devices in the Army, disaggregated by number and type of unit.

(4) A description of the acquisition strategy of the Army for achieving the capabilities described in paragraph (1), including a description of each of the following:

(A) The acquisition objective for each type of night vision device.

(B) The programmed purchase quantities for night vision devices required each year.

(C) The contract type of each procurement of night vision devices.

(D) The expected date for achieving the capabilities.

(E) The industrial base constraints on each type of night vision device.

(F) The modernization plan for each type of night vision device.

SEC. 112. ARMY PLAN FOR ENSURING SOURCES OF CANNON TUBES.

(a) UPDATED ASSESSMENT.—The Secretary of the Army shall update the assessment of the Secretary on the sufficiency of the development, production, procurement, and modernization of the defense industrial base for cannon and large caliber weapons tubes.

(b) SUBMITTAL TO CONGRESS.—Not later than February 29, 2024, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an update to the report submitted to Congress in March 2022 entitled ''Army Plan for Ensuring Sources of Cannon Tubes''.

SEC. 113. STRATEGY FOR ARMY TACTICAL WHEELED VEHICLE PROGRAM.

(a) STRATEGY REQUIRED.—In the budget justification materials submitted in support of the budget of the Department of Defense (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) for fiscal year 2025 and every five years thereafter, the Secretary of the Army shall include a report on the strategy of the Army for tactical wheeled vehicles.

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

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

(2) be designed so that the force of tactical wheeled vehicles provided under the strategy supports the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 3043); and

(3) define capabilities and capacity requirements across the entire fleet of tactical wheeled vehicles, including—

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

(B) associated trailer and support equipment.

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

(1) A detailed program for the construction of light, medium, and heavy tactical wheeled vehicles for the Army over the next five fiscal years.

(2) A description of the necessary force structure and capabilities of tactical wheeled vehicles to meet the requirements of the national security strategy described in subsection (b)(2).

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

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

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

(1) Objectives relating to protection, fleet operations, mission command, mobility, and the industrial base.

(2) Technological advances that will increase efficiency of and reduce demand for tactical wheeled vehicles.

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

(4) Existing commercial technologies such as vehicle electrification, autonomous capabilities, and predictive maintenance, among others.

(5) The capabilities of autonomous equivalents to tactical wheeled vehicles.

(e) BRIEFING REQUIREMENTS.—Not later than 15 days after each budget submission described in subsection (a), in conjunction with the submission of each strategy required by such subsection, the Secretary of the Army shall provide a briefing to the congressional defense committees that addresses the investment needed for each platform of tactical wheeled vehicle across the future-years defense program.

SEC. 114. EXTENSION AND MODIFICATION OF ANNUAL UPDATES TO MASTER PLANS AND INVESTMENT STRATEGIES FOR ARMY AMMUNITION PLANTS.

Section 2834(d) of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2201) is amended—

(1) in the matter preceding paragraph (1), by striking ''March 31, 2026'' and inserting ''March 31, 2030''; and

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

''(5) A description of any changes made to the master plan based upon current global events, including pandemics and armed conflicts.''.

SEC. 115. REPORT ON ACQUISITION STRATEGIES OF THE LOGISTICS AUGMENTATION PROGRAM OF THE ARMY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army, in conjunction with the Office of the Secretary of Defense and in coordination with the geographic combatant commanders, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report reviewing the proposed recompete of the operational task orders of the geographic combatant commands under the contract for the logistics augmentation program of the Army that will expire in 2028 (commonly referred to as ''LOGCAP V'').

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

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

(2) Input from stakeholders, including Army Sustainment Command, the geographic combatant commanders, and Army service component commanders, on the desirability and operational impacts of the proposed recompete described in subsection (a).

(3) Detailed cost estimates and timelines, including projected transition costs and timelines for the task orders described in subsection (a).

(4) An assessment of the potential impacts related to quality and timing of transitioning to the new logistics augmentation program (commonly referred to as ''LOGCAP VI'').

(5) An analysis of recompeting the task orders described in subsection (a) compared to transitioning to LOGCAP VI.

(6) An overview of potential innovations and efficiencies derived from a competition for LOGCAP VI.

(7) An explanation of the benefit of recompeting the task orders described in subsection (a) compared to an open competition for LOGCAP VI.

(8) A breakdown of additional authorities needed to move directly to LOGCAP VI.

Subtitle C—Navy Programs

SEC. 121. REDUCTION IN THE MINIMUM NUMBER OF NAVY CARRIER AIR WINGS AND CARRIER AIR WING HEADQUARTERS REQUIRED TO BE MAINTAINED.

Section 8062(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''until the earlier of'' and all that follows and inserting ''until the date on which additional operationally deployable aircraft carriers can fully support a 10th carrier air wing;''; and

(2) in paragraph (2), by striking ''the earlier of'' and all that follows through ''and (B) of'' and inserting ''the date referred to in''.

SEC. 122. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.

Section 130(a) 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 123(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''through 2023'' and inserting ''through 2024''.

SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(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 10 Virginia class submarines.

(b) AUTHORITY FOR ADVANCE PROCUREMENT AND ECONOMIC ORDER QUANTITY.—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2024, for advance procurement associated with the Virginia class submarines for which authorization to enter into a multiyear procurement contract is provided under subsection (a) and for equipment or subsystems associated with the Virginia class submarine program, including procurement of—

(1) long lead time material; or

(2) material or equipment 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 2025 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) LIMITATION ON TERMINATION LIABILITY.—A contract for the construction of Virginia class submarines entered into under subsection (a) shall include a clause that limits the liability of the United States to the contractor for any termination of the contract. The maximum liability of the United States under the clause shall be the amount appropriated for the submarines covered by the contract regardless of the amount obligated under the contract.

SEC. 124. SENSE OF SENATE ON PROCUREMENT OF OUTSTANDING F/A–18 SUPER HORNET PLATFORMS.

(a) FINDINGS.—Congress finds that Congress appropriated funds for twelve F/A–18 Super Hornet platforms in fiscal year 2022 and eight F/A–18 Super Hornet platforms in fiscal year 2023, but the Navy has yet to enter into any contracts for the procurement of such platforms.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Secretary of the Navy and the contractor team should expeditiously enter into contractual agreements to procure the twenty F/A–18 Super Hornet platforms for which funds have been appropriated; and

(2) the Senate urges the Secretary of the Navy and the contractor team to comply with congressional intent and applicable law with appropriate expediency to bolster the Navy's fleet of strike fighter aircraft and avoid further disruption to the defense industrial base.

Subtitle D—Air Force Programs

SEC. 131. LIMITATIONS AND MINIMUM INVENTORY REQUIREMENT RELATING TO RQ–4 AIRCRAFT.

Section 9062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(l)(1) During the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 and ending on September 30, 2028, the Secretary of the Air Force may not—

''(A) retire an RQ–4 aircraft;

''(B) reduce funding for unit personnel or weapon system sustainment activities for RQ–4 aircraft in a manner that presumes future congressional authority to divest such aircraft;

''(C) keep an RQ–4 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 RQ–4 aircraft below 10 aircraft.

''(2) The prohibition under paragraph (1) shall not apply to individual RQ–4 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.''.

SEC. 132. LIMITATION ON DIVESTITURE OF T–1A TRAINING AIRCRAFT.

No divestiture of any T–1A training aircraft may occur until the Chief of Staff of the Air Force submits to the congressional defense committees a certification of—

(1) the fleet-wide implementation of the Undergraduate Pilot Training 2.5 curriculum and the effect of such implementation on the undergraduate pilot training pipeline; and

(2) how the divestiture would affect existing programs of the Air Force that accelerate pilot training.

SEC. 133. MODIFICATION TO MINIMUM INVENTORY REQUIREMENT FOR A–10 AIRCRAFT.

(a) FISCAL YEAR 2017 NDAA.—Section 134(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2038), as amended by section 141(b)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''153 A–10 aircraft'' and inserting ''135 A–10 aircraft''.

(b) FISCAL YEAR 2016 NDAA.—Section 142(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 755), as amended by section 141(b)(2) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''153 A–10 aircraft'' and inserting ''135 A–10 aircraft''.

SEC. 134. MODIFICATION TO MINIMUM REQUIREMENT FOR TOTAL PRIMARY MISSION AIRCRAFT INVENTORY OF AIR FORCE FIGHTER AIRCRAFT.

Section 9062(i)(1) of title 10, United States Code, is amended by striking ''1,145 fighter aircraft'' and inserting ''1,112 fighter aircraft''.

SEC. 135. MODIFICATION OF LIMITATION ON DIVESTMENT OF F–15 AIRCRAFT.

Section 150 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2456) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (C)(ii), 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) for each covered F–15 aircraft that the Secretary plans to divest, a description of—

''(i) the upgrades and modifications done to the aircraft, including the date of each modification and the value amount of each modification in current year dollars; and

''(ii) the estimated remaining service life of—

''(I) the aircraft; and

''(II) the onboard systems of the aircraft.''; and

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) UPDATES.—Not later than October 1 of each year through October 1, 2028, the Secretary of the Air Force shall—

''(1) update the report required under subsection (b); and

''(2) submit such update to the congressional defense committees.''.

SEC. 136. REPORT ON AIR FORCE EXECUTIVE AIRCRAFT.

(a) IN GENERAL.—Not later than January 1, 2025, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the following:

(1) An overview of the total missions flown by executive aircraft of the Air Force during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year, including the mission types and Government agencies supported.

(2) An identification of each mission flown by executive aircraft of the Air Force during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year, including the mission type, overall cost, average flight hour cost, and Government agency supported, disaggregated by wing and by type of aircraft.

(3) The projected mission capacity for executive aircraft of the Air Force for the five fiscal years following the fiscal year in which the report is submitted, disaggregated by fiscal year, factoring in any planned changes to aircraft inventory.

(4) A description of any anomalous conditions that may have impacted the availability, with respect to executive aircraft of the Air Force, of a specific aircraft type or wing during the five fiscal years preceding the fiscal year in which the report is submitted, such as unavailability of a specific aircraft type due to block upgrades or fleetwide maintenance issues.

(5) A description of the impact of the capacity of executive aircraft of the Air Force on the overall capacity of the Department of Defense to meet demand for executive aircraft.

(6) The total outlays of the Department of the Air Force for missions flown by executive aircraft of the Air Force, after factoring in reimbursements received from Government agencies supported, during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year and by account.

(7) The projected budgets for the executive aircraft of the Air Force through the future years defense program.

(8) A narrative description of how the Air Force plans and budgets for missions flown by executive aircraft.

(9) Any other information the Secretary considers to be important.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex for the purposes of describing classified missions supported by the executive aircraft of the Air Force.

SEC. 137. PROHIBITION ON CERTAIN REDUCTIONS TO INVENTORY OF E–3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 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 16.

(b) EXCEPTION FOR PLAN.—If the Secretary of the Air Force submits to the congressional defense committees a plan for maintaining readiness and ensuring there is no lapse in mission capabilities, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E–3 aircraft to below 16, beginning 30 days after the date on which the plan is so submitted.

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

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

SEC. 141. PILOT PROGRAM TO ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES.

Section 834(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4061 note) is amended by adding at the end the following new paragraph:

''(3) The Secretary of Defense may waive the priority established pursuant to paragraph (1) for up to two solicitations for proposals per fiscal year.''.

SEC. 142. REQUIREMENT TO DEVELOP AND IMPLEMENT POLICIES TO ESTABLISH THE DATALINK STRATEGY OF THE DEPARTMENT OF DEFENSE.

(a) POLICIES REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall develop and implement policies to establish the unified datalink strategy of the Department of Defense (in this section referred to as the ''strategy'').

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

(A) The designation of an organization that will act as the lead coordinator of datalink activities across the entire Department of Defense.

(B) Prioritization and coordination across services of the strategy within the requirements generation process of the Department.

(C) The use of a common standardized datalink network or transport protocol that ensures interoperability between independently developed datalinks, regardless of physical medium used, and ensures mesh routing. The Secretary of Defense shall consider the use of a subset of Internet Protocol.

(D) A programmatic decoupling of the physical method used to transmit data, the network or transport protocols used in the transmission and reception of data, and the applications used to process and use data.

(E) The coordination of weapon systems executing the same mission types across services of the strategy, including through the use of a common set of datalink waveforms. The Secretary shall evaluate the use of redundant datalinks for line-of-sight and beyond-line-of-sight information exchange for each weapon systems platform.

(F) Coordination between the Department and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to leverage any efficiencies and overlap with existing datalink waveforms of the intelligence community.

(G) Methods to support the rapid integration of common datalinks across the force.

(H) Support for modularity of specific datalink waveforms to enable rapid integration of future datalinks, including the use of software defined radios compliant with modular open system architecture and sensor open system architecture.

(b) INFORMATION TO CONGRESS.—Not later than June 1, 2024, the Secretary of Defense shall provide to the congressional defense committees the following:

(1) A briefing on the proposed policies required by subsection (a)(1), with timelines for implementation.

(2) An estimated timeline of implementations of datalinks.

(3) A list of any additional resources and authorities required to execute the strategy.

(4) A determination of whether a common set of datalinks can and should be implemented across all major weapon systems within the Department of Defense.

SEC. 143. REPORT ON CONTRACT FOR CYBERSECURITY CAPABILITIES AND BRIEFING.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Department of Defense shall submit to the congressional defense committees a report on the decision to exercise options on an existing contract to use cybersecurity capabilities to protect assets and networks across the Department of Defense.

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

(A) A description of the potential effects on innovation and competition among cybersecurity vendors of the decision to exercise the cybersecurity options on the contract described in paragraph (1).

(B) A description of the risks and benefits associated with an integrated enterprise-wide cybersecurity solution from a single vendor.

(C) A description of future plans of the Department of Defense to recompete the acquisition of integrated and interoperable cybersecurity tools and applications that would allow multiple vendors to compete separately and as teams.

(D) A copy of the analysis conducted by the Director of Cost Assessment and Program Evaluation of the Department of the costs and effectiveness of the cybersecurity capabilities covered by the contract described in paragraph (1).

(E) A copy of the analysis conducted by the Director of Operational Test and Evaluation of the Department of the effectiveness of the cybersecurity capabilities covered by the contract described in paragraph (1) compared to other commercially available products and vendors.

(b) BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer of the Department of Defense shall brief the congressional defense committees on the plans of the Department to ensure competition and interoperability in the security and identity and access management product market segments.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 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. UPDATED GUIDANCE ON PLANNING FOR EXPORTABILITY FEATURES FOR FUTURE PROGRAMS.

(a) PROGRAM GUIDANCE ON PLANNING FOR EXPORTABILITY FEATURES.—The Under Secretary of Defense for Acquisition and Sustainment shall ensure that program guidance is updated to integrate planning for exportability features called for by section 4067 of title 10, United States Code, for the following activities:

(1) Major defense acquisition programs (MDAPs) (as defined in section 4201 of title 10, United States Code), which shall include in the initial cost estimates for the programs a requirement to capture potential exportability needs.

(2) Middle tier acquisition (MTA) programs described in section 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 3201 note prec.), which shall include an assessment of potential exportability needs prior to transition from rapid fielding or prototyping.

(b) REVISION OF GUIDANCE FOR PROGRAM PROTECTION PLANS.—The Under Secretary shall revise guidance for program protection plans to integrate a requirement to determine exportability for the programs covered by such plans.

SEC. 212. SUPPORT TO THE DEFENCE INNOVATION ACCELERATOR FOR THE NORTH ATLANTIC.

(a) AUTHORITY.—To the extent and in such amounts as provided in appropriations Acts for the purposes set forth in this section, the Secretary of Defense may, acting through the Under Secretary of Defense for Research and Engineering, provide funds of not more than $15,000,000 per year to sustain the participation of the United States in the North Atlantic Treaty Organization (NATO) Defence Innovation Accelerator for the North Atlantic (DIANA) Initiative (in this section the ''Initiative'').

(b) NOTIFICATION.—

(1) IN GENERAL.—Not later than 15 days after the date on which the Secretary makes a decision to provide funds pursuant to subsection (a), the Under Secretary shall submit to the congressional defense committees a written notification of such decision.

(2) CONTENTS.—Notification submitted pursuant to paragraph (1) shall include the following:

(A) A detailed breakout of the funding provided.

(B) The intended purposes of such funds.

(C) The timeframe covered by such funds.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than July 1, 2024, the Under Secretary shall submit to the congressional defense committees a strategy for participation by the United States in the Initiative.

(2) CONTENTS.—The strategy submitted pursuant to paragraph (1) shall include the following:

(A) A description for how the Initiative fits into the innovation ecosystem for the North Atlantic Treaty Organization, as well as how it is synchronized with and will interact with other science, technology, and innovation activities within the Department of Defense.

(B) Anticipated funding profile across the future years defense program (FYDP).

(C) Identification of key technology focus areas to be addressed each year across the future years defense program.

(D) Anticipated areas for expansion for key nodes or locations for the Initiative, including how the Initiative will contribute to fostering the spread of innovation throughout the United States.

(d) ANNUAL REPORT.—Not later than February 1, 2024, and February 1 of each year thereafter through 2026, the Secretary shall submit to the congressional defense committees an annual report for Department supported activities of the Initiative, including the breakdown of funding provided for the previous fiscal year, and key milestones or achievements during that timeframe.

(e) SUNSET.—The authority provided by subsection (a) shall terminate on September 30, 2026.

SEC. 213. MODIFICATION TO PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092(b) of title 10, United States code is amended—

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

(2) in paragraph (4), by inserting '', including, upon separation, pay the travel, transportation, and relocation expenses to return to the location of origin, at the time of the initial appointment, within the United States'' before the period at the end.

SEC. 214. ADMINISTRATION OF THE ADVANCED SENSORS APPLICATION PROGRAM.

Section 218 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''The Commander of Naval Air Systems Command and the Director of Air Warfare shall jointly serve'' and inserting ''The Under Secretary of Defense for Intelligence and Security, acting through the Director of the Air Force Office of Concepts, Development, and Management Office, shall serve''; and

(B) in paragraph (2), by striking ''The resource sponsors of the Program shall be responsible'' and inserting ''The resource sponsor, in consultation with the Commander of Naval Air Systems Command, shall be responsible'';

(2) in subsection (b), by striking ''Only the Secretary of the Navy, the Under Secretary of the Navy, and the Commander of Naval Air Systems Command may'' and inserting ''Only the Under Secretary of Defense for Intelligence and Security and the Director of the Air Force Concepts, Development, and Management Office, in consultation with the Commander of Naval Air Systems Command, may''; and

(3) in subsection (d)(3), by striking ''exercised by the Commander of Naval Air Systems Command, the Secretary of the Navy, or the Under Secretary of the Navy'' and inserting ''exercised by the Under Secretary of Defense for Intelligence and Security and the Director of the Air Force Concepts, Development, and Management Office''.

SEC. 215. DELEGATION OF RESPONSIBILITY FOR CERTAIN RESEARCH PROGRAMS.

Section 980(b) of title 10, United Stated Code, is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

(2) by adding to the end the following new paragraph:

''(2) The Secretary may delegate the authority provided by paragraph (1) to the Under Secretary of Defense for Research and Engineering.''.

SEC. 216. PROGRAM OF STANDARDS AND REQUIREMENTS FOR MICROELECTRONICS.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall establish, not later than 180 days after the date of the enactment of this Act, a program within the National Security Agency to develop and continuously update, as the Secretary determines necessary, standards, commercial best practices, and requirements for the design, manufacture, packaging, test, and distribution of microelectronics acquired by the Department of Defense to provide acceptable levels of confidentiality, integrity, and availability for Department commercial-off-the-shelf (COTS) microelectronics, field programmable gate arrays (FPGAs), and custom integrated circuits (CICs).

(b) ADVICE AND ASSESSMENT.—The Secretary shall ensure that the program established pursuant to subsection (a) is advised and assessed by the Government-Industry-Academia Working Group on Microelectronics established under section 220 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(c) REQUIREMENTS.—The program established by subsection (a) shall develop—

(1) evidence-based assurance processes and techniques that sustain, build on, automate, and scale up the results and accomplishments of the Rapid Assured Microelectronics Prototypes (RAMP), RAMP-Commercial (RAMP-C), and State-of-the-Art Heterogeneous Integrated Packaging (SHIP) programs to enhance the confidentiality, integrity, and availability of microelectronics while minimizing costs and impacts to commercial manufacturing practices;

(2) validation methods for such processes and techniques, in coordination with the developmental and operational test and evaluation community, as the Secretary determines necessary;

(3) threat models that comprehensively characterize the threat to microelectronics confidentiality, integrity, and availability across the entire supply chain, and the design, production, packaging, and deployment cycle to support risk management and risk mitigation, based on the principle of reducing risk to as low a level as reasonably practicable, including—

(A) comparative risk assessments; and

(B) balanced and practical investments in assurance based on risks and returns;

(4) levels of assurance and associated requirements for the production and acquisition of commercial-off-the-shelf integrated circuits, integrated circuits subject to International Traffic in Arms Regulations (ITAR) under subchapter M of chapter I of title 22, Code of Federal Regulations, or successor regulations, and classified integrated circuits using commercial foundry manufacturing process flows;

(5) guides for Federal Government program evaluators, program offices, and industry to meet microelectronics assurance requirements; and

(6) guidance for the creation of a government organizational structure and plan to support the acquisition of fit-for-purpose microelectronics, including the role of the Defense Microelectronics Activity, the Crane Division of the Naval Surface Warfare Center, and the Joint Federated Assurance Center.

(d) MICROELECTRONICS ASSURANCE STANDARD.—The program established pursuant to subsection (a) shall establish a Department microelectronics assurance standard that includes an overarching assurance framework as well as the guides developed under subsection (c)(5), for commercial-off-the-shelf integrated circuits, integrated circuits subject to the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, or successor regulations, and classified microelectronics developed under subsection (c)(4).

(e) MICROELECTRONICS ASSURANCE EXECUTIVE AGENT.—The Secretary shall designate one individual from a military department as the Microelectronics Assurance Executive Agent to assist Federal Government program offices in acquiring fit-for-purpose microelectronics.

(f) MANAGEMENT OF RAMP AND SHIP PROGRAMS.—Effective on the date of the establishment of the program required by subsection (a), such program shall assume management of the Rapid Assured Microelectronics Prototypes, Rapid Assured Microelectronics Prototypes-Commercial (RAMP-C), and State-of-the-Art Heterogeneous Integrated Packaging programs that were in effect on the day before the date of the enactment of this Act and executed by the Under Secretary of Defense for Research and Engineering.

(g) OVERSIGHT.—The Under Secretary of Defense for Research and Engineering shall provide oversight of the planning and execution of the program required by subsection (a).

(h) REQUIREMENTS FOR CONTRACTING FOR APPLICATION-SPECIFIC INTEGRATED CIRCUITS.—The Secretary shall ensure that, for contracts for application-specific integrated circuits designed by defense industrial base contractors—

(1) the use of evidence-based assurance processes and techniques are included in the contract data requirements list;

(2) commercial best industry practices for confidentiality, integrity, and availability are used;

(3) a library of certified third-party intellectual property is established for reuse, including reuse of transistor layouts, cells, and macrocells;

(4) legal mechanisms are in place for data collection and sharing; and

(5) automation technology is adopted to achieve efficiency.

SEC. 217. CLARIFYING ROLE OF PARTNERSHIP INTERMEDIARIES TO PROMOTE DEFENSE RESEARCH AND EDUCATION.

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

(1) by striking ''that assists'' and inserting the following: ''that—

''(A) assists'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(B) facilitates technology transfer from industry or academic institutions to the Center; or

''(C) assists and facilitates workforce development in critical technology areas and technology transition to fulfill unmet needs of a Center.''.

SEC. 218. COMPETITION FOR TECHNOLOGY THAT DETECTS AND WATERMARKS THE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense shall establish and carry out a prize competition under section 4025 of title 10, United States Code, to evaluate technology, including applications, tools, and models, for the detection and watermarking of generative artificial intelligence (AI)—

(A) to facilitate the research, development, testing, evaluation, and competition of secure generative artificial intelligence detection and watermark technologies that can support each Secretary of a military department and the commanders of combatant commands to support warfighting requirements; and

(B) to transition such technologies, including technologies developed from pilot programs, prototype projects, or other research and development programs, from the prototyping phase to production.

(2) PARTICIPATION.—The participants in the competition carried out pursuant to paragraph (1) may include Federally-funded research and development centers (FFRDCs), the private sector, the defense industrial base, academia, government agencies, and such other participants as the Secretary considers appropriate.

(3) COMMENCEMENT.—The competition will begin within 270 days of passage of this Act.

(4) DESIGNATION.—The competition established and carried out pursuant to paragraph (1) shall be known as the ''Generative AI Detection and Watermark Competition''.

(b) ADMINISTRATION.—The Under Secretary of Defense for Research and Engineering shall administer the competition required by subsection (a).

(c) FRAMEWORK.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the framework the Secretary will use to carry out the competition required by subsection (a).

(d) ANNUAL REPORTS.—Not later than October 1 of each year until the termination of the competition established and carried out under subsection (a), the Secretary shall submit to the congressional defense committees a report on the results of the competition.

(e) DEFINITIONS.—In this section:

(1) The term ''detection'' means a technology that can positively identify the presence of generative artificial intelligence in digital content.

(2) The term ''watermarking'' means embedding a piece of data onto detected artificial intelligence generated digital content, conveying attribution to the source generation.

(f) TERMINATION.—The competition established and carried out pursuant to subsection (a) shall terminate on December 31, 2025.

Subtitle C—Plans, Reports, and Other Matters

SEC. 221. DEPARTMENT OF DEFENSE PRIZE COMPETITIONS FOR BUSINESS SYSTEMS MODERNIZATION.

(a) IN GENERAL.—Not later than September 30, 2028, the Secretary of Defense and the Secretaries of the military departments shall complete one or more prize competitions under section 4025 of title 10, United States Code, in order to support the business systems modernization goals of the Department of Defense.

(b) SCOPE.—

(1) IN GENERAL.—Each prize competition carried out under subsection (a) shall be structured to complement, and to the degree

practicable, accelerate delivery or expand functionality of business systems capabilities being pursued by the affected Secretary, either currently in operation, in development, or for broad classes of systems covered by the business enterprise architecture required by section 2222(e) of title 10, United States Code.

(2) AREAS FOR CONSIDERATION.—In carrying out subsection (a), the Secretary of Defense and the Secretaries of the military departments shall each consider the following:

(A) Integration of artificial intelligence or machine learning capabilities.

(B) Data analytics or business intelligence, or related visualization capability.

(C) Automated updating of business architectures, business systems integration, or documentation related to existing systems or manuals.

(D) Improvements to interfaces or processes for interacting with other non-Department of Defense business systems.

(E) Updates or replacements for legacy business systems to improve operational effectiveness and efficiency, such as the Mechanization of Contract Administration Services (MOCAS).

(F) Contract writing systems or expanded capability that could be integrated into existing systems.

(G) Pay and personnel systems, or expanded capability, that could be integrated into existing systems.

(H) Other finance and accounting systems, or expanded capability, that could be integrated into existing systems.

(I) Systems supporting industrial base and supply chain visibility, analytics, and management.

SEC. 222. UPDATE TO PLANS AND STRATEGIES FOR ARTIFICIAL INTELLIGENCE.

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Deputy Secretary of Defense—

(1) establish and document procedures, including timelines, for the periodic review of the 2018 Department of Defense Artificial Intelligence Strategy, or any successor strategy, and associated annexes of the military departments to assess the implementation of the strategy and whether any revision is necessary;

(2) issue Department of Defense-wide guidance that defines outcomes of near-term and long-term strategies and plans relating to—

(A) the adoption of artificial intelligence;

(B) adoption and enforcement of policies on the ethical use of artificial intelligence systems; and

(C) the identification and mitigation of bias in artificial intelligence algorithms;

(3) issue Department-wide guidance regarding—

(A) methods to monitor accountability for artificial intelligence-related activity, including artificial intelligence performance indicators and metrics;

(B) means to enforce and update ethics policy and guidelines across all adopted artificial intelligence systems; and

(C) means to identify, monitor, and mitigate bias in artificial intelligence algorithms;

(4) develop a strategic plan for the development, use, and cybersecurity of generative artificial intelligence, including a policy for use of, and defense against adversarial use of, generative artificial intelligence;

(5) assess technical workforce needs across the future years defense plan to support the continued development of artificial intelligence capabilities, including recruitment and retention policies and programs;

(6) assess the availability and adequacy of the basic artificial intelligence training and education curricula available to the broader Department civilian workforce and military personnel to promote artificial intelligence literacy to the nontechnical workforce and senior leadership with responsibilities adjacent to artificial intelligence technical development;

(7) develop and issue a timeline and guidance for the Chief Digital and Artificial Intelligence Officer of the Department and the Secretaries of the military departments to establish a common terminology for artificial intelligence-related activities;

(8) develop and implement a plan to protect and secure the integrity, availability, and privacy of artificial intelligence systems and models, including large language models, data libraries, data repositories, and algorithms, in training, development, and production environments;

(9) develop and implement a plan—

(A) to identify commercially available and relevant large language models; and

(B) to make those available, as appropriate, on classified networks;

(10) develop a plan to defend the people, organizations, and systems of the Department against adversarial artificial intelligence, including identification of organizations within the Department that could provide red teams capabilities for operational and developmental needs;

(11) develop and implement a policy for use by contracting officials to protect the intellectual property of commercial entities that provide their artificial intelligence algorithms to a Department repository established pursuant to section 232 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4001 note), including policy for how to address data rights in situations in which government and commercial intellectual property may be mixed when such artificial intelligence algorithms are deployed in an operational environment;

(12) issue guidance and directives for how the Chief Digital and Artificial Intelligence Officer of the Department will exercise authority to access, control, and maintain, on behalf of the Secretary, data collected, acquired, accessed, or utilized by Department components consistent with section 1513 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 4001 note); and

(13) clarify guidance on the instances for and role of human intervention and oversight in the exercise of artificial intelligence algorithms for use in the generation of offensive or lethal courses of action for tactical operations.

(b) DUE DATE FOR PROCEDURES, GUIDANCE, PLANS, ASSESSMENT, AND TIMELINES.—

(1) DUE DATE.—The Secretary shall develop the procedures, guidance, plans, assessment, and timelines required under subsection (a) not later than 120 days after the date of enactment of this Act.

(2) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the procedures, guidance, plans, assessment, and timelines established, issued, carried out, or developed under subsection (a).

SEC. 223. WESTERN REGIONAL RANGE COMPLEX DEMONSTRATION.

(a) DEMONSTRATION REQUIRED.—The Secretary shall carry out a demonstration of a joint multi-domain nonkinetic testing and training environment across military departments by interconnecting existing ranges and training sites in the western States to improve joint multi-domain nonkinetic training and further testing, research, and development.

(b) USE OF EXISTING RANGES AND CAPABILITIES.—The demonstration carried out pursuant to subsection (a) shall use existing ranges and range capability, unless capability gaps are identified in the process of planning specific demonstration activities.

(c) ACTIVITIES.—The demonstration carried out pursuant to subsection (a) shall include the following:

(1) Electromagnetic spectrum operations.

(2) Electromagnetic warfare.

(3) Operations in the information environment.

(4) Joint All Domain Command and Control (JADC2).

(5) Information warfare, including the following:

(A) Intelligence, surveillance, and reconnaissance.

(B) Offensive and defense cyber operations.

(C) Electromagnetic warfare.

(D) Space operations.

(E) Psychological operations.

(F) Public affairs.

(G) Weather operations.

(d) TIMELINE FOR COMPLETION OF INITIAL DEMONSTRATION.—In carrying out subsection (a), the Secretary shall seek to complete an initial demonstration, interconnecting two or more ranges or testing sites of two or more military departments in the western States, subject to availability of appropriations, not later than one year after the date of the enactment of this Act.

(e) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on—

(1) a phased implementation plan and design to connect ranges and testing sites in the western States, including the initial demonstration required by subsection (d);

(2) how the design architecture of the plan is in alignment with recommendations of the 2020 Department of Defense Electromagnetic Spectrum Superiority Strategy; and

(3) how the design architecture will support high-periodicity training, testing, research, and development.

(f) DEFINITION.—In this section:

(1) INFORMATION ENVIRONMENT.—The term ''information environment'' means the aggregate of individuals, organizations, and systems that collect, process, and disseminate, or act on information.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

(g) TERMINATION.—This section shall terminate on September 30, 2028.

SEC. 224. REPORT ON FEASIBILITY AND ADVISABILITY OF ESTABLISHING A QUANTUM COMPUTING INNOVATION CENTER.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Under Secretary of Defense for Research and Engineering and the Chief Digital and Artificial Intelligence Officer, submit to the congressional defense committees a report on the feasibility and advisability of establishing a quantum computing innovation center within the Department of Defense—

(1) to identify and pursue the development of quantum computing applications to enhance military operations;

(2) to harness the talent and skills of physicists and scientists within the Department to develop quantum computing applications; and

(3) to coordinate and synchronize quantum computing research across the Department.

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

(1) An assessment of the ongoing activities of the Department that are part of the National Quantum Initiative.

(2) An evaluation of the plans of the Department to develop quantum computing, sensing, and networking applications.

(3) The level of funding and resources invested by the Department to enable quantum military applications.

(4) Any established metrics or performance indicators to track the progress of quantum technology developments.

(5) The extent to which the Department is partnering with commercial entities engaging in quantum research and development.

(6) An evaluation of any plans establishing how commercial advances in quantum technology can be leveraged for military operations.

(7) An assessment of the maturity of United States competitor efforts to develop quantum applications for adversarial use.

(8) An assessment of any processes to harmonize or coordinate activities across the Department to develop quantum computing applications.

(9) An evaluation of any Department-issued policy guidance regarding quantum computing applications.

(10) An evaluation of any Department plans to defend against adversarial use of quantum computing applications.

SEC. 225. BRIEFING ON THE IMPEDIMENTS TO THE TRANSITION OF THE SEMANTIC FORENSICS PROGRAM TO OPERATIONAL USE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall, in consultation with the Office of General Counsel of the Department of Defense and the Director of the Defense Advanced Research Projects Agency, provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the impediments to the transition of the Semantic Forensics program to operational use.

(b) ELEMENTS.—The briefing provided pursuant to subsection (a) shall include the following:

(1) Identification of policy and legal challenges associated with the transition described in subsection (a) and implementation of the Semantic Forensics program, including with respect to the use and operational testing of publicly available information.

(2) Identification of other Federal agencies with legal authorities that may be able to resolve the challenges identified pursuant to paragraph (1).

(3) Recommendations for legislative or administrative action to mitigate the challenges identified pursuant to paragraph (1).

SEC. 226. ANNUAL REPORT ON DEPARTMENT OF DEFENSE HYPERSONIC CAPABILITY FUNDING AND INVESTMENT.

(a) IN GENERAL.—Not later than March 1 of fiscal year 2024 and March 1 of each of fiscal year thereafter through 2030, the Secretary of Defense shall submit to the congressional defense committees an annual report on funding and investments of the Department of Defense relating to hypersonic capabilities, including with respect to procurement, research, development, operations, and maintenance of offensive and defensive hypersonic weapons.

(b) REQUIREMENTS.—Each report submitted pursuant to subsection (a) shall—

(1) include cost data on the vehicles, testing, hypersonic sensors, command and control architectures, infrastructure, testing infrastructure, software, workforce, training, ranges, integration costs, and such other items as the Secretary considers appropriate;

(2) disaggregate information reported by offensive and defensive hypersonic capabilities;

(3) for research relating to hypersonic capabilities, include the program element and the name of the entity that is conducting the research, a description of the purpose of the research, and any Uniform Resource Locators to weapon programs associated with the research; and

(4) to the degree applicable, include all associated hypersonic program elements and line items.

(c) FORM.—Each report submitted pursuant to subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 227. LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL FOR OFFICE OF UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS PENDING A PLAN FOR MODERNIZING DEFENSE TRAVEL SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2024 for travel for the office of the Under Secretary of Defense for Personnel and Readiness, not more than 85 percent may be obligated or expended until the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives supporting justification material underpinning the decision to cease current modernization efforts for the Defense Travel System (DTS), and a plan going forward for modernizing or replacing such system

(b) CONTENTS.—The justification material and plan described in subsection (a) shall include the following:

(1) The documentation from the Milestone Decision Authority (MDA) justifying cancellation of the current modernization contract, including—

(A) specific metrics used to make that determination;

(B) a timeline for decisions leading to the final cancellation;

(C) notification from the military departments when they were unable to make the desired usage rates using the current modernization prototype;

(D) identification of system requirements for audit readiness, as well as interface needs for other enterprise resource planning systems, in the current modernization contract; and

(E) alternatives considered prior to cancellation.

(2) An assessment by the Cost Assessment of Program Evaluation office comparing—

(A) costs of continuing with the current modernization prototype across the future years defense plan (FYDP); and

(B) costs of sustainment of the Defense Travel System across the future years defense plan, factoring potential costs of restarting modernization efforts.

(3) A description from the Milestone Decision Authority on what the current plan is for modernizing the Defense Travel System, including timelines and potential costs.

SEC. 228. ANNUAL REPORT ON UNFUNDED PRIORITIES FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACTIVITIES.

(a) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 222d the following new section:

''§ 222e. Unfunded priorities for research, development, test, and evaluation activities

''(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, the Secretary of Defense shall submit to the congressional defense committees a report on the unfunded priorities of the Department of Defense-wide research, development, test, and evaluation activities.

''(b) CONTENTS.—

''(1) IN GENERAL.—Except as provided in subsection (c), each report submitted 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) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

''(C) Account information with respect to such priority, including the following (as applicable):

''(i) Line Item Number (LIN) for applicable procurement accounts.

''(ii) Program Element (PE) number for applicable research, development, test, and evaluation accounts.

''(2) PRIORITIZATION OF PRIORITIES.—The report under subsection (a) shall present the unfunded priorities covered by such report in order of urgency of priority.

''(c) EXCLUSION OF PRIORITIES COVERED IN OTHER REPORTS.—The report submitted under subsection (a) shall not include unfunded priorities or requirements covered in reports submitted under—

''(1) section 222a or 222b; or

''(2) section 2806 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 222a note).

''(d) FORM.—Each report submitted pursuant to subsection (a) shall be submitted in classified format, but the Secretary may also submit an unclassified version as the Secretary considers appropriate.

''(e) UNFUNDED PRIORITY DEFINED.—In this section, the term 'unfunded priority', in the case of a fiscal year, means a program, activity, or mission requirement, 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; and

''(2) would have been recommended for funding through that budget 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.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 222d the following new item:

''222e. Annual report on unfunded priorities for research, development, test, and evaluation activities.''.

SEC. 229. ESTABLISHMENT OF TECHNOLOGY TRANSITION PROGRAM FOR STRATEGIC NUCLEAR DETERRENCE.

(a) IN GENERAL.—The Commander of Air Force Global Strike Command may, through the use of a partnership intermediary, establish a program—

(1) to carry out technology transition, digital engineering projects, and other innovation activities supporting the Air Force nuclear enterprise; and

(2) to discover capabilities that have the potential to generate life-cycle cost savings and provide data-driven approaches to resource allocation.

(b) TERMINATION.—The program established under subsection (a) shall terminate on September 30, 2029.

(c) PARTNERSHIP INTERMEDIARY DEFINED.—The term ''partnership intermediary'' has the meaning given the term in section 23(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3715(c)).

SEC. 230. REVIEW OF ARTIFICIAL INTELLIGENCE INVESTMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) review the current investment into applications of artificial intelligence to the platforms, processes, and operations of the Department of Defense; and

(2) categorize the types of artificial intelligence investments by categories including but not limited to the following:

(A) Automation.

(B) Machine learning.

(C) Autonomy.

(D) Robotics.

(E) Deep learning and neural network.

(F) Natural language processing.

(b) REPORT TO CONGRESS.—Not later than 120 days after the completion of the review and categorization required by subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary with respect to the review and any action taken or proposed to be taken by the Secretary to address such findings; and

(2) an evaluation of how the findings of the Secretary align with stated strategies of the Department of Defense with regard to artificial intelligence and performance objectives established in the Department of Defense Data, Analytics, and Artificial Intelligence Adoption Strategy.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 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. REQUIREMENT FOR APPROVAL BY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT OF ANY WAIVER FOR A SYSTEM THAT DOES NOT MEET FUEL EFFICIENCY KEY PERFORMANCE PARAMETER.

Section 332(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2911 note) is amended—

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(1) IN GENERAL.—The Secretary of Defense''; and

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

''(2) WAIVER OF FUEL EFFICIENCY KEY PERFORMANCE PARAMETER.—

''(A) IN GENERAL.—The fuel efficiency key performance parameter implemented under paragraph (1) may be waived for a system only if such waiver is approved by the Under Secretary of Defense for Acquisition and Sustainment.

''(B) NONDELEGATION.—The waiver authority under subparagraph (A) may not be delegated.''.

SEC. 312. IMPROVEMENT AND CODIFICATION OF SENTINEL LANDSCAPES PARTNERSHIP PROGRAM AUTHORITY.

(a) CODIFICATION OF EXISTING STATUTE.—Section 317 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2684a note) is amended—

(1) by transferring such section to appear after section 2692 of title 10, United States Code;

(2) by redesignating such section as section 2693; and

(3) by amending the section heading to read as follows:

''§ 2693. Sentinel Landscapes Partnership''.

(b) IMPROVEMENTS TO SENTINEL LANDSCAPES PARTNERSHIP PROGRAM.—Section 2693 of title 10, United States Code, as transferred and redesignated by subsection (a), is further amended—

(1) in subsection (a), by striking ''and the Secretary of the Interior'' and inserting '', the Secretary of the Interior, and the heads of other Federal departments and agencies that elect to become full partners'';

(2) in subsection (b), by striking ''and the Secretary of the Interior, may, as the Secretaries'' and inserting ''the Secretary of the Interior, and the heads of other Federal departments and agencies that elect to become full partners may, as they'';

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

''(c) COORDINATION OF ACTIVITIES.—The Secretaries and the heads of Federal departments and agencies, in carrying out this section, may coordinate actions between their departments and agencies and with other Federal, State, interstate, and local agencies, Indian Tribes, and private entities to more efficiently work together for the mutual benefit of conservation, resilience, working lands, and national defense, and to encourage owners and managers of land to engage in voluntary land management, resilience, and conservation activities that contribute to the sustainment of military installations, State-owned National Guard installations, and associated airspace.'';

(4) in subsection (d)—

(A) by striking the first sentence and inserting ''The Secretaries and the heads of Federal departments and agencies, in carrying out this section, may give to any eligible owner or manager of land within a designated sentinel landscape priority consideration for participation in any easement, grant, or assistance programs administered by that Secretary or head.''; and

(B) in the second sentence, by striking ''eligible landowner or agricultural producer'' and inserting ''eligible owner or manager of land''; and

(5) by redesignating subsection (f) as subsection (g);

(6) by inserting after subsection (e) the following new subsection (f):

''(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require an owner or manager of land, including a private landowner or agricultural producer, to participate in any land management, resilience, or conservation activity under this section.'';

(7) in subsection (g), as redesigned by paragraph (5)—

(A) in paragraph (1), by striking '' section 670(1) of title 16, United States Code'' and inserting '' section 100(1) of the Sikes Act (16 U.S.C. 670(1))'';

(B) in paragraph (2), by striking ''section 670(3) of title 16, United States Code'' and inserting ''section 100(3) of the Sikes Act (16 U.S.C. 670(3))''; and

(C) in paragraph (3), by amending subparagraph (B) to read as follows:

''(B) the publicly and privately owned lands that serve to protect and support the rural economy, the natural environment, outdoor recreation, and the national defense missions of a military installation or State-owned National Guard installation.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 159 of title 10, United States Code, is amended by inserting after the item relating to section 2692 the following new item:

''2693. Sentinel Landscapes Partnership.''.

SEC. 313. MODIFICATION OF DEFINITION OF SUSTAINABLE AVIATION FUEL FOR PURPOSE OF PILOT PROGRAM ON USE OF SUCH FUEL.

Section 324(g) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (1) as paragraph (2);

(3) by inserting before paragraph (2), as redesignated by paragraph (2) of this section, the following new paragraph:

''(1) The term 'applicable material' means—

''(A) monoglycerides, diglycerides, and triglycerides;

''(B) free fatty acids; or

''(C) fatty acid esters.''; and

(4) by adding at the end the following new paragraphs:

''(3) The term 'biomass' has the meaning given that term in section 45K(c)(3) of the Internal Revenue Code of 1986.

''(4) The term 'lifecycle greenhouse gas emissions reduction percentage' means, with respect to any sustainable aviation fuel, the percentage reduction in lifecycle greenhouse gas emissions achieved by such fuel as compared with petroleum-based aviation fuel, as determined in accordance with—

''(A) the most recent Carbon Offsetting and Reduction Scheme for International Aviation that has been adopted, as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, by the International Civil Aviation Organization with the agreement of the United States; or

''(B) the most recent determinations, as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, under the Greenhouse gases, Regulated Emissions, and Energy use in Transportation (GREET) model developed by Argonne National Laboratory.

''(5) The term 'sustainable aviation fuel' means liquid fuel, the portion of which is not kerosene, that—

''(A) meets the requirements of—

''(i) ASTM International Standard D7566; or

''(ii) the Fischer Tropsch provisions of ASTM International Standard D1655, Annex A1;

''(B) is not derived from coprocessing an applicable material (or materials derived from an applicable material) with a feedstock that is not biomass;

''(C) is not derived from palm fatty acid distillates or petroleum; and

''(D) has been certified pursuant to a scheme or model under paragraph (4) as having a lifecycle greenhouse gas emissions reduction percentage of not less than 50 percent.''.

SEC. 314. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTIES IN CONNECTION WITH NAVAL AIR STATION MOFFETT FIELD, CALIFORNIA.

(a) AUTHORITY TO TRANSFER FUNDS.—

(1) TRANSFER AMOUNT.—

(A) IN GENERAL.—The Secretary of the Navy may transfer an amount not to exceed $438,250 to the Hazardous Substance Superfund established under section 9507 of the Internal Revenue Code of 1986, in accordance with section 2703(f) of title 10, United States Code.

(B) INAPPLICABILITY OF LIMITATION.—Any transfer under subparagraph (A) shall be made without regard to section 2215 of title 10, United States Code.

(2) SOURCE OF FUNDS.—Any transfer under paragraph (1)(A) shall be made using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense Base Closure Account established under section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510; 10 U.S.C. 2687 note).

(b) PURPOSE OF TRANSFER.—Any transfer under subsection (a)(1)(A) shall be for the

purpose of satisfying a stipulated penalty assessed by the Environmental Protection Agency on May 4, 2018, regarding former Naval Air Station, Moffett Field, California, under the Federal Facility Agreement for Naval Air Station, Moffett Field, which was entered into between the Navy and the Environmental Protection Agency in 1990 pursuant to section 120 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620).

(c) ACCEPTANCE OF PAYMENT.—If the Secretary of the Navy makes a transfer under subsection (a)(1)(A), the Administrator of the Environmental Protection Agency shall accept the amount transferred as payment in full of the penalty described in subsection (b).

SEC. 315. TECHNICAL ASSISTANCE FOR COMMUNITIES AND INDIVIDUALS POTENTIALLY AFFECTED BY RELEASES AT CURRENT AND FORMER DEPARTMENT OF DEFENSE FACILITIES.

(a) TECHNICAL ASSISTANCE FOR NAVIGATION OF RESPONSE ACTIONS.—

(1) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, and subject to such amounts as are provided in appropriations Acts, the Secretary of Defense, acting through the Director of the Office of Local Defense Community Cooperation, shall furnish technical assistance services described in paragraph (3) through the Technical Assistance for Public Participation (TAPP) Program of the Department of Defense to communities, or individuals who are members thereof, that have been affected by a release of a pollutant affirmatively determined to have originated from a facility under the jurisdiction of, or formerly used by or under the jurisdiction of, the Department.

(2) IMPLEMENTATION.—The Secretary, acting through the Director of the Office of Local Defense Community Cooperation, may furnish technical assistance services pursuant to paragraph (1) through a Federal interagency agreement, a private service provider, or a cooperative agreement entered into with a nonprofit organization.

(3) SERVICES PROVIDED.—The technical assistance services described in this paragraph are services to improve public participation in, or assist in the navigation of, environmental response efforts, including—

(A) the provision of advice and guidance to a community or individual specified in paragraph (1) regarding additional technical assistance with respect to which such community or individual may be eligible (including pursuant to subsection (b));

(B) the interpretation of site-related documents;

(C) the interpretation of health-related information;

(D) assistance with the preparation of public comments; and

(E) the development of outreach materials to improve public participation.

(b) GRANTS FOR TECHNICAL ASSISTANCE.—

(1) AUTHORITY.—Beginning not later than 180 days after the date of the enactment of this Act, and subject to such amounts as are provided in appropriations Acts, the Secretary of Defense, acting through the Director of the Office of Local Defense Community Cooperation, shall administer a grant program under which the Director may award a grant to a community, or individuals who are members thereof, that have been affected by a release of a pollutant affirmatively determined to have originated from a facility under the jurisdiction of, or formerly used by or under the jurisdiction of, the Department of Defense.

(2) USE OF AMOUNTS.—Funds provided under a grant awarded pursuant to paragraph (1) in connection with a release of a pollutant at a facility may be used by the grant recipient only to obtain technical assistance and services for public participation in various stages of the processes of response, remediation, and removal actions at the facility, including—

(A) interpreting the nature of the release, including monitoring and testing plans and reports associated with site assessment and characterization at the facility;

(B) interpreting documents, plans, proposed actions, and final decisions related to—

(i) an interim remedial action;

(ii) a remedial investigation or feasibility study;

(iii) a record of decision;

(iv) a remedial design;

(v) the selection and construction of remedial action;

(vi) operation and maintenance; and

(vii) a five-year review at the facility.

(C) a removal action at such facility; and

(D) services specified under subsection (a)(3).

(c) PROHIBITION ON USE OF AMOUNTS.—None of the amounts made available under this section may be used for the purpose of conducting—

(1) lobbying activities; or

(2) legal challenges of final decisions of the Department of Defense.

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 321. TREATMENT OF CERTAIN MATERIALS CONTAMINATED WITH PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

(a) IN GENERAL.—The Secretary of Defense may treat covered materials, including soils that have been contaminated with PFAS, until the date on which the Secretary adopts the final rule required under section 343(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2701 note) if the treatment of such materials occurs through the use of remediation or disposal technology approved by the relevant Federal regulatory agency.

(b) DEFINITIONS.—In this section, the terms ''covered material'' and ''PFAS'' have the meanings given those terms in section 343(e) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2701 note).

SEC. 322. 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), section 342 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1643), and section 342 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by adding at the end the following new clause:

''(iv) Without regard to section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than $5,000,000 during fiscal year 2024 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.''.

SEC. 323. MODIFICATION OF AUTHORITY FOR ENVIRONMENTAL RESTORATION PROJECTS AT NATIONAL GUARD FACILITIES.

(a) CLARIFICATION OF DEFINITION OF NATIONAL GUARD FACILITIES.—Paragraph (4) of section 2700 of title 10, United States Code, is amended—

(1) by striking ''State-owned'';

(2) by striking ''owned and operated by a State when such land is''; and

(3) by striking ''even though such land is not under the jurisdiction of the Department of Defense.'' and inserting ''without regard to—''

''(A) the owner or operator of the facility; or

''(B) whether the facility is under the jurisdiction of the Department of Defense or a military department.''.

(b) INCLUSION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701(a)(1) of such title is amended by striking ''State-owned''.

(c) RESPONSE ACTIONS AT NATIONAL GUARD FACILITIES.—Section 2701(c)(1)(D) of such title is amended by striking ''State-owned''.

(d) SERVICES OF OTHER ENTITIES.—Section 2701(d)(1) of such title is amended, in the second sentence, by inserting ''or at a National Guard facility'' before the period at the end.

(e) ENVIRONMENTAL RESTORATION ACCOUNTS.—Section 2703(g)(1) of such title is amended by inserting '', a National Guard facility,'' after ''Department of Defense''.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPEAL.—Section 2707 of such title is amended by striking subsection (e).

(2) REFERENCE UPDATE.—Section 345(f)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2715 note) is amended by striking ''facility where military activities are conducted by the National Guard of a State pursuant to section 2707(e) of title 10, United States Code'' and inserting ''National Guard facility, as such term is defined in section 2700 of title 10, United States Code''.

SEC. 324. LIMITATION ON AVAILABILITY OF TRAVEL FUNDS UNTIL SUBMITTAL OF PLAN FOR RESTORING DATA SHARING ON TESTING OF WATER FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act for operation and maintenance, defense-wide, for travel for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 85 percent may be obligated or expended until the Under Secretary of Defense for Acquisition and Sustainment submits to the congressional defense committees a plan to restore data sharing pertaining to the testing of water for perfluoroalkyl or polyfluoroalkyl substances, as required under section 345 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2715 note), which shall include the following:

(1) A plan to restore data sharing with each relevant State agency tasked with regulation of environmental contamination by perfluoroalkyl or polyfluoroalkyl substances in each State or territory of the United States.

(2) A plan to restore data sharing with restoration advisory boards established under section 2705(d) of title 10, United States Code.

(3) Information on the geographic specificity of the data to be provided under paragraphs (1) and (2) and a timeline for the implementation of the plans under such paragraphs.

(b) INABILITY TO MEET TRANSPARENCY REQUIREMENTS.—If the Under Secretary of Defense for Acquisition and Sustainment determines that they are unable to meet the requirements under subsection (a), the Under Secretary shall brief the congressional defense committees on the rationale for why the restoration of data sharing required under such subsection is not possible, including a description of any legislative action required to restore such data sharing.

SEC. 325. DASHBOARD OF FUNDING RELATING TO PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

The Secretary of Defense shall include 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, a separate budget justification document that consolidates all information pertaining to activities of the Department of Defense relating to perfluoroalkyl substances and polyfluoroalkyl substances, including funding for and descriptions of—

(1) research and development efforts;

(2) testing;

(3) remediation;

(4) contaminant disposal; and

(5) community outreach.

SEC. 326. REPORT ON SCHEDULE AND COST ESTIMATES FOR COMPLETION OF TESTING AND REMEDIATION OF CONTAMINATED SITES AND PUBLICATION OF CLEANUP INFORMATION.

(a) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, and once every two years thereafter through December 31, 2029, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report detailing—

(A) a proposed schedule for the completion of testing and remediation activities, including remediation of perfluoroalkyl substances and polyfluoroalkyl substances, at military installations, facilities of the National Guard, and formerly used defense sites in the United States where the Secretary obligated funding for environmental restoration activities in fiscal year 2022;

(B) detailed cost estimates to complete such activities, if such estimates are available; and

(C) if such estimates are not available, estimated costs to complete such activities based on historical costs of remediation for—

(i) sites remediated under the Defense Environmental Restoration Program under section 2701 of title 10, United States Code;

(ii) other Federally-funded sites; or

(iii) privately-funded sites.

(2) INCLUSION OF REMEDIAL INVESTIGATIONS AND FEASIBILITY STUDIES.—The schedule and cost estimates required under paragraph (1) shall include a schedule and estimated costs for the completion of remedial investigations and feasibility studies at all sites covered under such paragraph for which such investigations and studies are anticipated or planned.

(3) MILITARY INSTALLATION DEFINED.—In this subsection, the term ''military installation'' has the meaning given such term in section 2801(c)(4) of title 10, United States Code.

(b) PUBLICATION OF INFORMATION.—Beginning not later than one year after the date of the enactment of this Act, the 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 status of cleanup at sites for which the Secretary has obligated amounts for environmental restoration activities.

SEC. 327. MODIFICATION OF TIMING OF REPORT ON ACTIVITIES OF PFAS TASK FORCE.

Section 2714(f) of title 10, United States Code, is amended by striking ''and quarterly thereafter,'' and inserting ''and annually thereafter through 2029,''.

SEC. 328. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON TESTING AND REMEDIATION OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

Not later than one year after the date of the enactment of this Act, and not later than five years thereafter, the Comptroller General of the United States shall submit to the congressional defense committees a report assessing the state of ongoing testing and remediation by the Department of Defense of current or former military installations contaminated with perfluoroalkyl substances or polyfluoroalkyl substances, including—

(1) assessments of the thoroughness, pace, and cost-effectiveness of efforts of the Department to conduct testing and remediation relating to those substances;

(2) recommendations to improve those efforts; and

(3) such other matters as the Comptroller General determines appropriate.

Subtitle D—Logistics and Sustainment

SEC. 331. ASSURING CRITICAL INFRASTRUCTURE SUPPORT FOR MILITARY CONTINGENCIES PILOT PROGRAM.

(a) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to be known as the ''Assuring Critical Infrastructure Support for Military Contingencies Pilot Program''.

(b) SELECTION OF INSTALLATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, shall select not fewer than four geographically diverse military installations at which to carry out the pilot program under subsection (a).

(2) PRIORITIZATION.—

(A) IN GENERAL.—In selecting military installations under paragraph (1), the Secretary of Defense shall give priority to any military installation that is a key component of not fewer than two Contingency Plans (CONPLANs) or Operational Plans (OPLANs), with priority given to such plans in the area of responsibility of the United States Indo-Pacific Command or the United States European Command.

(B) ADDITIONAL PRIORITY.—If two or more military installations are given equal priority under subparagraph (A), priority for selection under paragraph (1) shall be given to the military installations that are—

(i) connected to national-level infrastructure;

(ii) located near a commercial port; or

(iii) located near a national financial hub.

(c) ACTIVITIES.—In carrying out the pilot program under subsection (a), the Secretary of Defense, acting through the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, shall—

(1) without duplicating or disrupting existing cyber exercise activities under the National Cyber Exercise Program under section 2220B of the Homeland Security Act of 2002 (6 U.S.C. 665h), conduct cyber resiliency and reconstitution stress test scenarios through tabletop exercises and, if possible, live exercises—

(A) to assess how to prioritize restoration of power, water, and telecommunications for a military installation in the event of a significant cyberattack on regional critical infrastructure that has similar impacts on State and local infrastructure; and

(B) to determine the recovery process needed to ensure the military installation can function and support an overseas contingency operation or a homeland defense mission, as appropriate;

(2) map dependencies of power, water, and telecommunications at the military installation and the connections to distribution and generation outside the military installation;

(3) recommend priorities for the order of recovery for the military installation in the event of a significant cyberattack, considering both the requirements needed for operations of the military installation and the potential participation of personnel at the military installation in an overseas contingency operation or a homeland defense mission; and

(4) create a lessons-learned database from the exercises conducted under paragraph (1) across all installations participating in the pilot program to share with the appropriate committees of Congress.

(d) COORDINATION WITH RELATED PROGRAMS.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, shall ensure that activities under subsection (c) are coordinated with—

(1) private entities that operate power, water, and telecommunications for a military installation participating in the pilot program under subsection (a);

(2) relevant military and civilian personnel; and

(3) any other entity that the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs determines is relevant to the execution of activities under subsection (c).

(e) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Assistant to the President for Homeland Security, the National Cyber Director, the head of any other relevant Sector Risk Management Agency, the Committees on Armed Services of the Senate and the House of Representatives, and, if appropriate, relevant private sector owners and operators of critical infrastructure a report on the activities carried out under pilot program under subsection (a), including a description of any operational challenges identified.

(f) DEFINITIONS.—In this section:

(1) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given that term in the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c).

(2) SECTOR RISK MANAGEMENT AGENCY.—The term ''Sector Risk Management Agency'' has the meaning given that term in section 2200 of the Homeland Security Act of 2002 (6 U.S.C. 650).

SEC. 332. STRATEGY AND ASSESSMENT ON USE OF AUTOMATION AND ARTIFICIAL INTELLIGENCE FOR SHIPYARD OPTIMIZATION.

(a) STRATEGY.—The Secretary of Navy, in coordination with the Shipyard Infrastructure Optimization Program, shall develop and implement a strategy to leverage commercial best practices used in shipyards to make operations more efficient and demonstrate a digital maintenance artificial intelligence platform that analyzes data on the maintenance and health of shipboard assets of the Navy at shipyards, which shall improve readiness of the Armed Forces, predict and diagnose issues before they occur, and lower maintenance costs.

(b) ASSESSMENT.—The Secretary of Navy shall assess the costs of maintenance delays on shipboard assets of the Navy and assess the potential cost savings of adopting artificial intelligence predictive maintenance

technology techniques that help determine the condition of in-service equipment to estimate when maintenance should be performed rather than waiting until failure or end of life, including—

(1) an analysis of maintenance delays and costs due to unplanned and unpredicted maintenance issues;

(2) an evaluation of opportunities to demonstrate commercial best practices at shipyards, including artificial intelligence technologies to ensure timely predictions for maintainers and planners at shipyards by connecting datasets, executing models, and providing outputs in near real-time;

(3) an identification of shipyard assets of the Navy with sufficient data available to enable near-term demonstrations of artificial intelligence predictive maintenance and an estimate of resources needed within the Navy to accelerate the demonstration of predictive artificial intelligence capabilities with respect to those assets; and

(4) an identification of any policy or technical challenges to implementing artificial intelligence or machine learning for purposes of carrying out the Shipyard Infrastructure Optimization Program.

(c) BRIEFING TO COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Navy shall provide to the congressional defense committees a briefing on—

(1) the strategy developed by the Secretary under subsection (a);

(2) the results of the assessment under subsection (b); and

(3) a plan to execute any measures pursuant to such assessment.

Subtitle E—Briefings and Reports

SEC. 341. CRITICAL INFRASTRUCTURE CONDITIONS AT MILITARY INSTALLATIONS.

(a) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the head of each military department, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to implement a standardized system to measure and report on the condition and performance of, level of investment in, and any applicable risks to critical infrastructure systems owned by the Federal Government that—

(1) have not been privatized pursuant to a conveyance under section 2688 of title 10, United States Code; and

(2) are located on a military installation.

(b) REPORT.—

(1) IN GENERAL.—Beginning on February 1 of the year immediately following the date on which the plan under subsection (a) is submitted, and annually thereafter, the Secretary of Defense, in coordination with the head of each military department, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a consolidated report on the condition of critical infrastructure systems owned by the Federal Government at military installations.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) Installation-level critical infrastructure system data for each critical infrastructure system owned by the Federal Government located at a military installation that includes the following for each such system:

(i) All instances of noncompliance with any applicable Federal or State law (including regulations) with which the system has been required to comply during the preceding five-year period, including information on any prior or current consent order or equivalent compliance agreement with any regulatory agency.

(ii) The year of original installation of major critical infrastructure system components, including treatment facilities, pump stations, and storage tanks.

(iii) The average age of distribution system piping and wiring.

(iv) The rate of system recapitalization, represented as an annual percentage replacement rate of all critical infrastructure system assets.

(v) The percentage of key system operational components inspected, and determined through actual testing to be fully operational, during the preceding one-year period, including fire hydrants, valves, and backflow preventors.

(vi) The absolute number, and a normalized measure for comparative purposes, of all unplanned system outages during the preceding one-year period.

(vii) The absolute duration, and a normalized measure for comparative purposes, of all unplanned system outages during the preceding one-year period.

(viii) The absolute number, and a normalized measure for comparative purposes, of all critical infrastructure system main breaks and leaks during the preceding one-year period.

(B) A standardized risk assessment for each military installation, identifying the current and projected level of risk related to the following:

(i) The ability to maintain compliance with all current and known future regulatory agency regulations and standards and all applicable regulations and policies of the Department of Defense and the military departments related to critical infrastructure, and the ability to operate systems in accordance with accepted industry standards.

(ii) The ability to maintain a consistent and compliant supply of water for current and projected future installation needs based on current and projected source water availability and quality, including an assessment of source water contamination risks.

(iii) The ability to withstand severe weather events, including drought, flooding, and temperature fluctuations.

(iv) The ability for utility industrial controls systems to maintain compliance with current and future cybersecurity standards and regulations.

SEC. 342. REPORT ON ESTABLISHING SUFFICIENT STABLING, PASTURE, AND TRAINING AREA FOR THE OLD GUARD CAISSON PLATOON EQUINES.

(a) IN GENERAL.—Not later than March 1, 2024, the Secretary of the Army shall submit to the congressional defense committees a report containing the results of a study to address the feasibility and advisability of establishing sufficient stabling, pasture, and training area for the equines in the Caisson Platoon of the 3rd United States Infantry (commonly known as the ''Old Guard'').

(b) INCLUSION OF RECOMMENDATIONS.—The report required under subsection (a) shall include—

(1) any recommendations determined necessary and appropriate by the Secretary—

(A) to implement the plan required under section 391(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2549); and

(B) to ensure proper animal facility sanitation for the equines in the Caisson Platoon of the 3rd United States Infantry; and

(2) plans for the housing and care of such equines.

(c) LOCATIONS.—

(1) REVIEW OF MILITARY CONSTRUCTION AUTHORIZATION.—The report required under subsection (a) shall include a review of all physical locations under consideration as stabling, pasture, or training area described in such subsection for any withdrawals or projects that would require individual military construction authorization.

(2) CONSIDERATION.—In considering locations for stabling, pasture, or training area under subsection (a), the Secretary of the Army shall consider all viable options within a reasonable distance to Arlington National Cemetery.

(d) ELEMENTS.—The report required under subsection (a) shall include, for each location under consideration as stabling, pasture, or training area described in such subsection—

(1) a brief environmental assessment of the location;

(2) estimated costs for preparing the location for construction;

(3) a narrative of how the location will be beneficial and conducive the health of the equines in the Caisson Platoon of the 3rd United States Infantry;

(4) a narrative of how, if necessary, the location can be expanded; and

(5) a narrative of how the location will affect community access to outdoor recreation.

SEC. 343. QUARTERLY BRIEFINGS ON OPERATIONAL STATUS OF AMPHIBIOUS WARSHIP FLEET OF DEPARTMENT OF THE NAVY.

(a) IN GENERAL.—Not later than October 1, 2023, and quarterly thereafter until September 30, 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 operational status of the amphibious warship fleet of the Department of the Navy.

(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to each amphibious warship, the following:

(1) Average quarterly Operational Availability (AO).

(2) Number of days underway as follows:

(A) Training for the purpose of supporting Mission Essential Tasks (in this section referred to as ''MET'') of the Marine Corps, including unit level well-deck or flight-deck operations training and Amphibious Ready Group and Marine Expeditionary Unit integrated training.

(B) Deployed, which shall not include scheduled or unscheduled in port maintenance.

(3) Expected completion date for in-work and scheduled and unscheduled maintenance.

(4) An update on any delays in completion of scheduled and unscheduled maintenance and casualty reports impacting the following:

(A) Scheduled unit level well-deck and flight-deck operations training of the Marine Corps.

(B) MET certifications of the Marine Corps, including mobility, communications, amphibious well-deck operations, aviation operations, and warfare training.

(C) Composition and deployment dates of scheduled and deployed Amphibious Ready Groups and Marine Expeditionary Units.

(c) DEFINITIONS.—In this section:

(1) AMPHIBIOUS WARSHIP.—The term ''amphibious warship'' 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) that is included in the Battle Force Inventory in accordance with instruction 5030.8D of the Secretary of the Navy, or successor instruction.

(2) AMPHIBIOUS READY GROUP; MARINE EXPEDITIONARY UNIT.—The terms ''Amphibious Ready Group'' and ''Marine Expeditionary Unit'' means a group or unit, as the case may be, that consists of a minimum of—

(A) three amphibious assault ships (general purpose) (LHA) or amphibious assault ships (multi-purpose) (LHD); and

(B) one amphibious transport dock (LPD) Flight I.

SEC. 344. BRIEFING ON PLAN FOR MAINTAINING PROFICIENCY IN EMERGENCY MOVEMENT OF MUNITIONS IN JOINT REGION MARIANAS, GUAM.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall brief the congressional defense committees on a plan for maintaining the proficiency of the Navy and the Air Force, respectively, in executing the emergency movement of munitions stored in weapons storage areas in Joint Region Marianas, Guam, onto aircraft and naval vessels, including plans to regularly exercise such capabilities.

Subtitle F—Other Matters

SEC. 351. 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 2024—

(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) in coordination with the Commander of the United States Special Operations Command, to provide such support, as necessary, for the continued operation of such school.

SEC. 352. RESTRICTION ON RETIREMENT OF U–28 AIRCRAFT.

None of the funds authorized to be appropriated by this Act may be used to retire U–28 aircraft until the Secretary of Defense certifies to the congressional defense committees that the future-years defense program submitted to Congress under section 221 of title 10, United States Code, with respect to the United States Special Operations Command provides for intelligence, surveillance, and reconnaissance capacity and capability that is equal to or greater than such capacity and capability provided by the current fleet of U–28 aircraft for such Command.

SEC. 353. TRIBAL LIAISONS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that each installation of the Department of Defense that has an Indian Tribe, Native Hawaiian organization, or Tribal interests in the area surrounding the installation, including if an Indian Tribe or Native Hawaiian organization is historically or culturally affiliated with the land or water managed or directly impacted by the installation, has a dedicated Tribal liaison located at the installation.

(b) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

(2) NATIVE HAWAIIAN ORGANIZATION.—The term ''Native Hawaiian organization'' has the meaning given that term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

SEC. 354. LIMITATION ON USE OF FUNDS TO EXPAND LEASED FACILITIES FOR THE JOINT MILITARY INFORMATION SUPPORT OPERATIONS WEB OPERATIONS CENTER.

None of the amounts authorized by this Act for operation and maintenance, Defense-wide to expand leased facilities for the Joint Military Information Support Operations Web Operations Center may be obligated or expended until the Secretary of Defense, acting through the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and the Commander of the United States Special Operations Command, submits to the congressional defense committees a validated manpower study for such center that includes the following:

(1) Validated estimates of the number of personnel from the United States Special Operations Command and the other combatant commands that will be housed in leased facilities of such center.

(2) An explanation of how such estimates are aligned with and support the priorities established by the national defense strategy under 113(g) of title 10, United States Code.

SEC. 355. MODIFICATIONS TO THE CONTESTED LOGISTICS WORKING GROUP OF THE DEPARTMENT OF DEFENSE.

(a) EXPANSION OF WORKING GROUP.—

(1) IN GENERAL.—Paragraph (3) of section 2926(d) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) A representative appointed by the Secretary of Defense from each of the following:

''(i) The Defense Logistics Agency.

''(ii) The Strategic Capabilities Office.

''(iii) The Defense Advanced Research Projects Agency.

''(iv) The Office of the Under Secretary of Defense for Research and Engineering.''.

(2) TIMING.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall appoint the additional members of the working group required under paragraph (3)(D) of such section, as added by paragraph (1) of this subsection.

(b) MEETINGS.—Such section is further amended by adding at the end the following new paragraph:

''(6) The working group under paragraph (1) shall meet not less frequently than quarterly.''.

(c) REPORTS.—Such section is further amended by adding at the end the following new paragraph:

''(7) Not later than February 1 of each year, the working group under paragraph (1) shall submit to the congressional defense committees a report that contains a description of any shortfalls in personnel, equipment, infrastructure, energy and storage, or capabilities required to support the operational plans of the Department of Defense.''.

SEC. 356. ESTABLISHMENT OF CAISSON PLATOON TO SUPPORT MILITARY AND STATE FUNERAL SERVICES.

(a) IN GENERAL.—There is established in the Department of the Army an equine unit, to be known as the Caisson Platoon, assigned to the 3rd Infantry Regiment of the Army, for the purposes of conducting military and State funerals and for other purposes.

(b) PROHIBITION ON ELIMINATION.—The Secretary of the Army may not eliminate the Caisson Platoon of the 3rd Infantry Regiment of the Army established under subsection (a).

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter until March 31, 2027, the Secretary of the Army shall provide to the congressional defense committees a briefing on the health, welfare, and sustainment of military working equids.

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

(A) An assessment of the ability of the Caisson Platoon of the 3rd Infantry Regiment of the Army to support military funeral operations within Arlington National Cemetery, including milestones associated with achieving full operational capability for the Caisson Platoon.

(B) An update on the plan of the task force of the Army on military working equids to promote, support, and sustain animal health and welfare.

(C) An update on the plan of such task force to ensure that support by the Caisson Platoon of Arlington National Cemetery and State funerals is never suspended again.

SEC. 357. LIMITATION ON AVAILABILITY OF FUNDS PENDING 30-YEAR SHIPBUILDING PLAN THAT MAINTAINS 31 AMPHIBIOUS WARSHIPS FOR THE DEPARTMENT OF THE NAVY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for Administration and Servicewide Activities, Operation and Maintenance, Navy, not more than 50 percent may be obligated or expended until the date on which the Secretary of the Navy submits to the congressional defense committees a 30-year shipbuilding plan that meets the statutory requirement in section 8062(b) of title 10, United States Code, to maintain 31 amphibious warships.

(b) AMPHIBIOUS WARSHIP DEFINED.—In this section, the term ''amphibious warship'' 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) that is included in the Battle Force Inventory in accordance with instruction 5030.8D of the Secretary of the Navy, or successor instruction.

SEC. 358. MODIFICATION OF RULE OF CONSTRUCTION REGARDING PROVISION OF SUPPORT AND SERVICES TO NON-DEPARTMENT OF DEFENSE ORGANIZATIONS AND ACTIVITIES.

Section 2012(i) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) in the matter preceding subparagraph (A), as redesignated by paragraph (1), by striking ''Nothing in this section'' and inserting ''(1) Nothing in this section'';

(3) in subparagraph (A), as so redesignated, by inserting '', except as provided in paragraph (2),'' before ''for response''; and

(4) by adding at the end the following new paragraph:

''(2) Funds available to the Secretary of a military department for operation and maintenance for the Innovative Readiness Training program may be expended under this section, upon approval by the Secretary concerned, to assist in demolition, clearing of roads, infrastructure improvements, and construction to restore an area after a natural disaster.''.

SEC. 359. MODIFICATIONS TO MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

(a) PROJECTS PROPOSED WITHIN TWO NAUTICAL MILES OF ANY ACTIVE INTERCONTINENTAL BALLISTIC MISSILE LAUNCH FACILITY OR CONTROL CENTER.—Section 183a of title 10, United States Code, is amended—

(1) in subsection (d)(2)—

(A) in subparagraph (B), by inserting ''or any active intercontinental ballistic missile launch facility or control center'' after ''military training routes''; and

(B) in subparagraph (E), by striking ''or a Deputy Under Secretary of Defense'' and inserting ''a Deputy Under Secretary of Defense, or, in the case of a geographic area of concern related to an active intercontinental ballistic missile launch facility or control center, the Assistant Secretary of Defense for Energy, Installations, and Environment''; and

(2) in subsection (e)(1)—

(A) in the first sentence—

(i) by striking ''The Secretary'' and inserting ''(A) The Secretary''; and

(ii) by inserting ''or antenna structure project'' after ''energy project'';

(B) in the second sentence, by striking ''The Secretary of Defense's finding of unacceptable risk to national security'' and inserting the following:

''(C) Any finding of unacceptable risk to national security by the Secretary of Defense under this paragraph''; and

(C) by inserting after subparagraph (A), as designated by subparagraph (A)(i) of this paragraph, the following new subparagraph:

''(B)(i) In the case of any energy project or antenna structure project with proposed structures more than 200 feet above ground level located within two nautical miles of an active intercontinental ballistic missile launch facility or control center, the Secretary of Defense shall issue a finding of unacceptable risk to national security for such project if the mitigation actions identified pursuant to this section do not include removal of all such proposed structures from such project after receiving notice of presumed risk from the Clearinghouse under subsection (c)(2).

''(ii) Clause (i) does not apply to structures approved before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 or to structures that are repowered with updated technology in the same location as previously approved structures.''.

(b) INCLUSION OF ANTENNA STRUCTURE PROJECTS.—

(1) IN GENERAL.—Such section is further amended—

(A) by inserting ''or antenna structure projects'' after ''energy projects'' each place it appears; and

(B) by inserting ''or antenna structure project'' after ''energy project'' each place it appears (except for subsections (e)(1) and (h)(2)).

(2) ANTENNA STRUCTURE PROJECT DEFINED.—Section 183a(h) of such title is amended—

(A) by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively; and

(B) by inserting after paragraph (1) the following new paragraph:

''(2) The term 'antenna structure project'—

''(A) means a project to construct a structure located within two nautical miles of any intercontinental ballistic missile launch facility or control center that is constructed or used to transmit radio energy or that is constructed or used for the primary purpose of supporting antennas to transmit or receive radio energy (or both), and any antennas and other appurtenances mounted on the structure, from the time construction of the supporting structure begins until such time as the supporting structure is dismantled; and

''(B) does not include any project in support of or required by an intercontinental ballistic missile launch facility or control center.''.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

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, 2024, as follows:

(1) The Army, 452,000.

(2) The Navy, 342,000.

(3) The Marine Corps, 172,300.

(4) The Air Force, 320,000.

(5) The Space Force, 9,400.

SEC. 402. END STRENGTH LEVEL MATTERS.

Section 115 of title 10, United States Code, is amended—

(1) in subsection (f)(2), by striking ''not more than 2 percent'' and inserting ''not more than 3 percent''; and

(2) in subsection (g)(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 2 percent of such authorized end strength;

''(B) vary the end strength pursuant to subsection (a)(1)(B) for a fiscal year for the armed force or forces under the jurisdiction of that Secretary by a number not equal to more than 2 percent of such authorized end strength; and

''(C) 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 2 percent of such authorized end strength.''.

SEC. 403. EXTENSION OF ADDITIONAL AUTHORITY TO VARY SPACE FORCE END STRENGTH.

Section 403(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking ''December 31, 2023'' and inserting ''October 1, 2025''.

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, 2024, as follows:

(1) The Army National Guard of the United States, 325,000.

(2) The Army Reserve, 174,800.

(3) The Navy Reserve, 57,200.

(4) The Marine Corps Reserve, 33,600.

(5) The Air National Guard of the United States, 105,000.

(6) The Air Force Reserve, 69,600.

(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, 2024, 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, 10,327.

(4) The Marine Corps Reserve, 2,355.

(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 2024 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, 7,990.

(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 2024, 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 2024 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 2024.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORIZED STRENGTH: GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.

(a) REPEAL OF OBSOLETE AUTHORITY; REDESIGNATION.—Chapter 32 of title 10, United States Code, is amended—

(1) by repealing section 526;

(2) by redesignating section 526a as section 526;

(3) in the table of sections for such chapter, by striking the item relating to section 526a; and

(4) in the section heading for section 526, as redesignated by paragraph (2), by striking ''**after December 31, 2022**''.

(b) INCREASED AUTHORIZED STRENGTH.—Section 526 of title 10, United States Code, as

redesignated and amended by subsection (a), is further amended—

(1) in subsection (a)—

(A) by striking ''after December 31, 2022,'';

(B) in paragraph (1), by striking ''218'' and inserting ''219'';

(C) in paragraph (2), by striking ''149'' and inserting ''150'';

(D) in paragraph (3), by striking ''170'' and inserting ''171''; and

(E) in paragraph (4), by striking ''62'' and inserting ''64''; and

(2) by redesignating the second subsection designated as subsection (i) as subsection (j).

(c) REPEAL OF EXCLUSION OF OFFICERS SERVING AS LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS ON AUTHORIZED STRENGTHS.—Section 506 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 is hereby repealed.

SEC. 502. PROHIBITION ON APPOINTMENT OR NOMINATION OF CERTAIN OFFICERS WHO ARE SUBJECT TO SPECIAL SELECTION REVIEW BOARDS.

(a) OFFICERS ON ACTIVE-DUTY LIST.—

Section 628a(a)(2)(B) of title 10, United States Code, is amended to read as follows:

''(B) shall not be forwarded for appointment or nomination to the Secretary of Defense, the President, or the Senate, as applicable.''.

(b) OFFICERS ON RESERVE ACTIVE-STATUS LIST.—

Section 14502a(a)(2)(B) of title 10, United States Code, is amended to read as follows:

''(B) shall not be forwarded for appointment or nomination to the Secretary of Defense, the President, or the Senate, as applicable.''.

SEC. 503. EXCLUSION OF OFFICERS WHO ARE LICENSED BEHAVIORAL HEALTH PROVIDERS FROM LIMITATIONS ON ACTIVE DUTY COMMISSIONED OFFICER END STRENGTHS.

Section 523(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(10) Officers who are licensed behavioral health providers, including clinical psychologists, social workers, and mental health nurse practitioners.''.

SEC. 504. UPDATING AUTHORITY TO AUTHORIZE PROMOTION TRANSFERS BETWEEN COMPONENTS OF THE SAME SERVICE OR A DIFFERENT SERVICE.

(a) WARRANT OFFICERS TRANSFERRED BETWEEN COMPONENTS WITHIN THE SAME OR A DIFFERENT UNIFORMED SERVICE.—Section 578 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) Notwithstanding subsection (d), and subject to regulations prescribed by the Secretary of Defense, in the case of a warrant officer who is selected for promotion by a selection board convened under this chapter, and prior to the placement of the warrant officer's name on the applicable promotion list is approved for transfer to a new component within the same or a different uniformed service, the Secretary concerned may place the warrant officer's name on a corresponding promotion list of the new component without regard to the warrant officer's competitive category. A warrant officer's promotion under this subsection shall be made pursuant to section 12242 of this title.''.

(b) OFFICERS TRANSFERRED TO RESERVE ACTIVE STATUS LIST.—

(1) IN GENERAL.—Section 624 of such title is amended by adding at the end the following new subsections:

''(e) Notwithstanding subsection (a)(2), in the case of an officer who is selected for promotion by a selection board convened under this chapter, and prior to the placement of the officer's name on the applicable promotion list is approved for transfer to the reserve active status list of the same or a different uniformed service, the Secretary concerned may place the officer's name on a corresponding promotion list on the reserve active-status list without regard to the officer's competitive category. An officer's promotion under this subsection shall be made pursuant to section 14308 of this title.

''(f) Notwithstanding subsection (a)(3), in the case of an officer who is placed on an all-fully-qualified-officers list, and is subsequently approved for transfer to the reserve active status list, the Secretary concerned may place the officer's name on an appropriate all-fully-qualified-officers list on the reserve active status list. An officer's promotion under this subsection shall be made pursuant to section 14308 of this title.''.

(2) DATE OF RANK.—Section 14308(c) of such title is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following new paragraph:

''(3) The Secretary concerned may adjust the date of rank of an officer whose name is placed on a reserve active status promotion list pursuant to subsection (e) or (f) of section 624 of this title.''.

SEC. 505. EFFECT OF FAILURE OF SELECTION FOR PROMOTION.

(a) EFFECT OF FAILURE OF SELECTION FOR PROMOTION: CAPTAINS AND MAJORS OF THE ARMY, AIR FORCE, MARINE CORPS, AND SPACE FORCE AND LIEUTENANTS AND LIEUTENANT COMMANDERS OF THE NAVY.—

(1) IN GENERAL.—Section 632 of title 10, United States Code, is amended—

(A) in the section heading, by striking ''**and Marine Corps**'' and inserting ''**Marine Corps, and Space Force**'';

(B) in subsection (a)(1), by striking ''President approves the report of the board which considered him for the second time'' and inserting ''Secretary concerned releases the promotion results of the board which considered the officer for the second time to the public''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of title 10, United States Code, is amended by striking the item relating to section 632 and inserting the following new item:

''632. Effect of failure of selection for promotion: captains and majors of the Army, Air Force, Marine Corps, and Space Force and lieutenants and lieutenant commanders of the Navy.''.

(b) RETIREMENT OF REGULAR OFFICERS OF THE NAVY FOR LENGTH OF SERVICE OR FAILURE OF SELECTION FOR PROMOTION.—Section 8372(a)(2)(A) of title 10, United States Code, is amended by striking ''President approves the report of the board which considered him for the second time'' and inserting ''Secretary concerned releases the promotion results of the board which considered the officer for the second time to the public''.

SEC. 506. PERMANENT AUTHORITY TO ORDER RETIRED MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND, LOW-DENSITY APPOINTMENTS.

(a) IN GENERAL.—Section 688a of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**Retired aviators: temporary authority**'' and inserting ''**Authority**'';

(2) by striking subsection (f);

(3) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(4) in subsection (f), as redesignated by paragraph (3), by striking ''limitations in subsections (c) and (f)'' and inserting ''limitation in subsection (c)''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 39 of title 10, United States Code, is amended by striking the item relating to section 688a and inserting the following new item:

''688a. Authority to order to active duty in high-demand, low-density assignments.''.

SEC. 507. WAIVER AUTHORITY EXPANSION FOR THE EXTENSION OF SERVICE OBLIGATION FOR MARINE CORPS CYBERSPACE OPERATIONS OFFICERS.

(a) REQUIRED SERVICE.—Section 651(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting ''or in the case of an unrestricted officer designated within a cyberspace occupational specialty'' before the period at the end; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

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

''(C) in the case of an unrestricted officer who has been designated with a cyberspace occupational specialty, the period of obligated service specified in such contract or agreement.''.

(b) MINIMUM SERVICE REQUIREMENT FOR CERTAIN CYBERSPACE OCCUPATIONAL SPECIALTIES.—

(1) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by inserting after section 653 the new following section:

''§ 654. Minimum service requirement for certain cyberspace occupational specialties

''(a) CYBERSPACE OPERATIONS OFFICER.—The minimum service obligation for any member who successfully completes training in the armed forces in direct accession to the cyberspace operations officer occupational specialty of the Marine Corps shall be 8 years.

''(b) SERVICE OBLIGATION DEFINED.—In this section, the term 'service obligation' means the period of active duty or, in the case of a member of a reserve component who completed cyberspace operations training in an active duty for training status as a member of a reserve component, the period of service in an active status in the Selected Reserve, required to be served after completion of cyberspace operations training.''.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter 37 is amended by inserting after the item relating to section 653 the following new item:

''654. Minimum service requirement for certain cyberspace occupational specialties.''.

SEC. 508. REMOVAL OF ACTIVE DUTY PROHIBITION FOR MEMBERS OF THE AIR FORCE RESERVE POLICY COMMITTEE.

Section 10305 of title 10, United States Code, is amended__

(1) in subsection (b), by striking ''not on active duty'' both places it appears; and

(2) in subsection (c)—

(A) by inserting ''of the reserve components'' after ''among the members''; and

(B) by striking ''not on active duty''.

SEC. 509. EXTENSION OF AUTHORITY TO VARY NUMBER OF SPACE FORCE OFFICERS CONSIDERED FOR PROMOTION TO MAJOR GENERAL.

Subsection (b) of section 503 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1680) is amended by striking ''shall terminate on December 31, 2022'' and inserting ''shall terminate on December 31, 2024''.

SEC. 510. REALIGNMENT OF NAVY SPOT-PROMOTION QUOTAS.

Section 605(g)(4)(B) of title 10, United States Code, is amended by striking ''325'' and inserting ''425''.

SEC. 511. MODIFICATION OF LIMITATION ON PROMOTION SELECTION BOARD RATES.

Section 616 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''The number'' and inserting ''(1) Except as provided in paragraph (2), the number''; and

(B) by adding at the end the following new paragraph:

''(2) If a promotion zone established under section 623 of this title includes less than 50 officers and is established with respect to promotions to a grade below the grade of colonel or Navy captain, the Secretary concerned may authorize selection boards convened under section 611(a) of this title to recommend for promotion a number equal to not more than 100 percent of the number of officers included in such promotion zone.''; and

(2) in subsection (e), by striking ''unless he'' and inserting ''unless the officer''.

SEC. 512. TIME IN GRADE REQUIREMENTS.

Section 1305 of title 10, United States Code, is amended—

(1) in subsection (a)(3), by inserting ''or a Marine Corps Marine Gunner warrant officer in such grade,'' after ''chief warrant officer, W–5,'';

(2) in subsection (b), by striking ''when he'' and inserting ''when the warrant officer''; and

(3) in subsection (c)—

(A) by striking ''as he'' and inserting ''as the Secretary concerned''; and

(B) by striking ''after he'' and inserting ''after the warrant officer''.

SEC. 513. FLEXIBILITY IN DETERMINING TERMS OF APPOINTMENT FOR CERTAIN SENIOR OFFICER POSITIONS.

(a) IN GENERAL.—Chapter 35 of title 10, United States Code, is amended by inserting after section 601 the following new section:

''§ 602. Flexibility in determining terms of appointment for certain senior officer positions

''The Secretary of Defense may extend or reduce the duration of an appointment made under section 152, 154, 7033, 8033, 8043, 9033, and 9082 of this title by up to six months if the Secretary determines that such an extension or reduction is necessary either in the interests of national defense, or to ensure an appropriate staggering of terms of senior military leadership.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of title 10, United States Code, is amended by inserting after the item relating to section 601 the following new item:

''602. Flexibility in determining terms of appointment for certain senior officer positions.''.

Subtitle B—Reserve Component Management

SEC. 521. ALTERNATIVE PROMOTION AUTHORITY FOR RESERVE OFFICERS IN DESIGNATED COMPETITIVE CATEGORIES.

(a) IN GENERAL.—Part III of subtitle E of title 10, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 1413—ALTERNATIVE PROMOTION AUTHORITY FOR OFFICERS IN DESIGNATED COMPETITIVE CATEGORIES

''Sec.
''15101. Officers in designated competitive categories.
''15102. Selection for promotion.
''15103. Eligibility for consideration for promotion.
''15104. Opportunities for consideration for promotion.
''15105. Promotions.
''15106. Failure of selection for promotion.
''15107. Retirement: retirement for years of service; selective early retirement.
''15108. Continuation on the Reserve Active-Status List.
''15109. Other administrative authorities.
''15110. Regulations.

''§ 15101. Officers in designated competitive categories

''(a) AUTHORITY TO DESIGNATE COMPETITIVE CATEGORIES OF OFFICERS.—Each Secretary of a military department may designate one or more competitive categories for promotion of officers under section 14005 of this title that are under the jurisdiction of such Secretary as a competitive category of officers whose promotion, retirement, and continuation on the reserve active-status list shall be subject to the provisions of this chapter.

''(b) LIMITATION ON EXERCISE OF AUTHORITY.—The Secretary of a military department may not designate a competitive category of officers for purposes of this chapter until 60 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report on the designation of the competitive category. The report on the designation of a competitive category shall set forth the following:

''(1) A detailed description of officer requirements for officers within the competitive category.

''(2) An explanation of the number of opportunities for consideration for promotion to each particular grade, and an estimate of promotion timing, within the competitive category.

''(3) An estimate of the size of the promotion zone for each grade within the competitive category.

''(4) A description of any other matters the Secretary considered in determining to designate the competitive category for purposes of this chapter.

''§ 15102. Selection for promotion

''(a) IN GENERAL.—Except as provided in this section, the selection for promotion of officers in any competitive category of officers designated for purposes of this chapter shall be governed by the provisions under chapter 1403 of this title.

''(b) NO RECOMMENDATION FOR PROMOTION OF OFFICERS BELOW PROMOTION ZONE.—Section 14301(d) of this title shall not apply to the selection for promotion of officers described in subsection (a).

''(c) RECOMMENDATION FOR OFFICERS TO BE EXCLUDED FROM FUTURE CONSIDERATION FOR PROMOTION.—In making recommendations pursuant to chapter 1403 of this title for purposes of the administration of this chapter, a selection board convened under section 14101(a) of this title may recommend that an officer considered by the board be excluded from future consideration for promotion under this chapter.

''§ 15103. Eligibility for consideration for promotion

''(a) IN GENERAL.—Except as provided by this section, eligibility for promotion of officers in any competitive category of officers designated for purposes of this chapter shall be governed by the provisions of sections 14301, 14303, and 14304 of this title.

''(b) INAPPLICABILITY OF CERTAIN TIME-IN-GRADE REQUIREMENTS.—Sections 14303 and 14304 of this title shall not apply to the promotion of officers described in subsection (a).

''(c) INAPPLICABILITY TO OFFICERS ABOVE AND BELOW PROMOTION ZONE.—The following provisions of this title shall not apply to the promotion of officers described in subsection (a):

''(1) The reference in section 14301(b) to an officer above the promotion zone.

''(2) Section 14301(d).

''(d) INELIGIBILITY OF CERTAIN OFFICERS.—The following officers are not eligible for promotion under this chapter:

''(1) An officer described in section 14301(c) of this title.

''(2) An officer not included within the promotion zone.

''(3) An officer who has failed of promotion to a higher grade the maximum number of times specified for opportunities for promotion for such grade within the competitive category concerned pursuant to section 15104 of this title.

''(4) An officer recommended by a selection board to be removed from consideration for promotion in accordance with section 15102(c) of this title.

''§ 15104. Opportunities for consideration for promotion

''(a) SPECIFICATION OF NUMBER OF OPPORTUNITIES FOR CONSIDERATION FOR PROMOTION.—In designating a competitive category of officers pursuant to section 15101 of this title, the Secretary of a military department shall specify the number of opportunities for consideration for promotion to be afforded officers of the armed force concerned within the category for promotion to each grade above the grade of first lieutenant or lieutenant (junior grade), as applicable.

''(b) LIMITED AUTHORITY OF SECRETARY OF MILITARY DEPARTMENT TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of a military department may modify the number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as previously specified by the Secretary pursuant subsection (a) of this subsection, not more frequently than once every five years.

''(c) DISCRETIONARY AUTHORITY OF SECRETARY OF DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of Defense may modify the number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as previously specified or modified pursuant to any provision of this section, at the discretion of the Secretary.

''(d) LIMITATION ON NUMBER OF OPPORTUNITIES SPECIFIED.—The number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as specified or modified pursuant to any provision of this section, may not exceed five opportunities.

''(e) EFFECT OF CERTAIN REDUCTION IN NUMBER OF OPPORTUNITIES SPECIFIED.—If, by reason of a reduction in the number of opportunities for consideration for promotion under this section, an officer would no longer have one or more opportunities for consideration for promotion that were available to the officer before the reduction, the officer shall be afforded one additional opportunity for consideration for promotion after the reduction.

''§ 15105. Promotions

''Sections 14307 through 14317 of this title shall apply in promotions of officers in competitive categories of officers designated for purposes of this chapter.

''§ 15106. Failure of selection for promotion

''(a) IN GENERAL.—Except as provided in this section, sections 14501 through 14513 of this title shall apply to promotions of officers in competitive categories of officers designated for purposes of this chapter.

''(b) INAPPLICABILITY OF FAILURE OF SELECTION FOR PROMOTION TO OFFICERS ABOVE PROMOTION ZONE.—The reference in section 14501 of this title to an officer above the promotion zone shall not apply in the promotion of officers described in subsection (a).

''(c) SPECIAL SELECTION BOARD MATTERS.—The reference in section 14502(a)(1) of this title to a person above the promotion zone shall not apply in the promotion of officers described in subsection (a).

''(d) EFFECT OF FAILURE OF SELECTION.—In the administration of this chapter pursuant to subsection (a)—

''(1) an officer described in subsection (a) shall not be deemed to have failed twice of selection for promotion for purposes of section 14502(b) of this title until the officer has failed selection of promotion to the next higher grade the maximum number of times specified for opportunities for promotion to such grade within the competitive category concerned pursuant to section 15104 of this title; and

''(2) any reference in sections 14504 through 14506 of this title to an officer who has failed of selection for promotion to the next higher grade for the second time shall be deemed to refer instead to an officer described in subsection (a) who has failed of selection for promotion to the next higher grade for the maximum number of times specified for opportunities for promotion to such grade within the competitive category concerned pursuant to such section 15104.

''§ 15107. Retirement: retirement for years of service; selective early retirement

''(a) RETIREMENT FOR YEARS OF SERVICE.—Sections 14507 through 14515 of this title shall apply to the retirement of officers in competitive categories of officers designated for purposes of this chapter.

''(b) SELECTIVE EARLY RETIREMENT.—Section 14101(b) of this title shall apply to the retirement of officers described in subsection (a).

''§ 15108. Continuation on the Reserve Active-Status List

''Sections 14701 through 14703 of this title shall apply in continuation or retention on a reserve active-status list of officers designated for purposes of this chapter.

''§ 15109. Other administrative authorities

''(a) IN GENERAL.—The following provisions of this title shall apply to officers in competitive categories of officers designated for purposes of this chapter:

''(1) Section 14518, relating to continuation of officers to complete disciplinary action.

''(2) Section 14519, relating to deferment of retirement or separation for medical reasons.

''(3) Section 14704, relating to the selective early removal from the reserve active-status list.

''(4) Section 14705, relating to the selective early retirement of reserve general and flag officers of the Navy and Marine Corps.

''§ 15110. Regulations

''The Secretary of Defense shall prescribe regulations regarding the administration of this chapter. The elements of such regulations shall include mechanisms to clarify the manner in which provisions of other chapters of this part of the title shall be used in the administration of this chapter in accordance with the provisions of this chapter.''.

(b) TABLE OF CHAPTERS AMENDMENT.—The table of chapters at the beginning of part III of subtitle E of title 10, United States Code, is amended by adding at the end the following new item:

''1413. Alternative promotion authority for officers in designated competitive categories ..... 15101''.

SEC. 522. SELECTED RESERVE AND READY RESERVE ORDER TO ACTIVE DUTY TO RESPOND TO A SIGNIFICANT CYBER INCIDENT.

Section 12304 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''for any named operational mission'';

(2) by redesignating subsections (c) through (j) as subsections (d) through (k), respectively;

(3) by inserting after subsection (b) the following new subsection:

''(c) SIGNIFICANT CYBER INCIDENTS.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating may, without the consent of the member affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve or Individual Ready Reserve to active duty for a continuous period of not more than 365 days when the Secretary of Defense or, with respect to the Coast Guard, the Secretary of the Department in which the Coast Guard is operating determines it is necessary to augment the active forces for the respective responses from the Department of Defense or the Department of Homeland Security to a covered incident.'';

(4) in paragraph (1) of subsection (d), as redesignated by paragraph (2) of this section, by inserting ''or subsection (c)'' after ''subsection (b)'';

(5) in subsection (h) (as so redesignated)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by striking ''Whenever any'' and inserting ''(1) Whenever any''; and

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

''(2) Whenever any unit of the Selected Reserve or any member of the Selected Reserve not assigned to a unit organized to serve as a unit, or any member of the Individual Ready Reserve, is ordered to active duty under authority of subsection (c), the service of all units or members so ordered to active duty may be terminated by—

''(A) order of the Secretary of Defense or the Secretary of the Department in which the Coast Guard is operating; or

''(B) law.''; and

(6) in subsection (k) (as so redesignated)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following new paragraph:

''(2) The term 'covered incident' means—

''(A) a cyber incident involving a Department of Defense information system, or a breach of a Department of Defense system that involves personally identifiable information, that the Secretary of Defense determines is likely to result in demonstrable harm to the national security interests, foreign relations, or the economy of the United States, or to the public confidence, civil liberties, or public health and safety of the people of the United States;

''(B) a cyber incident involving a Department of Homeland Security information system or a breach of a Department of Homeland Security system that involves personally identifiable information that the Secretary of Homeland Security determines is likely to result in demonstrable harm to the national security interests, foreign relations, or the economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States;

''(C) a cyber incident or collection of related cyber incidents that the President determines is likely to result in demonstrable harm to the national security interests, foreign relations, or economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States; or

''(D) a significant incident declared pursuant to section 2233 of the Homeland Security Act of 2002 (6 U.S.C. 677b).''.

SEC. 523. MOBILIZATION OF SELECTED RESERVE FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS.

Section 12304b(b)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking ''Units'' and inserting ''(A) Except as provided under subparagraph (B), units''; and

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

''(B) In the event the President's budget is delivered later than April 1st in the year prior to the year of the mobilization of one or more units under this section, the Secretary concerned may submit to Congress the information required under subparagraph (A) in a separate notice.''.

SEC. 524. ALTERNATING SELECTION OF OFFICERS OF THE NATIONAL GUARD AND THE RESERVES AS DEPUTY COMMANDERS OF CERTAIN COMBATANT COMMANDS.

Section 164(e)(4) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' before ''At least one deputy commander''; and

(2) by adding at the end the following new subparagraphs:

''(B) In carrying out the requirement in subparagraph (A) pertaining to the selection of an officer of the reserve component, the Secretary of Defense shall alternate between selecting an officer of the National Guard and an officer of the Reserves no less frequently than every two terms.

''(C) The Secretary of Defense may waive the requirement under subparagraph (B) regarding the alternating selection of reserve component officers if the Secretary of Defense determines that such action is in the national interest.''.

SEC. 525. GRADE OF VICE CHIEF OF THE NATIONAL GUARD BUREAU.

Section 10505 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) GRADE AND EXCLUSION FROM GENERAL AND FLAG OFFICER AUTHORIZED STRENGTH.—(1) The Vice Chief of the National Guard Bureau shall be appointed to serve in the grade of general.

''(2) The Secretary of Defense shall designate, pursuant to subsection (b) of section 526a of this title, the position of Vice Chief of the National Guard Bureau as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.''.

Subtitle C—General Service Authorities and Military Records

SEC. 531. MODIFICATION OF LIMITATION ON ENLISTMENT AND INDUCTION OF PERSONS WHOSE SCORE ON THE ARMED FORCES QUALIFICATION TEST IS BELOW A PRESCRIBED LEVEL.

Section 520(a) of title 10, United States Code, is amended—

(1) by striking ''The number of persons'' and inserting ''(1) The number of persons'';

(2) by striking ''may not exceed 20 percent'' and inserting ''may not exceed 4 percent''; and

(3) by adding at the end the following new paragraph:

''(2) Upon the request of the Secretary concerned, the Secretary of Defense may authorize an armed force to increase the limitation specified in paragraph (1) to not exceed 20 percent of the total number of persons originally enlisted or inducted to serve on active duty (other than active duty for training) in such armed forced during such fiscal year. The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives

not later than 30 days after using such authority.''.

SEC. 532. NON-MEDICAL COUNSELING SERVICES FOR MILITARY FAMILIES.

Section 1781 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) NON-MEDICAL COUNSELING SERVICES.—(1) In carrying out its duties under subsection (b), the Office may coordinate programs and activities to provide non-medical counseling services to military families through the Department of Defense Military and Family Life Counseling Program.

''(2) A mental health care professional described in paragraph (3) may provide non-medical counseling services at any location in a State, the District of Columbia, or a territory or possession of the United States, without regard to where the professional or recipient of such services is located or delivery of such services is provided (including face-to-face and telehealth), if the provision of such services is within the scope of the authorized Federal duties of the professional.

''(3) A non-medical mental health professional described in this subsection is a person who is—

''(A) a currently licensed mental health care provider who holds a license that is—

''(i) issued by a State, the District of Columbia, or a territory or possession of the United States; and

''(ii) recognized by the Secretary of Defense as an appropriate license for the provision of non-medical counseling services;

''(B) a member of the armed forces, a civilian employee of the Department of Defense, or a contractor designated by the Secretary; and

''(C) performing authorized duties for the Department of Defense under a program or activity referred to in paragraph (1).

''(4) The authority under this subsection shall terminate three years after the date of the enactment of this subsection.

''(5) In this subsection, the term 'non-medical counseling services' means mental health care services that are non-clinical, short-term and solution focused, and address topics related to personal growth, development, and positive functioning.''.

SEC. 533. PRIMACY OF NEEDS OF THE SERVICE IN DETERMINING INDIVIDUAL DUTY ASSIGNMENTS.

(a) IN GENERAL.—Chapter 39 of title 10, United States Code, is amended by inserting after section 674 the following new section:

''§ 675. Primacy of needs of the service in determining individual duty assignments

''(a) IN GENERAL.—The Secretaries of the military departments shall make duty assignments of individual members based on the needs of the military services.

''(b) ASSIGNMENTS BASED ON SERVICE NEEDS.—A servicemember's opinion on State laws shall not take precedence over the needs of the military services in determining individual duty assignments.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting the Secretaries of the military departments from considering the general preferences of members of the armed forces in making determinations about individual duty assignments.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 674 the following new item:

''675. Primacy of needs of the service in determining individual duty assignments.''.

SEC. 534. REQUIREMENT TO USE QUALIFICATIONS, PERFORMANCE, AND MERIT AS BASIS FOR PROMOTIONS, ASSIGNMENTS, AND OTHER PERSONNEL ACTIONS.

The Secretary of Defense shall ensure that all promotions, assignments, and other personnel actions of the Armed Forces are based primarily on qualifications, performance, and merit.

SEC. 535. REQUIREMENT TO BASE TREATMENT IN THE MILITARY ON MERIT AND PERFORMANCE.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Armed Forces is the greatest civil rights program in the history of the world.

(2) Former Chairman of the Joint Chiefs General Colin Powell wrote that ''the military [has] given African-Americans more equal opportunity than any other institution in American society''.

(3) Today's Armed Forces is the most diverse large public institution in the country, and brings together Americans from every background in the service of defending the country.

(4) Military readiness depends on the guarantee of equal opportunity, without the promise of an equal outcome, because warfare is a competitive endeavor and the nation's enemies must know that the United States Armed Forces is led by the best, brightest, and bravest Americans.

(5) The tenets of critical race theory are antithetical to the merit-based, all-volunteer, military that has served the country with great distinction for the last 50 years.

(b) DEFINITION OF EQUITY.—For the purposes of any Department of Defense Diversity, Equity, and Inclusion directive, program, policy, or instruction, the term ''equity'' is defined as ''the right of all persons to have the opportunity to participate in, and benefit from, programs, and activities for which they are qualified''.

(c) PROHIBITIONS.—

(1) DIRECTIVES.—The Department of Defense shall not direct or otherwise compel any member of the Armed Forces, military dependent, or civilian employee of the Department of Defense to personally affirm, adopt, or adhere to the tenet that any sex, race, ethnicity, religion or national origin is inherently superior or inferior.

(2) TRAINING AND INSTRUCTION.—No organization or institution under the authority of the Secretary of Defense may provide courses, training, or any other type of instruction that directs, compels, or otherwise suggests that members of the Armed Forces, military dependents, or civilian employees of the Department of Defense should affirm, adopt, or adhere to the tenet described in paragraph (1).

(3) DISTINCTIONS AND CLASSIFICATIONS.—

(A) IN GENERAL.—No organization or institution under the authority of the Secretary of Defense shall make a distinction or classification of members of the Armed Forces, military dependents, or civilian employees of the Department of Defense based on account of race, ethnicity, or national origin.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit the required collection or reporting of demographic information by the Department of Defense.

(d) MERIT REQUIREMENT.—All Department of Defense personnel actions, including accessions, promotions, assignments and training, shall be based exclusively on individual merit and demonstrated performance.

SEC. 536. TIGER TEAM FOR OUTREACH TO FORMER MEMBERS.

(a) ESTABLISHMENT OF TIGER TEAM.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a team (commonly known as a ''tiger team'' and referred to in this section as the ''Tiger Team'') responsible for conducting outreach to build awareness among former members of the Armed Forces of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1552 note) for the review of discharge characterizations by appropriate discharge boards. The Tiger Team shall consist of appropriate personnel of the Department of Defense assigned to the Tiger Team by the Secretary for purposes of this section.

(2) TIGER TEAM LEADER.—One of the persons assigned to the Tiger Team under paragraph (1) shall be a senior-level officer or employee of the Department who shall serve as the lead official of the Tiger Team (in this section referred to as the ''Tiger Team Leader'') and who shall be accountable for the activities of the Tiger Team under this section.

(3) REPORT ON COMPOSITION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report setting forth the names of the personnel of the Department assigned to the Tiger Team pursuant to this subsection, including the positions to which assigned. The report shall specify the name of the individual assigned as Tiger Team Leader.

(b) DUTIES.—

(1) IN GENERAL.—The Tiger Team shall conduct outreach to build awareness among veterans of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations by appropriate discharge boards.

(2) COLLABORATION.—In conducting activities under this subsection, the Tiger Team Leader shall identify appropriate external stakeholders with whom the Tiger Team shall work to carry out such activities. Such stakeholders shall include representatives of veterans service organizations and such other stakeholders as the Tiger Team Leader considers appropriate.

(3) INITIAL REPORT.—Not later than 210 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress the following:

(A) A plan setting forth the following:

(i) A description of the manner in which the Secretary, working through the Tiger Team and in collaboration with external stakeholders described in paragraph (2), shall identify individuals who meet the criteria in section 527(b) of the National Defense Authorization Act for Fiscal Year 2020 for review of discharge characterization.

(ii) A description of the manner in which the Secretary, working through the Tiger Team and in collaboration with the external stakeholders, shall improve outreach to individuals who meet the criteria in section 527(b) of the National Defense Authorization Act for Fiscal Year 2020 for review of discharge characterization, including through—

(I) obtaining contact information on such individuals; and

(II) contacting such individuals on the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations.

(B) A description of the manner in which the work described in clauses (i) and (ii) of subparagraph (A) will be carried out, including an allocation of the work among the Tiger Team and the external stakeholders.

(C) A schedule for the implementation, carrying out, and completion of the plan required under subparagraph (A).

(D) A description of the additional funding, personnel, or other resources of the Department required to carry out the plan required

under subparagraph (A), including any modification of applicable statutory or administrative authorities.

(4) IMPLEMENTATION OF PLAN.—

(A) IN GENERAL.—The Secretary shall implement and carry out the plan submitted under subparagraph (A) of paragraph (3) in accordance with the schedule submitted under subparagraph (C) of that paragraph.

(B) UPDATES.—Not less frequently than once every 90 days after the submittal of the report under paragraph (3), the Tiger Team shall submit to Congress an update on the carrying out of the plan submitted under subparagraph (A) of that paragraph.

(5) FINAL REPORT.—Not later than 3 years after the date of the enactment of this Act, the Tiger Team shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the activities of the Tiger Team under this subsection. The report shall set forth the following:

(A) The number of individuals discharged under Don't Ask, Don't Tell or a similar policy prior to the enactment of Don't Ask, Don't Tell.

(B) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization (whether through discharge review or correction of military records) through a process established prior to the enactment of this Act.

(C) The number of individuals contacted through outreach conducted pursuant to this section.

(D) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization through the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020.

(E) The number of individuals described in subparagraph (D) whose review of discharge characterization resulted in a change of characterization to honorable discharge.

(F) The total number of individuals described in subparagraph (A), including individuals also covered by subparagraph (E), whose review of discharge characterization since September 20, 2011 (the date of repeal of Don't Ask, Don't Tell), resulted in a change of characterization to honorable discharge.

(6) TERMINATION.—On the date that is 60 days after the date on which the final report required by paragraph (5) is submitted, the Secretary shall terminate the Tiger Team.

(c) ADDITIONAL REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020.

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(d) DON'T ASK, DON'T TELL DEFINED.—In this section, the term ''Don't Ask, Don't Tell'' means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111–321).

SEC. 537. DIVERSITY, EQUITY, AND INCLUSION PERSONNEL GRADE CAP.

(a) IN GENERAL.—The Secretary concerned may not appoint to, or otherwise employ in, any position with sole duties as described in subsection (b) a military or civilian employee paid annual pay at a rate that exceeds the equivalent of the rate payable for GS–10, not adjusted for locality.

(b) COVERED DUTIES.—The duties referred to in subsection (a) are as follows:

(1) Developing, refining, and implementing diversity, equity, and inclusion policy.

(2) Leading working groups and councils to developing diversity, equity, and inclusion goals and objectives to measure performance and outcomes.

(3) Creating and implementing diversity, equity, and inclusion education, training courses, and workshops for military and civilian personnel.

(c) APPLICABILITY TO CURRENT EMPLOYEES.—Any military or civilian employee appointed to a position with duties described in subsection (b) who is paid annual pay at a rate that exceeds the amount allowed under subsection (a) shall be reassigned to another position not later than 180 days after the date of the enactment of this Act.

Subtitle D—Military Justice and Other Legal Matters

SEC. 541. ESTABLISHMENT OF STAGGERED TERMS FOR MEMBERS OF THE MILITARY JUSTICE REVIEW PANEL.

(a) APPOINTMENT TO STAGGERED TERMS.—Subsection (b) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

''(4) ESTABLISHMENT OF STAGGERED TERMS.—Notwithstanding subsection (e), members of the Panel appointed to serve on the Panel to fill vacancies that exist due to terms of appointment expiring during the period beginning on August 1, 2030, and ending on August 31, 2030, shall be appointed to terms as follows:

''(A) Three members designated by the Secretary of Defense shall serve a term of two years.

''(B) Three members designated by the Secretary of Defense shall serve a term of four years.

''(C) Three members designated by the Secretary of Defense shall serve a term of six years.

''(D) Four members designated by the Secretary of Defense shall serve a term of eight years.''.

(b) TERM; VACANCIES.—Subsection (e) of such section is amended to read as follows:

''(e) TERM; VACANCIES.—

''(1) TERM.—Subject to subsection (b)(4) and paragraphs (2) and (3) of this subsection, each member shall be appointed for a term of eight years, and no member may serve more than one term.

''(2) VACANCY.—Any vacancy in the Panel shall be filled in the same manner as the original appointment. A member appointed to fill a vacancy in the Panel that occurs before the expiration of the term of appointment of the predecessor of such member shall be appointed for the remainder of the term of such predecessor.

''(3) AVAILABILITY OF REAPPOINTMENT FOR CERTAIN MEMBERS.—Notwithstanding paragraph (1), a member of the Panel may be appointed to a single additional term if—

''(A) the appointment of the member is to fill a vacancy described in subsection (b)(4); or

''(B) the member was initially appointed to—

''(i) a term of four years or less in accordance with subsection (b)(4); or

''(ii) fill a vacancy that occurs before the expiration of the term of the predecessor of such member and for which the remainder of the term of such predecessor is four years or less.''.

SEC. 542. TECHNICAL AND CONFORMING AMENDMENTS TO THE UNIFORM CODE OF MILITARY JUSTICE.

(a) TECHNICAL AMENDMENT RELATING TO GUILTY PLEAS FOR MURDER.—Section 918 of title 10, United States Code (article 118 of the Uniform Code of Military Justice), is amended—

(1) by striking ''he'' both places it appears and inserting ''such person''; and

(2) in the matter following paragraph (4), by striking the period and inserting '', unless such person is otherwise sentenced in accordance with a plea agreement entered into between the parties under section 853a (article 53a).''.

(b) TECHNICAL AMENDMENTS RELATING TO THE MILITARY JUSTICE REFORMS IN THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—

(1) ARTICLE 16.—Subsection (c)(2)(A) of section 816 of title 10, United States Code (article 16 of the Uniform Code of Military Justice), is amended by striking ''by the convening authority''.

(2) ARTICLE 25.—Section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), is amended—

(A) in subsection (d)—

(i) in paragraph (1), by striking ''may, after the findings are announced and before any matter is presented in the sentencing phase, request, orally on the record or in writing, sentencing by the members'' and inserting ''shall be sentenced by the military judge''; and

(ii) by amending paragraph (2) to read as follows:

''(2) In a capital case, if the accused is convicted of an offense for which the court-martial may sentence the accused to death, the accused shall be sentenced in accordance with section 853(c) of this title (article 53(c)).'';

(B) in subsection (e)—

(i) in paragraph (1), by striking ''him'' and inserting ''the member being tried''; and

(ii) in paragraph (2)—

(I) in the first sentence, by striking ''his opinion'' and inserting ''the opinion of the convening authority''; and

(II) in the second sentence, by striking ''he'' and inserting ''the member''; and

(C) in subsection (f)—

(i) by striking ''his authority'' and inserting ''the authority of the convening authority''; and

(ii) by striking ''his staff judge advocate or legal officer'' and inserting ''the staff judge advocate or legal officer of the convening authority''.

(c) AUTHORITY OF SPECIAL TRIAL COUNSEL WITH RESPECT TO CERTAIN OFFENSES OCCURRING BEFORE EFFECTIVE DATE OF MILITARY JUSTICE REFORMS ENACTED IN THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—

(1) AUTHORITY.—Section 824a of title 10, United States Code, as added by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), is amended by adding at the end the following new subsection:

''(d) SPECIAL TRIAL COUNSEL AUTHORITY OVER CERTAIN OTHER OFFENSES.—

''(1) OFFENSES OCCURRING BEFORE EFFECTIVE DATE.—A special trial counsel may, at the sole and exclusive discretion of the special trial counsel, exercise authority over the following offenses:

''(A) An offense under section 917a (article 117a), 918 (article 118), section 919 (article 119), section 920 (article 120), section 920b (article 120b), section 920c (article 120c), section 928b (article 128b), or the standalone offense of child pornography punishable under section 934 (article 134) of this title that occurred on or before December 27, 2023.

''(B) An offense under section 925 (article 125), section 930 (article 130), or section 932 (article 132) of this title that occurred on or after January 1, 2019, and before December 28, 2023.

''(C) An offense under section 920a (article 120a) of this title, an offense under section 925 (article 125) of this title alleging an act of nonconsensual sodomy, or the standalone offense of kidnapping punishable under section 934 (article 134) of this title that occurred before January 1, 2019.

''(D) A conspiracy to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 881 of this title (article 81).

''(E) A solicitation to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 882 of this title (article 82).

''(F) An attempt to commit an offense specified in subparagraph (A), (B), (C), (D), or (E) as punishable under section 880 of this title (article 80).

''(2) EFFECT OF EXERCISE OF AUTHORITY.—

''(A) TREATMENT AS COVERED OFFENSE.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the offense over which the special trial counsel exercises authority shall be considered a covered offense for purposes of this chapter.

''(B) KNOWN OR RELATED OFFENSES.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the special trial counsel may exercise the authority of the special trial counsel under subparagraph (B) of subsection (c)(2) with respect to other offenses described in that subparagraph without regard to the date on which the other offenses occur.''.

(2) CONFORMING AMENDMENT TO EFFECTIVE DATE.—Section 539C(a) of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 801 note; Public Law 117–81) is amended by striking ''and shall'' and inserting ''and, except as provided in section 824a(d) of title 10, United States Code (article 24a of the Uniform Code of Military Justice), shall''.

(d) CLARIFICATION OF APPLICABILITY OF DOMESTIC VIOLENCE AND STALKING TO DATING PARTNERS.—

(1) ARTICLE 128B; DOMESTIC VIOLENCE.—Section 928b of title 10, United States Code (article 128b of the Uniform Code of Military Justice), is amended—

(A) in the matter preceding paragraph (1), by striking ''Any person'' and inserting ''(A) IN GENERAL.—Any person'';

(B) in subsection (a), as designated by paragraph (1) of this section, by inserting ''a dating partner,'' after ''an intimate partner,'' each place it appears; and

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

''(b) DEFINITIONS.—In this section (article), the terms 'dating partner', 'immediate family', and 'intimate partner' have the meaning given such terms in section 930 of this title (article 130 of the Uniform Code of Military Justice).''.

(2) ARTICLE 130; STALKING.—Section 930 of such title (article 130 of the Uniform Code of Military Justice) is amended—

(A) in subsection (a), by striking ''or to his or her intimate partner'' each place it appears and inserting ''to his or her intimate partner, or to his or her dating partner''; and

(B) in subsection (b)—

(i) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(ii) by inserting after paragraph (2) the following new paragraph:

''(3) The term 'dating partner', in the case of a specific person, means a person who is or has been in a social relationship of a romantic or intimate nature with such specific person based on a consideration of—

''(A) the length of the relationship;

''(B) the type of relationship;

''(C) the frequency of interaction between the persons involved in the relationship; and

''(D) the extent of physical intimacy or sexual contact between the persons involved in the relationship.''.

(e) EFFECTIVE DATE.—The amendments made by subsection (b) and subsection (c)(1) shall take effect immediately after the coming into effect of the amendments made by part 1 of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) as provided in section 539C of that Act (10 U.S.C. 801 note).

SEC. 543. ANNUAL REPORT ON INITIATIVE TO ENHANCE THE CAPABILITY OF MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS TO PREVENT AND COMBAT CHILD SEXUAL EXPLOITATION.

In order to effectively carry out the initiative under section 550D of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1561 note prec.), the Secretary of Defense shall carry out the following actions:

(1) Not later than 90 days after the date of the enactment of this Act, and annually thereafter, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report on the progress of the initiative carried out under such section, outlining specific actions taken and planned to detect, combat, and stop the use of the Department of Defense network to further online child sexual exploitation (CSE).

(2) Develop partnerships and execute collaborative agreements with functional experts, including highly qualified national child protection organizations or law enforcement training centers with demonstrated expertise in the delivery of law enforcement training, to identify, investigate and prosecute individuals engaged in online CSE.

(3) Establish mandatory training for Department of Defense criminal investigative organizations and personnel at military installations to maintain capacity and address turnover and relocation issues.

Subtitle E—Member Education, Training, Transition

SEC. 551. FUTURE SERVICEMEMBER PREPARATORY COURSE.

(a) REQUIREMENT.—If the number of nonprior service enlisted personnel covered under section 520 of title 10, United States Code, exceeds 10 percent of the total number of persons originally enlisted in an Armed Force during a fiscal year, the Secretary concerned shall establish a future servicemember preparatory course within the Armed Force concerned.

(b) PURPOSE.—The course established under subsection (a) shall be designed to improve the physical and aptitude qualifications of military recruits.

(c) CRITERIA.—Each course established under this section shall comply with the following requirements:

(1) ENROLLMENT.—All nonprior service enlisted persons whose score on the Armed Forces Qualification Test is at or above the twentieth percentile and below the thirty-first percentile must be enrolled in the course prior to attending initial basic training.

(2) GRADUATION REQUIREMENT.—Prior to attending initial basic training, all enlisted persons attending the course established under this section must achieve a score that exceeds the thirty-first percentile of the Armed Forces Qualification Test.

(3) EFFECT OF COURSE FAILURE.—Any enlisted person who fails to achieve course graduation requirements within 180 days of enlistment shall be separated under regulations prescribed by the Secretary concerned.

SEC. 552. DETERMINATION OF ACTIVE DUTY SERVICE COMMITMENT FOR RECIPIENTS OF FELLOWSHIPS, GRANTS, AND SCHOLARSHIPS.

Section 2603(b) of title 10, United States Code, is amended by striking ''at least three times the length of the period of the education or training.'' and inserting ''determined by the Secretary concerned. Notwithstanding sections 2004(c), 2004a(f), and 2004b(e) of this title, the service obligation required under this subsection may run concurrently with any service obligations incurred under chapter 101 of this title in accordance with regulations established by the Secretary concerned.''.

SEC. 553. MILITARY SERVICE ACADEMY PROFESSIONAL SPORTS PATHWAY REPORT AND LEGISLATIVE PROPOSAL REQUIRED.

(a) LEGISLATIVE PROPOSAL.—Not later than March 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report including the following elements:

(1) A legislative proposal that would—

(A) update and clarify the legislative framework related to the ability of military service academy graduates to pursue employment as a professional athlete prior to serving at least 5 years on active duty; and

(B) retain the existing requirement that all military service academy graduates must serve for 2 years on active duty before affiliating with the reserves to pursue employment as a professional athlete.

(2) A description of amendments to current law that would be necessary to implement the legislative proposal described under paragraph (1).

(b) REPORT REQUIRED.—Not later than March 1, 2024, and annually thereafter, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a report that includes the following information:

(1) The name, military service, and sport of each military service graduate released or deferred from active service in order to participate in professional sports.

(2) A description of the sports career progress of each participant, such as drafted, signed, released, or returned to military service.

(3) A summary by participant of marketing strategy and recruiting related activities conducted.

(4) A description by participant of the assessments conducted by the military services to determine the recruiting value associated with approved releases from active duty.

(5) The current status of each participant, including, as appropriate, affiliated franchise.

SEC. 554. COMMUNITY COLLEGE ENLISTED TRAINING CORPS DEMONSTRATION PROGRAM.

(a) DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—Not later than August 1, 2025, the Secretary concerned shall establish within each military department an Enlisted Training Corps demonstration program for the purpose of introducing students to the military, and preparing selected students for enlisted service in the Army, Navy, Air Force, Marine Corps, or Space Force.

(2) LOCATION.—Demonstration programs established under this section shall be located at a community or junior college. No program may be established at a military college or military junior college as defined for purposes of section 2107a of title 10, United States Code.

(b) ELIGIBILITY FOR MEMBERSHIP.—To be eligible for membership in a program under this section, a person must be a student at an institution where a unit of the Enlisted Training Corps is located.

(c) INSTRUCTORS.—The Secretary concerned may assign as an instructor for a unit established under this section an individual eligible to serve as an instructor under section 2111 or section 2031 of title 10, United States Code. Instructors who are not currently members on active duty shall be paid in a manner consistent with section 2031 of title 10, United States Code.

(d) FINANCIAL ASSISTANCE.—The Secretary of the military department concerned may provide financial assistance to persons enrolled in a unit of the Enlisted Training Corps in exchange for an agreement in writing that the person enlist in the active component of the military department concerned upon graduation or disenrollment from the community college. Financial assistance provided under this subsection may include tuition, living expenses, stipend, or other payment.

(e) CURRICULUM.—The Secretary concerned shall ensure that any programs created under this section include as part of the curriculum the following:

(1) An introduction to the benefits of military service.

(2) Military history.

(3) Military customs and courtesies.

(4) Physical fitness requirements.

(5) Instruction on ethical behavior and decisionmaking.

(f) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified by subsection (g), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the demonstration program required by this section.

(g) SUNSET.—The requirements of this provision shall sunset on September 30, 2030.

SEC. 555. LANGUAGE TRAINING CENTERS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

Section 529 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2001 note prec.) is amended—

(1) in subsection (a), by striking ''may carry out a program'' and inserting ''shall carry out a program'';

(2) by redesignating subsection (e) as subsection (f);

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

''(e) CONTRACT AUTHORITY.—The Secretary of Defense may enter into one or more contracts, cooperative agreements, or grants with private national organizations having an expertise in foreign languages, area studies, and other international fields, for the awarding of grants to accredited universities, senior military colleges, or other similar institutions of higher education to establish and maintain language training centers authorized by subsection (a).''; and

(4) in subsection (f), as redesignated by paragraph (2)—

(A) by striking ''one year after the date of the establishment of the program authorized by subsection (a)'' and inserting ''180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024'';

(B) by striking ''report on the program'' and inserting ''report on the Language Training Center program'';

(C) by redesignating paragraph (4) as paragraph (5);

(D) by inserting after paragraph (3) the following new paragraph:

''(4) An assessment of the resources required to carry out the Language Training Center program by year through fiscal year 2027.''; and

(E) in paragraph (5), as redesignated by subparagraph (C), by striking ''A recommendation whether the program should be continued and, if so, recommendations as to any modifications of the program'' and inserting ''Recommendations as to any modifications to the Language Training Center program''.

SEC. 556. 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 for fiscal year 2024 for the Army to relocate an Army CID special agent training course may be obligated or expended until—

(1) the Secretary of the Army submits to the Committees on Armed Services of the Senate and the House of Representatives 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; and

(2) the Secretary provides to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the contents of the report specified in paragraph (1).

(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. 557. ARMY PHYSICAL FITNESS TEST.

(a) IN GENERAL.—The physical fitness test of record for the United States Army in compliance with Department of Defense Instruction 1308.03, or any successor regulation, is the Army Physical Fitness Test according to the grading and evaluation scale as it existed on January 1, 2020. This test shall be the baseline test of physical fitness for members of the Army and administered at least annually, except when operational requirements or contingency operations would make such test administration impracticable.

(b) UPDATES AND MODIFICATIONS.—Notwithstanding subsection (a), the Army may update, replace, or modify the events and scoring standards in the Army Physical Fitness Test as the needs of the Army require after a robust pilot and testing period of at least 24 months. Such modifications shall not take effect until the date that is one year after the Secretary of the Army has provided a briefing on the planned changes to the Committees on Armed Services of the Senate and the House of Representatives.

(c) RULE OF CONSTRUCTION.—Nothing in this section prohibits the Army from using the Army Combat Fitness Test, or any other physical assessment the Army may develop, as a supplemental tool to assess physical fitness for all or parts of the force. Army Commanders may also require higher standards than the Army-wide grading scale for promotions, awards, schools and similar actions. Such supplemental assessment shall not constitute the baseline physical fitness assessment of record for the Army unless it is incorporated into the Army Physical Fitness Test using the procedure described in subsection (b).

SEC. 558. OPT-OUT SHARING OF INFORMATION ON MEMBERS RETIRING OR SEPARATING FROM THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Section 570F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1142 note) is amended—

(1) in subsection (c)—

(A) by striking ''out the form to indicate an email address'' and inserting the following: ''out the form to indicate—

''(1) an email address; and''; and

(B) by adding at the end the following new paragraph:

''(2) if the individual would like to opt-out of the transmittal of the individual's information to and through a State veterans agency as described in subsection (a).''; and

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

''(d) OPT-OUT OF INFORMATION SHARING.—Information on an individual shall be transmitted to and through a State veterans agency as described in subsection (a) unless the individual indicates pursuant to subsection (c)(2) that the individual would like to opt out of such transmittal.''.

SEC. 559. ESTABLISHMENT OF PROGRAM TO PROMOTE PARTICIPATION OF FOREIGN STUDENTS IN THE SENIOR RESERVE OFFICERS' TRAINING CORPS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than January 1, 2025, the Secretary of Defense shall establish a program using the authority provided under section 2103(b) of title 10, United States Code, to promote the participation of foreign students in the Senior Reserve Officers' Training Corps (in this section referred to as the ''Program'').

(2) ORGANIZATION.—The Secretary of Defense, in consultation with the Director of the Defense Security Cooperation Agency, the Secretaries of the military departments, the commanders of the combatant commands, the participant institutions in the Senior Reserve Officers' Training Corps program, and any other individual the Secretary of Defense considers appropriate, shall be responsible for, and shall oversee, the Program.

(b) OBJECTIVE.—The objective of the Program is to promote the readiness and interoperability of the United States Armed Forces and the military forces of partner countries by providing a high-quality, cost effective military-based educational experience for foreign students in furtherance of the military-to-military program objectives of the Department of Defense and to enhance the educational experience and preparation of future United States military leaders through increased, extended interaction with highly qualified potential foreign military leaders.

(c) ACTIVITIES.—

(1) IN GENERAL.—Under the Program, the Secretary of Defense shall—

(A) identify to the military services' Senior Reserve Officers' Training Corps program the foreign students who, based on criteria established by the Secretary, the Secretary recommends be considered for admission under the Program;

(B) coordinate with partner countries to evaluate interest in and promote awareness of the Program;

(C) establish a mechanism for tracking an alumni network of foreign students who participate in the Program; and

(D) to the extent practicable, work with the participant institutions in the Senior Reserve Officers' Training Corps program and partner countries to identify academic institutions and programs that—

(i) have specialized academic programs in areas of study of interest to participating countries; or

(ii) have high participation from or significant diaspora populations from participating countries.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than September 30, 2024, 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 strategy for the implementation of the Program.

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

(A) A governance structure for the Program, including—

(i) the officials tasked to oversee the Program;

(ii) the format of the governing body of the Program;

(iii) the functions and duties of such governing body with respect to establishing and maintaining the Program; and

(iv) mechanisms for coordinating with partner countries whose students are selected to participate in the Program.

(B) A list of additional authorities, appropriations, or other congressional support necessary to ensure the success of the Program.

(C) A description of targeted partner countries and participant institutions in the Senior Reserve Officers' Training Corps for the first three fiscal years of the Program, including a rationale for selecting such initial partners.

(D) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(E) A description of the mechanism for tracking the alumni network of participants of the Program.

(F) Any other information the Secretary of Defense considers appropriate.

(e) REPORT.—

(1) IN GENERAL.—Not later than September 20, 2025, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on the Program.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following elements:

(A) A narrative summary of activities conducted as part of the Program during the preceding fiscal year.

(B) An overview of participant Senior Reserve Officers' Training Corps programs, individuals, and countries, to include a description of the areas of study entered into by the students participating in the Program.

(C) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(D) Any other information the Secretary of Defense considers appropriate.

(f) LIMITATION ON AUTHORITY.—The Secretary of Defense may not use the authority provided under this section to pay for tuition or room and board for foreign students who participate in the Program.

(g) TERMINATION.—The Program shall terminate on December 31, 2029.

SEC. 560. CONSIDERATION OF STANDARDIZED TEST SCORES IN MILITARY SERVICE ACADEMY APPLICATION PROCESS.

The Secretary of Defense shall ensure that the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy require the submission and consideration of standardized test scores as part of the their application processes.

SEC. 560A. EXTENSION OF TROOPS FOR TEACHERS PROGRAM TO THE JOB CORPS.

Section 1154 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''; or'' and inserting s semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

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

''(C) a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197).''; and

(B) in paragraph (3)—

(i) in subparagraph (B), by striking ''; or'' and inserting s semicolon;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

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

''(D) a Job Corps center as defined in section 147 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197).'';

(2) in subsection (d)(4)(A)(ii), by inserting ''or Job Corps centers'' after ''secondary schools''; and

(3) in subsection (e)(2)(E), by inserting ''or Job Corps center'' after ''secondary school''.

Subtitle F—Military Family Readiness and Dependents' Education

SEC. 561. PILOT PROGRAM ON RECRUITMENT AND RETENTION OF EMPLOYEES FOR CHILD DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense may develop and implement a pilot program to assess the effectiveness of increasing compensation for employees of child development programs on military installations in improving the ability of such programs to recruit and retain such employees.

(b) COMPENSATION.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall provide for the payment of compensation to employees of child development programs under the pilot program at a fair and competitive wage in keeping with market conditions.

(c) SELECTION OF LOCATIONS.—

(1) IN GENERAL.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall select not fewer than five military installations for purposes of carrying out the pilot program.

(2) CONSIDERATIONS.—In selecting military installations under paragraph (1), the Secretary shall consider military installations with child development programs—

(A) with a shortage of qualified employees; or

(B) subject to other conditions identified by the Secretary that affect the ability of the programs to operate at full capacity.

(d) REGULATIONS.—The Secretary may prescribe such regulations as are necessary to carry out this section.

(e) DURATION OF PILOT PROGRAM.—If the Secretary implements the pilot program authorized by subsection (a), the pilot program shall—

(1) commence on the date on which the Secretary prescribes regulations under subsection (d); and

(2) terminate on the date that is 3 years after the date described in paragraph (1).

(f) BRIEFINGS REQUIRED.—

(1) INITIAL BRIEFING.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall, when the pilot program commences in accordance with subsection (e)(1), brief the Committees on Armed Services of the Senate and the House of Representatives on—

(A) the military installations selected under subsection (c) for purposes of carrying out the pilot program; and

(B) the data that informed those selections.

(2) FINAL BRIEFING.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall, not later than 180 days before the pilot program terminates in accordance with subsection (e)(2), brief the Committees on Armed Services of the Senate and the House of Representatives on the outcomes and findings of the pilot program, including—

(A) data collected and analyses conducted under the pilot program with respect to the relationship between increased compensation for employees of child development programs and improved recruitment or retention of those employees; and

(B) any recommendations with respect to increases in compensation for employees of child development programs across the Department of Defense as a result of the pilot program.

(g) CHILD DEVELOPMENT PROGRAM DEFINED.—In this section, the term ''child development program'' means a program to provide child care services for children, between birth through 12 years of age, of members of the Armed Forces and civilian employees of the Department of Defense.

SEC. 562. 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 2024 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 2024 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 2024 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $20,000,000 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 children with severe disabilities.

(3) REPORT.—Not later than March 31, 2024, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the Department's evaluation of each local educational agency with higher concentrations of military children with severe disabilities and subsequent determination of the amounts of impact aid each such agency shall receive.

SEC. 563. MODIFICATIONS TO ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.

(a) IN GENERAL.—Section 575 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (20 U.S.C. 7703d) is amended—

(1) in subsection (a)—

(A) by striking ''year, the local educational agency'' and all that follows through ''(as determined'' and inserting ''year, the local educational agency had (as determined'';

(B) by striking paragraph (2);

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by moving such paragraphs, as so redesignated, two ems to the left; and

(D) in paragraph (2), as redesignated by subparagraph (C), by striking ''; or'' and inserting a period;

(2) in subsection (f)—

(A) by striking ''The Secretary of Defense'' and inserting the following:

''(1) IN GENERAL.—The Secretary of Defense, acting through the Director of the Office of Local Defense Community Cooperation,''; and

(B) by adding at the end the following:

''(2) METHOD OF DISBURSEMENT.—The Director shall make disbursements under paragraph (1) using existing authorities of the Office.'';

(3) by striking subsection (h); and

(4) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively.

(b) BRIEFING REQUIRED.—Not later than March 1, 2024, the Director of the Office of Local Defense Community Cooperation shall brief the Committees of the Armed Services of the Senate and the House of Representatives on—

(1) any additional authorities that would be helpful to the Office in its efforts to better support local educational agencies; and

(2) any actions taken to implement the recommendations outlined in the March 2008 report entitled ''Update to the Report on Assistance to Local Educational Agencies for Defense Dependents Education'' and required by section 574(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2227) (as in effect on the date of the enactment of that Act).

SEC. 564. ASSISTANCE FOR MILITARY SPOUSES TO OBTAIN DOULA CERTIFICATIONS.

Section 1784a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) DOULA CERTIFICATIONS.—In carrying out the programs authorized by subsection (a), the Secretary shall provide assistance to the spouse of a member of the armed forces described in subsection (b) in obtaining a doula certification provided by an organization that receives reimbursement under the extramedical maternal health providers demonstration project required by section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note).''.

Subtitle G—Junior Reserve Officers' Training Corps

SEC. 571. EXPANSION OF JUNIOR RESERVE OFFICERS' TRAINING CORPS.

Section 2031 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''The President shall promulgate'' and inserting ''The Secretary of Defense shall promulgate''; and

(B) by striking ''maintained, and shall provide'' and all that follows through the period at the end and inserting ''maintained.''; and

(2) by adding at the end the following new subsection:

''(g)(1) The Secretary of Defense shall establish and support not less than 3,400, and not more than 4,000, units of the Junior Reserve Officers' Training Corps.

''(2) The requirement under paragraph (1) shall not apply—

''(A) if the Secretary fails to receive an adequate number of requests for Junior Reserve Officer's Training Corps units by public and private secondary educational institutions; and

''(B) during a time of national emergency when the Secretaries of the military departments determine that funding must be allocated elsewhere.''.

SEC. 572. JROTC PROGRAM CERTIFICATION.

Section 2031 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i)(1) The Secretary of Defense may suspend or place on probation a Junior Reserve Officers' Training Corps unit that fails to comply with provisions of the standardized memorandum of understanding required pursuant to subsection (b).

''(2) Not later than one year after the date of the enactment of this subsection, and annually thereafter for four years, 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 report including information on units suspended or placed on probation pursuant to this subsection and a justification for the reinstatement of any such unit.

''(3) A unit may be placed on probation for a period of up to three years for failing to comply with the provisions of the standardized memorandum of understanding or any other requirement in this section. A unit may be suspended if, after the three-year probationary period, such unit remains out of compliance with the requirements of this section, and the Secretary of the military department concerned determines that such suspension is necessary to mitigate program deficiencies or to protect the safety of program participants.''.

SEC. 573. MEMORANDUM OF UNDERSTANDING REQUIRED.

Section 2031(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E);

(2) by inserting ''(1)'' after ''(b)'';

(3) in subparagraph (A), as redesignated by paragraph (1)—

(A) by striking ''(A)'' and inserting ''(i)''; and

(B) by striking ''(B)'' and inserting ''(ii)'';

(4) by amending subparagraph (E), as so redesignated, to read as follows: ''the unit meets such other requirements as the Secretary of the military department concerned proscribes in the memorandum of understanding required under this subsection.''; and

(5) by adding at the end the following new paragraph:

''(2) The Secretary of Defense shall issue regulations establishing a standardized memorandum of understanding to be signed by the Secretary of the military department concerned and each institution operating a unit under this section. The memorandum shall address the following matters:

''(A) A requirement for institutions to notify the appropriate armed force of allegations of misconduct against an instructor receiving retired or other pay from such armed force, including procedures that would require such institutions to report allegations of sexual misconduct, including harassment, against an instructor, within 48 hours of learning of such allegations;

''(B) Processes by which the military departments certify instructors, including the conduct of appropriate background checks by the military service and the institution concerned.

''(C) Processes by which the military service will conduct oversight of their certified instructors, including the requirement to recertify instructors not less often than once every five years.

''(D) Processes by which such institution's program will be inspected by the military department concerned prior to establishment of a new unit, or not less often than once every four years in the case of units existing as of January 1, 2024, staggered as the Secretary determines appropriate.

''(E) A requirement that each institution certifies it—

''(i) has created a process for students to report violations of their rights under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), as applicable, and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), including the rights of students to not be subject to discrimination or subject to retaliation for reporting a violation of those laws, if such laws apply to the institution;

''(ii) has implemented policies ensuring students and instructors are notified of those rights, as well as the process for reporting violations of those rights, including information on available mandatory reporters, if such laws apply to the institution;

''(iii) has implemented annual training to inform students of methods to prevent, respond to, and report sexual assault and harassment;

''(iv) agrees to report all allegations of violations described under this subparagraph to the military department concerned and, if subject to the jurisdiction of the Department of Education, the Department of Education's Office of Civil Rights not less often than annually;

''(v) has developed processes to ensure that each student enrolled in a unit under this section has done so voluntarily; and

''(vi) agrees to provide the data necessary to compile the report required under subsection (j).''.

SEC. 574. JUNIOR RESERVE OFFICERS' TRAINING CORPS INSTRUCTOR COMPENSATION.

Section 2031 of title 10, United States Code, is amended—

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

''(d)(1) Instead of, or in addition to, detailing officers and noncommissioned officers on active duty under subsection (c)(1), the Secretary of the military department concerned may authorize qualified institutions to employ, as administrators and instructors in the program—

''(A) retired officers and noncommissioned officers whose qualifications are approved by the Secretary and the institution concerned and who request such employment;

''(B) officers and noncommissioned officers who are separated with an honorable discharge within the past 5 years with at least 8 years of service and are approved by the Secretary and the institution concerned and who request such employment; or

''(C) officers and noncommissioned officers who are active participating members of the selected reserve at the time of application, for purposes of section 101(d) of this title, and have not yet reached retirement eligibility and are approved by the Secretary and the institution concerned and who request such employment.

''(2) Employment under this subsection shall be subject to the following conditions:

''(A) The Secretary concerned shall pay to the institution an amount equal to one-half of the Department's prescribed JROTC Standardized Instructor Pay Scale (JSIPS) amount paid to the member by the institution for any period.

''(B) The Secretary concerned may pay to the institution more than one-half of the amount paid to the member by the institution if (as determined by the Secretary)—

''(i) the institution is in an educationally and economically deprived area; and

''(ii) the Secretary determines that such action is in the national interest.

''(C) Payments by the Secretary concerned under this subsection shall be made from funds appropriated for that purpose.

''(D) The Secretary concerned may require successful applicants to transfer to the Individual Ready Reserve (IRR).'';

(2) by striking subsections (e) and (f); and

(3) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

SEC. 575. ANNUAL REPORT ON ALLEGATIONS OF SEXUAL MISCONDUCT IN JROTC PROGRAMS.

Section 2031 of title 10, United States Code, as amended by section 572 of this Act, is further amended by adding at the end the following new subsection:

''(j)(1) Not later than March 31, 2024, and annually thereafter through March 31, 2029, the Secretary of Defense shall submit to Committees on Armed Services of the Senate and the House of Representatives a report on allegations of sexual misconduct, sexual harassment, and sex discrimination in JROTC programs during the preceding year.

''(2) Each report required under paragraph (1) shall set forth the following:

''(A) The number of reported allegations of violations under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) in school-affiliated JROTC programs, including—

''(i) the number of such reported allegations that were investigated;

''(ii) the outcome of those investigations; and

''(iii) the number of such reported allegations by State, the District of Columbia, or overseas location where these reports occurred.

''(B) The number of reports that the Department of Defense or military services have received during the reporting period involving allegations of acts of violence, including sexual abuse or harassment, by instructors against students in the JROTC program, including—

''(i) the offense involved;

''(ii) the military service involved;

''(iii) the number of instructors and number of allegations they each received;

''(iv) the number of reports of sexual misconduct and harassment that have been investigated;

''(v) the number of reports or investigations that have led to the removal of instructors from JROTC programs; and

''(vi) the number of such reported allegations by State, the District of Columbia, or overseas location where these reports occurred.

''(C) Any steps the Department of Defense has taken to mitigate sexual misconduct and harassment in JROTC programs during the preceding year.

''(3) Each report required under paragraph (1) shall be submitted in unclassified form and may not be marked as controlled unclassified information.

''(4) The Secretary shall annually report to the Committees on Armed Services of the Senate and the House of Representatives regarding compliance with this subsection by the JROTC program, including an up-to-date report on the Secretary's monitoring of such compliance.

''(5) The Secretary may seek the advice and counsel of the Attorney General and the Secretary of Health and Human Services concerning the development and dissemination to the JROTC program of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.

''(6) No officer, employee, or agent of an institution participating in any program under this chapter shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

SEC. 576. COMPTROLLER GENERAL REPORT ON EFFORTS TO INCREASE TRANSPARENCY AND REPORTING ON SEXUAL VIOLENCE IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.

(a) 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 the appropriate congressional committees a report on efforts to increase transparency and reporting on sexual violence in the Junior Reserve Officers' Training Corps Program.

(b) ELEMENTS.—The report required under subsection (a) shall include a description of the following:

(1) The implementation of section 2031 of title 10, United States Code, as amended by sections 572, 573, and 575 of this Act.

(2) The adequacy of the Department of Defense's vetting process for Junior Reserve Officers' Training Corps instructors.

(3) The Department of Defense and the Department of Education's oversight of compliance of units with respect to title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

(4) Any changes in the numbers of sexual harassment, assault, or stalking incidents reported to institutions or law enforcement agencies.

(5) The sufficiency of military department unit inspections.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' ''means the Committee on Armed Services of the Senate and the House of Representatives.

Subtitle H—Decorations and Other Awards, Miscellaneous Reports and Other Matters

SEC. 581. EXTENSION OF DEADLINE FOR REVIEW OF WORLD WAR I VALOR MEDALS.

Section 584(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 7271 note) is amended by striking ''six years after the date of the enactment of this Act'' and inserting ''December 31, 2028''.

SEC. 582. PROHIBITION ON FORMER MEMBERS OF THE ARMED FORCES ACCEPTING POST-SERVICE EMPLOYMENT WITH CERTAIN FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 989. Prohibition on former members of the armed forces accepting post-service employment with certain foreign governments

''(a) IN GENERAL.—Except as provided by subsection (b), a covered individual may not occupy a covered post-service position.

''(b) TEMPORARY WAIVER.—

''(1) IN GENERAL.—The Secretary of Defense shall establish a process under which a covered individual may be granted a temporary waiver of the prohibition under subsection (a) if—

''(A) the individual, or a Federal agency on behalf of, and with the consent of, the individual, submits to the Secretary a written application for a waiver in such form and manner as the Secretary determines appropriate; and

''(B) the Secretary determines that the waiver is necessary to advance the national security interests of the United States.

''(2) PERIOD OF WAIVER.—A waiver issued under paragraph (1) shall apply for a period not exceeding 5 years. The Secretary may renew such a waiver.

''(3) REVOCATION.—The Secretary may revoke a waiver issued under paragraph (1) to a covered individual with respect to a covered-post service position if the Secretary determines that the employment of the individual in the covered-post service position poses a threat to national security.

''(4) NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days after the date on which the Secretary issues a waiver under paragraph (1) or revokes a waiver under paragraph (3), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives written notification of the waiver or revocation, as the case may be.

''(B) ELEMENTS.—A notification required by subparagraph (A) shall include the following:

''(i) With respect to a waiver issued to a covered individual—

''(I) the details of the application, including the position held by the individual in the armed forces;

''(II) the nature of the post-service position of the individual;

''(III) a description of the national security interests that will be advanced by reason of issuing such a waiver; and

''(IV) the specific reasons why the Secretary determines that issuing the waiver will advance such interests.

''(ii) With respect to a revocation of a waiver issued to a covered individual—

''(I) the details of the waiver, including any renewals of the waiver, and the dates of such waiver and renewals; and

''(II) the specific reasons why the Secretary determined that the revocation is warranted.

''(c) CERTIFICATION OF PROHIBITION.—In implementing the prohibition under subsection (a), the Secretary shall establish a process under which each member of the armed forces is, before the member retires or is otherwise separated from the armed forces—

''(1) informed in writing of the prohibition, and the penalties for violations of the prohibition; and

''(2) is required to certify that the member understands the prohibition and those penalties.

''(d) PENALTIES.—In the case of a covered individual who knowingly and willfully fails to comply with the prohibition under subsection (a), the Secretary shall, as applicable—

''(1) withhold any pay, allowances, or benefits that would otherwise be provided to the individual by the Department of Defense; and

''(2) revoke any security clearance of the individual.

''(e) ANNUAL REPORTS.—

''(1) REQUIREMENT.—Not later than March 31, 2024, and annually thereafter, the Secretary shall submit to the congressional defense committees a report on covered post-service employment occurring during the year covered by the report.

''(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

''(A) The number of former covered individuals who occupy a covered post-service position, broken down by—

''(i) the name of the employer;

''(ii) the foreign government, including by the specific foreign individual, agency, or entity, for whom the covered post-service employment is being performed; and

''(iii) the nature of the services provided as part of the covered post-service employment.

''(B) An assessment by the Secretary of whether—

''(i) the Department of Defense maintains adequate systems and processes for ensuring that former members of the armed forces are submitting required reports relating to their employment by foreign governments;

''(ii) all covered individuals who occupy a covered post-service position are in compliance with this section;

''(iii) the services provided by the covered individuals who occupy a covered post-service position pose a current or future threat to the national security of the United States; and

''(iv) there is any credible information or reporting that any covered individual who occupies a covered post-service position has engaged in activities that violate Federal law.

''(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

''(f) NOTIFICATIONS OF DETERMINATIONS OF CERTAIN THREATS.—

''(1) REQUIREMENT.—In addition to the annual reports under subsection (d), if the Secretary determines that the services provided by a covered individual who occupies a covered post-service position pose a threat described in clause (iii) of paragraph (2)(B) of that subsection, or include activities described in clause (iv) of such paragraph, the Secretary shall notify the congressional defense committees of that determination by not later than 30 days after making the determination.

''(2) ELEMENTS.—A notification required by paragraph (1) shall include the following:

''(A) The name of the covered individual.

''(B) The name of the employer.

''(C) The foreign government, including the specific foreign individual, agency, or entity, for whom the covered post-service employment is being performed.

''(D) As applicable, a description of the risk to national security and the activities that may violate Federal law.

''(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed to indemnify or shield covered individuals from prosecution under any relevant provision of title 18.

''(h) DEFINITIONS.—In this section:

''(1) COVERED INDIVIDUAL.—The term 'covered individual' means an individual who has retired or otherwise separated from an active or reserve component of the Armed Forces.

''(2) COVERED POST-SERVICE EMPLOYMENT.—The term 'covered post-service employment' means direct or indirect employment by, representation of, or any provision of advice or services relating to national security, intelligence, the military, or internal security to—

''(A) the government of—

''(i) a country of concern (as defined in section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m))); or

''(ii) a country the Secretary of Defense determines acts as a proxy or passthrough for services for a country of concern; or

''(B) any company, entity, or other person the activities of which are directly or indirectly supervised, directed, controlled, financed, or subsidized, in whole or in major part, by a government described in subparagraph (A).

''(3) COVERED POST-SERVICE POSITION.—The term 'covered post-service position' means a position of employment described in paragraph (2).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of such title is amended by adding at the end the following new item:

''989. Prohibition on former members of the armed forces accepting post-service employment with certain foreign governments.''.

(c) CONFORMING AMENDMENT.—Section 908 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(f) PROHIBITION ON FORMER MEMBERS OF ARMED FORCES ACCEPTING EMPLOYMENT WITH CERTAIN FOREIGN GOVERNMENTS.—For a provision of law prohibiting former members of the armed forces from accepting post-service employment with certain foreign governments, see section 989 of title 10.''.

SEC. 583. PROHIBITION ON REQUIRING LISTING OF GENDER OR PRONOUNS IN OFFICIAL CORRESPONDENCE.

The Department of Defense is prohibited from requiring members of the Armed Forces or civilian employees of the Department of Defense to list their gender or pronouns in official correspondence, whether such correspondence is written or electronic.

Subtitle I—Enhanced Recruiting Efforts

SEC. 591. SHORT TITLE.

This subtitle may be cited as the ''Military Service Promotion Act of 2023''.

SEC. 592. INCREASED ACCESS TO POTENTIAL RECRUITS AT SECONDARY SCHOOLS.

Section 503(c) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''; and'' and inserting a semicolon;

(ii) by redesignating clause (ii) as clause (iii);

(iii) by inserting after clause (i) the following new clause:

''(ii) shall provide to military recruiters access to career fairs or similar events upon a request made by military recruiters for military recruiting purposes; and''; and

(iv) in clause (iii), as redesignated by subparagraph (B), by inserting '', not later than 60 days after receiving such request,'' after ''provide''; and

(B) in subparagraph (B), by striking ''subparagraph (A)(ii)'' and inserting ''subparagraph (A)(iii)'';

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following new paragraph:

''(6) The Secretary of Defense shall submit an annual report to Congress not later than February 1 each calendar year, detailing each notification of denial of recruiting access issued under paragraph (3).''.

SEC. 593. INCREASED ACCESS TO POTENTIAL RECRUITS AT INSTITUTIONS OF HIGHER EDUCATION.

Section 983(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2)—

(A) by striking ''to the following information pertaining'' and inserting '', with respect'';

(B) by striking ''institution):'' and inserting ''institution)—'';

(C) in subparagraph (A)—

(i) by striking ''Names'' and inserting ''names''; and

(ii) by striking ''telephone listings.'' and inserting ''telephone listings, which information shall be made available not later than the 60th day following the date of a request; and''; and

(D) in subparagraph (B), by striking ''Date'' and inserting ''date''.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. PAY OF MEMBERS OF RESERVE COMPONENTS FOR INACTIVE-DUTY TRAINING TO OBTAIN OR MAINTAIN AN AERONAUTICAL RATING OR DESIGNATION.

(a) IN GENERAL.—Chapter 3 of title 37, United States Code, is amended by inserting after section 206 the following new section:

''§ 206a. Pay of members of reserve components for inactive-duty training to obtain or maintain an aeronautical rating or designation

''Under regulations prescribed by the Secretary concerned, a member of the National Guard or a member of a reserve component of a uniformed service who is receiving aviation incentive pay under section 334(a) of this title and is entitled to compensation under section 206 of this title is entitled to such compensation for a number of periods of inactive-duty training each month sufficient for the member to obtain or maintain an aeronautical rating or designation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by inserting after the item relating to section 206 the following new item:

''206a. Pay of members of reserve components for inactive-duty training to obtain or maintain an aeronautical rating or designation.''.

SEC. 602. MODIFICATION OF CALCULATION METHOD FOR BASIC ALLOWANCE FOR HOUSING TO MORE ACCURATELY ASSESS HOUSING COSTS OF JUNIOR MEMBERS OF UNIFORMED SERVICES.

Section 403(b)(5) of title 37, United States Code, is amended, in the second sentence, by striking ''and shall be based on the following:'' and all that follows through ''determined in subparagraph (A)''.

SEC. 603. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS ASSIGNED TO VESSELS UNDERGOING MAINTENANCE.

Section 403(f)(2) of title 37, United States Code, is amended—

(1) in subparagraph (A), by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraphs (B), (C), and (D)''; and

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

''(D)(i) Under regulations prescribed by the Secretary concerned, the Secretary may authorize the payment of a basic allowance for housing to a member of a uniformed service without dependents who is serving in a pay grade below E–6 and has orders to a naval vessel during a shipyard availability or maintenance period.

''(ii) In prescribing regulations under clause (i), the Secretary concerned shall consider the availability of quarters for members serving in pay grades below E–6 before authorizing the payment of a basic allowance for housing for such members.''.

SEC. 604. DUAL BASIC ALLOWANCE FOR HOUSING FOR TRAINING FOR CERTAIN MEMBERS OF RESERVE COMPONENTS.

Section 403(g)(3) of title 37, United States Code, is amended—

(1) by striking ''Paragraphs'' and inserting ''(A) Except as provided by subparagraph (B), paragraphs''; and

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

''(B) Paragraphs (1) and (2) shall apply with respect to a member of a reserve component

without dependents who is called or ordered to active duty to attend training for a period of 140 days or more but fewer than 365 days and for whom transportation of household goods is authorized under section 453(c) of this title as part of the call or order to active duty.''.

SEC. 605. MODIFICATION OF CALCULATION OF GROSS HOUSEHOLD INCOME FOR BASIC NEEDS ALLOWANCE TO ADDRESS AREAS OF DEMONSTRATED NEED.

(a) IN GENERAL.—Section 402b(k)(1)(B) of title 37, United States Code, is amended by inserting ''or that otherwise has a demonstrated need'' after ''high cost of living''.

(b) IMPLEMENTATION GUIDANCE.—The Secretary of Defense shall revise the guidance issued with respect to implementation of the basic needs allowance under section 402b of title 37, United States Code, to reflect the amendment made by subsection (a).

SEC. 606. EXPANSION OF ELIGIBILITY FOR REIMBURSEMENT OF QUALIFIED LICENSURE, CERTIFICATION, AND BUSINESS RELOCATION COSTS INCURRED BY MILITARY SPOUSES.

Section 453(g)(1) of title 37, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking ''member is reassigned'' and inserting the following: ''member is—

''(i) reassigned'';

(B) by striking ''; and'' and inserting ''; or''; and

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

''(ii) transferred from a regular component of a uniformed service into the Selected Reserve of the Ready Reserve of a uniformed service, if the member is authorized a final move from the last duty station to the new jurisdiction or geographic area; and''; and

(2) in subparagraph (B), by inserting ''or transfer'' after ''reassignment''.

SEC. 607. COST-OF-LIVING ALLOWANCE IN THE CONTINENTAL UNITED STATES: HIGH COST AREAS.

Section 403b(c) of title 37, United States Code, is amended—

(1) in the second sentence, by striking ''8 percent'' and inserting ''5 percent''; and

(2) in the third sentence, by striking ''shall prescribe'' and inserting ''may prescribe''.

SEC. 608. OCONUS COST-OF-LIVING ALLOWANCE: ADJUSTMENTS.

Section 617 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in the section heading, by striking ''**; NOTICE TO CERTAIN CONGRESSIONAL COMMITTEES**''; and

(2) by striking subsections (a), (b), and (c) and inserting the following:

''(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary of Defense may announce reductions in the cost-of-living allowance for a member of the uniformed services assigned to a duty station located outside the continental United States—

''(1) not more than two times per year; or

''(2) in connection with a permanent change of station for such member.

''(b) LIMITATION ON SIZE OF REDUCTIONS.—The Secretary may not make a reduction under subsection (a) in the allowance described in that subsection by an amount that exceeds 10 percent of the amount of the allowance before the reduction.

''(c) TREATMENT OF REDUCTIONS RELATING TO FOREIGN CURRENCY EXCHANGE RATES.—The limitations under subsections (a) and (b) shall not apply to reductions in the allowance described in subsection (a) relating to changes in foreign currency exchange rates.

''(d) IMPLEMENTATION OF REDUCTIONS.—The Secretary may phase in the reductions described in subsection (a).

''(e) INCREASES.—The Secretary may increase the allowance described in subsection (a) for a member of the uniformed services at any time.''.

SEC. 609. EXTENSION OF ONE-TIME UNIFORM ALLOWANCE FOR OFFICERS WHO TRANSFER TO THE SPACE FORCE.

Section 606(d)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 37 U.S.C. 416 note) is amended by striking ''September 30, 2023'' and inserting ''September 30, 2025''.

SEC. 610. REVIEW OF RATES OF MILITARY BASIC PAY.

(a) IN GENERAL.—The Secretary of Defense shall conduct a review of the rates of monthly basic pay authorized for members of the uniformed services to determine if the current basic pay table adequately compensates junior enlisted personnel in pay grades E–1 through E–4.

(b) FACTORS FOR REVIEW.—In conducting the review required by subsection (a), the Secretary shall conduct the following:

(1) An assessment of the adequacy of the rates of monthly basic pay for members of the uniformed services in light of current and predicted recruiting difficulties.

(2) An analysis of how such basic pay, when combined with other elements of regular compensation for members of the uniformed services, compares with private sector wages for potential recruits to the uniformed services.

(3) An assessment of how sustained periods of cost inflation affect pay for the uniformed services and comparable private sector wages.

(4) An historical analysis of how percentage differences between junior enlisted basic pay, senior enlisted basic pay, junior officer basic pay, and senior officer basic pay, have changed since the rates of basic pay for members of the uniformed services were authorized by section 601 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 37 U.S.C. 1009 note).

(c) REPORT AND LEGISLATIVE PROPOSAL REQUIRED.—Not later than March 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) a report on the results of the review required by subsection (a); and

(2) a comprehensive legislative proposal for the rates of basic pay for members of the uniformed services.

SEC. 611. GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON PROCESS FOR DETERMINING COST-OF-LIVING ALLOWANCES FOR MEMBERS OF THE UNIFORMED SERVICES ASSIGNED TO THE CONTINENTAL UNITED STATES, HAWAII, ALASKA, AND OVERSEAS LOCATIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the process for determining cost-of-living allowances for members of the uniformed services stationed in the continental United States, Hawaii, Alaska, and at overseas locations.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Comptroller General shall assess—

(1) the fairness and equity of the process for determining cost-of-living allowances described in subsection (a) and methods for improving that process;

(2) the advantages and disadvantages of averaging the results of continental United States Living Pattern Surveys and Retail Price Schedules without regard to the geographic concentration of members of the uniformed services within the continental United States when determining the baseline cost of living for the continental United States;

(3) if additional out-of-pocket expenses, including the costs for a member of the uniformed services to travel to and from the home of record of the member from the assigned duty station of the member, should be included in the calculations of the Department of Defense for determining overseas cost-of-living allowances to better equalize the true costs of living for members stationed outside the continental United States with such costs for members stationed inside the continental United States; and

(4) the process by which the Department of Defense conducts Living Pattern Surveys and develops Retail Price Schedules.

(c) REPORT REQUIRED.—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 Senate and the House of Representatives a report—

(1) setting forth the results of the study required by subsection (a); and

(2) making any recommendations the Comptroller General considers appropriate based on those results, including any recommendations for changes to section 403b or 405 of title 37, United States Code.

Subtitle B—Bonus and Incentive Pays

SEC. 621. MODIFICATION OF SPECIAL AND INCENTIVE PAY AUTHORITIES FOR MEMBERS OF RESERVE COMPONENTS.

(a) IN GENERAL.—Section 357 of title 37, United States Code, is amended—

(1) by striking ''incentive pay'' and inserting ''special or incentive pay''; and

(2) by striking the period at the end and inserting the following: ''if the Secretary concerned is paying the member of the reserve component the special or incentive pay for the purpose of—

''(1) maintaining a skill certification or proficiency identical to a skill certification or proficiency required of the member in the regular component; or

''(2) compensating the member of the reserve component for exposure to hazards or risks identical to hazards or risks to which the member in the regular component was exposed.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—The section heading for section 357 of title 37, United States Code, is amended by striking ''**Incentive**'' and inserting ''**Special and incentive**''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 5 of such title is amended by striking the item relating to section 357 and inserting the following new item:

''357. Special and incentive pay authorities for members of the reserve components of the armed forces.''.

(c) MODIFICATION OF IMPLEMENTATION DETERMINATION.—Section 602(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 37 U.S.C. 357 note) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, two ems to the right;

(2) by striking ''The Secretary may'' and inserting the following:

''(1) IN GENERAL.—The Secretary shall'';

(3) in subparagraph (A), as redesignated by paragraph (1), by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(4) by adding at the end the following new paragraph:

''(2) EVALUATION OF TYPES OF SPECIAL AND INCENTIVE PAY.—In making the determination and certification described in paragraph (1)(B), the Secretary shall evaluate each type

or category of special and incentive pay separately and may make the determination and certification based on the effect on an Armed Force concerned of a particular type or category of special or incentive pay.''.

SEC. 622. EXPANSION OF CONTINUATION PAY ELIGIBILITY.

(a) CONTINUATION PAY: FULL TSP MEMBERS WITH 8 TO 12 YEARS OF SERVICE.—Section 356 of title 37, United States Code, is amended—

(1) in the section heading, by striking ''**8**'' and inserting ''**7**''; and

(2) in subsections (a)(1) and (d), by striking ''8'' and inserting ''7''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 356 and inserting the following new item:

''356. Continuation pay: full TSP members with 7 to 12 years of service.''.

SEC. 623. 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, 2023'' and inserting ''December 31, 2024''.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2023'' and inserting ''December 31, 2024'':

(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, 2023'' and inserting ''December 31, 2024''.

(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2023'' and inserting ''December 31, 2024'':

(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) AUTHORITIES 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), relating to temporary increases in rates of basic allowance for areas covered by a major disaster declaration or containing an installation experiencing a sudden influx of military personnel, by striking ''December 31, 2023'' and inserting ''December 31, 2024''; and

(2) in paragraph (8)(C), relating to temporary adjustments in rates of basic allowance for housing for localities where actual housing costs differ from current rates of basic allowance for housing by more than 20 percent, by striking ''September 30, 2023'' and inserting ''December 31, 2024''.

SEC. 624. REQUIREMENT TO ESTABLISH REMOTE AND AUSTERE CONDITION ASSIGNMENT INCENTIVE PAY PROGRAM FOR AIR FORCE.

The Secretary of the Air Force shall—

(1) evaluate the Remote and Austere Condition Assignment Incentive Pay program of the Army; and

(2) not later than October 1, 2025, establish a similar program for the Air Force, unless the Secretary can certify to Congress that there are no critically manned units at any Air Force installation in Alaska.

SEC. 625. EXTENSION OF TRAVEL ALLOWANCE FOR MEMBERS OF THE ARMED FORCES ASSIGNED TO ALASKA.

Section 603(b)(5)(B) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2621) is amended by striking ''December 31, 2023'' and inserting ''June 30, 2024''.

Subtitle C—Other Matters

SEC. 631. MODIFICATION OF REQUIREMENTS FOR APPROVAL OF FOREIGN EMPLOYMENT BY RETIRED AND RESERVE MEMBERS OF UNIFORMED SERVICES.

Section 908 of title 37, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''A person'' and inserting ''(1) A person'';

(B) by inserting ''after determining that such approval is not contrary to the national interests of the United States'' after ''approve the employment''; and

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

''(2) The Secretary of a military department may delegate the determination of the Secretary required by paragraph (1) only to an official of the military department at or above the level of an Assistant Secretary or, in the event of a vacancy in the position of such an official, a civilian official performing the duties of that position.''; and

(2) in subsection (d)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''an officer'' and inserting ''a person''; and

(ii) by striking subparagraphs (B) and (C) and inserting the following new subparagraphs:

''(B) A description of the duties, if any, the person is to perform and the compensation the person is to receive for such duties, as reflected in the person's application for approval of the employment or compensation or payment or award.

''(C) The position the person held or holds in the armed forces, including the rank of the person and the armed force in which the person served.

''(D) Any other information the Secretaries of the military departments consider relevant, except that such information may not include the person's date of birth, Social Security number, home address, phone number, or any other personal identifier other than the name and rank of the person and the armed force in which the person served.''; and

(B) by adding at the end the following new paragraph:

''(3) Not later than 60 days after the date on which a report required by paragraph (1) is submitted, the Secretaries of the military departments shall make the report, and all contents of the report, available on a publicly accessible internet website.''.

SEC. 632. RESTRICTIONS ON RETIRED AND RESERVE MEMBERS OF THE ARMED FORCES RECEIVING EMPLOYMENT AND COMPENSATION INDIRECTLY FROM FOREIGN GOVERNMENTS THROUGH PRIVATE ENTITIES.

Section 908(a) of title 37, United States Code, is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking ''Subject to'' and inserting the following:

''(1) IN GENERAL.—Subject to'';

(3) in subparagraph (C), as redesignated, by striking ''Commissioned Reserve Corps'' and inserting ''Ready Reserve Corps''; and

(4) by adding at the end the following new paragraph:

''(2) APPLICATION TO PRIVATE ENTITIES.—

''(A) IN GENERAL.—The acceptance by a person described in subparagraph (B) of employment (and compensation related to that employment) or payments or awards for work performed for a foreign government through a private entity shall be subject to the provisions of this section to the same extent and in the same manner as such provisions apply to employment (and compensation related to that employment) and payments and awards described in paragraph (1).

''(B) PERSONS DESCRIBED.—A person described in this subparagraph is—

''(i) a retired member of the Army, Navy, Air Force, Marine Corps, or Space Force; or

''(ii) a member of a reserve component of an armed force specified in clause (i), except a member serving on active duty under a call or order to active duty for a period in excess of 30 days.''.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. EXTENSION OF PERIOD OF ELIGIBILITY FOR HEALTH BENEFITS UNDER TRICARE RESERVE SELECT FOR SURVIVORS OF A MEMBER OF THE SELECTED RESERVE.

(a) IN GENERAL.— Section 1076d(c) of title 10, United States Code, is amended by striking ''six months'' and inserting ''three years''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2025.

SEC. 702. AUTHORITY TO PROVIDE DENTAL CARE FOR DEPENDENTS LOCATED AT CERTAIN REMOTE OR ISOLATED LOCATIONS.

Section 1077(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

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

''(3)(A) Dependents who reside within a specified geographic area and are covered by a dental plan established under section 1076a may receive dental care in a dental treatment facility of the uniformed services on a space available basis if the Secretary of Defense determines that—

''(i) civilian dental care within the specified geographic area is inadequate or is not sufficiently available; and

''(ii) adequate resources exist to provide space available dental care to the dependents at the facility.

''(B) Care under subparagraph (A) shall be provided on a reimbursable basis.''.

SEC. 703. INCLUSION OF ASSISTED REPRODUCTIVE TECHNOLOGY AND ARTIFICIAL INSEMINATION AS REQUIRED PRIMARY AND PREVENTIVE HEALTH CARE SERVICES FOR MEMBERS OF THE UNIFORMED SERVICES AND DEPENDENTS.

(a) MEMBERS OF THE UNIFORMED SERVICES.—Section 1074d of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by striking ''entitled to preventive'' and inserting ''entitled to—

''(A) preventive'';

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking the period at the end and inserting ''; and''; and

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

''(B) for male members of the uniformed services (excluding former members of the uniformed services), services relating to infertility described in subsection (b)(4).''; and

(2) by adding at the end the following new subsection:

''(c) INFERTILITY SERVICES INCLUDED FOR MEMBERS OF THE UNIFORMED SERVICES.—Services relating to infertility required to be provided under subsections (a)(2)(B) and (b)(4) for members of the uniformed services (excluding former members of the uniformed services) shall include the following:

''(1) Treatments or procedures using assisted reproductive technology (as defined in section 8 of the Fertility Clinic Success Rate and Certification Act of 1992 (42 U.S.C. 263a–7(1)), excluding in vitro fertilization).

''(2) The provision of artificial insemination, including intrauterine insemination, without regard to coital conception.''.

(b) DEPENDENTS.—Section 1077(a) of such title is amended by adding at the end the following new paragraph:

''(19) Services relating to infertility, including the services specified in section 1074d(c) of this title, except that the services specified in such section may be provided only to a dependent of a member of the uniformed services (excluding any dependent of a former member of the uniformed services).''.

(c) EXCLUSION FROM CONTRACTS FOR FORMER MEMBERS AND THEIR DEPENDENTS.—Section 1086 of such title is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d) and (j)''; and

(2) by adding at the end the following new subsection:

''(j) A plan contracted for under subsection (a) may not include coverage for services under section 1077(a)(19) of this title for former members of the uniformed services or dependents of former members of the uniformed services.''.

(d) APPLICATION.—The amendments made by this section shall apply to services provided on or after January 1, 2025.

(e) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed provide new benefits to or alter existing benefits for former members of the uniformed services or the dependents of former members of the uniformed services.

SEC. 704. PROGRAM ON TREATMENT OF MEMBERS OF THE ARMED FORCES FOR POST-TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN INJURIES, AND CO-OCCURRING DISORDERS RELATED TO MILITARY SEXUAL TRAUMA.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074o the following new section:

''§ 1074p. Program on treatment of members of the armed forces for post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma

''(a) IN GENERAL.—The Secretary of Defense shall carry out a program to provide intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions.

''(b) DISCHARGE THROUGH PARTNERSHIPS.—The Secretary shall carry out the program under subsection (a) through partnerships with public, private, and non-profit health care organizations, universities, and institutions that—

''(1) provide health care to members of the armed forces;

''(2) provide evidence-based treatment for psychological and neurological conditions that are common among members of the armed forces, including post-traumatic stress disorder, traumatic brain injury, substance abuse, and depression;

''(3) provide health care, support, and other benefits to family members of members of the armed forces; and

''(4) provide health care under the TRICARE program.

''(c) PROGRAM ACTIVITIES.—Each organization, university, or institution that participates in a partnership under the program under subsection (a) shall—

''(1) carry out intensive outpatient programs of short duration to treat members of the armed forces suffering from post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions;

''(2) use evidence-based and evidence-informed treatment strategies in carrying out such programs;

''(3) share clinical and outreach best practices with other organizations, universities, and institutions participating in the program under subsection (a); and

''(4) annually assess outcomes for members of the armed forces individually and among the organizations, universities, and institutions participating in the program under subsection (a) with respect to the treatment of conditions described in paragraph (1).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074o the following new item:

''1074p. Program on treatment of members of the armed forces for post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma.''.

(b) REPORTS.—

(1) INITIAL REPORT.—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 Senate and the House of Representatives a report on the program under section 1074p of title 10, United States Code, as added by subsection (a), which shall include a description of the program and such other matters on the program as the Secretary considers appropriate.

(2) ADDITIONAL REPORT.—Not later than two years after commencement of implementation of the program under section 1074p of title 10, United States Code, as added by subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the program, which shall include the following:

(A) A description of the program, including the partnerships under the program as described in subsection (b) of such section, as so added.

(B) An assessment of the effectiveness of the program and the activities under the program.

(C) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the program.

(c) CONFORMING REPEAL.—

(1) IN GENERAL.—Section 702 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1092 note) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by striking the item relating to section 702.

SEC. 705. WAIVER OF COST-SHARING FOR THREE MENTAL HEALTH OUTPATIENT VISITS FOR CERTAIN BENEFICIARIES UNDER THE TRICARE PROGRAM.

(a) TRICARE SELECT.—Section 1075(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4)(A) Consistent with other provisions of this chapter and subject to requirements to be prescribed by the Secretary, the Secretary may waive cost-sharing requirements for the first three outpatient mental health visits each year of any of the following beneficiaries:

''(i) Beneficiaries in the active-duty family member category.

''(ii) Beneficiaries covered by section 1110b of this title.

''(B) This paragraph shall terminate on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.''.

(b) TRICARE PRIME.—Section 1075a(a) of such title is amended by adding at the end the following new paragraph:

''(4)(A) Consistent with other provisions of this chapter and subject to requirements to be prescribed by the Secretary, the Secretary may waive cost-sharing requirements for the first three outpatient mental health visits each year of a beneficiary in the active-duty family member category (as described in section 1075(b)(1)(A) of this title).

''(B) This paragraph shall terminate on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.''.

SEC. 706. EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

(a) EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT.—Section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note) is amended—

(1) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

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

''(e) COVERAGE OF DOULA CARE.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Secretary shall ensure that the demonstration project includes coverage of labor doula care, or reimbursement for such care, for all beneficiaries under the TRICARE program, including access—

''(1) by members of the Armed Forces on active duty;

''(2) by beneficiaries outside the continental United States; and

''(3) at military medical treatment facilities.''.

(b) HIRING OF DOULAS.—The hiring authority for each military medical treatment facility may hire a team of doulas to work in coordination with lactation support personnel or labor and delivery units at such facility.

SEC. 707. SENSE OF CONGRESS ON ACCESS TO MENTAL HEALTH SERVICES THROUGH TRICARE.

It is the sense of Congress that the Secretary of Defense should take all necessary steps to ensure members of the National Guard and the members of their families who are enrolled in TRICARE have timely access to mental and behavioral health care services through the TRICARE program.

Subtitle B—Health Care Administration

SEC. 711. INCREASE IN STIPEND FOR PARTICIPANTS IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAMS.

Section 2121(d) of title 10, United States Code, is amended, in the matter preceding paragraph (1), by striking ''$30,000'' and inserting ''$50,000''.

SEC. 712. FINANCIAL RELIEF FOR CIVILIANS TREATED IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) INTERIM FINAL RULE REQUIRED.—The Secretary of Defense shall issue an interim final rule to implement as soon as possible after the date of the enactment of this Act section 1079b of title 10, United States Code.

(b) TREATMENT OF CLAIMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall hold in abeyance any claims under section 1079b of title 10, United States Code, until the interim final rule required under subsection (a) is in effect.

(2) EXCEPTION.—Paragraph (1) does not apply to—

(A) claims to third-party payers; or

(B) administrative support provided to the Secretary by another Federal agency to assist the Secretary in the administration of section 1079b of title 10, United States Code.

SEC. 713. DEPARTMENT OF DEFENSE OVERDOSE DATA ACT OF 2023.

(a) SHORT TITLE.—This section may be cited as the ''Department of Defense Overdose Data Act of 2023''.

(b) ANNUAL REPORT ON MILITARY OVERDOSES.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the appropriate congressional committees a report on the number of annual overdoses among servicemembers.

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

(A) The total number of servicemembers who suffered a fatal or nonfatal overdose during the previous calendar year, including—

(i) demographic information, including gender, race, age, military department, military rank, pay grade, and station;

(ii) the location of the fatal overdose, including whether the overdose was on a military base; and

(iii) a list of the substances involved in the fatal overdose.

(B) Of the servicemembers identified in subparagraph (A)—

(i) the number of servicemembers who received mental health or substance use disorder services prior to a fatal or nonfatal overdose, including a description of whether such services were received from a private sector provider;

(ii) the number of servicemembers with comorbid mental health diagnoses;

(iii) the number of servicemembers who had been prescribed opioids, benzodiazepines, or stimulants;

(iv) the number of servicemembers who had been categorized as high-risk and prescribed or provided naloxone prior to a fatal or nonfatal overdose;

(v) the number of servicemembers who had a positive drug test prior to the fatal overdose, including any substance identified in such test;

(vi) the number of servicemembers referred to, including by self-referral, or engaged in medical treatment, including medication treatment for opioid use disorder;

(vii) with respect to each servicemember identified in clause (vi), whether the servicemember was referred after a positive drug test and the source of such referral; and

(viii) the number of fatal overdoses and intentional overdoses.

(C) An analysis of discernable patterns in fatal and nonfatal overdoses of servicemembers.

(D) A description of existing or anticipated response efforts to fatal and nonfatal overdoses at military bases that have rates of fatal overdoses that exceed the average rate of fatal overdoses in the United States.

(E) An assessment of the availability of substance use disorder treatment for servicemembers.

(F) The number of medical facilities of, or affiliated with, the Department of Defense that have opioid treatment programs.

(G) A description of punitive measures taken by the Secretary of Defense in response to substance misuse, substance use disorder, or overdose by servicemembers.

(3) PRIVACY.—

(A) IN GENERAL.—Nothing in this subsection shall be construed to authorize the disclosure by the Secretary of Defense of personally identifiable information of servicemembers or military family members, including anonymized personal information that could be used to re-identify servicemembers or military family members.

(B) APPLICATION OF HIPAA.—In carrying out this subsection, the Secretary of Defense shall take steps to protect the privacy of servicemembers and military family members pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note; Public Law 104–191).

(c) STANDARDS FOR THE USE OF MATERIALS TO PREVENT OVERDOSE AND SUBSTANCE USE DISORDER.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall establish standards for the distribution of, and training for the use of, naloxone or other medication for overdose reversal, opioid disposal materials, fentanyl test strips, and other materials to prevent or reverse overdoses, substance use disorder, or impacts related to substance misuse.

(d) SUNSET.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) MILITARY FAMILY MEMBER.—The term ''military family member'' means a family member of a servicemember, including the spouse, parent, dependent, or child of a servicemember, or anyone who has legal responsibility for the child of a servicemember.

(3) SERVICEMEMBER.—The term ''servicemember'' means—

(A) a member of the Armed Forces; or

(B) a member of the National Guard.

SEC. 714. MODIFICATION OF ADMINISTRATION OF MEDICAL MALPRACTICE CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Section 2733a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (f)'' and inserting ''subsection (j)'';

(2) in subsection (b)(6), by striking ''subsection (f)'' and inserting ''subsection (j)'';

(3) in subsection (d)(1), by striking ''subsection (f)'' and inserting ''subsection (j)'';

(4) by redesignating subsections (f) through (i) as subsections (j) through (m), respectively; and

(5) by inserting after subsection (e) the following new subsections:

''(f) EXPERT MEDICAL OPINIONS.—(1) The Secretary of Defense may not use an expert medical opinion from an individual in determining whether to allow, settle, and pay a claim under this section unless the individual is a board-certified physician.

''(2) No claim under this section may be denied on medical grounds until the Secretary obtains an expert medical opinion on the medical malpractice alleged under such claim from an individual who—

''(A) is not a member of the uniformed services or a civilian employee of the Department of Defense; and

''(B) does not have a business, medical, or personal relationship with the claimant.

''(3) If a claim under this section is denied, the Secretary shall provide to the claimant information regarding the identity and qualifications of any individual who provided an expert medical opinion upon which such denial is based.

''(g) JUSTIFICATION OF DENIAL.—If a claim under this section is denied, the Secretary of Defense shall provide the claimant with detailed reasoning justifying the denial of the claim, including—

''(1) copies of any written reports prepared by any expert upon which the denial is based; and

''(2) all records and documents relied upon in preparing such written reports.

''(h) APPEALS.—(1) Any appeal from the denial of a claim under this section shall be considered by a third-party review board jointly established by the Chief Judge of the United States Court of Appeals for the Armed Forces and the Secretary of Defense.

''(2) The third-party review board established under paragraph (1) shall consist of not more than five members, all of whom who possess sufficient legal or medical background, or both.

''(3) A claimant under this section that seeks an appeal under paragraph (1) may submit the appeal directly to the third-party review board established under such paragraph.

''(4) In considering an appeal from the denial of a claim under this section, the third-party review board established under paragraph (1) shall, at the request of the claimant, allow for a hearing on the merits of the appeal in an adversarial nature.

''(5) The Secretary of Defense shall provide to a claimant seeking an appeal under paragraph (1) a copy of any response to the appeal that is submitted on behalf of the Department of Defense.

''(6) The third-party review board established under paragraph (1) shall not consist of any member of the uniformed services or civilian employee of the Department of Defense.

''(i) TREATMENT OF NON-ECONOMIC DAMAGES.—(1) Any non-economic damages provided to a member of the uniformed services under this section may not be offset by compensation provided or expected to be provided by the Department of Defense or the Department of Veterans Affairs.

''(2)(A) The Secretary of Defense shall establish a cap on non-economic damages to be provided with respect to a claim under this section.

''(B)(i) The cap established under subparagraph (A) shall be determined by calculating the average of non-economic damage caps for medical malpractice claims applicable in California, Texas, North Carolina, and Virginia.

''(ii) If a State specified in clause (i) provides a different cap for cases involving death and cases not involving death, the cap for cases not involving death shall be used.

''(C) The cap established under paragraph (1) shall be recalculated not less frequently than once every three years.''.

(b) APPOINTMENT OF MEMBERS.—Not later than 180 days after the date of the enactment of this Act, the Chief Judge of the United States Court of Appeals for the Armed Forces and the Secretary of Defense shall jointly appoint members to the board established under subsection (h)(1) of section 2733a of title 10, United States Code, as added by subsection (a)(5).

(c) REPORT.—Not later than 180 days after the establishment of the board required under subsection (h)(1) of section 2733a of title 10, United States Code, as added by subsection (a)(5), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report indicating—

(1) the membership of the board;

(2) the qualifying background of each member of the board; and

(3) a statement indicating the independence of each member of the board from the Department of Defense.

Subtitle C—Reports and Other Matters

SEC. 721. MODIFICATION OF PARTNERSHIP PROGRAM BETWEEN UNITED STATES AND UKRAINE FOR MILITARY TRAUMA CARE AND RESEARCH.

Section 736 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively; and

(2) by inserting after paragraph (6) the following new paragraph (7):

''(7) The provision of training and support to Ukraine for the treatment of individuals with extremity trauma, amputations, post-traumatic stress disorder, traumatic brain injuries, and any other mental health conditions associated with post-traumatic stress disorder or traumatic brain injuries, including—

''(A) the exchange of subject matter expertise;

''(B) training and support relating to advanced clinical skills development; and

''(C) training and support relating to clinical case management support.''.

SEC. 722. REQUIREMENT THAT DEPARTMENT OF DEFENSE DISCLOSE EXPERT REPORTS WITH RESPECT TO MEDICAL MALPRACTICE CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES.

Section 2733a of title 10, United States Code, as amended by section 714, is further amended—

(1) by redesignating subsections (l) and (m) as subsections (m) and (n), respectively; and

(2) by inserting after subsection (k) the following new subsection (l):

''(l) DISCLOSURE BY DEPARTMENT OF DEFENSE.—(1) The Secretary of Defense shall disclose to a claimant under this section a copy of all written reports, other than medical quality assurance records (as defined in section 1102(j) of this title), prepared by a medical expert of the Department of Defense or any medical expert consulted by the Department with respect to the claim.

''(2) Any disclosure under paragraph (1) with respect to an expert described in such paragraph shall include the following:

''(A) The records and documents considered by the expert.

''(B) A description of the bases and reasons for the opinion of the expert.

''(C) The opinion or opinions of the expert regarding standard of care.

''(D) The opinion or opinions of the expert regarding causation.

''(E) A description of any disagreement by the expert with any opinion or opinions of the expert of the claimant.

''(3) Any disclosure under paragraph (1) with respect to an expert described in such paragraph shall not include an identification of the expert.

''(4) If an expert described in paragraph (1) does not prepare a written report, the Secretary shall disclose the information required under this section to the claimant in writing.''.

SEC. 723. COMPTROLLER GENERAL STUDY ON IMPACT OF PERINATAL MENTAL HEALTH CONDITIONS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS ON MILITARY READINESS AND RETENTION.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on perinatal mental health conditions among members of the Armed Forces and dependents of such members during the five-year period preceding the date of the enactment of this Act.

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

(A) An assessment of beneficiaries under the TRICARE program, including members of the Armed Forces and dependents of such members, who attempted suicide or died by suicide or substance use overdose during the perinatal period.

(B) An assessment of members of the Armed Forces discharged from active duty due to a mental health condition within two years after the perinatal period.

(C) An assessment of beneficiaries under the TRICARE program, including members of the Armed Forces and dependents of such members, diagnosed with a perinatal mental health condition who were relocated during the perinatal period.

(D) An assessment of the effects of retention and promotion policies of the Department of Defense relating to perinatal mental health conditions on members of the Armed Forces seeking and accessing screening, referral, and treatment.

(E) The number of members of the Armed Forces who were separated from the Armed Forces or did not receive a promotion due to a diagnosed perinatal mental health condition.

(F) An assessment of whether policies of the Department can be modified to provide clear standards for retention and pathways for promotion of members of the Armed Forces diagnosed with a perinatal mental health condition.

(G) An assessment of resources needed to integrate behavioral health specialists into all obstetric care practices, pediatric practices, and women's clinics.

(H) A disaggregated demographic assessment of the population included in the study with respect to race, ethnicity, sex, age, family status (including dual service and single parent families), military occupation, military service, and rank, as applicable.

(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 Senate and the House of Representatives a report on the findings of the study conducted under subsection (a), including—

(1) recommendations for actions to be taken by the Secretary of Defense to improve mental health among members of the Armed Forces and dependents of such members during the perinatal period;

(2) recommendations for legislative or administrative action to mitigate the effects of retention and promotion policies of the Department of Defense on members of the Armed Forces seeking and accessing mental health care during the perinatal period; and

(3) such other recommendations as the Comptroller General determines appropriate.

(c) DEFINITIONS.—In this section:

(1) DEPENDENT; TRICARE PROGRAM.—The terms ''dependent'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

(2) PERINATAL MENTAL HEALTH CONDITION.—The term ''perinatal mental health condition'' means a mental health disorder that onsets during the perinatal period.

(3) PERINATAL PERIOD.—The term ''perinatal period'' means the period during pregnancy and the one-year period following childbirth, still birth, or miscarriage.

SEC. 724. REPORT ON MENTAL AND BEHAVIORAL HEALTH SERVICES PROVIDED BY DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that contains the following:

(1) The current wait times for members of the Armed Forces, including members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who are enrolled in TRICARE Reserve Select under section 1076d of title 10, United States Code, to receive mental and behavioral health services, disaggregated by State.

(2) An assessment of the number of additional mental and behavioral health care providers needed for the Department of Defense to meet established metrics associated with access to mental and behavioral health services.

(3) An explanation of the credentialing standards for mental and behavioral health care providers of the Department, including a comparison of those standards to the standards for other Federal and private sector health care providers.

SEC. 725. REPORT ON ACTIVITIES OF DEPARTMENT OF DEFENSE TO PREVENT, INTERVENE, AND TREAT PERINATAL MENTAL HEALTH CONDITIONS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) IN GENERAL.—Not later than 90 days 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 activities of the Department of Defense to address the mental health of pregnant and postpartum members of the Armed Forces and dependents of such members.

(b) ELEMENTS.—The report required by subsection (a) shall include the following

(1) An identification of the military medical treatment facilities at which the Secretary offers members of the Armed Forces and their dependents evidence-based programs during the perinatal period that are proven to prevent perinatal mental health conditions.

(2) An assessment of such programs offered at such facilities, including an assessment of—

(A) the types of programs;

(B) the number and location of programs;

(C) the number of members of the Armed Forces and their dependents who have participated in such programs, disaggregated by

Armed Force, military occupation, sex, age, race, and ethnicity, when applicable; and

(D) whether such programs are delivered in-person or virtually and the frequency of the availability of such programs;

(3) The number of behavioral health specialists for pregnant and postpartum members of the Armed Forces and dependents integrated into obstetric care practices, pediatrics, and women's clinics at military medical treatment facilities.

(4) An assessment of the implementation of, or plans to implement, a pilot program to provide a reproductive behavioral health consultation service by the Secretary as outlined in the White House Blueprint for Addressing the Maternal Health Crisis, dated June 2022, including—

(A) the number of providers the pilot program has served or plans to serve, disaggregated by provider type, specialty, and location;

(B) the number and type of trainings providers received or will receive through the consultation line on evidence-based practices to prevent, screen, refer, and treat perinatal mental health conditions;

(C) the locations that have had or will have access to the pilot program;

(D) the types of expertise services that the consultation line provides or will provide; and

(E) methods currently used or that will be used to promote the availability of the consultation line to providers.

(5) Any recommendations for legislative or administrative action to improve prevention, intervention, and treatment of perinatal mental health conditions for members of the Armed Forces and their dependents.

(c) DEFINITIONS.—In this section:

(1) DEPENDENT.—The term ''dependent'' has the meaning given that term in section 1072(2) of title 10, United States Code.

(2) PERINATAL MENTAL HEALTH CONDITION.—The term ''perinatal mental health condition'' means a mental health disorder that occurs during pregnancy or within one year following childbirth, stillbirth, or miscarriage.

SEC. 726. STUDY ON FAMILY PLANNING AND CRYOPRESERVATION OF GAMETES TO IMPROVE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study on—

(1) the number of members of the Armed Forces who elect to leave the Armed Forces for family planning reasons, disaggregated by gender, age, and military occupational specialty;

(2) whether the option of cryopreservation of gametes would lead to greater retention of members of the Armed Forces;

(3) methods for the Department of Defense to offer cryopreservation of gametes for the purposes of retention of members of the Armed Forces;

(4) the cost to the Department of offering cryopreservation of gametes to active duty members of the Armed Forces; and

(5) such other matters relating to family planning and cryopreservation of gametes for members of the Armed Forces as the Secretary considers relevant.

(b) BRIEFING.—Not later than April 1, 2024, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the results of the study conducted under subsection (a).

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. AMENDMENTS TO MULTIYEAR PROCUREMENT AUTHORITY.

Section 3501 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''will result in significant savings'' and inserting the following: ''will result in—

''(A) significant savings''; and

(B) by striking ''annual contracts.'' and inserting the following: ''annual contracts; or

''(B) necessary industrial base stability not otherwise achievable through annual contracts.''; and

(2) by striking ''$500,000,000'' each place it appears and inserting ''$1,000,000,000''.

SEC. 802. MODERNIZING THE DEPARTMENT OF DEFENSE REQUIREMENTS PROCESS.

(a) MODERNIZING THE DEPARTMENT OF DEFENSE REQUIREMENTS PROCESS.—Not later than October 1, 2025, the Secretary of Defense, acting through the Vice Chairman of the Joint Chiefs of Staff, in cooperation with the Secretaries of the military departments and the commanders of the combatant commands, and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall develop and implement a streamlined Department of Defense requirements process, to include modernizing the Joint Capabilities Integration and Development System, in order to improve alignment between modern warfare concepts, technologies, and system development and reduce the time to delivery of needed capabilities to Department users.

(b) REFORM ELEMENTS.—The modernization activities conducted under subsection (a) shall include the following elements:

(1) Streamlining requirements documents, reviews, and approval processes, especially for programs below the major defense acquisition program threshold described in section 4201 of title 10, United Stated Code.

(2) Revisiting requirements management practices from a first principles perspective based on mission outcomes and assessed threats, enabling a more iterative and collaborative approach with the services to shape requirements and technology driven opportunities.

(3) Developing a capability needs and requirements framework and pathways that are aligned to the Department's Adaptive Acquisition Framework pathways, and better aligned and integrated with the Department's science and technology processes.

(4) Enabling the military departments to develop an enduring set of requirements according to a set of capability portfolios to provide a structure across acquisition programs and research, which shall be articulated in a concise model and document with a set of mission impact measures that capability deliveries will seek to continuously improve.

(5) Establishing a process to rapidly validate the military utility of commercial solutions to meet capability needs or opportunities in lieu of the traditional program-centric requirements definition.

(6) Retiring and replacing the Department of Defense Architecture Framework with a new structure focused on enabling interoperability through application program interfaces, enterprise architectures and platforms, and government and commercial standards.

(7) Ensuring that requirements processes for software, artificial intelligence, data, and related capability areas enable a rapid, dynamic, and iterative approach than traditional hardware systems.

(c) ELEMENTS.—The implementation of streamlined requirements shall include the following elements:

(1) Collaboration with industry, traditional and non-traditional defense companies, and the science and technology community to capture their inputs and feedback on shaping the Department's requirements processes to ensure it effectively harnesses the innovation ecosystem.

(2) Development of a formal career path, training, and structure for requirements management professionals and chief architects.

(3) Publication of new policies, guidance, and templates for the operational, requirements, and acquisition workforce in online digital formats instead of large policy documents.

(d) INTERIM REPORT.—Not later than October 1, 2024, the Secretary of Defense shall submit to the congressional defense committees an interim report on the modernization conducted by the Secretary under subsection (a), including—

(1) a description of the modernization efforts;

(2) the Department of Defense's plans to implement, communicate, and continuously improve the modernization of the Department's requirements processes and structure; and

(3) any additional recommendations for legislation that the Secretary determines appropriate.

(e) FINAL REPORT.—Not later than October 1, 2025, the Secretary of Defense shall submit to the Secretary of Defense and the congressional defense committees a final report describing activities carried out pursuant to subsections (b) and (c).

SEC. 803. HEAD OF CONTRACTING AUTHORITY FOR STRATEGIC CAPABILITIES OFFICE.

(a) AUTHORITY.—The Director of the Strategic Capabilities Office shall have the authority to conduct acquisition activities within the Strategic Capabilities Office.

(b) ACQUISITION EXECUTIVE.—

(1) IN GENERAL.—The staff of the Director shall include an acquisition executive, who shall be responsible for the overall supervision of acquisition matters for the Strategic Capabilities Office. The acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with the military departments and Department of Defense components to carry out the acquisition of equipment, capabilities, and services on behalf of the Office;

(B) to supervise the acquisition of equipment, capabilities, and services on behalf of the Office;

(C) to represent the Office in discussions with the military departments regarding acquisition programs for which the Office is a customer; and

(D) to work with the military departments to ensure that the Office is appropriately represented in any joint working group or integrated product team regarding acquisition programs for which the Office is a customer.

(2) DELIVERY OF ACQUISITION SOLUTIONS.—The acquisition executive of the Strategic Capabilities Office shall be—

(A) responsible to the Director for rapidly delivering acquisition solutions to meet validated cyber operations-peculiar requirements;

(B) subordinate to the defense acquisition executive in matters of acquisition;

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(c) IMPLEMENTATION PLAN REQUIRED.—The authority granted in subsection (a) shall become effective 30 days after the date on

which the Secretary of Defense provides to the congressional defense committees a plan for implementation of those authorities under subsection (a). The plan shall include the following:

(1) Summaries of the components to be negotiated in the memoranda of agreement with the military departments and other Department of Defense components to carry out the development, acquisition, and sustainment of equipment, capabilities, and services described in subsection (b)(1).

(2) Negotiation and approval timelines for memorandum of agreement.

(3) A plan for oversight of the acquisition executive established under subsection (b).

(4) An assessment of the acquisition workforce needs of the Strategic Capabilities Office to support the authority provided under subsection (a) until 2028.

(5) Other matters as appropriate.

(d) ANNUAL END-OF-YEAR ASSESSMENT.—Each year, the Under Secretary of Defense for Acquisition and Sustainment shall review and assess the acquisition activities of the Strategic Capabilities Office, including contracting and acquisition documentation, for the previous fiscal year and provide any recommendations or feedback to the acquisition executive of the Strategic Capabilities Office.

(e) SUNSET.—

(1) IN GENERAL.—The authority provided under this section shall terminate on September 30, 2028.

(2) LIMITATION ON DURATION OF ACQUISITIONS.—The authority under this section does not include major defense acquisition programs, major automated information system programs, or acquisitions of foundational infrastructure or software architectures the duration of which is expected to last more than five years.

SEC. 804. PILOT PROGRAM FOR THE USE OF INNOVATIVE INTELLECTUAL PROPERTY STRATEGIES.

(a) IN GENERAL.—As soon as practicable, the Secretary of each military department shall designate one acquisition program within their service and the Under Secretary of Defense for Acquisition and Sustainment shall designate one acquisition program within the Department of Defense Agencies and Field Activities for the use of innovative intellectual property strategies in order to acquire the necessary technical data rights required for the operations and maintenance of that system.

(b) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretaries of the military departments, shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives with a detailed plan to implement the requirements of this section.

(c) ANNUAL REPORT.—Upon selection of the programs to be covered by this section and until the termination of this authority, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretaries of the military departments, shall provide an annual report to the Committees on Armed Services of the Senate and the House of Representatives on the effectiveness of the pilot program in acquiring the data necessary to support timely, cost-effective maintenance and sustainment of the system and any recommendations for the applicability of lessons learned from this pilot program to future acquisition programs.

(d) DEFINITIONS.—In this section:

(1) DEPARTMENT OF DEFENSE AGENCIES AND FIELD ACTIVITIES.—The terms ''Department of Defense Agency'' and ''Department of Defense Field Activity'' have the meanings given those terms in section 101 of title 10, United States Code.

(2) INNOVATIVE INTELLECTUAL PROPERTY STRATEGIES.—The term ''innovative intellectual property strategies'' includes the following:

(A) The use of an escrow account to verify and hold intellectual property data.

(B) The use of royalties or licenses.

(C) Other innovative strategies to acquire the necessary level of intellectual property and data rights to support the operations, maintenance, installation, and training (OMIT) of the selected program.

(e) SUNSET.—The authority to initiate a program under this section shall terminate on December 31, 2028.

SEC. 805. FOCUSED COMMERCIAL SOLUTIONS OPENINGS OPPORTUNITIES.

(a) REQUIREMENT.—The Secretary of Defense, in coordination with the service acquisition executives of each military department, shall create not less than three new commercial solutions opening (CSO) opportunities pursuant to section 3458 of title 10, United States Code, each fiscal year. Each such CSO opportunities shall be dedicated to addressing the mission needs and integrated priority lists of a single geographic combatant command.

(b) EXECUTION.—In creating the CSO opportunities required under subsection (a), the Secretary of Defense shall—

(1) assign the responsibility for issuing a CSO to a single military department, with a program executive officer from that military department assigned as lead; and

(2) ensure that any program executive office (PEO) assignment should be made to align the needs of the CSO with a PEO that has similar existing requirements and funding for transitioning technologies within the focus area.

(c) SUNSET.—The requirement in subsection (a) shall expire on September 30, 2027.

SEC. 806. STUDY ON REDUCING BARRIERS TO ACQUISITION OF COMMERCIAL PRODUCTS AND SERVICES.

(a) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall conduct a study on the feasibility and advisability of—

(1) establishing a default determination that products and services acquired by the Department of Defense are commercial and do not require commercial determination as provided under section 3456 of title 10, United States Code;

(2) establishing a requirement for non-commercial determinations to be made for acquisitions to use procedures other than part 12 of the Federal Acquisition Regulation; and

(3) mandating use of commercial procedures under part 12 of the Federal Acquisition Regulation unless a justification of non-commerciality is determined.

(b) REPORT.—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 findings of the study conducted under subsection (a). The report shall include specific findings with relevant data and proposed recommendations, including for any necessary and desirable modifications to applicable statute for any changes the Department seeks to make regarding paragraphs (1) through (3) of subsection (a).

SEC. 807. SENSE OF THE SENATE ON INDEPENDENT COST ASSESSMENT.

It is the sense of the Senate that—

(1) to implement the National Defense Strategy, the Department of Defense requires thoughtful and thorough analysis to ensure efficient and effective use of each taxpayer dollar to inform tradeoff analysis that delivers the optimum portfolio of military capabilities;

(2) the Secretary of Defense requires timely, insightful, and unbiased analysis on cost estimation for major defense acquisition programs; and

(3) the Office of the Director of Cost Assessment and Program Evaluation supports implementation of the National Defense Strategy by—

(A) providing insight into the costs of major defense acquisition programs and other technology development initiatives that enables responsible budgeting and proactive management decisions so that the Department can control cost, drive efficiency, and achieve savings;

(B) ensuring that the cost estimation workforce of the Department of Defense is using the most modern and realistic cost estimation methodologies, tools, and tradecraft, including the collection and distribution of data through the Cost Assessment Data Enterprise; and

(C) providing timely review and oversight of cost estimates performed by the defense agencies and military departments.

SEC. 808. EMERGENCY ACQUISITION AUTHORITY FOR PURPOSES OF REPLENISHING UNITED STATES STOCKPILES.

Section 3601(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)(iv), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

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

''(C) for purposes of—

''(i) replenishing United States stockpiles with like defense articles when those stockpiles are diminished as a result of the United States providing defense articles in response to an armed attack by a country of concern (as that term is defined in section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)) against—

''(I) a United States ally (as that term is defined in section 201(d) of the Act of December 2, 1942, entitled, 'To provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes' (56 Stat. 1028, chapter 668; 42 U.S.C. 1711(d))); or

''(II) a United States partner; or

''(ii) contracting for the movement or delivery of defense articles transferred to such ally or partner through the President's drawdown authorities in connection with such response,

provided that the United States is not a party to the hostilities.''.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 811. COMMANDER INITIATED RAPID CONTRACTING ACTIONS.

(a) IN GENERAL.—The commander of a combatant command, upon providing a written determination to a supporting head (or heads) of contracting activity (HCA), may request emergency, rapid contracting response using special authorities described in subsection (b)—

(1) in support of a contingency operation (as defined in section 101(a) of title 10, United States Code);

(2) to facilitate the defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack against the United States;

(3) in support of a humanitarian or peacekeeping operation (as the term is defined in section 3015(2) of title 10, United States Code); and

(4) for purposes of protecting the national security interests of the United States during directed operations that fall below the level of armed conflict.

(b) APPLICABILITY.—In carrying out subsection (a), the HCA may utilize the following authorities to rapidly respond to time-sensitive or unplanned emergency situations:

(1) For actions taken under subsection (a) in the case of a contract to be awarded and performed, or purchase to be made, in the United States, simplified procedures for a single contracting action may be used up to $15,000.

(2) For actions taken under subsection (a) in the case of a contract to be awarded and performed, or purchase to be made, outside the United States, simplified procedures for a single contracting action may be used up to $25,000.

(3) For purposes of section 3205(a)(2) of title 10, United States Code, the applicable threshold is deemed to be $10,000,000.

(4) The property or service being procured may be treated as a commercial product or a commercial service for the purpose of carrying out the procurement.

(c) DETERMINATION.—A written determination required under subsection (a) may be used to cover more than one requested action, and may be directed to more than one HCA, and shall include:

(1) The rationale for initiating the request in accordance with paragraphs (1) though (4) of such subsection.

(2) A description of the actions being requested of the HCA.

(3) A declaration that funds are available for such requested contracting support.

(d) SUNSET.—The authority under subsection (a) shall terminate on September 30, 2028.

(e) ANNUAL REPORT.—Not later than January 15, 2025, and annually thereafter for four years, the Chairman of the Joint Chiefs of Staff, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall provide a report to the congressional defense committees on the use of the authority under this section for the previous fiscal year. The report shall include a summary of each instance of the authority being used, including—

(1) the combatant command initiating the action or actions;

(2) the supporting HCA or HCAs; and

(3) the specific actions requested, including the contract performer and value of contracting action.

SEC. 812. EXTENSION AND REVISIONS TO NEVER CONTRACT WITH THE ENEMY.

(a) IN GENERAL.—Section 841 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) by striking the section heading and inserting ''**THREAT MITIGATION IN COMMERCIAL SUPPORT TO OPERATIONS**'';

(2) in subsection (a)—

(A) by striking the subsection heading and inserting ''PROGRAM ESTABLISHED'';

(B) by striking ''and in consultation with the Secretary of State'' and all that follows through the period at the end and inserting ''and the Secretary of State, establish a program to enable combatant commanders to identify and manage risks introduced by covered persons and entities providing commercial support to military operations. The Secretary of Defense shall publish policy establishing this program with responsibilities for program execution and oversight and procedures for use of available intelligence, security, and law enforcement information to identify threats and employment of a range of strategies, including the covered procurement actions described in this section, to manage risks posed by covered persons and entities that are engaged in covered activities.'';

(3) by amending subsection (b) to read as follows:

''(b) AUTHORITY.—

''(1) IDENTIFICATION.—The combatant commander shall identify covered persons or entities engaged in covered activities through the program established under subsection (a). Upon identification of a covered person or entity, combatant commanders, or their designated deputies, shall notify and provide rationale for such an identification to the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Intelligence and Security, and the Under Secretary of Defense for Policy.

''(2) COVERED PROCUREMENT ACTIONS.—

''(A) IN GENERAL.—The head of a contracting activity may exercise a covered procurement action on a covered persons or entity.

''(B) LIMITATION ON COVERED PROCUREMENT ACTIONS.—The head of a contracting activity may exercise a covered procurement action only after receiving a notification and recommendation from the Under Secretary of Defense for Acquisition and Sustainment, based on a risk assessment by the identifying combatant commander, that states that—

''(i) the person or entity identified by the combatant commander meets the criteria for a covered person or entity and was or is actively engaged in one or more covered activities; and

''(ii) less intrusive measures are not reasonably available to manage the risk.'';

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

''(c) NOTIFICATION TO COVERED PERSON OR ENTITY.—

''(1) ADVANCE NOTICE.—Contracting activities shall notify covered persons and entities through covered solicitations and contracts, grants, or cooperative agreements of the following matters:

''(A) The program established under subsection (a).

''(B) The authorities established under subsection (b).

''(C) The responsibilities of covered persons or entities to exercise due diligence to mitigate their engagement in covered activities.

''(2) NOTICE OF COVERED PROCUREMENT ACTIONS.—

''(A) IN GENERAL.—Upon exercising a covered procurement action, the head of a contracting activity shall notify the covered person or entity of the action. The covered person or entity shall be permitted the opportunity to challenge the covered procurement action by requesting an administrative review of the action under the procedures of the Department of Defense not later than 30 days after receipt of notice of the action.

''(B) LIMITATION ON DISCLOSURE OF INFORMATION.—Full disclosure of information to a covered person or entity justifying an identification made under subsection (b)(1) or a covered procurement action need not be provided when such a disclosure would compromise national security or would pose an unacceptable threat to personnel of the United States or partners and allies.

''(C) PROTECTION OF CLASSIFIED INFORMATION.—Classified information relied upon to exercise a covered procurement action may not be disclosed to a covered person or entity, or to their representatives, unless a protective order issued by a court of competent jurisdiction established under article I or article III of the Constitution of the United States specifically addresses the conditions under which such classified information may be disclosed.'';

(5) by amending subsection (d) to read as follows:

''(d) COVERED PROCUREMENT ACTION REPORTING.—All covered procurement actions shall be reported to the Under Secretary of Defense for Acquisition and Sustainment and reported in the Federal Awardee Performance and Integrity Information System (FAPIIS) or other formal systems or record. Exclusions shall also be reported in the System for Award Management (SAM).'';

(6) by amending subsection (e) to read as follows:

''(e) ANNUAL REVIEW.—The Secretary of Defense, in coordination with the Director of National Intelligence and the Secretary of State, shall, on an annual basis, review the lists of persons and entities having been subject to a covered procurement action under subsection (b)(2) to determine whether or not such persons and entities continue to warrant use of the covered procurement action.'';

(7) by amending subsection (f) to read as follows:

''(f) WAIVER.—The Secretary of Defense, in conjunction with the Secretary of State, may grant a waiver for actions taken under subsection (b) if it is in the best interest of national security.'';

(8) by amending subsection (g) to read as follows:

''(g) DELEGATION OF AUTHORITY.—The authority provided by subsection (b) to make a determination to use a covered procurement action, in whole or in part, may not be delegated below the level of head of contracting activity, or equivalent official for purposes of grants or cooperative agreements.'';

(9) by amending subsection (h) to read as follows:

''(h) UPDATING REGULATIONS.—The Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement shall be revised to implement the provisions of this subtitle.'';

(10) in subsection (i)—

(A) in paragraph (1)—

(i) by striking ''Director of the Office of Management and Budget'' and inserting ''Secretary of Defense'';

(ii) by striking ''appropriate committees of Congress'' and inserting ''congressional defense committees'';

(iii) in subparagraph (A)—

(I) by striking ''an executive agency exercised the authority to terminate, void, or restrict a contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection (b)'' and inserting ''a head of contracting activity exercised a covered procurement action'';

(II) in clause (i) by striking ''executive agency'' and inserting ''head of contracting activity'';

(III) in clause (ii), by striking ''the action taken'' and inserting ''exercising the covered procurement action'';

(IV) in clause (iii), by striking ''voided or terminated'' and inserting ''subject to the covered procurement action''; and

(V) in clause (iv)—

(aa) by striking ''executive agency in force'' and inserting ''Department of Defense has'' and

(bb) by striking ''concerned at the time the contract, grant, or cooperative agreement was terminated or voided'' and replacing with ''at the time of exercise of the covered procurement action''; and

(iv) in subparagraph (B)—

(I) by striking ''an executive agency did not exercise the authority to terminate, void, or restrict a contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection

(b)'' and inserting ''a head of contracting activity did not exercise a covered procurement action following an identification from a combatant commander'';

(II) in clause (i), by striking ''executive agency'' and inserting ''head of contracting activity''; and

(III) in clause (ii), by inserting ''covered procurement'' before ''action''; and

(B) in paragraph (2), by striking ''Director'' and inserting ''Secretary of Defense'';

(11) by striking subsection (j) and (m) and redesignating subsections (k), (l), and (n) as subsections (j), (k), and (l), respectively;

(12) in subsection (k), as redesignated by paragraph (11), by striking ''Except as provided in subsection (l), the'' and inserting ''The''; and

(13) in subsection (l), as so redesignated, by striking ''December 31, 2025'' and inserting ''December 31, 2033''.

(b) ACCESS TO RECORDS.—Section 842 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking subsections (a) through (c) and inserting the following:

''(a) ADDITIONAL ACCESS TO RECORDS.—The Secretary of Defense may examine any records of persons or entities that have existing contracts with, or are active recipients of a grant or cooperative agreement from, the Department of Defense, including any subcontractors or subgrantees, to the extent necessary to support the program established under section 841 of this Act.

''(b) LIMITATION.—The examination authorized under subsection (a) may only take place after a written determination is made by the contracting officer, informed by a finding from the combatant commander, stating that this examination will support the program established under such section 841, and less intrusive measures are not reasonably available to manage the risk.''.

(c) DEFINITIONS.—Section 843 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 is amended—

(1) by striking paragraphs (1), (2), (3), (4), (7), and (9) and redesignating paragraphs (5), (6), and (8) as paragraphs (2), (3), and (6);

(2) by inserting before paragraph (2), as redesignated by paragraph (1) of this section, the following new paragraph:

''(1) COVERED ACTIVITIES.—The term 'covered activities' means activities where a covered person or entity is—

''(A) engaging in acts of violence against personnel of the United States or partners and allies;

''(B) providing financing, logistics, training, or intelligence to a person described in subparagraph (A);

''(C) engaging in foreign intelligence activities against the United States or partners and allies;

''(D) engaging in transnational organized crime or criminal activities; or

''(E) engaging in other activities that present a direct or indirect risk to United States or partner and allied missions and forces.'';

(3) in paragraph (2), as so redesignated, by striking ''with an estimated value in excess of $50,000 that is performed outside the United States, including its territories and possessions, in support'' and all that follows through the period at the end and inserting ''that is performed outside the United States, including its territories and possessions.'';

(4) by amending paragraph (3), as so redesignated, to read as follows:

''(3) COVERED PERSON OR ENTITY.—The term 'covered person or entity' means any person, corporation, company, limited liability company, limited partnership, business trust, business association, or other similar entity outside of the United States or any foreign reporting company in accordance with section 5336(a)(11)(A)(ii) of title 31, United States Code, that is responding to a covered solicitation or performing work on a covered contract, grant, or cooperative agreement.'';

and

(5) by inserting after paragraph (3), as so redesignated, the following new paragraphs:

''(4) COVERED PROCUREMENT ACTION.—The term 'covered procurement action'means an action taken by a head of contracting activity to—

''(A) exclude a person or commercial entity from award with or without an existing contract, grant, or cooperative agreement;

''(B) terminate an existing contract, grant, or cooperative agreement for default; or

''(C) void in whole or in part an existing contract, grant, or cooperative agreement.

''(5) COVERED SOLICITATION.—The term 'covered solicitation' means any Department of Defense solicitation for work for which the place of performance is outside of the United States.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect not later than 180 days after the enactment of this Act, and shall apply to covered solicitations issued and covered contracts, grants, or cooperative agreements (as that term is defined in section 843 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015, as amended by subsection (c)) awarded on or after such date, and to task and delivery orders that have been issued on or after such date pursuant to covered contracts, grants, or cooperative agreements that are awarded before, on, or after such date.

SEC. 813. ENHANCEMENT OF DEPARTMENT OF DEFENSE CAPABILITIES TO PREVENT CONTRACTOR FRAUD.

(a) WITHHOLDING OF CONTRACTUAL PAYMENTS.—Subsection (a) of section 4651 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2)—

(A) by striking ''clause (1)'' and inserting ''paragraph (1)''; and

(B) by striking ''at least three, but not more than 10, as determined by the Secretary or his designee, times the cost incurred by the contractor in giving gratuities to the officer, official, or employee concerned.'' and inserting ''of up to 10 percent of the total contract award amount;'';

(3) by inserting after paragraph (2) the following new paragraphs:

''(3) with respect to a contract that could have been terminated under paragraph (1) but for the completion of performance of the contract, the United States is entitled to exemplary damages as set forth in paragraph (2); and

''(4) the Secretary of Defense or the Secretary of a military department may, after providing notice to the contractor and pending the determination concerning exemplary damages referred to in paragraph (2), withhold from payments otherwise due to the contractor under any contract between the contractor and the United States an amount not to exceed 10 percent of the total contract award amount.''; and

(4) in the matter following paragraph (4), as added by paragraph (3) of this subsection, by striking ''clause (1)'' and inserting ''paragraph (1)''.

(b) BURDEN OF PROOF.—Paragraph (1) of section 4651(a) of title 10, United States Code, as amended by subsection (a) of this section, is further amended by inserting ''and by a preponderance of the evidence'' after ''after notice and hearing''.

SEC. 814. MODIFICATION OF APPROVAL AUTHORITY FOR HIGH DOLLAR OTHER TRANSACTION AGREEMENTS FOR PROTOTYPES.

(a) AMENDMENTS RELATING TO AUTHORITY.—Section 4022(a)(2)(C)(i)(I) of title 10, United States Code, is amended by inserting after ''subsection (d)'' the following: ''were met for the prior transaction for the prototype project that provided for the award of the follow-on production contract or transaction, and the requirements of subsection (f)''.

(b) AMENDMENT RELATING TO APPROPRIATE USE OF AUTHORITY.—Section 4022(d) of such title is amended by adding at the end the following new paragraph:

''(3) The requirements of this subsection do not apply to follow-on production contracts or transactions under subsection (f).''.

SEC. 815. MODIFICATIONS TO EARNED VALUE MANAGEMENT SYSTEM REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary for Acquisition and Sustainment shall update appropriate policies related to Earned Value Management (EVM) as follows:

(1) Update subpart 234.2 of the Defense Federal Acquisition Regulation Supplement (DFARS) to exempt all software contracts and subcontracts from EVM requirements.

(2) Update sections 234.201, 234.203, 252.234–7001, and 252.242–7002 of the DFARS—

(A) to increase contract value thresholds associated with requiring EVM on cost or incentive contracts from $20,000,000 to $50,000,000; and

(B) to increase the contract value threshold for the contractor to use an EVM System from $50,000,000 to $100,000,000.

(b) IMPLEMENTATION.—If the Under Secretary of Defense for Acquisition and Sustainment is unable to update the regulations specified in subsection (a) before the deadline specified in such subsection, the Under Secretary of Defense for Acquisition and Sustainment shall providing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing explaining the timeline for implementation.

SEC. 816. INVENTORY OF INFLATION AND ESCALATION INDICES.

(a) INVENTORY REQUIRED.—

(1) IN GENERAL.—Not later than September 30, 2024, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Service Acquisition Executives, shall conduct an inventory of inflation and escalation indices currently used for contracting and pricing purposes across the Department and make the inventory available as a resource for all government and industry contracting and pricing professionals.

(2) ELEMENTS.—The inventory required under paragraph (1)—

(A) shall include indices used for products and indices used for services, including accessibility instructions;

(B) may include relevant indices derived from or leveraged by commercial, academic, or nongovernmental sources; and

(C) shall separately identify indices for which the Department of Defense purchases access.

(b) ASSESSMENT.—As part of the inventory required under subsection (a), the Under Secretary of Defense for Acquisition and Sustainment shall also conduct an assessment of the available inflation and escalation indices in order to determine—

(1) gaps in any available indices where identification or development of new indices may be necessary; and

(2) in instances where there are multiple indices being used—

(A) whether consolidation on a single index or smaller subset of indices is possible or advisable; and

(B) whether commercial, academic, or nongovernmental indices have any comparative benefit or advantage over governmental sources.

(c) PERIODIC UPDATES.—The Under Secretary of Defense for Acquisition and Sustainment shall periodically, and not less than once every 5 years, review and update the inventory required under subsection (a).

(d) GUIDANCE.—Not later than March 30, 2025, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Service Acquisition Executives, shall issue guidance providing for the consistent application and maintenance of data included in the inventory required under subsection (a) for use by government contracting and pricing personnel.

SEC. 817. PILOT PROGRAM TO INCENTIVIZE PROGRESS PAYMENTS.

(a) PILOT PROGRAM.—The Under Secretary of Defense for Acquisition and Sustainment shall establish and implement a pilot program to incentivize large business concerns awarded Department of Defense contracts to qualify for progress payments up to 10 percentage points higher than the standard progress payment rate.

(b) INCENTIVES.—The Under Secretary for Acquisition and Sustainment shall establish clear and measurable criteria to provide for the payment to contractors of higher progress payments as described in subsection (a), including meeting one or more of the following criteria:

(1) Adherence to delivery dates for contract end items and contract data requirement lists or compliance with the performance milestone schedule during the preceding fiscal year.

(2) The lack of any open level III or IV corrective action requests.

(3) Acceptability of the contractor's business systems without significant deficiencies.

(4) Meeting small business subcontracting goals during the preceding fiscal year.

(c) REPORT.—The Under Secretary for Acquisition and Sustainment shall submit to the Committees on Armed Services of the Senate and House of Representatives an annual report on the implementation of the pilot program established under subsection (a), including a comprehensive list of contractors and the contracts that received the increased progress payments.

(d) DEFINITIONS.—In this section:

(1) STANDARD PROGRESS PAYMENT RATE.—The term ''standard progress payment rate'' refers to the rate of progress payments provided for under section 3804 of title 10, United States Code, and payable in accordance with the applicable provisions of the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement.

(2) LARGE BUSINESS CONCERNS.—The term ''large business concerns'' means a business concern that exceeds the small business size code standards established by the Small Business Administration as set forth in part 121 of title 13, Code of Federal Regulations.

(e) SUNSET.—The authority to carry out the pilot program established under subsection (a) shall terminate on January 1, 2026.

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 818 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, is further amended in subsection (c) by striking ''January 2, 2024'' and inserting ''January 2, 2028''.

SEC. 819. PREVENTING CONFLICTS OF INTEREST FOR DEPARTMENT OF DEFENSE CONSULTANTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall amend the Defense Federal Acquisition Regulation—

(1) to require any entity that provides the services described in North American Industry Classification System (NAICS) code 5416, prior to entering into the Department of Defense contract, to certify that—

(A) neither the entity nor any of its subsidiaries or affiliates hold a contract with one or more covered foreign entities; or

(B) the entity maintains a Conflict of Interest Mitigation Surveillance Plan described under subsection (b) that is auditable by contract oversight entities; and

(2) to restrict Department of Defense contracts from being awarded to an entity that provides the services described under the NAICS code 5416, if the entity or any of its subsidiaries or affiliates are determined, based on the self-certification required under paragraph (1) or other information, to be a contractor of, or otherwise providing services to, a covered foreign entity unless such contractor maintains an enforceable Conflict of Interest Mitigation Surveillance Plan.

(b) CONFLICT OF INTEREST MITIGATION SURVEILLANCE PLAN.—Contractors that are unable to certify under subsection (a)(1)(A) that neither they nor any of their subsidiaries or affiliates hold a contract with one or more covered foreign entities shall maintain a Conflict of Interest Mitigation Surveillance Plan that is updated annually and shall be provided to applicable contract oversight entities upon request. The plan shall include—

(1) identification of the contracts with the covered foreign entity (or entities) including the specific entity, the dollar value of the contract, and the specific personnel working on the contract;

(2) mitigation measures being taken to prevent conflicts of interest (corporately as well as for individuals working on the contract) that might arise by also supporting Department of Defense contracts; and

(3) notification procedures to the contract oversight entities within 15 days of determining an unmitigated conflict of interest has arisen.

(c) WAIVER.—The Secretary of Defense, or designee, shall have the authority to waive conflicts of interest restrictions under subsection (a) on a case-by-case basis as may be necessary to continue contracting for certain national security requirements. The Secretary of Defense may not delegate such authority to an official below the level of a Presidentially appointed, Senate-confirmed official.

(d) WAIVER NOTIFICATION.—Not later than 30 days after issuing a waiver under subsection (c) of this section, the Secretary of Defense shall provide a written notification to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives regarding the use of such waiver authority. The notification shall include—

(1) the specific justification for providing the waiver;

(2) the covered foreign entity with which the waiver recipient is working which gives rise to the conflict of interest;

(3) the number of bidders on a contract on which the waiver was required;

(4) the number of bidders on a contract for which a waiver would not have been required to have been issued; and

(5) the total dollar value of the contract.

(e) DEFINITIONS.—In this section:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means any of the following:

(A) The Government of the People's Republic of China, any Chinese state-owned entity, or other entity under the ownership, or control, directly or indirectly, of the Government of the People's Republic of China or the Chinese Communist Party that is engaged in one or more national security industries.

(B) The Government of the Russian Federation, any Russian state-owned entity, or any entity sanctioned by the Secretary of the Treasury under Executive Order 13662 titled ''Blocking Property of Additional Persons Contributing to the Situation in Ukraine''(79 Fed. Reg. 16169).

(C) The government or any state-owned entity of any country if the Secretary of State determines that such government has repeatedly provided support for acts of international terrorism pursuant to—

(i) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

(ii) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(iii) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(iv) any other provision of law.

(D) Any entity included on any of the following lists maintained by the Department of Commerce:

(i) The Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations.

(ii) The Denied Persons List as described in section 764.3(a)(2) of the Export Administration Regulations.

(iii) The Unverified List set forth in Supplement No. 6 to part 744 of the Export Administration Regulations.

(iv) The Military End User List set forth in Supplement No. 7 to part 744 of the Export Administration Regulations.

(2) CONTRACT OVERSIGHT ENTITIES.—The term ''contract oversight entities'' means any of the following:

(A) The contracting officer.

(B) The contracting officer representative.

(C) The Defense Contract Management Agency.

(D) The Defense Contract Audit Agency.

(E) The Office of Inspector General (OIG) of the Department of Defense or any subcomponent of OIG.

(F) The Government Accountability Office.

SEC. 820. PROHIBITION ON REQUIRING DEFENSE CONTRACTORS TO PROVIDE INFORMATION RELATING TO GREENHOUSE GAS EMISSIONS.

(a) DEFINITIONS.—In this section:

(1) GREENHOUSE GAS.—The term ''greenhouse gas'' means—

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) nitrogen trifluoride;

(E) hydrofluorocarbons;

(F) perfluorcarbons; or

(G) sulfur hexafluoride.

(2) GREENHOUSE GAS INVENTORY.—The term ''greenhouse gas inventory'' means a quantified list of an entity's annual greenhouse gas emissions.

(3) NONTRADITIONAL DEFENSE CONTRACTOR.—The term ''nontraditional defense contractor'' has the meaning given the term in section 3014 of title 10, United States Code.

(b) PROHIBITION ON DISCLOSURE REQUIREMENTS.—

(1) NONTRADITIONAL DEFENSE CONTRACTORS.—The Secretary of Defense may not require any nontraditional defense contractor recipient of a defense contract to provide a

greenhouse gas inventory or to provide any other report on greenhouse gas emissions.

(2) OTHER THAN NONTRADITIONAL DEFENSE CONTRACTORS.—During the two-year period beginning on the date of the enactment of this Act, the Secretary of Defense may not require any other than nontraditional defense contractor recipient of a defense contract to provide a greenhouse gas inventory or to provide any other report on greenhouse gas emissions.

SEC. 821. PROHIBITION ON CONTRACTS FOR THE PROVISION OF ONLINE TUTORING SERVICES BY ENTITIES OWNED BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Secretary of Defense may not, on or after the date of the enactment of this Act, enter into or renew a contract for the provision of online tutoring services by an entity owned or controlled by the Government of the People's Republic of China.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary may waive the prohibition under subsection (a).

(2) NONDELEGATION.—The Secretary may not delegate the authority to issue a waiver under paragraph (1).

SEC. 822. MODIFICATION OF TRUTHFUL COST OR PRICING DATA SUBMISSIONS AND REPORT.

Section 3705(b)(2)(B) of title 10, United States Code, is amended by striking ''should-cost analysis.'' and all that follows through ''past performance.'' and inserting ''should-cost analysis and shall identify such offerors that incur a delay greater than 200 days in submitting such cost or pricing data. The Secretary of Defense shall include a public notation on such offerors.''.

SEC. 823. REPEAL OF BONAFIDE OFFICE RULE FOR 8(A) CONTRACTS WITH THE DEPARTMENT OF DEFENSE.

Section 8(a)(11) of the Small Business Act (15 U.S.C. 637(a)(11)) is amended—

(1) by inserting ''(A)'' before ''To the maximum''; and

(2) by adding at the end the following:

''(B) Subparagraph (A) shall not apply with respect to a contract entered into under this subsection with the Department of Defense.''.

Subtitle C—Industrial Base Matters

SEC. 831. DEFENSE INDUSTRIAL BASE ADVANCED CAPABILITIES PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall carry out a pilot program through a public-private partnership to accelerate the scaling, production, and acquisition of advanced defense capabilities determined by the Under Secretary to be critical to the national security by creating incentives for investment in domestic small businesses or nontraditional businesses to create a robust and resilient defense industrial base.

(2) GOALS.—The goals of the public-private partnership pilot program are as follows:

(A) To bolster the defense industrial base through acquisition and deployment of advanced capabilities necessary to field Department of Defense modernization programs and priorities.

(B) To strengthen domestic defense supply chain resilience and capacity by investing in innovative defense companies.

(C) To leverage private equity capital to accelerate domestic defense scaling, production, and manufacturing.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—

(1) IN GENERAL.—In carrying out subsection (a), the Under Secretary shall enter into one or more public-private partnerships, consistent with the phased implementation provided for in subsection (e), with for-profit persons using the criteria set forth in paragraph (2).

(2) CRITERIA.—The Under Secretary shall establish criteria for entering into one or more public-private partnerships and shall submit to the congressional defense committees such criteria, which shall not take effect for the purposes of entering into any agreement until 30 days after submission.

(3) OPERATING AGREEMENT.—The Under Secretary and a person or persons with whom the Under Secretary enters a partnership under paragraph (1) shall enter into an operating agreement that sets forth the roles, responsibilities, authorities, reporting requirements, term, and governance framework for the partnership and its operations. Such operating agreements may not take effect until 30 days after they have been submitted to the congressional defense committees.

(c) INVESTMENT OF EQUITY.—

(1) IN GENERAL.—Pursuant to public-private partnerships entered into under subsection (b), a person or persons with whom the Under Secretary has entered into a partnership may invest equity in domestic small businesses or nontraditional businesses consistent with subsection (a), with investments selected based on technical merit, economic value, and the Department's modernization priorities. The partnership shall require investment in not less than 10 businesses, with no business representing greater than 20 percent of total investment and no capability area exceeding 40 percent of total investment

(2) AUTHORITIES.—A person or persons described in paragraph (1) shall have sole authority to operate, manage, and invest.

(d) LOAN GUARANTEE.—

(1) IN GENERAL.—Pursuant to the authority established under [section ____] the Under Secretary shall provide an up to 80 percent loan guarantee, pursuant to the public-private partnerships entered into under subsection (b), with investment of equity that qualifies under subsection (c) and consistent with the goals set forth under subsection (a)(2).

(2) PILOT PROGRAM AUTHORITY.—The temporary loan guarantee authority described under paragraph (1) is exclusively for the public-private partnerships authorized under this section and may not be utilized for other programs or purposes.

(3) SUBJECT TO OPERATING AGREEMENT.—The loan guarantee under paragraph (1) shall be subject to the operating agreement entered into under subsection (b)(3).

(4) USE OF FUNDS.—Obligations incurred by the Under Secretary under this paragraph shall be subject to the availability of funds provided in advance specifically for the purpose of such loan guarantees.

(e) PHASED IMPLEMENTATION SCHEDULE AND REQUIRED REPORTS AND BRIEFINGS.—The program established under subsection (a) shall be carried out in two phases as follows:

(1) PHASE 1.—

(A) IN GENERAL.—Phase 1 shall consist of an initial pilot program with one public-private partnership, consistent with subsection (b), to assess the feasibility and advisability of expanding the scope of the program. The Under Secretary shall begin implementation of phase 1 not later than 180 days after the date of the enactment of this Act.

(B) IMPLEMENTATION SCHEDULE AND FRAMEWORK.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the congressional defense committees on the design of phase 1. The plan shall include—

(i) an overview of, and the activities undertaken, to execute the public-private partnership;

(ii) a description of the advanced capabilities and defense industrial base areas under consideration for investment;

(iii) an overview of the operating agreement described in subsection (b)(3); and

(iv) implementation milestones and metrics.

(C) REPORT AND BRIEFING REQUIRED.—Not later than 27 months after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a report and briefing on the implementation of this section and the feasibility and advisability of expanding the scope of the pilot program. The report and briefing shall include, at minimum—

(i) an overview of program performance, and implementation and execution milestones and outcomes;

(ii) an overview of progress in—

(I) achieving new products in production aligned with Department of Defense needs;

(II) scaling businesses aligned to targeted industrial base and capability areas;

(III) generating defense industrial base job growth;

(IV) increasing supply chain resilience and capacity; and

(V) enhancing competition on advanced capability programs;

(iii) an accounting of activities undertaken and outline of the opportunities and benefits of expanding the scope of the pilot program; and

(iv) a recommendation by the Secretary regarding the feasibility and desirability of expanding the pilot program.

(2) PHASE 2.—

(A) IN GENERAL.—Not later than 30 months after the date of the enactment of this Act, the Secretary may expand the scope of the phase 1 pilot program with the ability to increase to not more than three public-private partnerships, consistent with subsection (b).

(B) REPORT AND BRIEFING REQUIRED.—Not later than five years after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a report and briefing on the outcomes of the pilot program under subsection (a), including the elements described in paragraph (1)(C), and the feasibility and advisability of making the program permanent.

(f) TERMINATION.—The authority to enter into an agreement 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.

(g) DEFINITIONS.—In this section:

(1) DOMESTIC BUSINESS.—The term ''domestic business'' has the meaning given the term ''U.S. business'' in section 800.252 of title 31, Code of Federal Regulations, or successor regulation.

(2) DOMESTIC SMALL BUSINESSES OR NONTRADITIONAL BUSINESSES.—The term ''domestic small businesses or nontraditional businesses'' means—

(A) a small business that is a domestic business; or

(B) a nontraditional business that is a domestic business.

(3) NONTRADITIONAL BUSINESS.—The term ''nontraditional business'' has the meaning given the term ''nontraditional defense contractor'' in section 3014 of title 10, United States Code.

(4) SMALL BUSINESS.—The term ''small business'' has the meaning given the term ''small business concern'' in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 832. DEPARTMENT OF DEFENSE NOTIFICATION OF CERTAIN TRANSACTIONS.

(a) IN GENERAL.—The parties to a covered transaction required to file the notification and provide supplementary information to the Department of Justice or the Federal Trade Commission under section 7A of the

Clayton Act (15 U.S.C. 18a) shall concurrently provide such information to the Department of Defense during the waiting period under section 7A of the Clayton Act (15 U.S.C. 18a).

(b) DEFINITIONS.—In this section:

(1) COVERED TRANSACTION.—The term ''covered transaction'' means an actual or proposed merger, acquisition, joint venture, strategic alliance, or investment—

(A) for which the parties are required to file a notification under section 7A of the Clayton Act (15 U.S.C. 18a); and

(B) any party to which is, owns, or controls a major defense supplier.

(2) MAJOR DEFENSE SUPPLIER.—The term ''major defense supplier'' means—

(A) a current prime contractor of a major defense acquisition program as defined in chapter 201 of title 10, United States Code;

(B) a current prime contractor of a middle tier acquisition as defined pursuant to section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 882);

(C) a current prime contractor of a software acquisition program described under section 800 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1478);

(D) a current prime contractor of a defense business system as defined in section 2222 of title 10, United States Code; or

(E) a current prime contractor of a service contract with the Department of Defense, as defined in part 237 of the Defense Federal Acquisition Regulation Supplement, above the simplified acquisition threshold.

SEC. 833. 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 Defense 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, 2025, 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 2025 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 Committees on Armed Services of the Senate and 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) Traveling Wave Tubes and Traveling Wave Tube Amplifiers.

SEC. 834. PILOT PROGRAM ON CAPITAL ASSISTANCE TO SUPPORT DEFENSE INVESTMENT IN THE INDUSTRIAL BASE.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program under this section to use capital assistance to support the duties and elements of sections 901 and 907.

(b) ELIGIBILITY AND APPLICATION PROCESS.—

(1) IN GENERAL.—An eligible entity seeking capital assistance for an eligible investment under this section shall submit to the Secretary of Defense an application at such time, in such manner, and containing such information as the Secretary may require.

(2) SELECTION OF INVESTMENTS.—The Secretary shall establish criteria for selecting among eligible investments for which applications are submitted under subsection (c)(2). The criteria shall include—

(A) the extent to which an investment supports the national security of the United States;

(B) the likelihood that capital assistance provided for an investment would enable the investment to proceed sooner than the investment would otherwise be able to proceed; and

(C) the creditworthiness of an investment.

(c) CAPITAL ASSISTANCE.—

(1) LOANS AND LOAN GUARANTEES.—

(A) IN GENERAL.—The Secretary may provide loans or loan guarantees to finance or refinance the costs of an eligible investment selected pursuant to subsection (b)(2).

(B) ADMINISTRATION OF LOANS.—

(i) INTEREST RATE.—

(I) IN GENERAL.—Except as provided under subclause (II), the interest rate on a loan provided under subparagraph (A) shall be not less than the yield on marketable United States Treasury securities of a similar maturity to the maturity of the loan on the date of execution of the loan agreement.

(II) EXCEPTION.—The Secretary may waive the requirement under subclause (I) with respect to an investment if the investment is determined by the Secretary of Defense to be vital to the national security of the United States.

(III) CRITERIA.—The Secretary shall establish separate and distinct criteria for interest rates for loan guarantees with private sector lending institutions.

(ii) FINAL MATURITY DATE.—The final maturity date of a loan provided under subparagraph (A) shall be not later than 50 years after the date of substantial completion of the investment for which the loan was provided.

(iii) PREPAYMENT.—A loan provided under subparagraph (A) may be paid earlier than is provided for under the loan agreement without a penalty.

(iv) NONSUBORDINATION.—

(I) IN GENERAL.—A loan provided under subparagraph (A) shall not be subordinated to the claims of any holder of investment obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

(II) EXCEPTION.—The Secretary may waive the requirement under subclause (I) with respect to the investment in order to mitigate risks to loan repayment.

(v) SALE OF LOANS.—The Secretary may sell to another entity or reoffer into the capital markets a loan provided under subparagraph (A) if the Secretary determines that the sale or reoffering can be made on favorable terms.

(vi) LOAN GUARANTEES.—Any loan guarantee provided under subparagraph (A) shall specify the percentage of the principal amount guaranteed. If the Secretary determines that the holder of a loan guaranteed by the Department of Defense defaults on the loan, the Secretary shall pay the holder as specified in the loan guarantee agreement.

(vii) INVESTMENT-GRADE RATING.—The Secretary shall establish a credit rating system to ensure a reasonable reassurance of repayment. The system may include use of existing credit rating agencies where appropriate.

(viii) TERMS AND CONDITIONS.—Loans and loan guarantees provided under subparagraph (A) shall be subject to such other terms and conditions and contain such other covenants, representations, warranties, and requirements (including requirements for audits) as the Secretary determines appropriate.

(ix) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—Loans and loan guarantees provided under subparagraph (A) shall be subject to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) EQUITY INVESTMENTS.—

(A) IN GENERAL.—The Secretary may, as a minority investor, support an eligible investment selected pursuant to subsection (b)(2) with funds or use other mechanisms for the purpose of purchasing, and may make and fund commitments to purchase, invest in, make pledges in respect of, or otherwise acquire, equity or quasi-equity securities (such as warrants), or shares or financial interests of the eligible entity receiving support for the eligible investment, including as a limited partner or other investor in investment funds, upon such terms and conditions as the Secretary may determine.

(B) SALES AND LIQUIDATION OF POSITION.—The Secretary shall seek to sell and liquidate any support for an investment provided under subparagraph (A) as soon as commercially feasible, commensurate with other similar investors in the investment and taking into consideration the national security interests of the United States.

(3) TECHNICAL ASSISTANCE.—Subjection to Appropriations acts, the Secretary may provide technical assistance with respect to developing and financing investments to eligible entities seeking capital assistance for eligible investments and eligible entities receiving capital assistance under this section.

(4) TERMS AND CONDITIONS.—

(A) AMOUNT OF CAPITAL ASSISTANCE.—The Secretary shall provide to an eligible investment selected pursuant to subsection (b)(2) the amount of assistance necessary to carry out the investment.

(B) USE OF UNITED STATES DOLLARS.—All financial transactions conducted under this section shall be conducted in United States dollars.

(d) ESTABLISHMENT OF ACCOUNTS.—

(1) CREDIT PROGRAM ACCOUNT.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a Department of Defense Credit Program Account to execute loans and loan guarantees in accordance with section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(B) FUNDING.—The Credit Program Account shall consist of amounts appropriated pursuant to the authorization of appropriations and fees collected pursuant to subparagraph (C).

(C) FEE AUTHORITY.—The Secretary may charge and collect fees for providing capital assistance in amounts to be determined by the Secretary. The Secretary shall establish the amount of such fees in regulations at an amount sufficient to cover but not exceed the administrative costs to the Office of providing capital assistance.

(2) EQUITY ACCOUNT.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a Department of Defense Strategic Capital Equity Account.

(B) FUNDING.—The Strategic Capital Equity Account shall consist of all amounts appropriated pursuant to the authorization of appropriations.

(3) USE OF FUNDS.—Subject to appropriations Acts, the Secretary is authorized to pay, from the Department of Defense Credit Program Account or the Department of Defense Strategic Capital Equity Account—

(A) the cost, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a), of loans and loan guarantees and other capital assistance;

(B) administrative expenses associated with activities under this section;

(C) project-specific transaction costs;

(D) the cost of providing support authorized by this section; and

(E) the costs of equity investments.

(e) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as are necessary to carry out this section. The Secretary may not exercise the authorities available under this section until such time as these regulations have been issued and adopted by the Department.

(f) ANNUAL REPORT.—Not later than the first Monday in February of a fiscal year, the Secretary of Defense shall submit to the congressional defense committees an annual report describing activities carried out pursuant to this section in the preceding fiscal year and the goals of the Department of Defense in accordance with this section for the next fiscal year.

(g) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall notify the congressional defense committees not later than 30 days after a use of loans, loan guarantees, equity investments, insurance, or reinsurance under this section.

(h) SUNSET.—The authorities provided under this section shall expire on October 1, 2028.

(i) DEFINITIONS.—In this section:

(1) CAPITAL ASSISTANCE.—The term ''capital assistance'' means loans, loan guarantees, equity investments, insurance and reinsurance, or technical assistance provided under subsection (c).

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an individual;

(B) a corporation, including a limited liability corporation;

(C) a partnership, including a public-private, limited, or general partnership;

(D) a joint venture, including a strategic alliance;

(E) a trust;

(F) a State of the United States, including a political subdivision or any other instrumentality of a State;

(G) a Tribal government or consortium of Tribal governments;

(H) any other governmental entity or public agency in the United States, including a special purpose district or public authority, including a port authority; or

(I) a multi-State or multi-jurisdictional group of public entities within the United States.

(3) ELIGIBLE INVESTMENT.—The term ''eligible investment'' means an investment that facilitates the efforts of the Office—

(A) to identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, or repair of tangible and intangible assets vital to national security; or

(B) to protect vital tangible and intangible assets from theft, acquisition, and transfer by adversaries of the United States.

(4) OBLIGOR.—The term ''obligor'' means a party that is primarily liable for payment of the principal of or interest on a loan.

SEC. 835. REQUIREMENT TO BUY CERTAIN SATELLITE COMPONENTS FROM NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) IN GENERAL.—Section 4864(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) TRAVELING-WAVE TUBE AND TRAVELING WAVE TUBE AMPLIFIERS.—A traveling-wave tube and traveling wave tube amplifier, that meets established technical and reliability requirements, used in a satellite weighing more than 400 pounds whose principle purpose is to support the national security, defense, or intelligence needs of the United States Government.''.

(b) EXCEPTION.—Paragraph (6) of section 4864(a) of title 10, United States Code, as added by subsection (a), shall not apply with respect to programs that received Milestone A approval (as defined in section 2431a of such title) before October 1, 2022.

(c) CLARIFICATION OF DELEGATION AUTHORITY.—Subject to subsection (i) of section 4864 of title 10, United States Code, the Secretary of Defense may delegate to a service acquisition executive the authority to make a waiver under subsection (d) of such section with respect to the limitation under subsection (a)(6) of such section, as added by subsection (a) of this section.

SEC. 836. SENSE OF CONGRESS RELATING TO RUBBER SUPPLY.

It is the sense of Congress that—

(1) the Department of Defense should take all appropriate action to lessen the dependence of the Armed Forces on adversarial nations for the procurement of strategic and critical materials, and that one such material in short supply according to the most recent report from Defense Logistics Agency Strategic Material is natural rubber, undermining our national security and jeopardizing the military's ability to rely on a stable source of natural rubber for tire manufacturing and production of other goods; and

(2) the Secretary of Defense should take all appropriate action, pursuant with the authority provided by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a et seq.) to engage in activities that may include stockpiling, but shall also include research and development aspects for increasing the domestic supply of natural rubber.

Subtitle D—Small Business Matters

SEC. 841. AMENDMENTS TO DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

Section 4061 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''to enable and assist small businesses'' after ''merit-based program'';

(ii) by striking ''fielding of technologies'' and inserting ''commercialization of various technologies, including critical technologies''; and

(iii) by inserting ''capabilities developed through competitively awarded prototype agreements'' after ''defense laboratories,''; and

(B) in paragraph (2), by inserting ''support full-scale integration,'' after ''evaluation outcomes,'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''primarily major defense acquisition programs, but also other'' after ''candidate proposals in support of''; and

(B) in paragraph (2), by striking ''by each military department'' and inserting ''by each component small business office of each military department''; and

(3) in subsection (d)(2), by striking ''$3,000,000'' and inserting ''$6,000,000''.

SEC. 842. DEPARTMENT OF DEFENSE MENTOR-PROTÉGÉ PROGRAM.

Section 4902(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by striking ''Before providing assistance'' and inserting ''(1) Before providing assistance''; and

(4) by adding at the end the following new paragraph:

''(2) An agreement under this subsection may be a contract, cooperative agreement, or a partnership intermediary agreement.''.

SEC. 843. CONSIDERATION OF THE PAST PERFORMANCE OF AFFILIATE COMPANIES OF SMALL BUSINESSES.

Not later than July 1, 2024, the Secretary of Defense shall amend section 215.305 of the Defense Federal Acquisition Supplement (or any successor regulation) to require that when small business concerns bid on Department of Defense contracts, the past performance evaluation and source selection processes shall consider, if relevant, the past performance information of affiliate companies of the small business concerns.

SEC. 844. TIMELY PAYMENTS FOR DEPARTMENT OF DEFENSE SMALL BUSINESS SUBCONTRACTORS.

(a) REDUCTION IN TIME FOR CONTRACTOR EXPLANATION AND PAST PERFORMANCE CONSIDERATION OF UNJUSTIFIED WITHHOLDING OF PAYMENTS TO DEPARTMENT OF DEFENSE SMALL BUSINESS SUBCONTRACTORS.—Section 8(d)(13)(B)(i) of the Small Business Act (15

U.S.C. 637(d)(13)(B)(i)) is amended by inserting '', or, for a covered contract awarded by the Department of Defense, more than 30 days past due,'' after ''90 days past due''.

(b) CLARIFICATION THAT CONTRACTING OFFICERS OF THE DEPARTMENT OF DEFENSE ARE AUTHORIZED TO ENTER OR MODIFY PAST PERFORMANCE INFORMATION RELATED TO UNJUSTIFIED NON-PAYMENT OR REDUCED PAYMENT BEFORE OR AFTER CONTRACT CLOSE-OUT.—Section 8(d)(13)(C) of the Small Business Act (15 U.S.C. 637(d)(13)(C)) is amended—

(1) by striking ''A contracting officer'' and inserting the following:

''(i) IN GENERAL.—A contracting officer''; and

(2) by adding at the end the following:

''(ii) PAST PERFORMANCE INFORMATION FOR DOD CONTRACTS.—The contracting officer for a covered contract awarded by the Department of Defense may enter or modify past performance information of the prime contractor in connection with the unjustified failure to make a full or timely payment to a subcontractor before or after close-out of the covered contract.''.

(c) DUTY OF COOPERATION TO CORRECT AND MITIGATE UNJUSTIFIED FAILURE BY DEPARTMENT OF DEFENSE PRIME CONTRACTORS TO MAKE FULL OR TIMELY PAYMENTS TO SUBCONTRACTORS.—Section 8(d)(13) of the Small Business Act (15 U.S.C. 637(d)(13)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F);

(2) by inserting after subparagraph (D) the following:

''(E) COOPERATION ON DOD CONTRACTS.—

''(i) IN GENERAL.—If a contracting officer of the Department of Defense determines, with respect to a prime contractor's past performance, that there was an unjustified failure by the prime contractor on a covered contract awarded by the Department of Defense to make a full or timely payment to a subcontractor covered by subparagraph (B) or (C), such prime contractor is required to cooperate with the contracting officer, who shall consult with the Director of Small Business Programs or Director of Small and Disadvantaged Business Utilization acting pursuant to section 15(k)(6) and other representatives of the Department of Defense, with regards to correcting and mitigating such unjustified failure to make a full or timely payment to the subcontractor.

''(ii) PERIOD.—The duty of cooperation under this subparagraph continues until the subcontractor is made whole or the contracting officer's determination is no longer effective, and regardless of performance or close-out status of the covered contract.''; and

(3) in subparagraph (D), by striking ''subparagraph (E)'' and inserting ''subparagraph (F)''.

(d) APPLICABILITY.—The amendments made by this section shall apply to any covered contract (as defined in section 8(d)(13)(A) of the Small Business Act (15 U.S.C. 637(d)(13)(A)) that is entered into or modified by the Department of Defense on or after the date of enactment of this Act.

SEC. 845. EXTENSION OF PILOT PROGRAM FOR STREAMLINED TECHNOLOGY TRANSITION FROM THE SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF DEFENSE.

Section 1710(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is amended by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

SEC. 846. ANNUAL REPORTS REGARDING THE SBIR PROGRAM OF THE DEPARTMENT OF DEFENSE.

Section 279(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3507) is amended by striking ''each fiscal years 2021, 2022, and 2023'' and replacing with ''each fiscal year through fiscal year 2028''.

SEC. 847. MODIFICATIONS TO THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM.

(a) DEFINITIONS.—Section 4951 of title 10, United States Code, is amended—

(1) in paragraph (1)(C), by striking ''private, nonprofit organization'' and inserting ''nonprofit organization''; and

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

''(5) The term 'business entity' means a corporation, association, partnership, limited liability company, limited liability partnership, consortia, not-for-profit, or other legal entity.''.

(b) COOPERATIVE AGREEMENTS.—Section 4954 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(B) by inserting ''(1)'' before ''Under''; and

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

''(2) The Secretary shall have the ability to waive or modify the percentages specified in paragraph (1), on a case-by-case basis, if the Secretary determines that it would be in the best interest of the program.'';

(2) by striking subsection (c) and redesignating subsections (d), (e), and (f) as subsections (e), (f), and (h); and

(3) by inserting after subsection (f), as redesignated by paragraph (2), the following new subsection:

''(g) WAIVER OF GOVERNMENT COST SHARE RESTRICTION.—If the Secretary of Defense determines it to be in the best interests of the Federal Government, the Secretary may waive the restrictions on the percentage of eligible costs covered by the program under section (b). The Secretary shall submit to the congressional defense committees a written justification for such determination.''.

(c) AUTHORITY TO PROVIDE CERTAIN TYPES OF TECHNICAL ASSISTANCE.—Section 4958(c) of title 10, United States Code, 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 adding at the end the following new paragraphs:

''(3) under clause 252.204–7012 of the Defense Acquisition Regulation Supplement, or any successor regulation, and on compliance with those requirements (and any successor requirements); and

''(4) under section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1505), and on compliance with those requirements (and any such successor requirements).''.

SEC. 848. EXTENSION OF PILOT PROGRAM TO INCENTIVIZE CONTRACTING WITH EMPLOYEE-OWNED BUSINESSES.

Section 874 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 3204 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and prescribe regulations'' after ''establish a pilot program''; and

(B) in paragraph (3), by striking ''A qualified'' and inserting ''Each contract held by a qualified'';

(2) in subsection (c)(2), by striking ''expended on subcontracts, subject to such necessary and reasonable waivers'' and inserting the following: ''expended on subcontracts, except—

''(A) to the extent subcontracted amounts exceeding 50 percent are subcontracted to other qualified businesses wholly-owned through an Employee Stock Ownership Plan;

''(B) in the case of contracts for products, to the extent subcontracted amounts exceeding 50 percent are for materials not available from another qualified business wholly-owned through an Employee Stock Ownership Plan; or

''(C) pursuant to such necessary and reasonable waivers''; and

(3) in subsection (e), by striking ''five years after'' and inserting ''eight years after''.

SEC. 849. ELIMINATING SELF-CERTIFICATION FOR SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESSES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) SMALL BUSINESS CONCERN; SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—The terms ''small business concern'' and ''small business concerns owned and controlled by service-disabled veterans'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ELIMINATING SELF-CERTIFICATION IN PRIME CONTRACTING AND SUBCONTRACTING FOR SDVOSBs.—

(1) IN GENERAL.—Each prime contract award and subcontract award that is counted for the purpose of meeting the goals for participation by small business concerns owned and controlled by service-disabled veterans in procurement contracts for Federal agencies, as established in section 15(g)(2) of the Small Business Act (15 U.S.C. 644(g)(2)), shall be entered into with small business concerns certified by the Administrator as small business concerns owned and controlled by service-disabled veterans under section 36 of such Act (15 U.S.C. 657f).

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on October 1 of the fiscal year beginning after the Administrator promulgates the regulations required under subsection (d).

(c) PHASED APPROACH TO ELIMINATING SELF-CERTIFICATION FOR SDVOSBs.—Notwithstanding any other provision of law, any small business concern that self-certified as a small business concern owned and controlled by service-disabled veterans may—

(1) if the small business concern files a certification application with the Administrator before the end of the 1-year period beginning on the date of enactment of this Act, maintain such self-certification until the Administrator makes a determination with respect to such certification; and

(2) if the small business concern does not file a certification application before the end of the 1-year period beginning on the date of enactment of this Act, lose, at the end of such 1-year period, any self-certification of the small business concern as a small business concern owned and controlled by service-disabled veterans.

(d) RULEMAKING.—Not later than 180 days after the date of enactment of this Act, the Administrator shall promulgate regulations to carry out this section.

SEC. 850. PAYMENT OF SUBCONTRACTORS.

Section 8(d)(13) of the Small Business Act (15 U.S.C. 637(d)(13)) is amended—

(1) in subparagraph (B)(i), by striking ''90 days'' and inserting ''30 days'';

(2) in subparagraph (C)—

(A) by striking ''contractor shall'' and inserting ''contractor—

''(i) shall'';

(B) in clause (i), as so designated, by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(i) may enter or modify past performance information of the prime contractor in connection with the unjustified failure to make a full or timely payment to a subcontractor subject to this paragraph before or after close-out of the covered contract.''.

(3) in subparagraph (D), by striking ''subparagraph (E)'' and inserting ''subparagraph (F)'';

(4) by redesignating subparagraph (E) as subparagraph (F); and

(5) by inserting after subparagraph (D) the following'':

''(E) COOPERATION.—

''(i) IN GENERAL.—Once a contracting officer determines, with respect to the past performance of a prime contractor, that there was an unjustified failure by the prime contractor on a covered contract to make a full or timely payment to a subcontractor covered by subparagraph (B) or (C), the prime contractor is required to cooperate with the contracting officer, who shall consult with the Director of Small Business Programs or the Director of Small and Disadvantaged Business Utilization acting pursuant to section 15(k)(6) and other representatives of the Government, regarding correcting and mitigating the unjustified failure to make a full or timely payment to a subcontractor.

''(ii) DURATION.—The duty of cooperation under this subparagraph for a prime contractor described in clause (i) continues until the subcontractor is made whole or the determination of the contracting officer determination is no longer effective, and regardless of performance or close-out status of the covered contract.''.

SEC. 851. INCREASE IN GOVERNMENTWIDE GOAL FOR PARTICIPATION IN FEDERAL CONTRACTS BY SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

Section 15(g)(1)(A)(ii) of the Small Business Act (15 U.S.C. 644(g)(1)(A)(ii)) is amended by striking ''3 percent'' and inserting ''5 percent''.

SEC. 852. AMENDMENTS TO CONTRACTING AUTHORITY FOR CERTAIN SMALL BUSINESS CONCERNS.

(a) SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS.—Section 8(a)(1)(D)(i)(II) of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)(II)) is amended—

(1) by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

(b) CERTAIN SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Section 8(m) of the Small Business Act (15 U.S.C.637(m)) is amended—

(1) in paragraph (7)(B)—

(A) in clause (i), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(B) in clause (ii), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$4,000,000''; and

(2) in paragraph (8)(B)—

(A) in clause (i), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(B) in clause (ii), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$4,000,000''.

(c) QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.—Section 31(c)(2)(A)(ii) of the Small Business Act (15 U.S.C. 657a(c)(2)(A)(ii)) is amended—

(1) in subclause (I), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) in subclause (II), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

(d) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36(c)(2) of the Small Business Act (15 U.S.C. 657f(c)(2)) is amended—

(1) in subparagraph (A), by inserting ''(or $10,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$7,000,000''; and

(2) in subparagraph (B), by inserting ''(or $8,000,000, in the case of a Department of Defense contract, as adjusted for inflation by the Federal Acquisition Regulatory Council under section 1.109 of the Federal Acquisition Regulation)'' after ''$3,000,000''.

(e) CERTAIN VETERAN-OWNED CONCERNS.—Section 8127(c) of title 38, United States Code, is amended by striking ''$5,000,000'' and inserting ''the dollar thresholds under section 36(c)(2) of the Small Business Act (15 U.S.C. 657f(c)(2))''.

Subtitle E—Other Matters

SEC. 861. LIMITATION ON THE AVAILABILITY OF FUNDS PENDING A PLAN FOR IMPLEMENTING THE REPLACEMENT FOR THE SELECTED ACQUISITION REPORTING SYSTEM.

Of the funds authorized to be appropriated by this Act for Operation and Maintenance, Defense-Wide, for travel for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 85 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees a plan for implementing the replacement for the Selected Acquisition Reporting system as required by section 809 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), including—

(1) a timeline and process for implementing the requirements of such section 809;

(2) a timeline and process for implementing quarterly reporting versus annually for the replacement system, including identification of policy, procedural, or technical challenges to implementing that reporting periodicity;

(3) a timeline and process for providing access to the replacement reporting system to congressional staff; and

(4) a timeline and process for providing access to the replacement reporting system to the Government Accountability Office, the public, and other relevant stakeholders.

SEC. 862. 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 ''seven-year pilot program'' and inserting ''eight-year pilot program''; and

(2) in subsection (g), by striking ''seven years'' and inserting ''eight years''.

SEC. 863. MODIFICATION OF EFFECTIVE DATE FOR EXPANSION ON THE PROHIBITION ON ACQUIRING CERTAIN METAL PRODUCTS.

Section 844(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3766) is amended by striking ''5 years'' and inserting ''6 years''.

SEC. 864. FOREIGN SOURCES OF SPECIALTY METALS.

Section 4863(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by inserting ''(1)'' before ''Subsection (a)(1)''; and

(4) by adding at the end the following new paragraph:

''(2) Any specialty metal procured as mill product or incorporated into a component other than an end item pursuant to this subsection shall be melted or produced—

''(A) in the United States;

''(B) in the country from which the mill product or component is procured; or

''(C) in another country covered under paragraph (1)(A)(ii).''.

SEC. 865. UNIVERSITY AFFILIATED RESEARCH CENTER FOR CRITICAL MINERALS.

(a) PLAN TO ESTABLISH A UNIVERSITY AFFILIATED RESEARCH CENTER FOR CRITICAL MINERALS.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Under Secretary of Defense for Research and Engineering, shall develop a plan to establish a new University Affiliated Research Center (UARC), or to expand a current relevant UARC or consortia of universities, for the purposes of contributing to the capacity of the Department to conduct research, development, engineering or workforce expansion related to critical minerals for national security needs. The plan should focus on institutional capacity at a mining school or schools with expertise in engineering, applied research, commercial and workforce development activities related to critical minerals.

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

(A) An assessment of the engineering, applied research, commercialization, and workforce development capabilities relating to critical minerals of mining schools, including an assessment of the workforce and physical research infrastructure of such schools.

(B) An assessment of the ability of mining schools—

(i) to participate in defense-related engineering, applied research, commercialization, and workforce development activities relating to critical minerals;

(ii) to effectively compete for defense-related engineering, applied research, commercialization, and workforce development contracts and grants; and

(iii) to support the mission of the Under Secretary to extend the capabilities of current war fighting systems, develop breakthrough capabilities, hedge against an uncertain future through a set of scientific and engineering options, and counter strategic surprise.

(C) An assessment of the activities and investments necessary—

(i) to augment facilities or educational programming at mining schools or a consortium of mining schools—

(I) to support the mission of the Under Secretary;

(II) to access, secure, and conduct research relating to sensitive or classified information; and

(III) to respond quickly to emerging engineering, applied research, commercialization, and workforce needs relating to critical minerals.

(ii) to increase the participation of mining schools in defense-related engineering, applied research, commercialization, and workforce development activities; and

(iii) to increase the ability of mining schools to effectively compete for defense-related engineering, applied research, commercialization, and workforce development contracts and grants.

(D) Recommendations identifying actions that may be taken by the Secretary, the Under Secretary, Congress, mining schools, and other organizations to increase the participation of mining schools in defense-related engineering, applied research, commercialization, and workforce development activities, contracts, and grants.

(E) The specific goals, incentives, and metrics developed by the Secretary under subparagraph (D) to increase and measure the capacity of mining schools to address the engineering, applied research, commercialization, and workforce development needs of the Department of Defense.

(3) CONSULTATIONS.—In developing the plan required by paragraph (1), the Secretary and the Under Secretary shall consult with such other public and private sector organizations as the Secretary and the Under Secretary determine appropriate.

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

(A) submit to the congressional defense committees a report that includes the plan developed under paragraph (1); and

(B) make the plan available on a publicly accessible website of the Department of Defense.

(b) ACTIVITIES TO SUPPORT THE ENGINEERING, APPLIED RESEARCH, COMMERCIALIZATION, AND WORKFORCE DEVELOPMENT CAPACITY OF MINING SCHOOLS.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Under Secretary may establish a program to award contracts, grants, or other agreements on a competitive basis, and to perform other appropriate activities, for the purposes described in paragraph (2).

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

(A) Developing the capability, including workforce and research infrastructure, for mining schools to more effectively compete for Federal engineering, applied research, commercialization, and workforce development funding opportunities.

(B) Improving the capability of mining schools to recruit and retain research faculty, and to participate in appropriate personnel exchange programs and educational and career development activities.

(C) Any other purposes the Under Secretary determines appropriate for enhancing the defense-related engineering, applied research, commercialization, and development capabilities of mining schools.

(c) INCREASING PARTNERSHIPS FOR MINING SCHOOLS WITH NATIONAL SECURITY RESEARCH AND ENGINEERING ORGANIZATIONS.—

(1) IN GENERAL.—Chapter 305 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4145. Research and educational programs and activities: critical minerals

''(a) PROGRAM ESTABLISHED.—

''(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering and the Secretary of each military department, shall carry out a program to provide assistance to covered educational institutions to assist the Department of Defense in defense-related critical minerals engineering, applied research, commercialization, and workforce development activities.

''(2) LIMITATION ON DELEGATION.—The Secretary of Defense may not delegate or transfer to an individual outside the Office of the Secretary of Defense the authority regarding the programming or budgeting of the program established by this section that is carried out by the Under Secretary of Defense for Research and Engineering.

''(b) PROGRAM OBJECTIVE.—The objective of the program established by subsection (a)(1) is to enhance defense-related critical minerals research and education at covered educational institutions. Such objective shall be accomplished through initiatives designed to—

''(1) enhance the critical minerals research and educational capabilities of such institutions in areas of importance to national defense, as determined by the Secretary;

''(2) encourage the participation of such institutions in the research, development, testing, and evaluation programs and activities of the Department of Defense relating to critical minerals;

''(3) increase the number of graduates from such institutions engaged in critical minerals-related disciplines important to the national security functions of the Department of Defense, as determined by the Secretary; and

''(4) encourage research and educational collaborations between such institutions and other institutions of higher education, Government defense organizations, and the defense industry relating to critical minerals.

''(c) ASSISTANCE PROVIDED.—Under the program established under subsection (a)(1), the Secretary of Defense may provide covered educational institutions with funding or technical assistance, including any of the following:

''(1) Support for research, development, testing, evaluation, or educational enhancements in areas important to national defense through the competitive awarding of grants, cooperative agreements, contracts, scholarships, fellowships, or the acquisition of research equipment or instrumentation.

''(2) Support to assist in the attraction and retention of faculty in scientific disciplines important to the national security functions of the Department of Defense.

''(3) Establishing partnerships between such institutions and defense laboratories, Government defense organizations, the defense industry, and other institutions of higher education in research, development, testing, and evaluation in areas important to the national security functions of the Department of Defense.

''(4) Other such non-monetary assistance as the Secretary finds appropriate to enhance defense-related research, development, testing, and evaluation activities at such institutions.

''(d) INCENTIVES.—

''(1) IN GENERAL.—The Secretary of Defense may develop incentives to encourage critical minerals-related research and educational collaborations between covered educational institutions and other institutions of higher education.

''(2) GOALS.—The Secretary of Defense shall establish goals and incentives to encourage Federally funded research and development centers, science and technology reinvention laboratories, and University Affiliated Research Centers funded by the Department of Defense—

''(A) to assess the capacity of covered educational institutions to address the critical minerals research and development needs of the Department through partnerships and collaborations; and

''(B) if appropriate, to enter into partnerships and collaborations with such institutions.

''(e) CRITERIA FOR FUNDING.—The Secretary of Defense may establish procedures under which the Secretary may limit funding under this section to institutions that have not otherwise received a significant amount of funding from the Department of Defense for research, development, testing, and evaluation programs supporting the national security functions of the Department.

''(f) DEFINITION OF COVERED EDUCATIONAL INSTITUTION.—

''(1) IN GENERAL.—In this section, the term 'covered educational institution' means—

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

''(i) accredited by the Accreditation Board for Engineering and Technology, Inc.; and

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

''(B) an institution of higher learning or community college with a geology or engineering program or department that has experience in mining research or work with the mining industry.

''(2) INSTITUTION OF HIGHER EDUCATION.—For purposes of paragraph (1), 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).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 305 of such title is amended by adding at the end the following new item:

''4145. Research and educational programs and activities: critical minerals.''.

(d) MINING SCHOOL DEFINED.—

(1) IN GENERAL.—In this section, the term ''mining school'' means—

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

(i) accredited by the Accreditation Board for Engineering and Technology, Inc.; and

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

(B) an institution of higher learning or community college with a geology or engineering program or department that has experience in mining research or work with the mining industry.

(2) INSTITUTION OF HIGHER EDUCATION.—For purposes of paragraph (1), 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).

SEC. 866. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR NAVY SHIPBUILDING PROGRAMS.

(a) ENHANCED DOMESTIC CONTENT REQUIREMENT.—

(1) CONTRACTING REQUIREMENTS.—Except as provided in paragraph (2), for purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured as part of a Navy shipbuilding program are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if the cost of such component articles, materials, or supplies—

(A) supplied during the period beginning January 1, 2026, and ending December 31, 2027, exceeds 65 percent of the cost of the

manufactured articles, materials, or supplies;

(B) supplied during the period beginning January 1, 2028, and ending December 31, 2032, exceeds 75 percent of the cost of the manufactured articles, materials, or supplies; and

(C) supplied on or after January 1, 2033, equals 100 percent of the cost of the manufactured articles, materials, or supplies.

(2) APPLICABILITY TO RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACTIVITIES.—Contracts related to shipbuilding programs entered into under paragraph (1) to carry out research, development, test, and evaluation activities shall require that these activities and the components specified during these activities must meet the domestic content requirements delineated under paragraph (1).

(3) EXCLUSION FOR CERTAIN MANUFACTURED ARTICLES.—Paragraph (1) shall not apply to manufactured articles that consist wholly or predominantly of iron, steel, or a combination of iron and steel.

(4) WAIVER.—The Secretary of Defense may request a waiver from the requirements under paragraph (1) in order to expand sourcing to members of the national technical industrial base (as that term is defined in section 4801 of title 10, United States Code). Any such waiver shall be subject to the approval of the Director of the Made in America Office and may only be requested if it is determined that any of the following apply:

(A) Application of the limitation would increase the cost of the overall acquisition by more than 25 percent or cause unreasonable delays to be incurred.

(B) Satisfactory quality items manufactured by a domestic entity are not available or domestic production of such items cannot be initiated without significantly delaying the project for which the item is to be acquired.

(C) It is inconsistent with the public interest.

(5) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in concurrence with the Director of the Made in America Office, shall issue rules to determine the treatment of the lowest price offered for a foreign end product for which 55 percent or more of the component articles, materials, or supplies of such foreign end product are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if—

(A) the application of paragraph (1) results in an unreasonable cost; or

(B) no offers are submitted to supply manufactured articles, materials, or supplies manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

(6) APPLICABILITY.—The requirements of this subsection shall apply to contracts entered into on or after January 1, 2026.

(b) REPORTING ON COUNTRY OF ORIGIN MANUFACTURING.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to Congress a report on country of origin tracking and reporting as it relates to manufactured content procured as part of Navy shipbuilding programs, including through primary contracts and subcontracts at the second and third tiers. The report shall describe measures taken to ensure that the country of origin information pertaining to such content is reported accurately in terms of the location of manufacture and not determined by the location of sale.

SEC. 867. ADDITION OF ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION TO THE FEDERAL ACQUISITION REGULATORY COUNCIL.

Section 1302(b)(1) of title 41, United States Code, is amended—

(1) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

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

''(E) the Administrator of the Small Business Administration.''.

SEC. 868. MODIFICATIONS TO RIGHTS IN TECHNICAL DATA.

Section 3771(b) of title 10, United States Code, is amended—

(1) in paragraph (3)(C), by inserting ''for which the United States shall have government purpose rights, unless the Government and the contractor negotiate different license rights'' after ''component)''; and

(2) in paragraph (4)(A)—

(A) in clause (ii), by striking ''; or'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

''(iii) is a release, disclosure, or use of detailed manufacturing or process data—

''(I) that is necessary for operation, maintenance, installation, or training and shall be used only for operation, maintenance, installation, or training purposes supporting wartime operations or contingency operations; and

''(II) for which the head of an agency determines that the original supplier of such data will be unable to satisfy military readiness or operational requirements for such operations; or''.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

SEC. 901. ESTABLISHMENT OF OFFICE OF STRATEGIC CAPITAL.

(a) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 148. Office of Strategic Capital

''(a) ESTABLISHMENT.—There is in the Office of the Secretary of Defense an office to be known as the Office of Strategic Capital (in this section referred to as the 'Office').

''(b) DIRECTOR.—The Office shall be headed by a Director (in this section referred to as the 'Director'), who shall be appointed by the Secretary from among employees of the Department of Defense in Senior Executive Service positions (as defined in section 3132 of title 5).

''(c) DUTIES.—The Office shall—

''(1) develop, integrate, and implement proven capital strategies of partners of the Department of Defense to shape and scale investment in critical technologies and assets;

''(2) identify and prioritize promising critical technologies and assets for the Department in need of capital assistance; and

''(3) fund investments in such technologies and assets, including supply chain technologies not always supported through direct investment.

''(d) APPLICATIONS.—An eligible entity seeking capital assistance for an eligible investment shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

''(e) SELECTION OF INVESTMENTS.—

''(1) IN GENERAL.—The Director shall establish criteria for selecting among eligible investments for which applications are submitted under subsection (d). Such criteria shall include—

''(A) the extent to which an investment is significant to the national security of the United States;

''(B) the likelihood that capital assistance provided for an investment would enable the investment to proceed sooner than the investment would otherwise be able to proceed; and

''(C) the creditworthiness of an investment.

''(2) NOTICE AND WAIT REQUIREMENT.—The criteria established under paragraph (1) shall not apply until—

''(A) the Secretary of Defense submits the criteria to the congressional defense committees; and

''(B) a period of 30 days has elapsed after such submission.

''(f) NOTIFICATION.—Not less than 30 days before exercising the authority provided by section 834 of the National Defense Authorization Act for Fiscal Year 2024, the Director, in coordination with the Under Secretary of Defense for Acquisition and Sustainment and the Under Secretary of Defense for Research and Engineering, shall notify the congressional defense committees of the purpose and terms of any capital assistance proposed to be provided under that section. Such notification may be made in classified form, if necessary.

''(g) STRATEGIC CAPITAL ADVISORY BOARD.—The Secretary of Defense shall establish a Strategic Capital Advisory Board to advise the Director with respect to activities carried out under this section.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section, including regulations to ensure internal and external coordination to avoid duplication of effort, reduce inefficiency, and ensure policy coherence across the Department.

''(i) EFFECTIVE DATE.—The authorities made available under this section may not be exercised until the date that is 30 days after the regulations required by subsection (i) have been—

''(1) prescribed and adopted by the Department; and

''(2) submitted to the congressional defense committees.

''(j) ANNUAL REPORT.—Not later than December 31 of each ye ar, the Director shall submit to the congressional defense committees a report that—

''(1) describes the activities of the Office during the most recent fiscal year ending before submission of the report, including—

''(A) an identification of entities that received capital assistance from the Office during that fiscal year;

''(B) a description of the status of the financial obligations of those entities as a result of receiving such assistance; and

''(C) any success stories as a result of such assistance;

''(2) assesses the status of the finances of the Office as of the end of that fiscal year; and

''(3) describes the goals of the Office for the fiscal year that begins after submission of the report.

''(k) DEFINITIONS.—In this section:

''(1) CAPITAL ASSISTANCE.—The term 'capital assistance' means loans, loan guarantees, equity investments, or technical assistance provided under section 834.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) an individual;

''(B) a corporation;

''(C) a partnership, including a public-private partnership;

''(D) a joint venture;

''(E) a trust;

''(F) a State, including a political subdivision or any other instrumentality of a State;

''(G) a Tribal government or consortium of Tribal governments;

''(H) any other governmental entity or public agency in the United States, including a special purpose district or public authority, including a port authority; or

''(I) a multi-State or multi-jurisdictional group of public entities.

''(3) ELIGIBLE INVESTMENT.—The term 'eligible investment' means an investment that facilitates the efforts of the Office—

''(A) to identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, or repair of tangible and intangible assets vital to United States national security; or

''(B) to protect tangible and intangible assets vital to United States national security from theft, acquisition, and transfer by countries that are adversaries of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:

''148. Office of Strategic Capital.''.

SEC. 902. REINSTATEMENT OF POSITION OF CHIEF MANAGEMENT OFFICER OF DEPARTMENT OF DEFENSE.

(a) REINSTATEMENT OF POSITION.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by inserting after the item relating to section 132 the following new item:

''§ 132a. Chief Management Officer

''(a) APPOINTMENT AND QUALIFICATIONS.—(1) There is a Chief Management Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Management Officer shall be appointed from among persons who have an extensive management or business background and experience with managing large or complex organizations. A person may not be appointed as Chief Management Officer within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

''(b) RESPONSIBILITIES.—Subject to the authority, direction, and control of the Secretary of Defense and the Deputy Secretary of Defense, the Chief Management Officer shall perform such duties and exercise such powers as the Secretary or the Deputy Secretary may prescribe, including the following:

''(1) Serving as the chief management officer of the Department of Defense with the mission of managing enterprise business operations and shared services of the Department of Defense.

''(2) Serving as the principal advisor to the Secretary and the Deputy Secretary on establishing policies for, and directing, all enterprise business operations of the Department, including planning and processes, business transformation, and performance measurement and management activities and programs, including the allocation of resources for enterprise business operations and unifying business management efforts across the Department.

''(3) Exercising authority, direction, and control over the Defense Agencies and Department of Defense Field Activities providing shared business services for the Department.

''(4) Authority to direct the Secretaries of the military departments and the heads of all other elements of the Department with regard to matters for which the Chief Management Officer has responsibility under this section.

''(5) Serving as the official with principal responsibility in the Department for minimizing the duplication of efforts, maximizing efficiency and effectiveness, and establishing metrics for performance among and for all organizations and elements of the Department.

''(c) BUDGET AUTHORITY.—(1)(A) Beginning in fiscal year 2025, the Secretary of Defense, acting through the Under Secretary of Defense (Comptroller), shall require the head of each Defense Agency and Department of Defense Field Activity (other than such agencies and activities that are under the direction of the Director of National Intelligence or are elements of the intelligence community) to transmit the proposed budget of such Agency or Activity for enterprise business operations 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 Chief Management Officer for review under subparagraph (B) at the same time the proposed budget is submitted to the Under Secretary of Defense (Comptroller).

''(B) The Chief Management Officer 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 a report containing the comments of the Chief Management Officer with respect to all such proposed budgets, together with the certification of the Chief Management Officer regarding whether each such proposed budget achieves the required level of efficiency and effectiveness for enterprise business operations, consistent with guidance for budget review established by the Chief Management Officer.

''(C) Not later than March 31 each year, the Secretary shall submit to Congress a report that includes the following:

''(i) Each proposed budget for the enterprise business operations of a Defense Agency or Department of Defense Field Activity that was transmitted to the Chief Management Officer under subparagraph (A).

''(ii) Identification of each proposed budget contained in the most recent report submitted under subparagraph (B) that the Chief Management Officer did not certify as achieving the required level of efficiency and effectiveness for enterprise business operations.

''(iii) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address inadequate levels of efficiency and effectiveness for enterprise business operations achieved by the proposed budgets identified in the report.

''(iv) Any additional comments that the Secretary considers appropriate regarding inadequate levels of efficiency and effectiveness for enterprise business operations achieved by the proposed budgets.

''(2) Nothing in this subsection shall be construed to modify or interfere with the budget-related responsibilities of the Director of National Intelligence.

''(d) PRECEDENCE.—The Chief Management Officer takes precedence in the Department of Defense after the Secretary of Defense and the Deputy Secretary of Defense.

''(e) ENTERPRISE BUSINESS OPERATION DEFINED.—In this section, the term 'enterprise business operations' means those activities that constitute the cross-cutting business operations used by multiple components of the Department of Defense, but not those activities that are directly tied to a single military department or Department of Defense component. The term includes business-support functions designated by the Secretary of Defense or the Deputy Secretary of Defense for purposes of this section, such as aspects of financial management, healthcare, acquisition and procurement, supply chain and logistics, certain information technology, real property, and human resources operations.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by inserting after the item relating to section 132 the following new item:

''132a. Chief Management Officer.''.

(b) MANAGEMENT AND OVERSIGHT OF DEFENSE BUSINESS SYSTEMS.—Section 2222 of such title is amended—

(1) in subsection (c)(2), by striking ''the Chief Information Officer of the Department of Defense'' and inserting ''the Chief Management Officer of the Department of Defense'';

(2) in subsection (e)—

(A) in paragraph (1), by striking ''the Chief Information Officer'' and inserting ''the Chief Management 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 Information Officer of the Department of Defense, in coordination with the Chief Data and Artificial Intelligence Officer,'' and inserting ''The Chief Management Officer of the Department of Defense''; and

(II) in the second sentence, by striking ''the Chief Information Officer shall'' and inserting ''the Chief Management Officer shall'';

(ii) in subparagraph (B), in the matter preceding clause (i), by striking ''The Chief Information Officer'' and inserting ''The Chief Management Officer'';

(3) in subsection (f)(1), in the second sentence, by inserting ''the Chief Management Officer and'' after ''chaired by'';

(4) in subsection (g)(2), by striking ''the Chief Information Officer of the Department of Defense'' each place it appears and inserting ''the Chief Management Officer of the Department of Defense''; and

(5) in subsection (i)(5)(B), by striking ''the Chief Information Officer'' and inserting ''the Chief Management Officer''.

(c) CONFORMING AMENDMENT.—Section 131(b) of title 10, United States Code, is amended by inserting after paragraph (1) the following new paragraph (2):

''(2) The Chief Management Officer of the Department of Defense.''.

(d) GUIDANCE REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) issue guidance to clearly delineate the authorities and responsibilities of the Chief Management Officer of the Department of Defense; and

(2) provide a charter for the position of the Chief Management Officer to fully vest the authority of the Chief Management Officer within the Department of Defense.

(e) REPORT ON EFFECT OF LAPSE IN MANAGEMENT OVERSIGHT ON DEFENSE BUSINESS SYSTEMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall submit to the congressional defense committees a report on the effect on defense business systems of the abolishment of the position of Chief Management Officer and the failure to reassign the responsibilities of the Chief Management Officer with respect to defense business systems for two years.

(2) DEFENSE BUSINESS SYSTEM DEFINED.—In this subsection, the term ''defense business system'' has the meaning given that term in section 2222(i) of title 10, United States Code.

SEC. 903. MODIFICATION OF RESPONSIBILITIES OF DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.

(a) IN GENERAL.—Subsection (d) of section 139a of title 10, United States Code, is amended—

(1) in paragraph (5)—

(A) by striking '', ensuring'' and inserting ''and ensuring''; and

(B) by striking '', and assessing'' and all that follows through ''economy''; and

(2) in paragraph (8), by inserting after ''defense resources'' the following: '', including the standardization of analytical methodologies and the establishment and maintenance of a centralized knowledge repository of physical attributes or other data for modeling and simulation purposes''.

(b) ANNUAL REPORTS.—Such section is amended by adding at the end the following new subsection:

''(e) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than February 1, 2024, and annually thereafter, the Director shall submit to the congressional defense committees a report on activities to conduct strategic and operational analysis under paragraphs (2), (3), (6), (7), and (8) of subsection (d) that includes—

''(A) a review of strategic portfolio reviews completed in the fiscal year preceding submission of the report and a description of such reviews planned for the fiscal year that begins after submission of the report;

''(B) a review of analyses of alternatives completed in the fiscal year preceding submission of the report and a description of such analyses planned for the fiscal year that begins after submission of the report; and

''(C) a review of defense program projections completed in the fiscal year preceding submission of the report and a description of such projections planned for the fiscal year that begins after submission of the report.

''(2) FORM.—Each report required by paragraph (1) shall be submitted in classified form, but shall include an unclassified summary.

''(3) BRIEFINGS.—Not later than 15 days after submission of each report required by paragraph (1), the Director shall brief the congressional defense committees on the contents of the report.''.

(c) PROGRAM EVALUATION COMPETITIVE ANALYSIS CELL.—Such section is further amended by adding after subsection (e), as added by subsection (b), the following new subsection:

''(f) PROGRAM EVALUATION COMPETITIVE ANALYSIS CELL.—

''(1) IN GENERAL.—Not later than June 1, 2024, the Secretary of Defense shall—

''(A) establish a team, to be known as the 'Program Evaluation Competitive Analysis Cell', to critically assess the analytical methodologies, assumptions, and data used in key strategic and operational analyses conducted by the Director; and

''(B) ensure that the team has a sufficient number of personnel to carry out the duties of the team.

''(2) INDEPENDENCE.—The Program Evaluation Competitive Analysis Cell shall be independent of the Director and shall report only to the Secretary of Defense.''.

(d) PILOT PROGRAM ON ALTERNATIVE ANALYSIS.—

(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall establish a pilot program on alternative analysis.

(2) STRUCTURE.—The Director shall establish, under the pilot program established under paragraph (1), three analytical groups, focused on programmatic analysis in the following:

(A) Year 1 of the future-years defense program under section 221 of title 10, United States Code.

(B) Years 2 through 5 of the future-years defense program.

(C) Years outside the future-years defense program.

(3) REQUIREMENTS.—The pilot program established under paragraph (1) shall run at least one strategic portfolio review or equivalent analytical effort per year.

(e) ESTABLISHMENT OF ANALYSIS WORKING GROUP.—

(1) IN GENERAL.—Not later than May 1, 2024, the Secretary of Defense shall—

(A) establish the Analysis Working Group in the Department of Defense; and

(B) ensure that the Analysis Working Group possesses sufficient full-time equivalent support personnel to carry out the duties of the Group.

(2) MEMBERSHIP.—The Analysis Working Group shall be composed of representatives of the following components of the Department of Defense:

(A) The Office of the Director of Cost Assessment and Program Evaluation.

(B) The Directorate for Joint Force Development (J7) of the Joint Staff.

(C) The Directorate for Force Structure, Resources, and Assessment (J8) of the Joint Staff.

(D) The Office of the Secretary of Defense for Policy.

(E) The Chief Data and Artificial Intelligence Office.

(F) The Office of the Chief Information Officer.

(G) The United States Indo-Pacific Command.

(H) The United States European Command.

(3) DUTIES.—The Analysis Working Group shall—

(A) establish clear priorities and standards to focus analysts on decision support;

(B) improve transparency of methodologies, tools, and tradecraft across the analytic community, including testing and validation for new or emerging methodologies, tools, and tradecraft;

(C) improve quality of and expand access to data, including evaluation of new data sets, or application of existing data sets in new or novel ways;

(D) evolve the methodologies, tools, and tradecraft methods and tools used in strategic analysis;

(E) resolve classified access and infrastructure challenges;

(F) foster a workforce and organizations that are innovative, creative, and provide high-quality strategic decision support; and

(G) conduct such other tasks as the Secretary of Defense considers appropriate.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to interfere with the requirements of the Chiefs of Staff of the Armed Forces to establish military requirements, performance requirements, and joint performance requirements, or the requirement of the Joint Requirements Oversight Council to validate such requirements under section 181 of title 10, United States Code.

SEC. 904. ROLES AND RESPONSIBILITIES FOR COMPONENTS OF OFFICE OF SECRETARY OF DEFENSE FOR JOINT ALL-DOMAIN COMMAND AND CONTROL IN SUPPORT OF INTEGRATED JOINT WARFIGHTING.

(a) IN GENERAL.—The Secretary of Defense shall establish the roles and responsibilities of components of the Office of the Secretary of Defense for development and delivery to combatant commands of capabilities that are essential to integrated joint warfighting capabilities, as follows:

(1) The Deputy Chief Technology Officer for Mission Capabilities of the Office of the Under Secretary of Defense for Research and Engineering shall be responsible for—

(A) identifying new technology and operational concepts for experimentation and prototyping for delivery to the Joint Force to address key operational challenges;

(B) providing technical support for the Joint Force in exploring and analyzing new capabilities, operational concepts, and systems-of-systems composition, including through advanced modeling and simulation; and

(C) executing associated experimentation, through the Rapid Defense Experimentation Reserve (RDER) or another mechanism.

(2) The Executive Director for Acquisition, Integration, and Interoperability of the Office of the Under Secretary of Defense for Acquisition and Sustainment shall be responsible for—

(A) enabling the acquisition of cross-domain, joint, and cross-system kill chains and mission capabilities, including resourcing of modifications necessary for integration and interoperability among kill chain and mission components; and

(B) ensuring the effectiveness of cross-domain, joint, and cross-system kill chains and mission capabilities through analysis and testing.

(3) The Chief Digital and Artificial Intelligence Officer shall be responsible for creating and operating a factory-based approach for software development that allows for iterative, secure, and continuous deployment of developmental, prototype, and operational tools and capabilities from multiple vendors to test networks and operational networks for combatant commanders to—

(A) gain operational awareness, make decisions, and take actions;

(B) integrate relevant data sources to support target selection, target prioritization, and weapon-target pairing; and

(C) prosecute targets through military service and combat support agency networks, tools, and systems.

(b) COORDINATION.—The officials referred to in paragraphs (1), (2), and (3) of subsection (a) shall coordinate and align their plans and activities to implement subsection (a) among themselves and with the combatant commanders.

(c) INITIAL PRIORITIZATION.—In developing an initial set of capabilities described in subsection (a), the officials referred to in paragraphs (1), (2), and (3) of that subsection shall prioritize the requirements of the United States Indo-Pacific Command.

(d) BRIEFINGS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter through December 31, 2026, the officials referred to in paragraphs (1), (2), and (3) of subsection (a) shall provide briefings to the congressional defense committees on their plans and activities to implement subsection (a).

(e) REPORT REQUIRED.—Not later than March 1, 2024, the Chief Data and Artificial Intelligence Officer, in consultation with the Deputy Chief Technology Officer for Mission Capabilities of the Office of the Under Secretary of Defense for Research and Engineering and the Executive Director for Acquisition, Integration, and Interoperability of the Office of the Under Secretary of Defense for Acquisition and Sustainment, shall submit to the congressional defense committees a report that includes—

(1) a plan and associated timelines for deploying and demonstrating a joint data integration layer prototype in the United States Indo-Pacific Command area of operations;

(2) a plan and associated timelines for transitioning such a prototype, upon its successful demonstration, to fielding as soon as practicable given the urgent need for a joint all-domain command and control (commonly referred to as ''JADC2'') capability;

(3) a plan and associated timelines for reaching initial operational capability for a joint data integration layer within the United States Indo-Pacific Command area of operations;

(4) a plan and associated timelines for scaling that capability to future areas of operation across the combatant commands;

(5) an assessment of the required type and number of personnel at the United States Indo-Pacific Command to enable sustained growth in JADC2 capabilities; and

(6) a plan and associated timelines for—

(A) identifying specific critical effects chains necessary to overcome anti-access and area denial capabilities and offensive military operations of foreign adversaries; and

(B) creating, demonstrating, deploying, and sustaining such chains.

SEC. 905. PRINCIPAL DEPUTY ASSISTANT SECRETARIES TO SUPPORT ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.

The Secretary of Defense may appoint two Principal Deputy Assistant Secretaries to report to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict—

(1) one of whom may be assigned to support the Assistant Secretary in the discharge of responsibilities specified in clause (i) of section 138(b)(2)(A) of title 10, United States Code; and

(2) one of whom may be assigned to support the Assistant Secretary in the discharge of responsibilities specified in clause (ii) of that section.

SEC. 906. MODIFICATION OF CROSS-FUNCTIONAL TEAM TO ADDRESS EMERGING THREAT RELATING TO DIRECTED ENERGY CAPABILITIES.

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 the section heading, by striking ''**ANOMALOUS HEALTH INCIDENTS**'' and inserting ''**DIRECTED ENERGY CAPABILITIES**'';

(2) in subsection (a), by striking ''anomalous health incidents (as defined by the Secretary)'' and inserting ''emerging directed energy capabilities, including such capabilities that could plausibly result in anomalous health incidents (as defined by the Secretary),'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting ''to assist the Secretary of Defense'' after ''shall be'';

(B) by amending paragraph (1) to read as follows:

''(1) to address the threat posed by emerging directed energy capabilities, such as anti-personnel weapons, including the detection and mitigation of, and development of countermeasures for, such capabilities;'';

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

(D) by inserting after paragraph (1) the following new paragraph (2):

''(2) to conduct necessary investigation and activities to understand the causation, attribution, mitigation, identification, and treatment for anomalous health incidents;''; and

(E) in paragraph (4), as redesignated by subparagraph (C), by striking ''any other efforts regarding such incidents'' and inserting ''with any other efforts regarding emerging directed energy capabilities, hazards of electromagnetic radiation to personnel, and anomalous health incidents'';

(4) in subsection (d), by striking ''in consultation with the Director of National Intelligence and''; and

(5) in subsection (e)(2)—

(A) by striking ''March 1, 2026'' and inserting ''March 1, 2028''; and

(B) by striking ''anomalous health incidents'' and inserting ''emerging directed energy capabilities, including such capabilities that could plausibly result in anomalous health incidents''.

SEC. 907. PILOT PROGRAM ON PROTECTING ACCESS TO CRITICAL ASSETS.

(a) IN GENERAL.—The Secretary of Defense shall establish a pilot program within the Office of the Under Secretary of Defense for Acquisition and Sustainment under which the Under Secretary will conduct and coordinate assessments, support industrial base decision-making, and provide mitigation measures to counter adversarial capital flows into industries or businesses of interest to the Department of Defense intended to undermine or deny—

(1) the access of the United States to key capabilities; or

(2) the ability of the United States to place such capabilities in physical locations necessary for national security functions.

(b) ELEMENTS.—

(1) IN GENERAL.—Under the pilot program required by subsection (a), the Under Secretary may perform the following tasks:

(A) Conduct coordinated and integrated analysis of adversarial capital flows into industries or businesses of interest to the Department of Defense.

(B) Support coordination and outreach with technology scouting and acquisition elements of the Department to support the investment decision-making of those elements and consideration of how to counteract entities employing adversarial capital flows against industries or businesses described in subparagraph (A), including the employment of relevant authorities vested in other components of the Department and the Federal Government.

(C) Identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, modernization, and repair of tangible and intangible assets vital to the national security of the United States.

(D) Protect tangible and intangible assets vital to the national security of the United States from theft, acquisition, and transfer by adversaries or strategic competitors of the United States.

(E) Provide capital assistance to entities engaged in investments that facilitate the efforts of the Under Secretary under subparagraphs (C) and (D) utilizing existing authorities available to the Department, such as the authority provided under section 834.

(F) Experiment, prototype, test, or validate Government-developed or commercially developed analytical tools, processes, and tradecraft to improve the due diligence and investment analysis processes for the Department.

(2) USE OF CERTAIN FINANCIAL INSTRUMENTS.—The Under Secretary may perform the tasks described in paragraph (1) using the authorities provided by section 834.

(c) COORDINATION.—In establishing the pilot program required by subsection (a), the Secretary shall coordinate the activities being carried out under the pilot program with the following entities:

(1) The Air Force Office of Concepts, Development, and Management.

(2) The Air Force Office of Commercial and Economic Analysis.

(3) The Special Operations Command.

(4) The Defense Innovation Unit.

(5) The Office of Strategic Capital established under section 148 of title 10, United States Code, as added by section 901.

(6) Such other entities as the Secretary considers appropriate.

(d) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as are necessary to carry out this section.

(e) EFFECTIVE DATE.—The Secretary may not carry out activities or exercise authorities under this section until the date that is 30 days after the date on which the Secretary submits to the congressional defense committees the regulations required by subsection (d).

(f) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary shall provide a briefing to the congressional defense committees that details implementation of the pilot program required by subsection (a).

(g) TERMINATION.—The pilot program required by subsection (a) shall terminate on September 30, 2028.

(h) DEFINITIONS.—In this section:

(1) ADVERSARIAL CAPITAL FLOW.—The term ''adversarial capital flow'' means an investment by—

(A) the government of a country that is an adversary of the United States; or

(B) an entity organized under the laws of, or otherwise subject to the jurisdiction of, such a country.

(2) CAPITAL ASSISTANCE.—The term ''capital assistance'' has the meaning given that term in section 834.

SEC. 908. EXTENSION OF MISSION MANAGEMENT PILOT PROGRAM.

Section 871 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 191 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''IN GENERAL.—Except'' and inserting the following: ''IN GENERAL.—

''(A) SELECTION.—Except''; and

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

''(B) DELEGATION OF OVERSIGHT AND MANAGEMENT.—The Deputy Secretary of Defense may delegate one or more mission managers to oversee the selected missions and provide management around mission outcomes.''; and

(B) by adding at the end the following new paragraph:

''(4) IDENTIFICATION OF FUNDING.—For each mission selected under paragraph (1), the Deputy Secretary of Defense shall identify funding sources in detail in defense budget materials for budgets submitted to Congress pursuant to section 1105 of title 31, United States Code, with selected missions and solution detailed in materials for each budgetary item associated with a selected mission.'';

(2) in subsection (c)(2)—

(A) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following new subparagraph:

''(F) assist the Deputy Secretary of Defense in the identification of funding that could contribute to the mission, including through existing authorized methods to realign, reprogram, or transfer funds; and'';

(3) in subsection (f)(1)(A), by striking ''every six months thereafter until the date that is five years after the date of the enactment of this Act'' and inserting ''annually thereafter until September 30, 2031''; and

(4) in subsection (h), by striking ''terminate on the date that is five years after the date of the enactment of this Act'' and inserting ''terminate on September 30, 2031''.

SEC. 909. CONFORMING AMENDMENTS TO CARRY OUT ELIMINATION OF POSITION OF CHIEF MANAGEMENT OFFICER.

(a) REMOVAL OF REFERENCES TO CHIEF MANAGEMENT OFFICER IN PROVISIONS OF LAW RELATING TO PRECEDENCE.—Chapter 4 of title 10, United States Code, is amended—

(1) in section 133a(c)—

(A) in paragraph (1), by striking '', the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense'' and inserting ''and the Deputy Secretary of Defense''; and

(B) in paragraph (2), by striking ''the Chief Management Officer,'';

(2) in section 133b(c)—

(A) in paragraph (1), by striking ''the Chief Management Officer of the Department of Defense,''; and

(B) in paragraph (2), by striking ''the Chief Management Officer,'';

(3) in section 137a(d), by striking ''the Chief Management Officer of the Department of Defense,''; and

(4) in section 138(d), by striking ''the Chief Management Officer of the Department of Defense,''.

(b) ASSIGNMENT OF PERIODIC REVIEW OF DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES TO SECRETARY OF DEFENSE.—Section 192(c) of such title is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), in the first sentence, by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''the Secretary of Defense''; and

(B) in subparagraphs (B) and (C), by striking ''the Chief Management Officer'' and inserting ''the Secretary''; and

(2) in paragraph (2), by striking ''the Chief Management Officer'' each place it appears and inserting ''the Secretary''.

(c) ASSIGNMENT OF RESPONSIBILITY FOR FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION TO UNDER SECRETARY OF DEFENSE (COMPTROLLER).—Section 240b of such title is amended—

(1) in subsection (a)(1), by striking ''The Chief Management Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense (Comptroller),'' and inserting ''The Under Secretary of Defense (Comptroller) shall, in consultation with the Performance Improvement Officer of the Department of Defense,''; and

(2) in subsection (b)(1)(C)(ii), by striking ''the Chief Management Officer'' and inserting ''the Performance Improvement Officer''.

(d) REMOVAL OF CHIEF MANAGEMENT OFFICER AS RECIPIENT OF REPORTS OF AUDITS BY EXTERNAL AUDITORS.—Section 240d(d)(1)(A) of such title is amended by striking ''and the Chief Management Officer of the Department of Defense''.

(e) CONFORMING AMENDMENTS TO PROVISIONS OF LAW RELATED TO FREEDOM OF INFORMATION ACT EXEMPTIONS.—Such title is further amended—

(1) in section 130e—

(A) by striking subsection (d);

(B) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(C) in subsection (d), as so redesignated—

(i) in the first sentence, by striking '', or the Secretary's designee,''; and

(ii) in the second sentence, by striking '', through the Office of the Director of Administration and Management''; and

(2) in section 2254a—

(A) by striking subsection (c);

(B) by redesignating subsection (d) as subsection (c); and

(C) in subsection (c), as so redesignated—

(i) in the first sentence, by striking '', or the Secretary's designee,''; and

(ii) in the second sentence, by striking '', through the Office of the Director of Administration and Management''.

(f) REMOVAL OF CHIEF MANAGEMENT OFFICER AS REQUIRED COORDINATOR ON DEFENSE RESALE MATTERS.—Section 631(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2481 note) is amended by striking '', in coordination with the Chief Management Officer of the Department of Defense,''.

Subtitle B—Other Department of Defense Organization and Management Matters

SEC. 921. JOINT ENERGETICS TRANSITION OFFICE.

(a) IN GENERAL.—The Secretary of Defense shall realign roles, responsibilities, and resources as necessary to establish a Joint Energetics Transition Office (in this section referred to as the ''Office'').

(b) RESPONSIBILITIES.—The Office shall—

(1) develop and periodically update an energetic materials strategic plan and investment strategy to guide current and future investments in new and legacy energetic materials and technologies, including by—

(A) developing or supporting the development of strategies and roadmaps, under the future-years defense program under section 221 of title 10, United States Code, and the program objective memorandum process, for energetic materials and technologies; and

(B) initiating special studies or analyses to inform the program objective memorandum process;

(2) coordinate and synchronize existing research, development, test, and evaluation efforts in energetic materials across the Department of Defense to identify promising new energetic materials and technologies—

(A) to mature, integrate, prototype, and demonstrate novel energetic materials and technologies, including classification and characterization testing of new materials and manufacturing technologies;

(B) to expedite testing, evaluation, and acquisition of energetic materials and technologies to meet the emergent needs of the Department, including the rapid integration of promising new materials and other promising energetic compounds into existing and planned weapons platforms; and

(C) to identify existing or establish new prototyping demonstration venues to integrate advanced technologies that speed the maturation and deployment of future energetic materials;

(3) oversee a process to expedite the qualification process for energetic materials, from discovery through integration into weapon systems, and recommend changes to laws, regulations, and policies that present barriers that extend timelines for that process; and

(4) carry out such other responsibilities relating to energetic materials as the Secretary shall specify.

(c) REPORT REQUIRED.—The Deputy Secretary of Defense shall submit to the congressional defense committees—

(1) not later than 60 days after the date of the enactment of this Act, a report on the status of the establishment of the Office under subsection (a); and

(2) not later than one year after such date of enactment, a report on the measures taken to provide the Office with the staff and resources necessary for the Office to carry out its responsibilities under subsection (b).

SEC. 922. TRANSITION OF OVERSIGHT RESPONSIBILITY FOR THE DEFENSE TECHNOLOGY SECURITY ADMINISTRATION.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop a transition plan to realign the Defense Technology Security Administration under the authority, direction, and control of the Assistant Secretary of Defense for Industrial Base Policy.

(b) SUBMISSION OF PLAN.—Not later than 7 days after the date on which the Secretary completes development of the plan required by subsection (a), the Secretary shall submit the plan to the congressional defense committees.

(c) IMPLEMENTATION OF PLAN.—Not later than 180 days after the date on which the Secretary completes development of the plan required by subsection (a), the Secretary shall realign the Defense Technology Security Administration under the authority, direction, and control of the Assistant Secretary of Defense for Industrial Base Policy.

SEC. 923. INTEGRATED AND AUTHENTICATED ACCESS TO DEPARTMENT OF DEFENSE SYSTEMS FOR CERTAIN CONGRESSIONAL STAFF FOR OVERSIGHT PURPOSES.

Section 1046(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in paragraph (1)(B), by striking ''; and'' and inserting a semicolon;

(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) to the extent feasible, be integrated with software used by the Department of Defense Parking Management Office to validate parking requests.''.

SEC. 924. INTEGRATION OF PRODUCTIVITY SOFTWARE SUITES FOR SCHEDULING DATA.

The Secretary of Defense shall ensure that the Department of Defense is capable of scheduling congressional engagements in a digitally interoperable manner by not later than February 25, 2024, either through—

(1) integrating the productivity software suite of the Department of Defense with the productivity software suite of the congressional defense committees; or

(2) enabling the automated transmission of scheduling data through another software solution.

SEC. 925. OPERATIONALIZING AUDIT READINESS.

(a) METRICS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop a set of command audit metrics that link existing audit readiness goals and metrics for the financial management community with unit leadership goals and metrics to provide operationally relevant performance measures for use by unit commanders.

(2) LEVERAGING SUPPORT.—In developing the metrics required by paragraph (1), the Secretary may leverage support from an existing federally funded research and development center or university-affiliated research center.

(3) DEADLINE.—An initial set of metrics shall be developed and implemented under paragraph (1) not later than April 30, 2025.

(b) TRAINING.—

(1) IN GENERAL.—The President of the Defense Acquisition University shall develop training curricula to support the workforce of the Department of Defense in understanding, implementing, and utilizing the metrics developed under subsection (a) in the day-to-day performance of their command and leadership duties.

(2) DEADLINE.—An initial training curriculum shall be developed and implemented under paragraph (1) not later than April 30, 2025.

(c) LEADER PERFORMANCE ASSESSMENTS.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall evaluate means by which the metrics developed under subsection (a) can be used in the performance evaluation of unit commanders.

(2) BRIEFING REQUIRED.—Not later than September 30, 2024, the Secretary shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the evaluation conducted under paragraph (1). The briefing shall include the following elements:

(A) Identification of the appropriate command echelon at which to assess unit leader performance using the metrics developed under subsection (a).

(B) Evaluations of available measures to reward superior or above average performance with respect to such metrics.

(C) Assessment of the potential value, and challenges, to integrating such measures into the annual performance evaluations for designated unit leaders.

(D) Any other issues the Secretary considers appropriate.

SEC. 926. NEXT GENERATION BUSINESS HEALTH METRICS.

(a) METRICS REQUIRED.—The Secretary of Defense, acting through the Director of Administration and Management and in coordination with the Secretaries of the military departments, shall develop an updated set of business health metrics to inform decision-making by senior leaders of the Department of Defense.

(b) ELEMENTS.—In developing the metrics required by subsection (a), the Director shall—

(1) using the current literature on performance measurement, determine what additional new metrics should be implemented, or current metrics should be adapted, to reduce output-based measures and emphasize objective, measurable indicators aligned to enduring strategic goals of the Department of Defense;

(2) assess the current business processes of the Department and provide recommendations to align the metrics with available data sources to determine what gaps might exist in such processes;

(3) ensure that data can be collected automatically and, on a long-term basis, in a manner that provides for longitudinal analysis;

(4) link the metrics with the Strategic Management Plan and other performance documents guiding the Department;

(5) identify any shortfalls in resources, data, training, policy, or law that could be an impediment to implementing the metrics;

(6) revise leading and lagging indicators associated with each such metric to provide a benchmark against which to assess progress;

(7) improve visualization of and comprehension for the use of the metrics in data-driven decision-making, including adoption of new policies and training as needed;

(8) incorporate the ability to aggregate and disaggregate data to provide the ability to focus on functional, component-level metrics; and

(9) increase standardization of the use and collection of business health metrics across the Department.

(c) ADDITIONAL SUPPORT.—In developing the metrics required by subsection (a), the Director may leverage support from an existing federally funded research and development center or university-affiliated research center.

(d) BRIEFING REQUIRED.—Not later than January 30, 2025, the Director shall brief the Committees on Armed Services of the Senate and the House of Representatives on the development of the metrics required by subsection (a).

SEC. 927. INDEPENDENT ASSESSMENT OF DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.

(a) IN GENERAL.—The Secretary of Defense shall select a federally funded research and development center or a university affiliated research center to conduct an independent assessment of the defense business enterprise architecture developed under section 2222(e) of title 10, United States Code.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following elements:

(1) An assessment of the effectiveness of the defense business enterprise architecture as of the date of the enactment of this Act in providing an adequate and useful framework for planning, managing, and integrating the business systems of the Department of Defense.

(2) A comparison of the defense business enterprise architecture with similar models in use by other government agencies in the United States, foreign governments, and major commercial entities, including an assessment of any lessons from such models that might be applied to the defense business enterprise architecture.

(3) An assessment of the adequacy of the defense business enterprise architecture in informing business process reengineering and being sufficiently responsive to changes in business processes over time.

(4) An identification of any shortfalls or implementation challenges in the utility of the defense business enterprise architecture.

(5) Recommendations for replacement of the existing defense business enterprise architecture or for modifications to the existing architecture to make that architecture and the process for updating that architecture more effective and responsive to the business process needs of the Department.

(c) INTERIM BRIEFING.—Not later than April 1, 2024, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the status of the assessment required by subsection (a).

(d) FINAL REPORT.—Not later than January 30, 2025, 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 assessment required by subsection (a).

SEC. 928. LIMITATION ON ESTABLISHMENT OF NEW DIVERSITY, EQUITY, AND INCLUSION POSITIONS; HIRING FREEZE.

(a) IN GENERAL.—During the period described in subsection (b), the Secretary of Defense may not—

(1) establish any new positions within the Department of Defense with responsibility for matters relating to diversity, equity, and inclusion; or

(2) fill any vacancies in positions in the Department with responsibility for such matters.

(b) PERIOD DESCRIBED.—The period described in this subsection is the period—

(1) beginning on the date of the enactment of this Act; and

(2) ending on the date on which the Comptroller General of the United States submits to Congress the review of the Department of Defense diversity, equity, and inclusion workforce required by the report of the Committee on Armed Services of the Senate accompanying the National Defense Authorization Act for Fiscal Year 2024.

TITLE X—GENERAL PROVISIONS

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 2024 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. ANNUAL REPORT ON BUDGET PRIORITIZATION BY SECRETARY OF DEFENSE AND MILITARY DEPARTMENTS.

(a) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 222d the following new section:

"§ 222e. Programs, projects, and activities that were internally reduced or eliminated in the submission of the President's budget: annual report

''(a) IN GENERAL.—The Secretary of Defense, acting through the Secretaries of the military departments and the officers of Department of Defense agencies and offices not under the control of a Secretary of a military department, shall submit to the congressional defense committees each year, not later than 15 days after the submission of the budget of the President for the fiscal year beginning in such year under section 1105(a) of title 31, a report that includes organized tabulations of programs, projects, and activities the total obligational authority for which was reduced or eliminated in the current budget year proposal compared to the prior-year projection for the current year.

''(b) ELEMENTS.—The tabulations required under subsection (a) shall include, for each program, project, or activity that was internally reduced or eliminated, the following elements:

''(1) Whether the program, project, or activity was eliminated or reduced and which fiscal year it was eliminated or reduced in.

''(2) Appropriations sub-account.

''(3) The appropriate program element, line item number, or sub-activity group.

''(4) Program, project, or activity name.

''(5) Prior year enacted appropriation.

''(6) Prior year projected current year budget.

''(7) Current year budget request.

''(8) If applicable, the amount reduced or saved by the current year elimination or reduction over the future years defense plan.

''(9) The rationale for reduction or elimination.

''(c) FORM.—The report required under subsection (a) shall be submitted in machine readable, electronic form.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 222d the following new item:

''222e. Programs, projects, and activities that were internally reduced or eliminated in the submission of the President's budget: annual report.''.

SEC. 1003. ADDITIONAL REPORTING REQUIREMENTS RELATED TO UNFUNDED PRIORITIES.

Section 222a(c)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) For each priority—

''(i) the requirement that will be addressed which is not in the base budget request;

''(ii) the reason why the priority was not included in the base budget request;

''(iii) a description of previous funding to address the requirement;

''(iv) an assessment of the impact of the priority on the future years defense plan.''.

SEC. 1004. SENSE OF THE SENATE ON NEED FOR EMERGENCY SUPPLEMENTAL APPROPRIATIONS.

It is the sense of the Senate that—

(1) section 101 of the Fiscal Responsibility Act of 2023 (Public Law 118–5) imposes limits on discretionary spending in the defense and nondefense categories;

(2) if those spending limits for either category are breached, then across-the-board sequestration cuts are triggered on that category to eliminate the breach;

(3) the enactment of authorization and appropriations legislation for the Department of Defense will provide inherent cost savings that continuing resolutions do not provide;

(4) there are growing national security concerns that require additional funds beyond the revised security spending limit, to include continued support to the Ukrainian armed forces, additional munitions production, additional large surface combatants, shipbuilding industrial base modernization investments, submarine industrial base and supply chain management, additional production of wheeled and tracked combat vehicles, and emergent capabilities and exercises in the United States Indo-Pacific Command;

(5) as the Senate Majority Leader Chuck Schumer stated on June 1, 2023, ''This debt ceiling deal does nothing to limit the Senate's ability to appropriate emergency/supplemental funds to ensure our military capabilities are sufficient to deter China, Russia, and our other adversaries and respond to ongoing and growing national security threats, including Russia's ongoing war of aggression against Ukraine, our ongoing competition with China and its growing threat to Taiwan, Iranian threats to American interests and those of our partners in the Middle East, or any other emerging security crisis; nor does this debt ceiling deal limit the Senate's ability to appropriate emergency/supplemental funds to respond to various national issues, such as disaster relief, or combating the fentanyl crisis, or other issues of national importance.''; and

(6) the President should expeditiously send emergency funding requests to the Senate for consideration so that those needs can receive sufficient and additional funds.

Subtitle B—Counterdrug Activities

SEC. 1011. DISRUPTION OF FENTANYL TRAFFICKING.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) fentanyl trafficking across the borders of the United States, and the consequences of that trafficking, constitute an unprecedented, nontraditional, and long-term threat to the national security of the United States;

(2) transnational criminal organizations have established effective control over significant areas within Mexico, which has enabled the development of fentanyl production and trafficking infrastructure;

(3) combating fentanyl trafficking demands—

(A) improved interagency command, control, communications, and intelligence sharing to enhance the effectiveness of the interdiction of fentanyl at the borders of the United States; and

(B) whole-of-government solutions comprised of an integrated and synchronized interagency organizational construct committed to dismantling the process of trafficking fentanyl from chemical precursor to production to delivery in the United States and enabling partner nations to do the same;

(4) it is within the national security interest of the United States for Federal, State, and local law enforcement agencies, the Department of Defense, the Department of State, other counter-drug agencies, and stakeholders to effectively communicate and that the failure of effective communication affects the prevention, interdiction, and prosecution of fentanyl trafficking and distribution into and within the United States; and

(5) the United States must partner with Mexico and Canada to combat fentanyl trafficking through institution building, the dismantling of cartels, and seizures of fentanyl in Mexico, Canada, and intrastate transit zones.

(b) DEVELOPMENT OF STRATEGY TO COUNTER FENTANYL TRAFFICKING AND REPORT.—

(1) STRATEGY.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with other Federal agencies as the Secretary considers appropriate, shall develop and submit to the appropriate congressional committees a strategy to use existing authorities, including the authorities under section 124 of title 10, United States Code, as appropriate, to target, disrupt, or degrade threats to the national security of the United States caused or exacerbated by fentanyl trafficking.

(B) CONTENTS.—The strategy required by subparagraph (A) shall outline how the Secretary of Defense will—

(i) leverage existing authorities regarding counterdrug and counter-transnational organized crime activities with a counter-fentanyl nexus to detect and monitor activities related to fentanyl trafficking;

(ii) support operations to counter fentanyl trafficking carried out by other Federal agencies, State, Tribal, and local law enforcement agencies, or foreign security forces;

(iii) coordinate efforts of the Department of Defense for the detection and monitoring of aerial, maritime, and surface traffic suspected of carrying fentanyl bound for the United States, including efforts to unify the use of technology, surveillance, and related resources across air, land, and maritime domains to counter fentanyl trafficking, including with respect to data collection, data processing, and integrating sensors across such domains;

(iv) provide military-unique capabilities to support activities by the United States Government and foreign security forces to detect and monitor the trafficking of fentanyl and precursor chemicals used in fentanyl production, consistent with section 284(b)(10) of title 10, United States Code;

(v) leverage existing counterdrug and counter-transnational organized crime programs of the Department to counter fentanyl trafficking;

(vi) assess existing training programs of the Department and provide training for Federal, State, Tribal, and local law enforcement agencies conducted by special operations forces to counter fentanyl trafficking, consistent with section 284(b) of title 10, United States Code;

(vii) engage with foreign security forces to ensure the counterdrug and counter-transnational organized crime programs of the Department—

(I) support efforts to counter fentanyl trafficking; and

(II) build capacity to interdict fentanyl in foreign countries, including programs to train security forces in partner countries to counter fentanyl trafficking, including countering illicit flows of fentanyl precursors, consistent with sections 284(c) and 333 of title 10, United States Code;

(viii) use the North American Defense Ministerial and the bilateral defense working groups and bilateral military cooperation round tables with Canada and Mexico to increase domain awareness to detect and monitor fentanyl trafficking; and

(ix) evaluate existing policies, procedures, processes, and resources that affect the ability of the Department to counter fentanyl trafficking consistent with existing counterdrug and counter-transnational organized crime authorities.

(C) FORM.—The strategy required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(D) BRIEFING.—Not later than 45 days after the submission of the strategy required by subparagraph (A), the Secretary shall provide to the appropriate congressional committees a briefing on the strategy and plans for its implementation.

(2) REPORT ON LAW ENFORCEMENT REIMBURSEMENT.—The Secretary of Defense shall submit to the appropriate congressional committees a report on—

(A) any goods or services provided under section 1535 of title 31, United States Code (commonly known as the ''Economy Act''), during the period beginning on January 1, 2010, and ending on the date on which the report is submitted, by the Department of Defense to Federal civilian law enforcement agencies for counterdrug and counter-transnational organized crime operations on the southern border of the United States; and

(B) any payments made for such goods or services under such section during such period.

(c) COOPERATION WITH MEXICO.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enhance cooperation with defense officials of the Government of Mexico to target, disrupt, and degrade transnational criminal organizations within Mexico that traffic fentanyl.

(2) REPORT ON ENHANCED SECURITY COOPERATION.—

(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 appropriate congressional committees a report on efforts to enhance cooperation with defense officials of the Government of Mexico specified in paragraph (1).

(B) CONTENTS.—The report required by subparagraph (A) shall include—

(i) an assessment of the impact of the efforts to enhance cooperation described in paragraph (1) on targeting, disrupting, and degrading fentanyl trafficking;

(ii) a description of limitations on such efforts, including limitations imposed by the Government of Mexico;

(iii) recommendations by the Secretary on actions to further improve cooperation with defense officials of the Government of Mexico;

(iv) recommendations by the Secretary on actions of the Department of Defense to further improve the capabilities of the Government of Mexico to target, disrupt, and degrade fentanyl trafficking; and

(v) any other matter the Secretary considers relevant.

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

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) FENTANYL.—The term ''fentanyl'' means fentanyl and any fentanyl-related substance.

(3) FENTANYL-RELATED SUBSTANCE.—The term ''fentanyl-related substance''—

(A) means any substance that is structurally related to fentanyl by 1 or more modifications of—

(i) replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(ii) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(iii) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(iv) replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and

(v) replacement of the N-propionyl group with another acyl group; and

(B) does not include a substance described in subparagraph (A) that is—

(i) controlled by action of the Attorney General pursuant to section 201 of the Controlled Substances Act (21 U.S.C. 811);

(ii) expressly listed in Schedule I of section 202(c) of that Act (21 U.S.C. 812) or another schedule by a statutory provision; or

(iii) removed from Schedule I, or rescheduled to another schedule, pursuant to section 201(k) of that Act (21 U.S.C. 811(k)).

(4) ILLEGAL MEANS.—The term ''illegal means'' includes the trafficking of money, human trafficking, illicit financial flows, illegal trade in natural resources and wildlife, trade in illegal drugs and weapons, and other forms of illegal means determined by the Secretary of Defense.

(5) SECURITY COOPERATION PROGRAM.—The term ''security cooperation program'' has the meaning given that term in section 301 of title 10, United States Code.

(6) TRANSNATIONAL CRIMINAL ORGANIZATION.—

(A) IN GENERAL.—The term ''transnational criminal organization'' means a group, network, and associated individuals who operate transnationally for the purpose of obtaining power, influence, or monetary or commercial gain, wholly or in part by illegal means, while advancing their activities through a pattern of crime, corruption, or violence and protecting their illegal activities through a transnational organizational structure and the exploitation of public corruption or transnational logistics, financial, or communication mechanisms.

(B) ADDITIONAL ORGANIZATIONS.—The term ''transnational criminal organization'' includes any transnational criminal organization identified in the most recent Drug Threat Assessment of the Drug Enforcement Agency.

SEC. 1012. ENHANCED SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME.

Section 284(b)(9) of title 10, United States Code, is amended by striking ''linguist and intelligence analysis'' and inserting ''linguist, intelligence analysis, and planning''.

SEC. 1013. MODIFICATION OF SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME: INCREASE IN CAP FOR SMALL SCALE CONSTRUCTION PROJECTS.

Section 284(i)(3) of title 10, United States Code, is amended by striking ''$750,000'' and inserting ''$1,500,000''.

SEC. 1014. BUILDING THE CAPACITY OF ARMED FORCES OF MEXICO TO COUNTER THE THREAT POSED BY TRANSNATIONAL CRIMINAL ORGANIZATIONS.

(a) PILOT PROGRAM.—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 establish a pilot program to assess the feasibility and advisability of building the capacity of armed forces of Mexico in the United States on goals, jointly agreed to by the Governments of the United States and Mexico, to counter the threat posed by transnational criminal organizations, including through—

(1) operations designed, at least in part, by the United States, to counter that threat; and

(2) in consultation with the appropriate civilian government agencies specializing in countering transnational criminal organizations—

(A) joint network analysis;

(B) counter threat financing;

(C) counter illicit trafficking (including narcotics, weapons, and human trafficking, and illicit trafficking in natural resources); and

(D) assessments of key nodes of activity of transnational criminal organizations.

(b) PLAN.—

(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 appropriate congressional committees a plan for implementing the pilot program required by subsection (a) over a period of five years, including the costs of administering the program during such period.

(2) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle C—Naval Vessels

SEC. 1021. MODIFICATION OF AUTHORITY TO PURCHASE USED VESSELS UNDER THE NATIONAL DEFENSE SEALIFT FUND.

Section 2218(f)(3) of title 10, United States Code, is amended—

(1) by striking subparagraphs (C), (E) and (G); and

(2) by redesignating subparagraphs (D) and (F) as subparagraphs (C) and (D), respectively.

SEC. 1022. AMPHIBIOUS WARSHIP FORCE AVAILABILITY.

Section 8062 of title 10, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

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

''(4) the Navy adjusts scheduled maintenance and repair actions to maintain a minimum of 24 amphibious warfare ships operationally available for worldwide deployment.''; and

(2) by redesignating the second subsection (g) (defining amphibious warfare ship) as subsection (h).

SEC. 1023. PROHIBITION ON RETIREMENT OF CERTAIN NAVAL VESSELS.

None of the funds authorized to be appropriated by this Act for fiscal year 2024 may be obligated or expended to retire, prepare to retire, or place in storage any of the following naval vessels:

(1) USS Germantown (LSD 42).

(2) USS Gunston Hall (LSD 44).

(3) USS Tortuga (LSD 46).

(4) USS Shiloh (CG 67).

SEC. 1024. REPORT ON THE POTENTIAL FOR AN ARMY AND NAVY JOINT EFFORT FOR WATERCRAFT VESSELS.

(a) REPORT REQUIRED.—Not later than February 29, 2024, the Secretary of the Navy, in coordination with the Secretary of the Army, shall submit to the congressional defense committees a report on the feasibility of conducting a joint Army and Navy effort to develop and field a family of watercraft vessels to support the implementation of the Marine Corps concept of expeditionary advanced base operations and Army operations in maritime environments.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of whether a shared base platform could meet requirements of the Department of the Navy and the Department of the Army, and, if so, an assessment of the benefits and challenges of procuring a technical data package to allow simultaneous construction of such platform by multiple builders and using block buy authorities.

Subtitle D—Counterterrorism

SEC. 1031. 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 1034 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''2023'' and inserting ''2024''.

SEC. 1032. 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 1031 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

SEC. 1033. 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 1032 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

SEC. 1034. 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 1033 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. 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, 2029''.

SEC. 1042. AUTHORITY TO INCLUDE FUNDING REQUESTS FOR THE CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM IN BUDGET ACCOUNTS OF MILITARY DEPARTMENTS.

Section 1701(d)(2) of the National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 1522(d)(2)) is amended by striking ''may not be included in the budget accounts'' and inserting ''may be included in the budget accounts''.

SEC. 1043. UNFAVORABLE SECURITY CLEARANCE ELIGIBILITY DETERMINATIONS AND APPEALS.

(a) ADMINISTRATIVE DUE PROCESS PROCEDURES FOR COVERED INDIVIDUALS SEEKING OR HAVING ACCESS TO CLASSIFIED INFORMATION OR SENSITIVE COMPARTMENT INFORMATION.—

(1) IN GENERAL.—Each head of a component of the Department of Defense shall provide to each covered individual described in paragraph (2) of such component seeking or having access to classified information or sensitive compartment information with administrative due process procedures described in paragraph (3) through the Defense Office of Hearings and Appeals.

(2) COVERED INDIVIDUAL DESCRIBED.—A covered individual described in this paragraph is a member of the Armed Forces, a civilian employee employed by a component of the Department of Defense, or a contractor employee described in Department of Defense Manual 5220.22, Volume 2 (relating to National Industrial Security Program: Industrial Security Procedures for Government Activities), or successor manual.

(3) ADMINISTRATIVE DUE PROCESS PROCEDURES DESCRIBED.—The administrative due process procedures described in this paragraph are the administrative due process procedures described in Department of Defense Directive 5220.6 (relating to Defense Industrial Personnel Security Clearance Review Program), or successor directive, and Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry).

(b) HEARINGS, APPEALS, AND FINAL DENIALS AND REVOCATIONS OF SECURITY CLEARANCE ELIGIBILITY.—In order to simplify, centralize, and unify the administrative processes for unfavorable security clearance eligibility determinations for covered individuals described in subsection (a)(2), the Secretary of Defense shall ensure that all hearings, appeals, and final denials and revocations of security clearance eligibility are performed by the Defense Office of Hearings and Appeals with administrative due process procedures.

(c) UPDATES TO DEPARTMENT OF DEFENSE MANUALS.—The Secretary of Defense shall update Department of Defense Manual 5200.02 (relating to procedures for Department of Defense Personnel Security Program) and Department of Defense Manual 5220.22, Volume 2 (relating to National Industrial Security Program: Industrial Security Procedures for Government Activities) to conform with the requirements of subsections (a) and (b).

(d) AUTHORITY OF DIRECTOR OF DEFENSE OFFICE OF HEARINGS AND APPEALS TO RENDER ELIGIBILITY DETERMINATIONS FOR ACCESS TO CLASSIFIED INFORMATION AND SENSITIVE COMPARTMENTED INFORMATION.—The Director of the Defense Office of Hearings and Appeals may render eligibility determinations for access to classified information and sensitive compartmented information pursuant to procedures and guidelines that the Director shall issue in consultation with the Director of National Intelligence.

(e) DISSEMINATION OF SECURITY RELEVANT INFORMATION.—

(1) REQUEST FOR SHARING REQUIRED.—In a case in which a contractor or civilian employee of the Federal Government holding an active security clearance is seeking to transfer that clearance for a new position in the Department of Defense and in which an agency or department of the Federal Government possesses security relevant information about that clearance holder that is related to eligibility for access to classified information and makes known the existence of such security relevant information in the commonly accessible security clearance databases of the Federal Government, but without taking any action to suspend or revoke that clearance holder's security clearance, the Department of Defense component considering the transfer of a clearance shall promptly make a request to receive the security relevant information from the agency or department in possession of such information.

(2) FAILURE TO SHARE.—In a case in which an agency or department of the Federal Government receives a request to share security relevant information about a clearance holder pursuant to paragraph (1) but fails to do so within 30 days of the date on which the request is made, such failure shall trigger procedural and substantive due process rights, established for the purposes of carrying out this section, for the clearance holder to challenge the security relevant information as if the information were the equivalent of a suspension, denial, or revocation of the underlying clearance.

(f) PROTECTIONS.—Members of the Armed Forces and civilian employees of the Department of Defense may not be suspended without pay because a security clearance is suspended or revoked prior to the conclusion of any appeal process to enable such members and employee to support themselves during an appeal process and to support themselves without resigning from Government employment and thereby losing standing to appeal the suspension or revocation of access to classified information.

(g) EFFECTIVE DATE; APPLICABILITY.—

(1) EFFECTIVE DATE.—This section shall take effect on the earlier of—

(A) the date on which the General Counsel of the Department of Defense certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the Defense Office of Hearings and Appeals is prepared for the provisions of this section to take effect; or

(B) September 30, 2024.

(2) APPLICABILITY.—This section shall apply to revocations of eligibility to access classified information or sensitive compartmented information that occur on or after the date on which this section takes effect pursuant to paragraph (1).

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to diminish or otherwise affect the authority of the head of a component of the Department to suspend access to classified information or a special access program, including sensitive compartmented information, in exigent circumstances, should the head determine that continued access of a covered individual is inconsistent with protecting the national security of the United States.

SEC. 1044. ASSISTANCE IN SUPPORT OF DEPARTMENT OF DEFENSE ACCOUNTING FOR MISSING UNITED STATES GOVERNMENT PERSONNEL.

(a) IN GENERAL.—Section 408 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**Equipment and training of foreign personnel to assist in**'' and inserting ''**Assistance in support of**'';

(2) in subsection (b), by adding at the end the following new paragraph:

''(5) Funds.'';

(3) by striking subsections (d) and (f);

(4) by redesignating subsection (e) as subsection (d); and

(5) by adding at the end the following new subsection:

''(e) ANNUAL REPORT.—Not later than December 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on the assistance provided under this section during the preceding fiscal year.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 20 of title 10, United States Code, is amended by striking the item relating to section 408 and inserting the following new item:

''408. Assistance in support of Department of Defense accounting for missing United States Government personnel.''.

SEC. 1045. IMPLEMENTATION OF ARRANGEMENTS TO BUILD TRANSPARENCY, CONFIDENCE, AND SECURITY.

Section 2241 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) IMPLEMENTATION OF VIENNA DOCUMENT 2011.—Amounts appropriated for operation and maintenance may be used by the Secretary of Defense for travel, transportation, and subsistence expenses for meetings and demonstrations hosted by the Department of Defense for the implementation of the Vienna Document 2011 on Confidence and Security-Building Measures.''.

SEC. 1046. ACCESS TO AND USE OF MILITARY POST OFFICES BY UNITED STATES CITIZENS EMPLOYED OVERSEAS BY THE NORTH ATLANTIC TREATY ORGANIZATION WHO PERFORM FUNCTIONS IN SUPPORT OF MILITARY OPERATIONS OF THE ARMED FORCES.

(a) REQUIREMENT TO AUTHORIZE USE OF POST OFFICE.—Section 406 of title 39, United States Code, is amended by striking ''may authorize the use'' and inserting ''shall authorize the use''.

(b) BRIEFING REQUIREMENT.—Not later than March 1, 2024, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on the revision of the Financial Management Regulation to authorize individuals under subparagraph (A) of section 406(c)(1) of title 39, United States Code, as amended by subsection (a), to utilize the authority provided under such subparagraph. If there is a determination that this authority is not feasible

for a legal or financial reason, the Secretary shall include the background for those determinations in the briefing.

SEC. 1047. REMOVAL OF TIME LIMITATIONS OF TEMPORARY PROTECTION AND AUTHORIZATION OF REIMBURSEMENT FOR SECURITY SERVICES AND EQUIPMENT FOR FORMER OR RETIRED DEPARTMENT OF DEFENSE PERSONNEL.

(a) REMOVAL OF TIME LIMITATIONS.—Section 714(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7);

(2) in paragraph (5)—

(A) by redesignating subparagraph (C) as paragraph (6) and moving such paragraph, as so redesignated, two ems to the left; and

(B) by striking ''DURATION OF PROTECTION.—'' and all that follows through the period at the end of subparagraph (B) and inserting ''DURATION OF PROTECTION.—The Secretary of Defense shall require periodic reviews, not less than once every six months, of the duration of protection provided to individuals under this subsection.'';

(3) in subparagraph (A) of paragraph (7), as redesignated by paragraph (1) of this subsection, by striking ''and of each determination under paragraph (5)(B) to extend such protection and security''.

(b) AUTHORIZATION OF REIMBURSEMENT OR ACQUISITION OF SECURITY SERVICES.—Section 714 of title 10, United States Code, is further amended by adding at the end the following new subsection:

''(e) REIMBURSEMENT.—The Secretary of Defense may reimburse a former or retired official who faces serious and credible threats arising from duties performed while employed by the Department for security services and equipment procured at the personal expense of the official, not to exceed an aggregate of $15,000,000 in any fiscal year for all former and retired officials authorized by the Secretary of Defense for such reimbursement.''.

SEC. 1048. ANNUAL DEFENSE POW/MIA ACCOUNTING AGENCY (DPAA) CAPABILITIES REQUIRED TO EXPAND ACCOUNTING FOR PERSONS MISSING FROM DESIGNATED PAST CONFLICTS.

(a) IN GENERAL.—Not later than March 1, 2024, and annually thereafter, the Defense POW/MIA Accounting Agency (DPAA) shall post on a publicly available internet website a list of capabilities required to expand accounting for persons missing from designated past conflicts and provide a briefing to Congress on those capabilities.

(b) AUTHORITY TO ENTER INTO AGREEMENTS.—The Defense POW/MIA Accounting Agency may enter into agreements with universities or research organizations to provide additional capabilities for specialized missions or research requirements.

SEC. 1049. ACCESS TO COMMISSARY AND EXCHANGE PRIVILEGES FOR REMARRIED SPOUSES.

(a) BENEFITS.—Section 1062 of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(a) CERTAIN UNREMARRIED FORMER SPOUSES.—The Secretary of Defense'';

(2) by striking ''commissary and exchange privileges'' and inserting ''use commissary stores and MWR retail facilities'';

(3) by adding at the end the following new subsection:

''(b) CERTAIN REMARRIED SURVIVING SPOUSES.—The Secretary of Defense shall prescribe such regulations as may be necessary to provide that a surviving spouse of a deceased member of the armed forces, regardless of the marital status of the surviving spouse, is entitled to use commissary stores and MWR retail facilities to the same extent and on the same basis as an unremarried surviving spouse of a member of the uniformed services.''; and

(4) by adding at the end the following new subsection:

''(c) MWR RETAIL FACILITIES DEFINED.—In this section, the term 'MWR retail facilities' has the meaning given that term in section 1063(e) of this title.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1062 of title 10, United States Code, is amended to read as follows:

''§ 1062. Certain former spouses and surviving spouses''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 54 of title 10, United States Code, is amended by striking the item relating to section 1062 and inserting the following new item:

''1062. Certain former spouses and surviving spouses.''.

(c) REGULATIONS.—The Secretary of Defense shall publish the regulations required under section 1062(b) of title 10, United States Code, as added by subsection (a)(3), by not later than October 1, 2025.

Subtitle F—Studies and Reports

SEC. 1051. ANNUAL REPORT AND BRIEFING ON IMPLEMENTATION OF FORCE DESIGN 2030.

(a) IN GENERAL.—Not later than March 31, 2024, and annually thereafter through March 31, 2030, the Commandant of the Marine Corps shall submit to the congressional defense committees a report detailing the programmatic choices made to implement Force Design 2030, including both new developmental and fielded capabilities, as well as capabilities and capacity divested to accelerate implementation of Force Design 2030.

(b) BRIEFING REQUIREMENT.—Not later than September 30, 2024, and annually thereafter through September 30, 2030, the Commandant of the Marine Corps shall provide a briefing on the elements described under subsection (c).

(c) ELEMENTS.—The report required under subsection (a) and briefing required under subsection (b) shall include the following elements:

(1) An assessment of changes in the National Defense Strategy, Defense Planning Guidance, Joint Warfighting Concept (and associated Concept Required Capabilities), and other planning processes that informed Force Design 2030.

(2) An inventory and assessment of Force Design-related exercises and experimentation beginning in fiscal year 2020, including which capabilities were involved and the extent to which such exercises and experiments validated or militated against proposed capability investments.

(3) An inventory of divestments of capability or capacity, whether force structure or equipment, starting in fiscal year 2020, including—

(A) a timeline of the progress of each divestment;

(B) the type of force structure or equipment divested or reduced;

(C) the percentage of force structure or equipment divested or reduced, including any equipment entered into inventory management or another form of storage;

(D) the rationale and context behind such divestment;

(E) an identification of whether such divestment affects the Marine Corps' ability to meet the requirements of Global Force Management process and the operational plans, including an explanation of how the Marine Corps plans to mitigate the loss of such capability or capacity if the divestment affects the Marine Corps' ability to meet the requirements of the Global Force Management process and the operational plans, including through new investments, additional joint planning and training, or other methods; and

(F) an assessment of the Marine Corps' recruitment and retention actual and projected percentages starting in fiscal year 2020.

(4) An inventory of extant or planned investments as a part of Force Design 2030, disaggregated by integrated air and missile defense, littoral mobility and maneuver, sea denial, and reconnaissance and counter-reconnaissance forces, including—

(A) capability name;

(B) capability purpose and context;

(C) capability being replaced (or not applicable);

(D) date of initial operational capability;

(E) date of full operational capability;

(F) deliveries of units by year; and

(G) approved acquisition objective or similar inventory objective.

(5) A description of the amphibious warfare ship and maritime mobility requirements the Marine Corps submitted to the Department of the Navy in support of the Marine Corps organization and concepts under Force Design 2030 and its statutory requirements, including a detailed statement of the planning assumptions about readiness of amphibious warfare ships and maritime mobility platforms that were used in developing the requirements.

(6) An assessment of how the capability investments described in paragraph (4) contribute to joint force efficacy in new ways, including through support of other military services.

(7) An assessment of the ability of the Marine Corps to generate required force elements for the Immediate Ready Force and the Contingency Ready Force over the previous two fiscal years and the expected ability to generate forces for the next two fiscal years.

(8) An assessment of Marine Corps force structure and the readiness of Marine Expeditionary Units compared to availability of amphibious ships comprising an Amphibious Ready Group over the previous two fiscal years and the expected availability for the next two fiscal years.

(9) An assessment by the Marine Corps of its compliance with the statutory organization prescribed in section 8063 of title 10, United States Code, that ''[t]he Marine Corps, within the Department of the Navy, shall be so organized as to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein''.

(10) An assessment by the Marine Corps of its compliance with the statutory functions prescribed in section 8063 of title 10, United States Code, that ''[t]he Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign''.

SEC. 1052. PLAN FOR CONVERSION OF JOINT TASK FORCE NORTH INTO JOINT INTERAGENCY TASK FORCE NORTH.

(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 head of any relevant Federal department or agency and acting through the Under Secretary of Defense for Policy, shall submit to the congressional defense committees a plan for converting the Joint Task Force North of the United States Northern Command into a joint interagency task force

to be known as the ''Joint Interagency Task Force North''.

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

(1) A description of the mission of the Joint Interagency Task Force North.

(2) A detailed description of the resources of the Department of Defense, including personnel, facilities, and operating costs, necessary to convert the Joint Task Force North into a joint interagency task force.

(3) An identification of—

(A) each relevant department and agency of the United States Government the participation in the Joint Interagency Task Force North of which is necessary in order to enable the Joint Interagency Task Force North to effectively carry out its mission; and

(B) the interagency arrangements necessary to ensure effective participation by each such department and agency.

(4) An identification of each international liaison necessary for the Joint Interagency Task Force North to effectively carry out its mission.

(5) A description of the bilateral and multilateral agreements with foreign partners and regional and international organizations that would support the implementation of the mission of the Joint Interagency Task Force North.

(6) A description of the relationship between the Joint Interagency Task Force North and the Joint Interagency Task Force South of the United States Southern Command.

(7) A description of the relationship between the Joint Interagency Task Force North and the relevant security forces of the Government of Mexico and the Government of the Bahamas.

(8) A recommendation on whether the Joint Interagency Task Force North should be an enduring entity and a discussion of the circumstances under which the mission of the Joint Interagency Task Force North would transition to one or more entities within the United States Government other than the United States Northern Command.

(9) Any recommendations for additional legal authority needed for the Joint Interagency Task Force North to effectively carry out its mission.

(c) FORM.—The plan required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) INTERIM BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall provide a briefing to the congressional defense committees on progress made in developing the plan required by subsection (a).

SEC. 1053. REPORT ON USE OF TACTICAL FIGHTER AIRCRAFT AND BOMBER AIRCRAFT FOR DEPLOYMENTS AND HOMELAND DEFENSE MISSIONS.

(a) IN GENERAL.—Not later than May 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report including the results of a study on the use of tactical fighter aircraft and bomber aircraft for deployments and homeland defense missions.

(b) SCOPE.—The study conducted pursuant to subsection (a) shall—

(1) review both deployment and exercise requirements for tactical fighter aircraft and bomber aircraft levied by each geographic combatant command;

(2) assess deployable forces currently available to fulfill each of those requirements, and whether those forces are adequate to meet the global requirements;

(3) review any relevant tactical fighter forces or bomber forces that are not considered deployable or available to meet combatant command requirements, and consider whether that status can or should change;

(4) assess whether adequate consideration has been put into fighter coverage of the homeland during these deployments, in particular within the Alaska Area of Responsibility and the Hawaii Area of Responsibility; and

(5) assess Air Force and Navy active duty, Air National Guard, and reserve land-based tactical fighter units that could be considered for inclusion into homeland defense mission requirements.

SEC. 1054. MODIFICATIONS OF REPORTING REQUIREMENTS.

(a) CONSOLIDATED BUDGET QUARTERLY REPORT ON USE OF FUNDS.—Section 381(b) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''QUARTERLY REPORT'' and inserting ''SEMIANNUAL REPORT'';

(2) by striking ''calendar quarter'' and inserting ''calendar half''; and

(3) by striking ''such calendar quarter'' and inserting ''such calendar half''.

(b) MONTHLY COUNTERTERRORISM OPERATIONS BRIEFING.—

(1) IN GENERAL.—Section 485 of title 10, United States Code, is amended—

(A) in the section heading, by striking ''**Monthly**'' and inserting ''**Quarterly**''; and

(B) in subsection (a), by striking ''monthly'' and inserting ''quarterly''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 485 and inserting the following new item:

''485. Quarterly counterterrorism operations briefings.''.

(c) NATIONAL SECURITY STRATEGY FOR THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section 4811(a) of title 10, United States Code, is amended by striking ''The Secretary shall submit such strategy to Congress not later than 180 days after the date of submission of the national security strategy report required under section 108 of the National Security Act of 1947 (50 U.S.C. 3043).'' and inserting ''The Secretary shall submit such strategy to Congress as an integrated part of the report submitted under section 4814 of this title.''.

(d) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE REPORT AND QUARTERLY BRIEFING.—

(1) IN GENERAL.—Section 4814 of title 10, United States Code, is amended—

(A) by amending the section heading to read as follows:

''§ 4814. National Technology and Industrial Base: biennial report'';

(B) by striking ''(a) ANNUAL REPORT.—'';

(C) by striking ''March 1 of each year'' and inserting ''March 1 of each odd-numbered year''; and

(D) by striking subsection (b).

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 382 of such title is amended by striking the item relating to section 4814 and inserting the following:

''4814. National Technology and Industrial Base: biennial report.''.

(3) CONFORMING AMENDMENT.—Section 858(b)(2) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking subparagraph (A).

(e) ANNUAL MILITARY CYBERSPACE OPERATIONS REPORT.—Section 1644 of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 394 note; Public Law 116–92) is amended—

(1) in subsection (a) in the matter preceding paragraph (1) in the first sentence—

(A) by inserting ''effects'' after ''all named military cyberspace''; and

(B) by striking '', operations, cyber effects enabling operations, and cyber operations conducted as defensive operations'' and inserting ''conducted for either offensive or defensive purposes''; and

(2) in subsection (c), by inserting ''or cyber effects operations for which Congress has otherwise been provided notice'' before the period.

(f) INDEPENDENT STUDIES REGARDING POTENTIAL COST SAVINGS WITH RESPECT TO THE NUCLEAR SECURITY ENTERPRISE AND FORCE STRUCTURE.—Section 1753 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92, 133 Stat. 1852) is hereby repealed.

(g) EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.—Section 1231(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in the subsection heading, by striking ''QUARTERLY'' and inserting ''SEMIANNUAL''; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''quarterly'' and inserting ''semiannual''; and

(B) in subparagraph (A), by striking ''90-day'' and inserting ''180-day''.

(h) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.—Section 1233(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in the heading, by striking ''QUARTERLY'' and inserting ''SEMIANNUAL''; and

(2) in paragraph (1) in the second sentence of the matter preceding subparagraph (A), by striking ''quarterly'' and inserting ''semiannual''.

(i) THEFT, LOSS, OR RELEASE OF BIOLOGICAL SELECT AGENTS OR TOXINS INVOLVING DEPARTMENT OF DEFENSE.—Section 1067(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 1528(a)) is amended to read as follows:

''(a) NOTIFICATION.—(1) Subject to paragraph (2), not later than 45 days after a covered report of any theft, loss, or release of a biological select agent or toxin involving the Department of Defense is filed with the Centers for Disease Control and Prevention or the Animal and Plant Health Inspection Service, the Secretary of Defense, acting through the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs, shall provide to the congressional defense committees notice of such theft, loss, or release.

''(2) The Secretary shall provide to the congressional defense committees notice of a release under paragraph (1) only if the Secretary, acting through the Assistant Secretary, determines that the release is outside the barriers of secondary containment into the ambient air or environment or is causing occupational exposure that presents a threat to public safety.

''(3) In this subsection, the term 'covered report' means a report filed under any of the following (or any successor regulations):

''(A) Section 331.19 of title 7, Code of Federal Regulations.

''(B) Section 121.19 of title 9, Code of Federal Regulations.

''(C) Section 73.19 of title 42, Code of Federal Regulations.''.

(j) DEPARTMENT OF DEFENSE SECURITY COOPERATION WORKFORCE DEVELOPMENT.—Section 1250(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2529) is amended—

(1) in paragraph (1), by striking ''each year'' and inserting ''every other year''; and

(2) in paragraph (2) in the matter preceding subparagraph (A), by striking ''for the fiscal year'' and inserting ''for the fiscal years''.

(k) AUDIT OF DEPARTMENT OF DEFENSE FINANCIAL STATEMENTS.—Section 240a of title 10, United States Code, is amended—

(1) by striking ''(a) ANNUAL AUDIT REQUIRED.—''; and

(2) by striking subsection (b).

(l) FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION PLAN.—Section 240b(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''June 30, 2019, and annually thereafter'' and inserting ''July 31 each year'';

(B) in subparagraph (B)—

(i) by striking clauses (vii) through (x); and

(ii) by redesignating clauses (xi), (xii), and (xiii) as clauses (vii), (viii), and (ix), respectively; and

(C) by striking subparagraph (C); and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking ''June 30'' and inserting ''July 31''; and

(ii) by striking the second sentence; and

(B) in subparagraph (b)—

(i) by striking ''June 30'' and inserting ''July 31''; and

(ii) by striking the second sentence.

(m) ANNUAL REPORTS ON FUNDING.—Section 1009(c) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 240b note) is amended by striking ''five days'' and inserting ''10 days''.

SEC. 1055. REPORT ON EQUIPPING CERTAIN GROUND COMBAT UNITS WITH SMALL UNMANNED AERIAL SYSTEMS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the congressional defense committees a report on equipping platoon-sized ground combat formations with covered small unmanned aerial systems.

(b) ELEMENTS.—The report submitted pursuant to subsection (a) shall address the following:

(1) The use of covered small unmanned aerial systems in the Ukraine conflict and best practices learned.

(2) The potential use of covered small unmanned aerial systems to augment small unit tactics and lethality in the ground combat forces.

(3) Procurement challenges, legal restrictions, training shortfalls, operational limitations, or other impediments to fielding covered small unmanned aerial systems at the platoon level.

(4) A plan to equip platoon-sized ground combat formations in the close combat force with covered small unmanned aerial systems at a basis of issue deemed appropriate by the relevant secretary, including a proposed timeline and fielding strategy.

(5) A plan to equip such other ground combat units with covered small unmanned aerial systems as deemed appropriate by the relevant secretaries.

(6) An assessment of appropriate mission allocation between Group 3 unmanned aerial systems, Group 1 unmanned aerial systems, and covered small unmanned aerial systems.

(c) DEFINITION OF COVERED SMALL UNMANNED AERIAL SYSTEM.—In this section, the term ''covered small unmanned aerial system'' means a lightweight, low-cost, and commercially available unmanned aerial system or drone able to be quickly deployed for—

(1) intelligence, surveillance, target acquisition, and reconnaissance;

(2) conducting offensive strikes; or

(3) other functions as deemed appropriate by the relevant secretaries.

SEC. 1056. COMPREHENSIVE ASSESSMENT OF MARINE CORPS FORCE DESIGN 2030.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a Federally Funded Research and Development Center to conduct an independent review, assessment, and analysis of the Marine Corps modernization initiatives. The required report shall be submitted to the congressional defense committees in written report form not later than one year after entering into the contract.

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

(1) An assessment of changes in the National Defense Strategy, Defense Planning Guidance, the Joint Warfighting Concept, and other strategic documents and concepts that informed Force Design modernization requirements.

(2) An assessment of how the Marine Corps, consistent with authorized end strength, can be structured, organized, trained, equipped, and postured to meet the challenges of future competition, crisis, and conflict to include discussion of multiple structural options as relevant and the tradeoffs between different options.

(3) An assessment of the ability of the defense innovation base and defense industrial base to develop and produce the technologies required to implement the Marine Corps' published Force Design modernization plan on a timeline and at production rates sufficient to sustain military operations.

(4) An assessment of forward infrastructure and the extent to which installations are operationalized to deter, compete, and prevail during conflict in support of the Marine Corps modernization.

(5) An assessment of whether the Marine Corps is in compliance with the statutory organization and functions prescribed in section 8063 of title 10, United States Code.

(6) An assessment of the current retention and recruiting environment and the ability of the Marine Corps to sustain manpower requirements necessary for operational requirements levied by title 10, in light of the published Force Design plan.

(7) The extent to which the modernization initiatives within the Marine Corps are nested within applicable joint warfighting concepts.

(8) An assessment of whether the Marine Corps' modernization is consistent with the strategy of integrated deterrence.

(9) An assessment of the ability of the Marine Corps to generate required force elements for the Immediate Ready Force and the Contingency Ready Force, based on current and planned end strength and structure.

(10) The extent to which the Marine Corps' published plan for modernized capabilities can be integrated across the Joint Force, to include warfighting concepts at the combatant command level.

(11) The extent to which the Marine Corps' modernization efforts currently meet the requirements of combatant commanders' current plans and global force management operations, to include a description of what mechanisms exist to ensure geographic combatant requirements inform Marine Corps modernization efforts.

(12) The extent to which modeling and simulation, experimentation, wargaming, and other analytic methods support the changes incorporated into the Marine Corps' modernization initiatives, to include underlying assumptions and outcomes of such analyses.

(13) An inventory of extant or planned investments as part of the Marine Corps' modernization efforts, disaggregated by the following capability areas and including actual or projected dates of Initial Operational Capability and Full Operational Capability:

(A) Command and Control.

(B) Information.

(C) Intelligence.

(D) Fires.

(E) Movement and Maneuver.

(F) Protection.

(G) Sustainment.

(14) An inventory of divestments of capability or capacity, whether force structure or equipment, starting in fiscal year 2020, including—

(A) a timeline of the progress of each divestment;

(B) the type of force structure or equipment divested or reduced;

(C) the percentage of force structure of equipment divested or reduced, including any equipment entered into inventory management or other form of storage;

(D) the rationale and context behind such divestment; and

(E) an identification of whether such divestment affects the Marine Corps' ability to meet the requirements of Global Force Management process and the operational plans.

(15) An assessment of how observations regarding the invasion and defense of Ukraine affect the feasibility, advisability, and suitability of the Marine Corps' published modernization plans.

(c) CLASSIFICATION OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified appendix to the extent required to ensure that the report is accurate and complete.

SEC. 1057. STRATEGY TO ACHIEVE CRITICAL MINERAL SUPPLY CHAIN INDEPENDENCE FOR THE DEPARTMENT OF DEFENSE.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate committees of Congress a strategy to develop supply chains for the Department of Defense that are not dependent on mining or processing of critical minerals in or by covered countries, prioritizing production and processing in the United States, in order to achieve critical mineral supply chain independence from covered countries for the Department by 2035.

(2) ELEMENTS.—The strategy required by paragraph (1) shall—

(A) identify and assess significant vulnerabilities in the supply chains of contractors and subcontractors of the Department of Defense involving critical minerals that are mined or processed in or by covered countries;

(B) identify and recommend changes to the acquisition laws, regulations, and policies of the Department of Defense to ensure contractors and subcontractors of the Department use supply chains involving critical minerals that are not mined or processed in or by covered countries to the greatest extent practicable, prioritizing production and processing in the United States;

(C) evaluate the utility and desirability of using authorities provided by the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to expand supply chains and processing capacity for critical minerals in the United States;

(D) evaluate the utility and desirability of expanding authorities provided by the Defense Production Act of 1950 to be used to expand supply chains and processing capacity for critical minerals by countries that are allies or partners of the United States;

(E) evaluate the utility and desirability of leveraging the process for acquiring shortfall materials for the National Defense Stockpile

under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) to expand supply chains and processing capacity for critical minerals in the United States and in countries that are allies or partners of the United States;

(F) identify areas of potential engagement and partnership with the governments of countries that are allies or partners of the United States to jointly reduce dependence on critical minerals mined or processed in or by covered countries;

(G) identify and recommend other policy changes that may be needed to achieve critical mineral supply chain independence from covered countries for the Department;

(H) identify and recommend measures to streamline authorities and policies with respect to critical minerals and supply chains for critical minerals; and

(I) prioritize the recommendations made in the strategy to achieve critical mineral supply chain independence from covered countries for the Department, prioritizing production and processing in the United States, and taking into consideration economic costs and varying degrees of vulnerability posed to the national security of the United States by reliance on different types of critical minerals.

(3) FORM OF STRATEGY.—The strategy required by paragraph (1) shall be submitted in classified form but shall include an unclassified summary.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) COVERED COUNTRY.—The term ''covered country'' means—

(A) a covered nation, as defined in section 4872, title 10, United States Code; and

(B) any other country determined by the Secretary of Defense to be a geostrategic competitor or adversary of the United States for purposes of this Act.

(3) CRITICAL MINERAL.—The term ''critical mineral'' means a critical mineral (as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a))) that the Secretary of Defense determines to be important to the national security of the United States for purposes of this Act.

(4) SHORTFALL MATERIAL.—The term ''shortfall material'' means materials determined to be in shortfall in the most recent report on stockpile requirements submitted to Congress under subsection (a) of section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5) and included in the most recent briefing required by subsection (f) of that section.

SEC. 1058. QUARTERLY BRIEFING ON HOMELAND DEFENSE PLANNING.

(a) IN GENERAL.—Not later than February 1, 2024, and every 90 days thereafter through February 1, 2026, the Secretary of Defense shall provide a briefing to the congressional defense committees on efforts to bolster homeland defense, which is the top priority under the 2022 National Defense Strategy.

(b) CONTENTS.—Each briefing required by subsection (a) shall include the following:

(1) A summary of any update made to the homeland defense planning guidance of the Department of Defense during the preceding quarter.

(2) An update on the latest threats to the homeland posed by the Government of the People's Republic of China, the Government of the Russian Federation, the Government of the Democratic People's Republic of Korea, the Government of Iran, and any other adversary.

(3) A description of actions taken by the Department during the preceding quarter to mitigate such threats.

(4) An assessment of threats to the homeland in the event of a conflict with any adversary referred to in paragraph (2).

(5) A description of actions taken by the Department during the preceding quarter to bolster homeland defense in the event of such a conflict.

(6) An update on coordination by the Department with Federal, State, and Tribal agencies to bolster homeland defense.

(7) Any other matter the Secretary considers relevant.

SEC. 1059. SPECIAL OPERATIONS FORCE STRUCTURE.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) special operations forces have a vital and increasing role to play in strategic competition in addition to conducting counterterrorism operations and responding to crises;

(2) the demand for special operations forces and related capabilities by combatant commanders continues to exceed supply;

(3) special operations forces cannot be mass produced during a crisis;

(4) most special operations require non-special operations forces support, including engineers, technicians, intelligence analysts, and logisticians;

(5) reductions to special operations forces, including critical enablers, would dramatically and negatively impact available options for combatant commanders to engage in strategic competition, carry out counterterrorism operations, and respond to crises; and

(6) the Secretary of Defense should not consider any reductions to special operations force structure until after the completion of a comprehensive analysis of special operations force structure and a determination that any planned changes would not have a negative impact on the ability of combatant commanders to support strategic competition, counter terrorism, and respond to crises.

(b) REPORT.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report assessing the optimal force structure for special operations forces that includes the following elements:

(1) A description of the role of special operations forces in implementing the most recent national defense strategy under section 113(g) of title 10, United States Code.

(2) A description of ongoing special operations activities, as described in section 167(k) of title 10, United States Code.

(3) An assessment of potential future national security threats to the United States across the spectrum of competition and conflict.

(4) A description of ongoing counterterrorism and contingency operations of the United States.

(5) A detailed accounting of the demand for special operations forces by geographic combatant command.

(6) A description of the role of emerging technology on special operations forces.

(7) An assessment of current and projected capabilities of other United States Armed Forces that could affect force structure capability and capacity requirements of special operations forces.

(8) An assessment of the size, composition, and organizational structure of the military services' special operations command headquarters and subordinate headquarters elements.

(9) An assessment of the readiness of special operations forces for assigned missions and future conflicts.

(10) An assessment of the adequacy of special operations force structure for meeting the goals of the National Military Strategy under section 153(b) of title 10, United States Code.

(11) A description of the role of special operations forces in supporting the Joint Concept for Competing.

(12) Any other matters deemed relevant by the Secretary.

SEC. 1060. BRIEFING ON COMMERCIAL TOOLS EMPLOYED BY THE DEPARTMENT OF DEFENSE TO ASSESS FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE.

(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 countering industrial espionage.

(b) ELEMENTS.—The request required under subsection (a) shall include the following elements:

(1) A description of commercial and organically developed tools employed by the Department of Defense to—

(A) assess the risks of foreign malign ownership, control, or influence within the defense industrial base;

(B) mitigate vulnerability associated with, but no limited to, the People's Republic of China's, the Russian Federation's, Iran's, or North Korea's foreign ownership, control, or influence of any part of the acquisition supply chain; and

(C) vet program personnel to identify technologies and program components most at risk for industrial espionage.

(2) A description of specific commercial solutions the Department is currently leveraging to assess and mitigate these risks.

SEC. 1061. PLAN ON COUNTERING HUMAN TRAFFICKING.

(a) PLAN.—Not later than 120 days after the date of enactment of this Act, the Secretary of Defense shall submit a plan to the congressional defense committees for coordinating with defense partners in North America and South America and supporting interagency departments and agencies, as appropriate, in countering human trafficking operations, including human trafficking by transnational criminal organizations.

(b) ELEMENTS OF PLAN.—The plan under subsection (a) shall include—

(1) a description of the threat to United States security from human trafficking operations;

(2) a description of the authorities of the Department of Defense for the purposes specified in subsection (a);

(3) a description of any current or proposed Department of Defense programs or activities to coordinate with defense partners or provide support to interagency departments and agencies as described in subsection (a); and

(4) any recommendations of the Secretary of Defense for additional authorities for the purposes of countering human trafficking, including by transnational criminal organizations.

(c) BRIEFING.—Not later than 180 days after the submission of the plan required under subsection (a), the Secretary of Defense shall brief the congressional defense committees regarding the authorities, programs, and activities of the Department of Defense to counter human trafficking operations.

SEC. 1062. BRIEFING AND REPORT ON USE AND EFFECTIVENESS OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Not later than April 30, 2024, the Secretary of Defense shall provide to the Committee on Armed Services of the

Senate and the Committee on Armed Services of the House of Representatives a briefing and report on whether United States Naval Station, Guantanamo Bay, Cuba, is being used effectively to defend the national security interests of the United States.

(b) ELEMENTS.—The briefing and report required by subsection (a) shall—

(1) consider—

(A) the presence and activities in Cuba of the militaries of foreign governments, such as the Russian Federation and the People's Republic of China; and

(B) to what extent the presence and activities of those militaries could compromise the national security of the United States or of United States allies and partners; and

(2) discuss—

(A) options for dealing with the presence and activities of those militaries in Cuba; and

(B) how different use by the United States of United States Naval Station, Guantanamo Bay, might mitigate risk.

SEC. 1063. ENSURING RELIABLE SUPPLY OF CRITICAL MINERALS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the People's Republic of China's dominant share of the global minerals market is a threat to the economic stability, well being, and competitiveness of key industries in the United States;

(2) the United States should reduce reliance on the People's Republic of China for critical minerals through—

(A) strategic investments in development projects, production technologies, and refining facilities in the United States; and

(B) in partnership with strategic allies of the United States that are reliable trading partners, including members of the Quadrilateral Security Dialogue; and

(3) the United States Trade Representative should initiate multilateral talks among the countries of the Quadrilateral Security Dialogue to promote shared investment and development of critical minerals.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the United States Trade Representative, in consultation with the officials specified in paragraph (3), shall submit to the appropriate congressional committees a report on the work of the Trade Representative to address the national security threat posed by the People's Republic of China's control of nearly ⅔ of the global supply of critical minerals.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a description of the extent of the engagement of the United States with the other countries of the Quadrilateral Security Dialogue to promote shared investment and development of critical minerals during the period beginning on the date of the enactment of this Act and ending on the date of the report; and

(B) a description of the plans of the President to leverage the partnership of the countries of the Quadrilateral Security Dialogue to produce a more reliable and secure global supply chain of critical minerals.

(3) OFFICIALS SPECIFIED.—The officials specified in this paragraph are the following:

(A) The Secretary of Commerce.

(B) The Chief Executive Officer of the United States International Development Finance Corporation.

(C) The Secretary of Energy.

(D) The Director of the United States Geological Survey.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Finance and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives.

Subtitle G—Other Matters

SEC. 1071. MATTERS RELATED TO IRREGULAR WARFARE.

(a) AFFIRMING THE AUTHORITY OF THE SECRETARY OF DEFENSE TO CONDUCT IRREGULAR WARFARE.—Congress affirms that the Secretary of Defense is authorized to conduct irregular warfare operations, including clandestine irregular warfare operations, to defend the United States, allies of the United States, and interests of the United States.

(b) DEFINITION REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, for the purposes of joint doctrine, define the term ''irregular warfare''.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to constitute a specific statutory authorization for any of the following:

(1) The conduct of a covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

(2) The introduction of United States Armed Forces, within the meaning of the War Powers Resolution (Public Law 93–148; 50 U.S.C. 1541 et seq.), into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

SEC. 1072. JOINT CONCEPT FOR COMPETING IMPLEMENTATION UPDATES.

(a) IMPLEMENTATION UPDATE AND BRIEFINGS REQUIRED.—Not later than March 1, 2024, and every 180 days thereafter through March 1, 2026, the Chairman of the Joint Chiefs of Staff shall provide the congressional defense committees with a written update with accompanying briefing on the implementation of the Joint Concept for Competing, released on February 10, 2023.

(b) ELEMENTS.—At a minimum, the written updates and briefings required by subsection (a) shall include—

(1) a detailed description of the Joint Staff's efforts to develop integrated competitive strategies to address the challenges posed by specific adversaries, including those designed to—

(A) deter aggression;

(B) prepare for armed conflict, if necessary;

(C) counter the competitive strategies of adversaries; and

(D) support the efforts of interagency, allies and foreign partners, and interorganizational partners;

(2) an identification of relevant updates to joint doctrine and professional military education;

(3) an update on the Joint Concept for Competing's concept required capabilities;

(4) an explanation of the integration of the Joint Concept for Competing with other ongoing and future joint force development and design efforts;

(5) a description of efforts to operationalize the Joint Concept for Competing through a structured approach, including to provide strategic guidance and direction, identify and optimize Joint Force interdependencies with interagency and allied partners, and inform and guide joint force development and design processes;

(6) an articulation of concept-required capabilities that are necessary for joint force development and design in support of the Joint Concept for Competing;

(7) a description of efforts to coordinate and synchronize Department of Defense activities with those of other interagency and foreign partners for the purpose of integrated campaigning;

(8) an identification of any recommendations to better integrate the role of the Joint Force, as identified by the Joint Concept for Competing, with national security efforts of other interagency and foreign partners;

(9) an identification of any changes to authorities and resources necessary to fully implement the Joint Concept for Competing; and

(10) a description of any other matters deemed relevant by the Chairman of the Joint Chiefs of Staff.

SEC. 1073. LIMITATION ON CERTAIN FUNDING UNTIL SUBMISSION OF THE CHAIRMAN'S RISK ASSESSMENT AND BRIEFING REQUIREMENT.

(a) OFFICE OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.—Of the amounts authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Chairman of the Joint Chiefs of Staff, not more than 50 percent may be obligated or expended until the date that is 15 days after the date on which the following reports are submitted to the Committees on Armed Services of the Senate and the House of Representatives:

(1) The 2021 risk assessment mandated by paragraph (2) of subsection (b) of section 153 of title 10, United States Code, and required to be delivered pursuant to paragraph (3) of such subsection by not later than February 15, 2021.

(2) The 2023 risk assessment mandated by paragraph (2) of subsection (b) of section 153 of title 10, United States Code, and required to be delivered pursuant to paragraph (3) of such subsection by not later than February 15, 2023.

(b) OFFICE OF THE SECRETARY OF DEFENSE.—Of the amounts authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 50 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives:

(1) The risk mitigation plan required to be submitted as part of the assessment described under subsection (a)(1), if applicable.

(2) The risk mitigation plan required to be submitted as part of the assessment described under subsection (a)(2), if applicable.

(c) BRIEFING REQUIREMENT.—Section 153 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) BRIEFING REQUIREMENT.—(1) Not later than 15 days after the submission of the risk assessment required under subsection (b)(2) or March 1 of each year, whichever is earlier, the Chairman shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the activities of the Chairman under this section.

''(2) The briefing shall include—

''(A) a detailed review of the risk assessment required under paragraph (2) of subsection (b), including how it addresses the elements required in subparagraph (B) of such paragraph;

''(B) an analysis of how the risk assessment informs, and supports, other Joint Staff assessments, including joint capability development assessments, joint force development assessments, comprehensive joint readiness assessments, and global military integration assessments; and

''(C) if the risk assessment is not delivered at the time of the briefing, a timeline for when the risk assessment will be submitted to the Committees on Armed Services of the Senate and the House of Representatives.''.

SEC. 1074. NOTIFICATION OF SAFETY AND SECURITY CONCERNS AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) IN GENERAL.—The Secretary of Defense shall notify the congressional defense committees within 7 days after ceasing operations at any Department of Defense laboratory or facility rated at biosafety level (BSL)–3 or higher for safety or security reasons.

(b) CONTENT.—The notification required under subsection (a) shall include—

(1) the reason why operations have ceased at the laboratory or facility;

(2) whether appropriate notification to other Federal agencies has occurred;

(3) a description of the actions taken to determine the root cause of the cessation; and

(4) a description of the actions taken to restore operations at the laboratory or facility.

SEC. 1075. ASSESSMENT AND RECOMMENDATIONS RELATING TO INFRASTRUCTURE, CAPACITY, RESOURCES, AND PERSONNEL IN GUAM.

(a) ASSESSMENT.—The Secretary of Defense, in coordination with the Commander of United States Indo-Pacific Command, shall assess the capacity of existing infrastructure, resources, and personnel available in Guam to meet Indo-Pacific Command strategic objectives.

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

(1) An appraisal of the potential role Guam could play as a key logistics and operational hub for the United States military in the Indo-Pacific region.

(2) An assessment of whether current infrastructure, capacity, resources, and personnel in Guam is sufficient to meet the expected demands during relevant operations and contingency scenarios.

(3) An assessment of the adequacy of civilian infrastructure in Guam for supporting the requirements of United States Indo-Pacific Command, including the resilience of such infrastructure in the event of a natural disaster and the vulnerability of such infrastructure to cyber threats.

(4) Recommendations to improve current infrastructure, capacity, resources, and personnel in Guam, to include the need for recruiting and retention programs, such as cost-of-living adjustments, initiatives for dealing with any shortages of civilian employees, and programs to improve quality-of-life for personnel assigned to Guam.

(5) An assessment of the implementation of Joint Task Force Micronesia, including the Commander's assessment of requirements for funding, resources, and personnel as compared to what has been programmed in the fiscal year 2024 Future Years Defense Program.

(6) Timeline and estimated costs by location and project to support both existing and future roles in the region.

(7) Any other matters determined relevant by the Secretary.

(c) REPORT.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report including the results of the assessment required under subsection (a).

SEC. 1076. PROGRAM AND PROCESSES RELATING TO FOREIGN ACQUISITION.

(a) PILOT PROGRAM FOR COMBATANT COMMAND USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT.—Each geographic combatant command may use amounts from the Defense Acquisition Workforce Development Account established under section 1705 of title 10, United States Code, to hire not more than two acquisition specialists or contracting officers to advise the combatant command on foreign arms transfer processes, including the foreign military sales and direct commercial sales processes, for the purpose of facilitating the effective implementation of such processes.

(b) INDUSTRY DAY.—

(1) IN GENERAL.—Not later than March 1, 2024, and not less frequently than annually thereafter, the Secretary of Defense shall conduct an industry day—

(A) to raise awareness and understanding among officials of foreign governments, embassy personnel, and industry representatives with respect to the role of the Department of Defense in implementing the foreign military sales and direct commercial sales processes; and

(B) to raise awareness—

(i) within the United States private sector with respect to—

(I) foreign demand for United States weapon systems; and

(II) potential foreign industry partnering opportunities; and

(ii) among officials of foreign governments and embassy personal with respect to potential United States material solutions for capability needs.

(2) FORMAT.—In conducting each industry day under paragraph (1), the Secretary of Defense, to the extent practicable, shall seek to maximize participation by representatives of the commercial defense industry and government officials while minimizing cost, by—

(A) convening the industry day at the unclassified security level;

(B) making the industry day publicly accessible through teleconference or other virtual means; and

(C) disseminating any supporting materials by posting the materials on a publicly accessible internet website.

(c) SENIOR-LEVEL INDUSTRY ADVISORY GROUP.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with representatives of the commercial defense industry, shall establish a senior-level industry advisory group, modeled on the Defense Trade Advisory Group of the Department of State and the Industry Trade Advisory Committees of the Department of Commerce, for the purpose of focusing on the role of the Department of Defense in the foreign military sales process.

(2) BRIEFING.—Not later than 90 days 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 the House of Representatives on plans to establish the group described in paragraph (1).

(d) DEPARTMENT OF DEFENSE POINTS OF CONTACT FOR FOREIGN MILITARY SALES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment and the Secretary of each military department shall each establish a single point of contact—

(A) to coordinate information and outreach on Department of Defense implementation of the foreign military sales process; and

(B) to respond to inquiries from representatives of the commercial defense industry and partner countries.

(2) POINTS OF CONTACT.—The Under Secretary of Defense for Acquisition and Sustainment and the Secretary of each military department shall each ensure that the contact information for the corresponding point of contact established under paragraph (1) is—

(A) publicized at each industry day conducted under subsection (b); and

(B) disseminated among the members of the advisory group established under subsection (f).

(e) COMBATANT COMMAND NEEDS FOR EXPORTABILITY.—Not later than July 1 each year until 2030, the commander of each geographic combatant command shall provide to the Under Secretary of Defense for Acquisition and Sustainment a list of systems relating to research and development or sustainment that would benefit from investment for exportability features in support of the security cooperation objectives of the commander.

(f) SUNSET.—This section shall cease to have effect on December 31, 2028.

SEC. 1077. TECHNICAL AND CONFORMING AMENDMENTS RELATED TO THE SPACE FORCE.

(a) APPOINTMENT OF CHAIRMAN; GRADE AND RANK.—Section 152(c) of title 10, United States Code, is amended by striking ''or, in the case of an officer of the Space Force, the equivalent grade,''.

(b) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Section 181(c)(1)(F) of such title is amended by striking ''in the grade equivalent to the grade of general in the Army, Air Force, or Marine Corps, or admiral in the Navy'' and inserting ''in the grade of general''.

(c) ORIGINAL APPOINTMENTS OF COMMISSIONED OFFICERS.—Section 531(a) of such title is amended—

(1) in paragraph (1), by striking ''and Regular Marine Corps in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy, and in the equivalent grades in the Regular Space Force'' and inserting ''Regular Marine Corps, and Regular Space Force, and in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy''; and

(2) in paragraph (2), by striking ''and Regular Marine Corps in the grades of lieutenant commander, commander, and captain in the Regular Navy, and in the equivalent grades in the Regular Space Force'' and inserting ''Regular Marine Corps, and Regular Space Force, and in the grades of lieutenant commander, commander, and captain in the Regular Navy''.

(d) SERVICE CREDIT UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 533(b)(2) of such title is amended—

(1) by striking '', or Marine Corps, captain in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force or captain in the Navy''.

(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Section 601(e) of such title is amended—

(1) by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force, or''; and

(2) by striking ''or the commensurate grades in the Space Force,''.

(f) CONVENING OF SELECTION BOARDS.—Section 611(a) of such title is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(g) INFORMATION FURNISHED TO SELECTION BOARDS.—Section 615(a)(3) of such title is amended—

(1) in subparagraph (B)(i), by striking '', in the case of the Navy, lieutenant, or in the case of the Space Force, the equivalent grade'' and inserting ''or, in the case of the Navy, lieutenant''; and

(2) in subparagraph (D), by striking ''in the case of the Navy, rear admiral, or, in the case of the Space Force, the equivalent grade'' and inserting ''or, in the case of the Navy, rear admiral''.

(h) SPECIAL SELECTION REVIEW BOARDS.—Section 628a(a)(1)(A) of such title is amended by striking '', rear admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''or rear admiral in the Navy''.

(i) RANK: COMMISSIONED OFFICERS OF THE ARMED FORCES.—Section 741(a) of such title is amended in the table by striking ''and Marine Corps'' and inserting ''Marine Corps, and Space Force''.

(j) REGULAR COMMISSIONED OFFICERS.—Section 1370 of such title is amended—

(1) in subsection (a)(2), by striking ''rear admiral in the Navy, or the equivalent grade in the Space Force'' both places it appears and inserting ''or rear admiral in the Navy'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''or Marine Corps, lieutenant in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or lieutenant in the Navy''; and

(ii) in subparagraph (B), by striking ''or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or rear admiral in the Navy'';

(B) in paragraph (4), by striking ''or Marine Corps, captain in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or captain in the Navy'';

(C) in paragraph (5)—

(i) in subparagraph (A), by striking ''or Marine Corps, lieutenant commander in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or lieutenant commander in the Navy'';

(ii) in subparagraph (B), by striking ''or Marine Corps, commander or captain in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or commander or captain in the Navy''; and

(iii) in subparagraph (C), by striking ''or Marine Corps, rear admiral (lower half) or rear admiral in the Navy'' and inserting ''Marine Corps, or Space Corps, or rear admiral (lower half) or rear admiral in the Navy''; and

(D) in paragraph (6), by striking '', or an equivalent grade in the Space Force,'';

(3) in subsection (c)(1), by striking ''or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or vice admiral or admiral in the Navy'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or rear admiral in the Navy''; and

(B) in paragraph (3), by striking ''or Marine Corps, captain in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or captain in the Navy'';

(5) in subsection (e)(2), by striking ''or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or vice admiral or admiral in the Navy'';

(6) in subsection (f)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking ''or Marine Corps, rear admiral in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or rear admiral in the Navy''; and

(ii) in subparagraph (B), by striking ''or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or vice admiral or admiral in the Navy''; and

(B) in paragraph (6)—

(i) in subparagraph (A), by striking ''or Marine Corps, rear admiral in the Navy, or the equivalent grade in the Space Force'' and inserting '', Marine Corps, or Space Force, or rear admiral in the Navy''; and

(ii) in subparagraph (B), by striking ''or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or vice admiral or admiral in the Navy''; and

(7) in subsection (g), by striking ''or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or rear admiral in the Navy''.

(k) OFFICERS ENTITLED TO RETIRED PAY FOR NON-REGULAR SERVICE.—Section 1370a of such title is amended—

(1) in subsection (d)(1), by striking ''or Marine Corps'' both places it appears and inserting ''Marine Corps, or Space Force''; and

(2) in subsection (h), by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(l) RETIRED BASE PAY.—Section 1406(i)(3)(B)(v) of such title is amended by striking ''The senior enlisted advisor of the Space Force'' and inserting ''Chief Master Sergeant of the Space Force''.

(m) FINANCIAL ASSISTANCE PROGRAM FOR SPECIALLY SELECTED MEMBERS.—Section 2107 of such title is amended—

(1) in subsection (a)—

(A) by striking '', as a'' and inserting ''or as a''; and

(B) by striking ''or Marine Corps, or as an officer in the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force''; and

(2) in subsection (d), by striking ''lieutenant, ensign, or an equivalent grade in the Space Force,'' and inserting ''lieutenant or ensign,''.

(n) DESIGNATION OF SPACE SYSTEMS COMMAND AS A FIELD COMMAND OF THE UNITED STATES SPACE FORCE.—Section 9016(b)(6)(B)(iv)(II) of title 10, United States Code, is amended by striking ''Space and Missile Systems Center'' and inserting ''Space Systems Command''.

(o) CHIEF OF SPACE OPERATIONS.—Section 9082 of such title is amended—

(1) in subsection (a), by striking '', flag, or equivalent'' both places it appears; and

(2) in subsection (b), by striking ''grade in the Space Force equivalent to the grade of general in the Army, Air Force, and Marine Corps, or admiral in the Navy'' and inserting ''grade of general''.

(p) DISTINGUISHED FLYING CROSS.—Section 9279(a) of such title is amended–

(1) by adding ''or Space Force'' after ''Air Force''; and

(2) by adding ''or space'' after ''aerial''.

(q) AIRMAN'S MEDAL.—Section 9280(a)(1) of such title is amended by adding ''or Space Force'' after ''Air Force''.

(r) RETIRED GRADE OF COMMISSIONED OFFICERS.—Section 9341 of such title is amended—

(1) in subsection (a)(2), by striking ''or the Space Force''; and

(2) in subsection (b), by striking ''or Reserve''.

(s) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY: ADMINISTRATION.—Section 9414b(a)(2)(B) of such title is amended by striking ''or the equivalent grade in the Space Force''.

(t) AIR FORCE ACADEMY PERMANENT PROFESSORS; DIRECTOR OF ADMISSIONS.—Section 9436 of such title is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''in the Air Force or the equivalent grade in the Space Force'';

(B) in the second sentence—

(i) by inserting ''or Regular Space Force'' after ''Regular Air Force''; and

(ii) by striking ''and a permanent professor appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force''; and

(C) in the third sentence, by striking ''in the Air Force or the equivalent grade in the Space Force''; and

(2) in subsection (b)—

(A) in the first sentence, by striking ''in the Air Force or the equivalent grade in the Space Force'' both places it appears; and

(B) in the second sentence—

(i) by inserting ''or Regular Space Force'' after ''Regular Air Force''; and

(ii) by striking ''and a permanent professor appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force''.

(u) CADETS: DEGREE AND COMMISSION ON GRADUATION.—Section 9453(b) of such title is amended by striking ''in the equivalent grade in''.

(v) BASIC PAY RATES FOR ENLISTED MEMBERS.—Footnote 2 of the table titled ''ENLISTED MEMBERS'' in section 601(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 37 U.S.C. 1009 note) is amended by striking ''the senior enlisted advisor of the Space Force'' and inserting ''Chief Master Sergeant of the Space Force''.

(w) PAY OF SENIOR ENLISTED MEMBERS.—Section 210(c)(5) of title 37, United States Code, is amended by striking ''the senior enlisted advisor of the Space Force'' and inserting ''the Chief Master Sergeant of the Space Force''.

(x) PERSONAL MONEY ALLOWANCE.—Section 414(b) of title 37, United States Code, is amended by striking ''the senior enlisted advisor of the Space Force'' and inserting ''the Chief Master Sergeant of the Space Force''.

SEC. 1078. AUTHORITY TO ESTABLISH COMMERCIAL INTEGRATION CELLS WITHIN CERTAIN COMBATANT COMMANDS.

(a) IN GENERAL.—The Commander of the United States Africa Command, the Commander of the United States European Command, the Commander of the United States Indo-Pacific Command, the Commander of the United States Northern Command, and the Commander of the United States Southern Command may each establish—

(1) a commercial integration cell within their respective combatant command for the purpose of closely integrating public and private entities with capabilities relevant to the area of operation of such combatant command; and

(2) a chief technology officer position within their respective combatant command, who may—

(A) oversee such commercial integration cell; and

(B) report directly to the commander of the applicable combatant command.

(b) REQUIREMENTS AND AUTHORITIES.—In establishing the commercial integration cells under subsection (a)(1), each commander described in that paragraph may—

(1) make the applicable commercial integration cell available to commercial entities with existing Government contracts up to the Top Secret/Sensitive Compartmented Information clearance level;

(2) ensure that such commercial integration cell is an information-sharing partnership rather than a service contract;

(3) in the case of a solution identified within the commercial integration cell that requires resources, work within existing resources or processes to request such resources; and

(4) integrate lessons learned from the commercial integration cells of the United States Space Command and the United States Central Command.

(c) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Commander of the United States Africa Command, the Commander of the United States European Command, the Commander of the United States Indo-Pacific Command, the Commander of the United States Northern Command, and the Commander of the United States Southern Command shall each provide to the Committees on Armed Services of the Senate and the House of Representatives—

(1) a briefing on whether a commercial integration cell was implemented and any related progress, including any challenges to implementation;

(2) in the case of a commander of a combatant command who chooses not to use the authority provided in this section to establish a commercial integration cell or a chief technology officer—

(A) an explanation for not using such authority; and

(B) a description of the manner in which such commander is otherwise addressing the need to integrate commercial solutions; and

(3) in the case of a combatant command that has an official performing a role similar to the role described for a chief technology officer under subsection (a)(2), a detailed description of the role performed by such official.

SEC. 1079. MODIFICATION ON LIMITATION ON FUNDING FOR INSTITUTIONS OF HIGHER EDUCATION HOSTING CONFUCIUS INSTITUTES.

Section 1062 of the William M. (''Mac'') Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2241 note) is amended by striking subsection (b).

SEC. 1080. MODIFICATION OF DEFINITION OF DOMESTIC SOURCE FOR TITLE III OF DEFENSE PRODUCTION ACT OF 1950.

(a) IN GENERAL.—Section 702(7) of such Act (50 U.S.C. 4552(7)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term'';

(3) in clause (ii), as redesignated by paragraph (1), by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(4) by adding at the end the following new subparagraph (B):

''(B) DOMESTIC SOURCE FOR TITLE III.—

''(i) IN GENERAL.—For purposes of title III, the term 'domestic source' means a business concern that—

''(I) performs substantially all of the research and development, engineering, manufacturing, and production activities required of such business concern under a contract with the United States relating to a critical component or a critical technology item in—

''(aa) the United States or Canada; or

''(bb) subject to clause (ii), Australia or the United Kingdom; and

''(II) procures from business concerns described in subclause (I) substantially all of any components or assemblies required under a contract with the United States relating to a critical component or critical technology item.

''(ii) LIMITATIONS ON USE OF BUSINESS CONCERNS IN AUSTRALIA AND UNITED KINGDOM.—

''(I) IN GENERAL.—A business concern described in clause (i)(I)(bb) may be treated as a domestic source only for purposes of the exercise of authorities under title III relating to national defense matters that cannot be fully addressed with business concerns described in clause (i)(I)(aa).

''(II) NATIONAL DEFENSE MATTERS.—For purposes of subclause (I), a national defense matter is a matter relating to the development or production of—

''(aa) a defense article, as defined in section 301 of title 10, United States Code; or

''(bb) a material critical to national defense or national security, as defined in section 10(f) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–1(f)).''.

(b) REPORTS ON EXERCISE OF TITLE III AUTHORITIES.—Title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) is amended by adding at the end the following new section:

''SEC. 305. REPORTS ON EXERCISE OF AUTHORITIES.

''(a) IN GENERAL.—The President, or the head of an agency to which the President has delegated authorities under this title, shall submit a report and provide a briefing to the appropriate congressional committees with respect to any action taken pursuant to such authorities—

''(1) except as provided by paragraph (2), not later than 30 days after taking the action; and

''(2) in the case of an action that involves a business concern in the United Kingdom or Australia, not later than 30 days before taking the action.

''(b) ELEMENTS.—

''(1) IN GENERAL.—Each report and briefing required by subsection (a) with respect to an action described in that subsection shall include—

''(A) a justification of the necessity of the use of authorities under this title; and

''(B) a description of the financial terms of any related financial transaction.

''(2) ADDITIONAL ELEMENTS RELATING TO BUSINESS CONCERNS IN THE UNITED KINGDOM OR AUSTRALIA.—Each report and briefing required by subsection (a) with respect to an action described in paragraph (2) of that subsection shall include, in addition to the elements under paragraph (1)—

''(A) a certification that business concerns in the United States or Canada were not available with respect to the action; and

''(B) an analysis of why such business concerns were not available.

''(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives; and

''(2) in the case of an action described in subsection (a) involving strategic and critical materials relating to national defense matters (as described in section 702(7)(B)(ii)(II)), the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.''.

SEC. 1081. COMPREHENSIVE STRATEGY FOR TALENT DEVELOPMENT AND MANAGEMENT OF DEPARTMENT OF DEFENSE COMPUTER PROGRAMMING WORKFORCE.

(a) POLICY.—It shall be a policy of the Armed Forces, including the reserve components, to establish appropriate and effective talent development and management policies and practices that allow for the military departments to present an adaptable, qualified workforce training and education standard with respect to computer programming skill needs for the workforce of the Department of Defense, including technical and nontechnical skills related to artificial intelligence and software coding.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretaries of each military department and the Chairman of the Joint Chiefs of Staff, shall develop a strategy to achieve the policy set forth in subsection (a).

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

(A) the development, funding, and execution of a coherent approach and transparent strategy across digital platforms and applications that enable development and presentation of forces with appropriate programmatic oversight for both active and reserve component workforces;

(B) the evaluation of the potential need for career field occupational codes or other service-specific talent management mechanisms aligned with the work roles related to computer programming, artificial intelligence and machine learning competency, and software engineering under the Department of Defense Cyber Workforce Framework to allow for the military departments to identify, assess, track, manage, and assign personnel with computer programming, coding, and artificial intelligence skills through established mechanisms, under the policies of the military departments with respect to career field management, including—

(i) development, modification, or revalidation of a career field or separate occupational code for computer programming occupational areas aligned with such work roles; and

(ii) development, modification, or revalidation of a unique special skills or experience designator or qualification, tracked independently of a career field, for computer programming occupational areas aligned with such work roles;

(C) the evaluation of current talent management processes to incorporate equivalency assessment as part of the qualification standard to accommodate experiences, training, or skills developed as a result of other work experience or training opportunities, including potentially from civilian occupations or commercially-available training courses

(D) assessment of members of the Armed Forces who have completed the qualification process of the military department concerned or who qualify based on existing skills and training across computer programming occupational areas; and

(E) maintaining data on, and longitudinal tracking of, members of the Armed Forces described in subparagraph (D).

(c) RESPONSIBILITIES.—The Secretary of each military department, in consultation with the Assistant Secretary of the military department for Manpower and Reserve Affairs, the Chief Information Officer of the Department of Defense, and the Chief Digital and Artificial Intelligence Officer of the Office of the Secretary of Defense, shall—

(1) be responsible for development and implementation of the policy set forth in subsection (a) and strategy required by subsection (b); and

(2) carry out that responsibility through an officer or employee of the military department assigned by the Secretary for that purpose.

(d) DUTIES.—In developing and providing for the implementation of the policy set forth in subsection (a) and strategy required by subsection (b), the Secretary of each military department, in consultation with the Assistant Secretary of the military department for Manpower and Reserve Affairs, the Chief Information Officer of the military department, the Chief Information Officer of the Department of Defense, and the Chief Digital and Artificial Intelligence Officer of the Office of the Secretary of Defense, shall establish and update relevant policies and practices to enable the talent development and management to provide a workforce capable of conducting computer programming, software coding, and artificial intelligence

activities, including by meeting related manning, systems, training, and other related funding requirements.

(e) STRATEGY AND IMPLEMENTATION PLANS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives the strategy required by subsection (b).

(2) IMPLEMENTATION PLANS REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a implementation plan for the strategy required by subsection (b), including identification of resource needs and areas where current internal policy or legal statutes may need to be updated.

(f) DEFINITIONS.—In this section:

(1) COMPUTER PROGRAMMING OCCUPATIONAL AREA.—The term ''computer programming occupational area'' means a technical or nontechnical occupational position that supports computer programming, coding, or artificial intelligence operations and development, including the following positions:

(A) Data scientists.

(B) Data engineers.

(C) Data analysts.

(D) Software developers.

(E) Machine learning engineers.

(F) Program managers.

(G) Acquisition professionals.

(2) DIGITAL PLATFORM OR APPLICATION.—The term ''digital platform or application'' means an online integrated personnel management system or human capital solution.

(3) QUALIFICATION PROCESS.—The term ''qualification process''—

(A) means the process, modeled on a streamlined version of the process for obtaining joint qualifications, for training and verifying members of the Armed Forces to receive career field or occupational codes associated with computer programming occupational areas; and

(B) may include—

(i) experiences, education, and training received as a part of military service, including fellowships, talent exchanges, positions within government, and educational courses; and

(ii) in the case of members of the reserve components, experiences, education, and training received in their civilian occupations.

(4) STANDARD.—The term ''standard'' means the defined, reviewed, and published standard for occupational series or career fields that provides a measurable standard by which the military departments can assess the ability to meet their operational planning and steady-state force presentation requirements during the global force management process.

SEC. 1082. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF LANDMINES.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmine munitions before the date on which the Secretary of Defense submits the report required by subsection (c).

(b) EXCEPTION FOR SAFETY.—Subsection (a) shall not apply to any anti-personnel landmine munitions that the Secretary of Defense determines are unsafe or could pose a safety risk to the United States Armed Forces if not demilitarized or destroyed.

(c) REPORT REQUIRED.—

(1) 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 that includes each of the following:

(A) A description of the policy of the Department of Defense regarding the use of anti-personnel landmines, including methods for commanders to seek waivers to use such munitions.

(B) Projections covering the period of 10 years following the date of the report of—

(i) the inventory levels for all anti-personnel landmine munitions, taking into account future production of anti-personnel landmine munitions, any plans for demilitarization of such munitions, the age of the munitions, storage and safety considerations, and any other factors that are expected to impact the size of the inventory;

(ii) the cost to achieve the inventory levels projected in clause (i), including the cost for potential demilitarization or disposal of such munitions; and

(iii) the cost to develop and produce new anti-personnel landmine munitions the Secretary determines are necessary to meet the demands of operational plans.

(C) An assessment by the Chairman of the Joint Chiefs of Staff of the effects of the inventory levels projected under subparagraph (B)(i) on operational plans.

(D) Any inputs by the Chairman and the commanders of the combatant commands to a policy process that resulted in a change in landmine policy during the calendar year preceding the date of the enactment of this Act.

(E) Any other matters that the Secretary determines appropriate for inclusion in the report.

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

(d) BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than 180 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 status, as of the date of the briefing, of research and development into operational alternatives to anti-personnel landmine munitions.

(2) FORM OF BRIEFING.—The briefing required by paragraph (1) may contain classified information.

(e) ANTI-PERSONNEL LANDMINE MUNITIONS DEFINED.—In this section, the term ''anti-personnel landmine munitions'' includes anti-personnel landmines and submunitions, as defined by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, concluded at Oslo September 18, 1997, as determined by the Secretary.

SEC. 1083. NOGALES WASTEWATER IMPROVEMENT.

(a) AMENDMENT TO THE ACT OF JULY 27, 1953.—The first section of the Act of July 27, 1953 (67 Stat. 195, chapter 242; 22 U.S.C. 277d–10), is amended by striking the period at the end and inserting '': *Provided further*, That the equitable portion of the Nogales sanitation project for the city of Nogales, Arizona, shall be limited to the costs directly associated with the treatment and conveyance of the wastewater of the city and, to the extent practicable, shall not include any costs directly associated with the quality or quantity of wastewater originating in Mexico.''.

(b) NOGALES SANITATION PROJECT.—

(1) DEFINITIONS.—In this subsection:

(A) CITY.—The term ''City'' means the City of Nogales, Arizona.

(B) COMMISSION.—The term ''Commission'' means the United States Section of the International Boundary and Water Commission.

(C) INTERNATIONAL OUTFALL INTERCEPTOR.—The term ''International Outfall Interceptor'' means the pipeline that conveys wastewater from the United States-Mexico border to the Nogales International Wastewater Treatment Plant.

(D) NOGALES INTERNATIONAL WASTEWATER TREATMENT PLANT.—The term ''Nogales International Wastewater Treatment Plant'' means the wastewater treatment plant that—

(i) is operated by the Commission;

(ii) is located in Rio Rico, Santa Cruz County, Arizona, after manhole 99; and

(iii) treats sewage and wastewater originating from—

(I) Nogales, Sonora, Mexico; and

(II) Nogales, Arizona.

(2) OWNERSHIP AND CONTROL.—

(A) IN GENERAL.—Subject to subparagraph (B) and in accordance with authority under the Act of July 27, 1953 (67 Stat. 195, chapter 242; 22 U.S.C. 277d–10 et seq.), on transfer by donation from the City of the current stake of the City in the International Outfall Interceptor to the Commission, the Commission shall enter into such agreements as are necessary to assume full ownership and control over the International Outfall Interceptor.

(B) AGREEMENTS REQUIRED.—The Commission shall assume full ownership and control over the International Outfall Interceptor under subparagraph (A) after all applicable governing bodies in the State of Arizona, including the City, have—

(i) signed memoranda of understanding granting to the Commission access to existing easements for a right of entry to the International Outfall Interceptor for the life of the International Outfall Interceptor;

(ii) entered into an agreement with respect to the flows entering the International Outfall Interceptor that are controlled by the City; and

(iii) agreed to work in good faith to expeditiously enter into such other agreements as are necessary for the Commission to operate and maintain the International Outfall Interceptor.

(3) OPERATIONS AND MAINTENANCE.—

(A) IN GENERAL.—Beginning on the date on which the Commission assumes full ownership and control of the International Outfall Interceptor under paragraph (2)(A), but subject to paragraph (5), the Commission shall be responsible for the operations and maintenance of the International Outfall Interceptor.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission to carry out this paragraph, to remain available until expended—

(i) $6,500,000 for fiscal year 2025; and

(ii) not less than $2,500,000 for fiscal year 2026 and each fiscal year thereafter.

(4) DEBRIS SCREEN.—

(A) DEBRIS SCREEN REQUIRED.—

(i) IN GENERAL.—The Commission shall construct, operate, and maintain a debris screen at Manhole One of the International Outfall Interceptor for intercepting debris and drug bundles coming to the United States from Nogales, Sonora, Mexico.

(ii) REQUIREMENT.—In constructing and operating the debris screen under clause (i), the Commission and the Commissioner of U.S. Customs and Border Protection shall coordinate—

(I) the removal of drug bundles and other illicit goods caught in the debris screen; and

(II) other operations at the International Outfall Interceptor that require coordination.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission, to remain available until expended—

(i) for fiscal year 2025—

(I) $8,000,000 for construction of the debris screen described in subparagraph (A)(i); and

(II) not less than $1,000,000 for the operations and maintenance of the debris screen described in subparagraph (A)(i); and

(ii) not less than $1,000,000 for fiscal year 2026 and each fiscal year thereafter for the operations and maintenance of the debris screen described in subparagraph (A)(i).

(5) LIMITATION OF CLAIMS.—Chapter 171 and section 1346(b) of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), shall not apply to any claim arising from the activities of the Commission in carrying out this subsection, including any claim arising from damages that result from overflow of the International Outfall Interceptor due to excess inflow to the International Outfall Interceptor originating from Nogales, Sonora, Mexico.

(c) EFFECTIVE DATE.—This section (including the amendments made by this section) takes effect on October 1, 2024.

SEC. 1084. AUTHORIZATION OF AMOUNTS TO SUPPORT INITIATIVES FOR MOBILE MAMMOGRAPHY SERVICES FOR VETERANS.

There is authorized to be appropriated to the Secretary of Veterans Affairs $10,000,000 for the Office of Women's Health of the Department of Veterans Affairs under section 7310 of title 38, United States Code, to be used by the Secretary to expand access of women veterans to—

(1) mobile mammography initiatives;

(2) advanced mammography equipment; and

(3) outreach activities to publicize those initiatives and equipment.

SEC. 1085. PROTECTION OF COVERED SECTORS.

The Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) is amended by adding at the end the following:

''TITLE VIII—PROTECTION OF COVERED SECTORS

''SEC. 801. DEFINITIONS.

''In this title:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Armed Services, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Ways and Means, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

''(2) COUNTRY OF CONCERN.—The term 'country of concern' means, subject to such regulations as may be prescribed in accordance with section 806, a country specified in section 4872(d)(2) of title 10, United States Code.

''(3) COVERED ACTIVITY.—

''(A) IN GENERAL.—Subject to such regulations as may be prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered activity' means any activity engaged in by a United States person in a related to a covered sector that involves—

''(i) an acquisition by such United States person of an equity interest or contingent equity interest, or monetary capital contribution, in a covered foreign entity, directly or indirectly, by contractual commitment or otherwise, with the goal of generating income or gain;

''(ii) an arrangement for an interest held by such United States person in the short- or long-term debt obligations of a covered foreign entity that includes governance rights that are characteristic of an equity investment, management, or other important rights, as defined in regulations prescribed in accordance with section 806;

''(iii) the establishment of a wholly owned subsidiary in a country of concern, such as a greenfield investment, for the purpose of production, design, testing, manufacturing, fabrication, or development related to one or more covered sectors;

''(iv) the establishment by such United States person of a joint venture in a country of concern or with a covered foreign entity for the purpose of production, design, testing, manufacturing, fabrication, or research involving one or more covered sectors, or other contractual or other commitments involving a covered foreign entity to jointly research and develop new innovation, including through the transfer of capital or intellectual property or other business proprietary information; or

''(v) the acquisition by a United States person with a covered foreign entity of—

''(I) operational cooperation, such as through supply or support arrangements;

''(II) the right to board representation (as an observer, even if limited, or as a member) or an executive role (as may be defined through regulation) in a covered foreign entity;

''(III) the ability to direct or influence such operational decisions as may be defined through such regulations;

''(IV) formal governance representation in any operating affiliate, like a portfolio company, of a covered foreign entity; or

''(V) a new relationship to share or provide business services, such as but not limited to financial services, marketing services, maintenance, or assembly functions, related to a covered sectors.

''(B) EXCEPTIONS.—The term 'covered activity' does not include—

''(i) any transaction the value of which the Secretary of the Treasury determines is de minimis, as defined in regulations prescribed in accordance with section 806;

''(ii) any category of transactions that the Secretary determines is in the national interest of the United States, as may be defined in regulations prescribed in accordance with section 806; or

''(iii) any ordinary or administrative business transaction as may be defined in such regulations.

''(4) COVERED FOREIGN ENTITY.—

''(A) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered foreign entity' means—

''(i) any entity that is incorporated in, has a principal place of business in, or is organized under the laws of a country of concern;

''(ii) any entity the equity securities of which are primarily traded in the ordinary course of business on one or more exchanges in a country of concern;

''(iii) any entity in which any entity described in subclause (i) or (ii) holds, individually or in the aggregate, directly or indirectly, an ownership interest of greater than 50 percent; or

''(iv) any other entity that is not a United States person and that meets such criteria as may be specified by the Secretary of the Treasury in such regulations.

''(B) EXCEPTION.—The term 'covered foreign entity' does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in the entity is ultimately owned by—

''(i) nationals of the United States; or

''(ii) nationals of such countries (other than countries of concern) as are identified for purposes of this subparagraph pursuant to regulations prescribed in accordance with section 806.

''(5) COVERED SECTORS.—Subject to regulations prescribed in accordance with section 806, the term 'covered sectors' includes sectors within the following areas, as specified in such regulations:

''(A) Advanced semiconductors and microelectronics.

''(B) Artificial intelligence.

''(C) Quantum information science and technology.

''(D) Hypersonics.

''(E) Satellite-based communications.

''(F) Networked laser scanning systems with dual-use applications.

''(6) PARTY.—The term 'party', with respect to an activity, has the meaning given that term in regulations prescribed in accordance with section 806.

''(7) UNITED STATES.—The term 'United States' means the several States, the District of Columbia, and any territory or possession of the United States.

''(8) UNITED STATES PERSON.—The term 'United States person' means—

''(A) an individual who is a citizen or national of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(B) any corporation, partnership, or other entity organized under the laws of the United States or the laws of any jurisdiction within the United States.

''SEC. 802. ADMINISTRATION OF UNITED STATES INVESTMENT NOTIFICATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this title to the Secretary of the Treasury.

''(b) COORDINATION.—In carrying out the duties of the Secretary under this title, the Secretary shall—

''(1) coordinate with the Secretary of Commerce; and

''(2) consult with the United States Trade Representative, the Secretary of Defense, the Secretary of State, and the Director of National Intelligence.

''SEC. 803. MANDATORY NOTIFICATION OF COVERED ACTIVITIES.

''(a) MANDATORY NOTIFICATION.—

''(1) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, beginning on the date that is 90 days after such regulations take effect, a United States person that plans to engage in a covered activity shall—

''(A) if such covered activity is not a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days before the anticipated completion date of the activity; and

''(B) if such covered activity is a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days after the completion date of the activity.

''(2) CIRCULATION OF NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall, upon receipt of a notification under paragraph (1), promptly inspect the notification for completeness.

''(B) INCOMPLETE NOTIFICATIONS.—If a notification submitted under paragraph (1) is incomplete, the Secretary shall promptly inform the United States person that submits the notification that the notification is not complete and provide an explanation of relevant material respects in which the notification is not complete.

''(3) IDENTIFICATION OF NON-NOTIFIED ACTIVITY.—The Secretary shall establish a process to identify covered activity for which—

''(A) a notification is not submitted to the Secretary under paragraph (1); and

''(B) information is reasonably available.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any information or documentary material filed with the Secretary of the Treasury pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public by any government agency or Member of Congress.

''(2) EXCEPTIONS.—The exemption from disclosure provided by paragraph (1) shall not prevent the disclosure of the following:

''(A) Information relevant to any administrative or judicial action or proceeding.

''(B) Information provided to Congress or any of the appropriate congressional committees.

''(C) Information important to the national security analysis or actions of the President to any domestic governmental entity, or to any foreign governmental entity of an ally or partner of the United States, under the direction and authorization of the President or the Secretary, only to the extent necessary for national security purposes, and subject to appropriate confidentiality and classification requirements.

''(D) Information that the parties have consented to be disclosed to third parties.

''SEC. 804. REPORTING REQUIREMENTS.

''(a) IN GENERAL.—Not later than 360 days after the date on which the regulations prescribed under section 806 take effect, and not less frequently than annually thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that—

''(1) lists all notifications submitted under section 803(a) during the year preceding submission of the report and includes, with respect to each such notification—

''(A) basic information on each party to the covered activity with respect to which the notification was submitted; and

''(B) the nature of the covered activity that was the subject to the notification, including the elements of the covered activity that necessitated a notification;

''(2) includes a summary of those notifications, disaggregated by sector, by covered activity, and by country of concern;

''(3) provides additional context and information regarding trends in the sectors, the types of covered activities, and the countries involved in those notifications;

''(4) includes a description of the national security risks associated with—

''(A) the covered activities with respect to which those notifications were submitted; or

''(B) categories of such activities; and

''(5) assesses the overall impact of those notifications, including recommendations for—

''(A) expanding existing Federal programs to support the production or supply of covered sectors in the United States, including the potential of existing authorities to address any related national security concerns;

''(B) investments needed to enhance covered sectors and reduce dependence on countries of concern regarding those sectors; and

''(C) the continuation, expansion, or modification of the implementation and administration of this title, including recommendations with respect to whether the definition of 'country of concern' under section 801(2) should be amended to add or remove countries.

''(b) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

''(c) TESTIMONY REQUIRED.—Not later than one year after the date of enactment of this title, and annually thereafter, the Secretary of the Treasury and the Secretary of Commerce shall each provide to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives testimony with respect to the national security threats relating to investments by the United States persons in countries of concern and broader international capital flows.

''SEC. 805. PENALTIES AND ENFORCEMENT.

''(a) PENALTIES WITH RESPECT TO UNLAWFUL ACTS.—Subject to regulations prescribed in accordance with section 806, it shall be unlawful—

''(1) to fail to submit a notification under subsection (a) of section 803 with respect to a covered activity or to submit other information as required by the Secretary of the Treasury; or

''(2) to make a material misstatement or to omit a material fact in any information submitted to the Secretary under this title.

''(b) ENFORCEMENT.—The President may direct the Attorney General to seek appropriate relief in the district courts of the United States, in order to implement and enforce this title.

''SEC. 806. REQUIREMENT FOR REGULATIONS.

''(a) IN GENERAL.—Not later than 360 days after the date of the enactment of this title, the Secretary of the Treasury shall finalize regulations to carry out this title.

''(b) ELEMENTS.—Regulations prescribed to carry out this title shall include specific examples of the types of—

''(1) activities that will be considered to be covered activities; and

''(2) the specific sectors and subsectors that may be considered to be covered sectors.

''(c) REQUIREMENTS FOR CERTAIN REGULATIONS.—The Secretary of the Treasury shall prescribe regulations further defining the terms used in this title, including 'covered activity', 'covered foreign entity', and 'party', in accordance with subchapter II of chapter 5 and chapter 7 of title 5 (commonly known as the 'Administrative Procedure Act').

''(d) PUBLIC PARTICIPATION IN RULEMAKING.—The provisions of section 709 shall apply to any regulations issued under this title.

''(e) LOW-BURDEN REGULATIONS.—In prescribing regulations under this section, the Secretary of the Treasury shall structure the regulations—

''(1) to minimize the cost and complexity of compliance for affected parties;.

''(2) to ensure the benefits of the regulations outweigh their costs;

''(3) to adopt the least burdensome alternative that achieves regulatory objectives;

''(4) to prioritize transparency and stakeholder involvement in the process of prescribing the regulations; and

''(5) to regularly review and streamline existing regulations to reduce redundancy and complexity.

''SEC. 807. MULTILATERAL ENGAGEMENT AND COORDINATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this section to the Secretary of State.

''(b) AUTHORITIES.—The Secretary of State, in coordination with the Secretary of the Treasury, the Secretary of Commerce, the United States Trade Representative, and the Director of National Intelligence, shall—

''(1) conduct bilateral and multilateral engagement with the governments of countries that are allies and partners of the United States to ensure coordination of protocols and procedures with respect to covered activities with countries of concern and covered foreign entities; and

''(2) upon adoption of protocols and procedures described in paragraph (1), work with those governments to establish mechanisms for sharing information, including trends, with respect to such activities.

''(c) STRATEGY FOR DEVELOPMENT OF OUTBOUND INVESTMENT SCREENING MECHANISMS.—The Secretary of State, in coordination with the Secretary of the Treasury and in consultation with the Attorney General, shall—

''(1) develop a strategy to work with countries that are allies and partners of the United States to develop mechanisms comparable to this title for the notification of covered activities; and

''(2) provide technical assistance to those countries with respect to the development of those mechanisms.

''(d) REPORT.—Not later than 90 days after the development of the strategy required by subsection (b), and annually thereafter for a period of 5 years, the Secretary of State shall submit to the appropriate congressional committees a report that includes the strategy, the status of implementing the strategy, and a description of any impediments to the establishment of mechanisms comparable to this title by allies and partners,

''SEC. 808. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

''(b) HIRING AUTHORITY.—The head of any agency designated as a lead agency under section 802(b) may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, not more than 25 candidates directly to positions in the competitive service (as defined in section 2102 of that title) in that agency. The primary responsibility of individuals in positions authorized under the preceding sentence shall be to administer this title.

''SEC. 809. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

''Nothing in this title may be construed to restrain or deter foreign investment in the United States, United States investment abroad, or trade in goods or services, if such investment and trade do not pose a risk to the national security of the United States.''.

SEC. 1086. REVIEW OF AGRICULTURE-RELATED TRANSACTIONS BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended—

(1) in subsection (a)—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''; and'' and inserting a semicolon;

(II) in clause (ii), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(iii) any transaction described in clause (vi) or (vii) of subparagraph (B) proposed or pending on or after the date of the enactment of this clause.'';

(ii) in subparagraph (B), by adding at the end the following:

''(vi) Any other investment, subject to regulations prescribed under subparagraphs (D) and (E), by a foreign person in any unaffiliated United States business that is engaged in agriculture or biotechnology related to agriculture.

''(vii) Subject to subparagraphs (C) and (E), the purchase or lease by, or a concession to, a foreign person of private real estate that is—

''(I) located in the United States;

''(II) used in agriculture; and

''(III) more than 320 acres or valued in excess of $5,000,000.'';

(iii) in subparagraph (C)(i), by striking ''subparagraph (B)(ii)'' and inserting ''clause (ii) or (vii) of subparagraph (B)'';

(iv) in subparagraph (D)—

(I) in clause (i), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)'';

(II) in clause (iii)(I), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)'';

(III) in clause (iv)(I), by striking ''subparagraph (B)(iii)'' each place it appears and inserting ''clauses (iii) and (vi) of subparagraph (B)''; and

(IV) in clause (v), by striking ''subparagraph (B)(iii)'' and inserting ''clauses (iii) and (vi) of subparagraph (B)''; and

(v) in subparagraph (E), by striking ''clauses (ii) and (iii)'' and inserting ''clauses (ii), (iii), (iv), and (vii)''; and

(B) by adding at the end the following:

''(14) AGRICULTURE.—The term 'agriculture' has the meaning given such term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).'';

(2) in subsection (k)(2)—

(A) by redesignating subparagraphs (H), (I), and (J), as subparagraphs (I), (J), and (K), respectively; and

(B) inserting after subparagraph (G) the following new subparagraph:

''(H) The Secretary of Agriculture (nonvoting, ex officio).''; and

(3) by adding at the end the following:

''(r) PROHIBITION WITH RESPECT TO AGRICULTURAL COMPANIES AND REAL ESTATE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, if the Committee, in conducting a review and investigation under this section, determines that a transaction described in clause (i), (vi), or (vii) of subsection (a)(4)(B) would result in control by a covered foreign person of or investment by a covered foreign person in a United States business engaged in agriculture or private real estate used in agriculture, the President shall prohibit such transaction.

''(2) WAIVER.—The President may waive, on a case-by-case basis, the requirement to prohibit a transaction under paragraph (1), not less than 30 days after the President determines and reports to the relevant committees of jurisdiction that it is vital to the national security interests of the United States to waive such prohibition.

''(3) DEFINED TERMS.—In this subsection:

''(A) COVERED PERSON.—

''(i) IN GENERAL.—Except as provided by clause (ii), the term 'covered person'—

''(I) has the meaning given the term 'a person owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary' in section 7.2 of title 15, Code of Federal Regulations (as in effect on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024), except that each reference to 'foreign adversary' in that definition shall be deemed to be a reference to the government of a covered country; and

''(II) includes an entity that—

''(aa) is registered in or organized under the laws of a covered country;

''(bb) has a principal place of business in a covered country; or

''(cc) has a subsidiary with a principal place of business in a covered country.

''(ii) EXCLUSIONS.—The term 'covered person' does not include a United States citizen or an alien lawfully admitted for permanent residence to the United States.

''(B) COVERED COUNTRY.—The term 'covered country' means any of the following:

''(i) The People's Republic of China.

''(ii) The Russian Federation.

''(iii) The Islamic Republic of Iran.

''(iv) The Democratic People's Republic of Korea.''.

SEC. 1087. 9/11 RESPONDER AND SURVIVOR HEALTH FUNDING CORRECTION ACT OF 2023.

(a) DEPARTMENT OF DEFENSE, ARMED FORCES, OR OTHER FEDERAL WORKER RESPONDERS TO THE SEPTEMBER 11 ATTACKS AT THE PENTAGON AND SHANKSVILLE, PENNSYLVANIA.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended—

(1) in section 3306 (42 U.S.C. 300mm–5)—

(A) by redesignating paragraphs (5) through (11) and paragraphs (12) through (17) as paragraphs (6) through (12) and paragraphs (14) through (19), respectively;

(B) by inserting after paragraph (4) the following:

''(5) The term 'Federal agency' means an agency, office, or other establishment in the executive, legislative, or judicial branch of the Federal Government.''; and

(C) by inserting after paragraph (12), as so redesignated, the following:

''(13) The term 'uniformed services' has the meaning given the term in section 101(a) of title 10, United States Code.''; and

(2) in section 3311(a) (42 U.S.C. 300mm–21(a))—

(A) in paragraph (2)(C)(i)—

(i) in subclause (I), by striking ''; or'' and inserting a semicolon;

(ii) in subclause (II), by striking ''; and'' and inserting a semicolon; and

(iii) by adding at the end the following:

''(III) was an employee of the Department of Defense or any other Federal agency, worked during the period beginning on September 11, 2001, and ending on September 18, 2001, for a contractor of the Department of Defense or any other Federal agency, or was a member of a regular or reserve component of the uniformed services; and performed rescue, recovery, demolition, debris cleanup, or other related services at the Pentagon site of the terrorist-related aircraft crash of September 11, 2001, during the period beginning on September 11, 2001, and ending on the date on which the cleanup of the site was concluded, as determined by the WTC Program Administrator; or

''(IV) was an employee of the Department of Defense or any other Federal agency, worked during the period beginning on September 11, 2001, and ending on September 18, 2001, for a contractor of the Department of Defense or any other Federal agency, or was a member of a regular or reserve component of the uniformed services; and performed rescue, recovery, demolition, debris cleanup, or other related services at the Shanksville, Pennsylvania, site of the terrorist-related aircraft crash of September 11, 2001, during the period beginning on September 11, 2001, and ending on the date on which the cleanup of the site was concluded, as determined by the WTC Program Administrator; and''; and

(B) in paragraph (4)(A)—

(i) by striking ''(A) IN GENERAL.—The'' and inserting the following:

''(A) LIMIT.—

''(i) IN GENERAL.—The'';

(ii) by inserting ''or subclause (III) or (IV) of paragraph (2)(C)(i)'' after ''or (2)(A)(ii)''; and

(iii) by adding at the end the following:

''(ii) CERTAIN RESPONDERS TO THE SEPTEMBER 11 ATTACKS AT THE PENTAGON AND SHANKSVILLE, PENNSYLVANIA.—The total number of individuals who may be enrolled under paragraph (3)(A)(ii) based on eligibility criteria described in subclause (III) or (IV) of paragraph (2)(C)(i) shall not exceed 500 at any time.''.

(b) ADDITIONAL FUNDING FOR THE WORLD TRADE CENTER HEALTH PROGRAM.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended by adding at the end the following:

''SEC. 3353. SPECIAL FUND.

''(a) IN GENERAL.—There is established a fund to be known as the World Trade Center Health Program Special Fund (referred to in this section as the 'Special Fund'), consisting of amounts deposited into the Special Fund under subsection (b).

''(b) AMOUNT.—Out of any money in the Treasury not otherwise appropriated, there is appropriated for fiscal year 2024 $444,000,000 for deposit into the Special Fund, which amounts shall remain available in such Fund through fiscal year 2033.

''(c) USES OF FUNDS.—Amounts deposited into the Special Fund under subsection (b) shall be available, without further appropriation and without regard to any spending limitation under section 3351(c), to the WTC Program Administrator as needed at the discretion of such Administrator, for carrying out any provision in this title (including sections 3303 and 3341(c)).

''(d) REMAINING AMOUNTS.—Any amounts that remain in the Special Fund on September 30, 2033, shall be deposited into the Treasury as miscellaneous receipts.

''SEC. 3354. PENTAGON/SHANKSVILLE FUND.

''(a) IN GENERAL.—There is established a fund to be known as the World Trade Center Health Program Fund for Certain WTC Responders at the Pentagon and Shanksville, Pennsylvania (referred to in this section as the 'Pentagon/Shanksville Fund'), consisting of amounts deposited into the Pentagon/Shanksville Fund under subsection (b).

''(b) AMOUNT.—Out of any money in the Treasury not otherwise appropriated, there is appropriated for fiscal year 2024 $232,000,000 for deposit into the Pentagon/Shanksville Fund, which amounts shall remain available in such Fund through fiscal year 2033.

''(c) USES OF FUNDS.—

''(1) IN GENERAL.—Amounts deposited into the Pentagon/Shanksville Fund under subsection (b) shall be available, without further appropriation and without regard to any spending limitation under section 3351(c), to the WTC Program Administrator for the purpose of carrying out section 3312 with regard to WTC responders enrolled in the WTC Program based on eligibility criteria described in subclause (III) or (IV) of section 3311(a)(2)(C)(i).

''(2) LIMITATION ON OTHER FUNDING.—Notwithstanding sections 3331(a), 3351(b)(1), 3352(c), and 3353(c), and any other provision in this title, for the period of fiscal years 2024 through 2033, no amounts made available under this title other than those amounts appropriated under subsection (b) may be available for the purpose described in paragraph (1).

''(d) REMAINING AMOUNTS.—Any amounts that remain in the Pentagon/Shanksville Fund on September 30, 2033, shall be deposited into the Treasury as miscellaneous receipts.''.

(c) CONFORMING AMENDMENTS.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended—

(1) in section 3311(a)(4)(B)(i)(II) (42 U.S.C. 300mm–21(a)(4)(B)(i)(II)), by striking ''sections 3351 and 3352'' and inserting ''this title'';

(2) in section 3321(a)(3)(B)(i)(II) (42 U.S.C. 300mm–31(a)(3)(B)(i)(II)), by striking ''sections 3351 and 3352'' and inserting ''this title'';

(3) in section 3331 (42 U.S.C. 300mm–41)—

(A) in subsection (a), by striking ''the World Trade Center Health Program Fund and the World Trade Center Health Program Supplemental Fund'' and inserting ''(as applicable) the Funds established under sections 3351, 3352, 3353, and 3354''; and

(B) in subsection (d)—

(i) in paragraph (1)(A), by inserting ''or the World Trade Center Health Program Special Fund under section 3353'' after ''section 3351'';

(ii) in paragraph (1)(B), by inserting ''or the World Trade Center Health Program Fund for Certain WTC Responders at the Pentagon and Shanksville, Pennsylvania under section 3354'' after ''section 3352''; and

(iii) in paragraph (2), in the flush text following subparagraph (C), by inserting ''or the World Trade Center Health Program Fund for Certain WTC Responders at the Pentagon and Shanksville, Pennsylvania under section 3354'' after ''section 3352''; and

(4) in section 3351(b) (42 U.S.C. 300mm–61(b))—

(A) in paragraph (2), by inserting '', the World Trade Center Health Program Special Fund under section 3353, or the World Trade Center Health Program Fund for Certain WTC Responders at the Pentagon and Shanksville, Pennsylvania under section 3354'' before the period at the end; and

(B) in paragraph (3), by inserting '', the World Trade Center Health Program Special Fund under section 3353, or the World Trade Center Health Program Fund for Certain WTC Responders at the Pentagon and Shanksville, Pennsylvania under section 3354'' before the period at the end.

(d) ENSURING TIMELY ACCESS TO GENERICS.—Section 505(q) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(q)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by inserting '', 10.31,'' after ''10.30'';

(B) in subparagraph (E)—

(i) by striking ''application and'' and inserting ''application or'';

(ii) by striking ''If the Secretary'' and inserting the following:

''(i) IN GENERAL.—If the Secretary''; and

(iii) by striking the second sentence and inserting the following:

''(ii) PRIMARY PURPOSE OF DELAYING.—

''(I) IN GENERAL.—In determining whether a petition was submitted with the primary purpose of delaying an application, the Secretary may consider the following factors:

''(aa) Whether the petition was submitted in accordance with paragraph (2)(B), based on when the petitioner knew the relevant information relied upon to form the basis of such petition.

''(bb) When the petition was submitted in relation to when the petitioner reasonably should have known the relevant information relied upon to form the basis of such petition.

''(cc) Whether the petitioner has submitted multiple or serial petitions or supplements to petitions raising issues that reasonably could have been known to the petitioner at the time of submission of the earlier petition or petitions.

''(dd) Whether the petition was submitted close in time to a known, first date upon which an application under subsection (b)(2) or (j) of this section or section 351(k) of the Public Health Service Act could be approved.

''(ee) Whether the petition was submitted without relevant data or information in support of the scientific positions forming the basis of such petition.

''(ff) Whether the petition raises the same or substantially similar issues as a prior petition to which the Secretary has responded substantively already, including if the subsequent submission follows such response from the Secretary closely in time.

''(gg) Whether the petition requests changing the applicable standards that other applicants are required to meet, including requesting testing, data, or labeling standards that are more onerous or rigorous than the standards the Secretary has determined to be applicable to the listed drug, reference product, or petitioner's version of the same drug.

''(hh) The petitioner's record of submitting petitions to the Food and Drug Administration that have been determined by the Secretary to have been submitted with the primary purpose of delay.

''(ii) Other relevant and appropriate factors, which the Secretary shall describe in guidance.

''(II) GUIDANCE.—The Secretary may issue or update guidance, as appropriate, to describe factors the Secretary considers in accordance with subclause (I).'';

(C) by striking subparagraph (F);

(D) by redesignating subparagraphs (G) through (I) as subparagraphs (F) through (H), respectively; and

(E) in subparagraph (H), as so redesignated, by striking ''submission of this petition'' and inserting ''submission of this document'';

(2) in paragraph (2)—

(A) by redesignating subparagraphs (A) through (C) as subparagraphs (C) through (E), respectively;

(B) by inserting before subparagraph (C), as so redesignated, the following:

''(A) IN GENERAL.—A person shall submit a petition to the Secretary under paragraph (1) before filing a civil action in which the person seeks to set aside, delay, rescind, withdraw, or prevent submission, review, or approval of an application submitted under subsection (b)(2) or (j) of this section or section 351(k) of the Public Health Service Act. Such petition and any supplement to such a petition shall describe all information and arguments that form the basis of the relief requested in any civil action described in the previous sentence.

''(B) TIMELY SUBMISSION OF CITIZEN PETITION.—A petition and any supplement to a petition shall be submitted within 180 days after the person knew the information that forms the basis of the request made in the petition or supplement.'';

(C) in subparagraph (C), as so redesignated—

(i) in the heading, by striking ''WITHIN 150 DAYS'';

(ii) in clause (i), by striking ''during the 150-day period referred to in paragraph (1)(F),''; and

(iii) by amending clause (ii) to read as follows:

''(ii) on or after the date that is 151 days after the date of submission of the petition, the Secretary approves or has approved the application that is the subject of the petition without having made such a final decision.'';

(D) by amending subparagraph (D), as so redesignated, to read as follows:

''(D) DISMISSAL OF CERTAIN CIVIL ACTIONS.—

''(i) PETITION.—If a person files a civil action against the Secretary in which a person seeks to set aside, delay, rescind, withdraw, or prevent submission, review, or approval of an application submitted under subsection (b)(2) or (j) of this section or section 351(k) of the Public Health Service Act without complying with the requirements of subparagraph (A), the court shall dismiss without prejudice the action for failure to exhaust administrative remedies.

''(ii) TIMELINESS.—If a person files a civil action against the Secretary in which a person seeks to set aside, delay, rescind, withdraw, or prevent submission, review, or approval of an application submitted under subsection (b)(2) or (j) of this section or section 351(k) of the Public Health Service Act without complying with the requirements of subparagraph (B), the court shall dismiss with prejudice the action for failure to timely file a petition.

''(iii) FINAL RESPONSE.—If a civil action is filed against the Secretary with respect to any issue raised in a petition timely filed under paragraph (1) in which the petitioner requests that the Secretary take any form of action that could, if taken, set aside, delay, rescind, withdraw, or prevent submission, review, or approval of an application submitted under subsection (b)(2) or (j) of this section or section 351(k) of the Public Health Service Act before the Secretary has taken final agency action on the petition within the meaning of subparagraph (C), the court shall dismiss without prejudice the action for failure to exhaust administrative remedies.''; and

(E) in clause (iii) of subparagraph (E), as so redesignated, by striking ''as defined under subparagraph (2)(A)'' and inserting ''within the meaning of subparagraph (C)''; and

(3) in paragraph (4)—

(A) by striking ''EXCEPTIONS'' in the paragraph heading and all that follows through ''This subsection does'' and inserting ''EXCEPTIONS.—This subsection does'';

(B) by striking subparagraph (B); and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and adjusting the margins accordingly.

SEC. 1088. REAUTHORIZATION OF VOLUNTARY REGISTRY FOR FIREFIGHTER CANCER INCIDENCE.

Section 2(h) of the Firefighter Cancer Registry Act of 2018 (42 U.S.C. 280e–5(h)) is amended by striking ''$2,500,000 for each of the fiscal years 2018 through 2022'' and inserting ''$5,500,000 for each of fiscal years 2024 through 2028''.

SEC. 1089. REQUIREMENT FOR UNQUALIFIED OPINION ON FINANCIAL STATEMENT.

The Secretary of Defense shall ensure that the Department of Defense has received an unqualified opinion on its financial statements by October 1, 2027.

SEC. 1090. BRIEFING ON AIR NATIONAL GUARD ACTIVE ASSOCIATIONS.

Not later than November 1, 2023, the Secretary of the Air Force shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the potential increase in air refueling capacity and cost savings, including manpower, to be achieved by making all Air National Guard KC–135 units active associations.

SEC. 1090A. INFORMING CONSUMERS ABOUT SMART DEVICES ACT.

(a) REQUIRED DISCLOSURE OF A CAMERA OR RECORDING CAPABILITY IN CERTAIN INTERNET-CONNECTED DEVICES.—Each manufacturer of a covered device shall disclose, clearly and conspicuously and prior to purchase, whether the covered device manufactured by the manufacturer contains a camera or microphone as a component of the covered device.

(b) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) ACTIONS BY THE COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission (in this section referred to as the ''Commission'') shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PENALTIES AND PRIVILEGES.—Any person who violates this section or a regulation promulgated under this section shall be subject to the penalties and entitled to the

privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(3) COMMISSION GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Commission, through outreach to relevant private entities, shall issue guidance to assist manufacturers in complying with the requirements of this section, including guidance about best practices for making the disclosure required by subsection (a) as clear and conspicuous and age appropriate as practicable and about best practices for the use of a pictorial (as defined in section 2(a) of the Consumer Review Fairness Act of 2016 (15 U.S.C. 45b(a))) visual representation of the information to be disclosed.

(4) TAILORED GUIDANCE.—A manufacturer of a covered device may petition the Commission for tailored guidance as to how to meet the requirements of subsection (a) consistent with existing rules of practice or any successor rules.

(5) LIMITATION ON COMMISSION GUIDANCE.—No guidance issued by the Commission with respect to this section shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance. In any enforcement action brought pursuant to this section, the Commission shall allege a specific violation of a provision of this section. The Commission may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidelines, unless the practices allegedly violate subsection (a).

(c) DEFINITION OF COVERED DEVICE.—In this section, the term ''covered device''—

(1) means a consumer product, as defined by section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)) that is capable of connecting to the internet, a component of which is a camera or microphone; and

(2) does not include—

(A) a telephone (including a mobile phone), a laptop, tablet, or any device that a consumer would reasonably expect to have a microphone or camera;

(B) any device that is specifically marketed as a camera, telecommunications device, or microphone; or

(C) any device or apparatus described in sections 255, 716, and 718, and subsections (aa) and (bb) of section 303 of the Communications Act of 1934 (47 U.S.C. 255; 617; 619; and 303(aa) and (bb)), and any regulations promulgated thereunder.

(d) EFFECTIVE DATE.—This section shall apply to all covered devices manufactured after the date that is 180 days after the date on which guidance is issued by the Commission under subsection (b)(3), and shall not apply to covered devices manufactured or sold before such date, or otherwise introduced into interstate commerce before such date.

SEC. 1090B. IMPROVING PROCESSING BY DEPARTMENT OF VETERANS AFFAIRS OF DISABILITY CLAIMS FOR POST-TRAUMATIC STRESS DISORDER THROUGH IMPROVED TRAINING.

(a) SHORT TITLE.—This section may be cited as the ''Department of Veterans Affairs Post-Traumatic Stress Disorder Processing Claims Improvement Act of 2023''.

(b) FORMAL PROCESS FOR CONDUCT OF ANNUAL ANALYSIS OF TRAINING NEEDS BASED ON TRENDS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, acting through the Under Secretary for Benefits, shall establish a formal process to analyze, on an annual basis, training needs of employees of the Department who review claims for disability compensation for service-connected post-traumatic stress disorder, based on identified processing error trends.

(c) FORMAL PROCESS FOR CONDUCT OF ANNUAL STUDIES TO SUPPORT ANNUAL ANALYSIS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, acting through the Under Secretary, shall establish a formal process to conduct, on an annual basis, studies to help guide the process established under subsection (b).

(2) ELEMENTS.—Each study conducted under paragraph (1) shall cover the following:

(A) Military post-traumatic stress disorder stressors.

(B) Decision-making claims for claims processors.

SEC. 1090C. U.S. HOSTAGE AND WRONGFUL DETAINEE DAY ACT OF 2023.

(a) SHORT TITLE.—This section may be cited as the ''U.S. Hostage and Wrongful Detainee Day Act of 2023''.

(b) DESIGNATION.—

(1) HOSTAGE AND WRONGFUL DETAINEE DAY.—

(A) IN GENERAL.—Chapter 1 of title 36, United States Code, is amended—

(i) by redesignating the second section 146 (relating to Choose Respect Day) as section 147; and

(ii) by adding at the end the following:

''§ 148. U.S. Hostage and Wrongful Detainee Day

''(a) DESIGNATION.—March 9 is U.S. Hostage and Wrongful Detainee Day.

''(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe U.S. Hostage and Wrongful Detainee Day with appropriate ceremonies and activities.''.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 36, United States Code, is amended by striking the item relating to the second section 146 and inserting the following new items:

''147. Choose Respect Day.
''148. U.S. Hostage and Wrongful Detainee Day.''.

(2) HOSTAGE AND WRONGFUL DETAINEE FLAG.—

(A) IN GENERAL.—Chapter 9 of title 36, United States Code, is amended by adding at the end the following new section:

''§ 904. Hostage and Wrongful Detainee flag

''(a) DESIGNATION.—The Hostage and Wrongful Detainee flag championed by the Bring Our Families Home Campaign is designated as the symbol of the commitment of the United States to recognizing, and prioritizing the freedom of, citizens and lawful permanent residents of the United States held as hostages or wrongfully detained abroad.

''(b) REQUIRED DISPLAY.—

''(1) IN GENERAL.—The Hostage and Wrongful Detainee flag shall be displayed at the locations specified in paragraph (3) on the days specified in paragraph (2).

''(2) DAYS SPECIFIED.—The days specified in this paragraph are the following:

''(A) U.S. Hostage and Wrongful Detainee Day, March 9.

''(B) Flag Day, June 14.

''(C) Independence Day, July 4.

''(D) Any day on which a citizen or lawful permanent resident of the United States—

''(i) returns to the United States from being held hostage or wrongfully detained abroad; or

''(ii) dies while being held hostage or wrongfully detained abroad.

''(3) LOCATIONS SPECIFIED.—The locations specified in this paragraph are the following:

''(A) The Capitol.

''(B) The White House.

''(C) The buildings containing the official office of—

''(i) the Secretary of State; and

''(ii) the Secretary of Defense.

''(c) DISPLAY TO BE IN A MANNER VISIBLE TO THE PUBLIC.—Display of the Hostage and Wrongful Detainee flag pursuant to this section shall be in a manner designed to ensure visibility to the public.

''(d) LIMITATION.—This section may not be construed or applied so as to require any employee to report to work solely for the purpose of providing for the display of the Hostage and Wrongful Detainee flag.''.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 9 of title 36, United States Code, is amended by adding at the end the following:

''904. Hostage and Wrongful Detainee flag.''.

SEC. 1090D. PROHIBITION ON PROVISION OF AIRPORT IMPROVEMENT GRANT FUNDS TO CERTAIN ENTITIES THAT HAVE VIOLATED INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES ENTITIES.

(a) IN GENERAL.—During the period beginning on the date that is 30 days after the date of the enactment of this section, amounts provided as project grants under subchapter I of chapter 471 of title 49, United States Code, may not be used to enter into a contract described in subsection (b) with any entity on the list required by subsection (c).

(b) CONTRACT DESCRIBED.—A contract described in this subsection is a contract or other agreement for the procurement of infrastructure or equipment for a passenger boarding bridge at an airport.

(c) LIST REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, and thereafter as required by paragraph (2), the United States Trade Representative, and the Administrator of the Federal Aviation Administration shall make available to the Administrator of the Federal Aviation Administration a publicly-available a list of entities manufacturing airport passenger boarding infrastructure or equipment that—

(A) are owned, directed by, or subsidized in whole, or in part by the People's Republic of China;

(B) have been determined by a Federal court to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States;

(C) own or control, are owned or controlled by, are under common ownership or control with, or are successors to, an entity described in subparagraph (A);

(D) own or control, are under common ownership or control with, or are successors to, an entity described in subparagraph (A); or

(E) have entered into an agreement with or accepted funding from, whether in the form of minority investment interest or debt, have entered into a partnership with, or have entered into another contractual or other written arrangement with, an entity described in subparagraph (A).

(2) UPDATES TO LIST.—The United States Trade Representative shall update the list required by paragraph (1), based on information provided by the Administrator of the Federal Aviation Administration, in consultation with the Attorney General—

(A) not less frequently than every 90 days during the 180-day period following the initial publication of the list under paragraph (1); and

(B) not less frequently than annually thereafter.

(d) DEFINITIONS.—In this section, the definitions in section 47102 of title 49, United States Code, shall apply.

SEC. 1090E. CONDUCT OF WINTER SEASON RECONNAISSANCE OF ATMOSPHERIC RIVERS IN THE WESTERN UNITED STATES.

(a) CONDUCT OF RECONNAISSANCE.—

(1) IN GENERAL.—Subject to the availability of appropriations, the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command and the Administrator of the National Oceanic and Atmospheric Administration may use aircraft, personnel, and equipment necessary to meet the mission requirements of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command and the National Oceanic and Atmospheric Administration if those aircraft, personnel, and equipment are not otherwise needed for hurricane monitoring and response.

(2) ACTIVITIES.—In carrying out paragraph (1), the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command, in consultation with the Administrator of the National Oceanic and Atmospheric Administration and appropriate line offices of the National Oceanic and Atmospheric Administration, may—

(A) improve the accuracy and timeliness of observations to support the forecast and warning services of the National Weather Service for the coasts of the United States;

(B) collect data in data-sparse regions where conventional, upper-air observations are lacking;

(C) support water management decisions and flood forecasting through the execution of targeted airborne dropsonde, buoys, autonomous platform observations, satellite observations, remote sensing observations, and other observation platforms as appropriate, including enhanced assimilation of the data from those observations over the eastern, central, and western north Pacific Ocean, the Gulf of Mexico, and the western Atlantic Ocean to improve forecasts of large storms for civil authorities and military decision makers;

(D) participate in the research and operations partnership that guides flight planning and uses research methods to improve and expand the capabilities and effectiveness of weather reconnaissance over time; and

(E) undertake such other additional activities as the Administrator of the National Oceanic and Atmospheric Administration, in collaboration with the 53rd Weather Reconnaissance Squadron, considers appropriate to further prediction of dangerous weather events.

(b) REPORTS.—

(1) AIR FORCE.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the appropriate committees of Congress a comprehensive report on the resources necessary for the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command to continue to support, through December 31, 2035—

(i) the National Hurricane Operations Plan;

(ii) the National Winter Season Operations Plan; and

(iii) any other operational requirements relating to weather reconnaissance.

(B) APPROPRIATE COMMITTEES OF CONGRESS.—In this paragraph, the term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services of the Senate;

(ii) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(iii) the Committee on Commerce, Science, and Transportation of the Senate;

(iv) the Committee on Science, Space, and Technology of the House of Representatives;

(v) the Committee on Armed Services of the House of Representatives; and

(vi) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) COMMERCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a comprehensive report on the resources necessary for the National Oceanic and Atmospheric Administration to continue to support, through December 31, 2035—

(A) the National Hurricane Operations Plan;

(B) the National Winter Season Operations Plan; and

(C) any other operational requirements relating to weather reconnaissance.

SEC. 1090F. NATIONAL COLD WAR CENTER DESIGNATION.

(a) PURPOSES.—The purposes of this section are—

(1) to designate the museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, including its future and expanded exhibits, collections, and educational programs, as a ''National Cold War Center'';

(2) to recognize the preservation, maintenance, and interpretation of the artifacts, documents, images, and history collected by the Center;

(3) to enhance the knowledge of the American people of the experience of the United States during the Cold War years; and

(4) to ensure that all future generations understand the sacrifices made to preserve freedom and democracy, and the benefits of peace for all future generations in the 21st century and beyond.

(b) DESIGNATION.—

(1) IN GENERAL.—The museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, is designated as a ''National Cold War Center''.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall preclude the designation of other national centers or museums in the United States interpreting the Cold War.

(c) EFFECT OF DESIGNATION.—The National Cold War Center designated by this section is not a unit of the National Park System, and the designation of the center as a National Cold War Center shall not be construed to require or permit Federal funds to be expended for any purpose related to the designation made by this section.

SEC. 1090G. SEMICONDUCTOR PROGRAM.

Title XCIX of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended—

(1) in section 9902 (15 U.S.C. 4652)—

(A) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(B) by inserting after subsection (g) the following:

''(h) AUTHORITY RELATING TO ENVIRONMENTAL REVIEW.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the provision by the Secretary of Federal financial assistance for a project described in this section that satisfies the requirements under subsection (a)(2)(C)(i) of this section shall not be considered to be a major Federal action under NEPA or an undertaking for the purposes of division A of subtitle III of title 54, United States Code, if—

''(A) the activity described in the application for that project has commenced not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2024;

''(B) the Federal financial assistance provided is in the form of a loan or loan guarantee; or

''(C) the Federal financial assistance provided, excluding any loan or loan guarantee, comprises not more than 10 percent of the total estimated cost of the project.

''(2) SAVINGS CLAUSE.—Nothing in this subsection may be construed as altering whether an activity described in subparagraph (A), (B), or (C) of paragraph (1) is considered to be a major Federal action under NEPA, or an undertaking under division A of subtitle III of title 54, United States Code, for a reason other than that the activity is eligible for Federal financial assistance provided under this section.''; and

(2) in section 9909 (15 U.S.C. 4659), by adding at the end the following:

''(c) LEAD FEDERAL AGENCY AND COOPERATING AGENCIES.—

''(1) DEFINITION.—In this subsection, the term 'lead agency' has the meaning given the term in section 111 of NEPA.

''(2) OPTION TO SERVE AS LEAD AGENCY.—With respect to a covered activity that is a major Federal action under NEPA, and with respect to which the Department of Commerce is authorized or required by law to issue an authorization or take action for or relating to that covered activity, the Department of Commerce shall have the first right to serve as the lead agency with respect to that covered activity under NEPA.

''(d) CATEGORICAL EXCLUSIONS.—

''(1) ESTABLISHMENT OF CATEGORICAL EXCLUSIONS.—Each of the following categorical exclusions is established for the National Institute of Standards and Technology with respect to a covered activity and, beginning on the date of enactment of this subsection, is available for use by the Secretary with respect to a covered activity:

''(A) Categorical exclusion 17.04.d (relating to the acquisition of machinery and equipment) in the document entitled 'EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates As Required' (Directive No. 17.02–2; effective date October 14, 1992).

''(B) Categorical exclusion A9 in Appendix A to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

''(C) Categorical exclusions B1.24, B1.31, B2.5, and B5.1 in Appendix B to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

''(D) The categorical exclusions described in paragraphs (4) and (13) of section 50.19(b) of title 24, Code of Federal Regulations, or any successor regulation.

''(E) Categorical exclusion (c)(1) in Appendix B to part 651 of title 32, Code of Federal Regulations, or any successor regulation.

''(F) Categorical exclusions A2.3.8 and A2.3.14 in Appendix B to part 989 of title 32, Code of Federal Regulations, or any successor regulation.

''(2) ADDITIONAL CATEGORICAL EXCLUSIONS.—Notwithstanding any other provision of law, each of the following shall be treated as a category of action categorically excluded from the requirements relating to environmental assessments and environmental impact statements under section 1501.4 of title 40, Code of Federal Regulations, or any successor regulation:

''(A) The provision by the Secretary of any Federal financial assistance for a project described in section 9902, if the facility that is

the subject of the project is on or adjacent to a site—

''(i) that is owned or leased by the covered entity to which Federal financial assistance is provided for that project; and

''(ii) on which, as of the date on which the Secretary provides that Federal financial assistance, substantially similar construction, expansion, or modernization is being or has been carried out, such that the facility would not more than double existing developed acreage or on-site supporting infrastructure.

''(B) The provision by the Secretary of Defense of any Federal financial assistance relating to—

''(i) the creation, expansion, or modernization of one or more facilities described in the second sentence of section 9903(a)(1); or

''(ii) carrying out section 9903(b), as in effect on the date of enactment of this subsection.

''(C) Any activity undertaken by the Secretary relating to carrying out section 9906, as in effect on the date of enactment of this subsection.

''(e) INCORPORATION OF PRIOR PLANNING DECISIONS.—

''(1) DEFINITION.—In this subsection, the term 'prior studies and decisions' means baseline data, planning documents, studies, analyses, decisions, and documentation that a Federal agency has completed for a project (or that have been completed under the laws and procedures of a State or Indian Tribe), including for determining the reasonable range of alternatives for that project.

''(2) RELIANCE ON PRIOR STUDIES AND DECISIONS.—In completing an environmental review under NEPA for a covered activity, the Secretary may consider and, as appropriate, rely on or adopt prior studies and decisions, if the Secretary determines that—

''(A) those prior studies and decisions meet the standards for an adequate statement, assessment, or determination under applicable procedures of the Department of Commerce implementing the requirements of NEPA;

''(B) in the case of prior studies and decisions completed under the laws and procedures of a State or Indian Tribe, those laws and procedures are of equal or greater rigor than those of each applicable Federal law, including NEPA, implementing procedures of the Department of Commerce; or

''(C) if applicable, the prior studies and decisions are informed by other analysis or documentation that would have been prepared if the prior studies and decisions were prepared by the Secretary under NEPA.

''(f) DEFINITIONS.—In this section:

''(1) COVERED ACTIVITY.—The term 'covered activity' means any activity relating to the construction, expansion, or modernization of a facility, the investment in which is eligible for Federal financial assistance under section 9902 or 9906.

''(2) NEPA.—The term 'NEPA' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''.

SEC. 1090H. PROHIBITION OF DEMAND FOR BRIBE.

Section 201 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(4) the term 'foreign official' means—

''(A)(i) any official or employee of a foreign government or any department, agency, or instrumentality thereof; or

''(ii) any senior foreign political figure, as defined in section 1010.605 of title 31, Code of Federal Regulations, or any successor regulation;

''(B) any official or employee of a public international organization;

''(C) any person acting in an official capacity for or on behalf of—

''(i) a government, department, agency, or instrumentality described in subparagraph (A)(i); or

''(ii) a public international organization; or

''(D) any person acting in an unofficial capacity for or on behalf of—

''(i) a government, department, agency, or instrumentality described in subparagraph (A)(i); or

''(ii) a public international organization; and

''(5) the term 'public international organization' means—

''(A) an organization that is designated by Executive order pursuant to section 1 of the International Organizations Immunities Act (22 U.S.C. 288); or

''(B) any other international organization that is designated by the President by Executive order for the purposes of this section, effective as of the date of publication of such order in the Federal Register.''; and

(2) by adding at the end the following:

''(f) PROHIBITION OF DEMAND FOR A BRIBE.—

''(1) OFFENSE.—It shall be unlawful for any foreign official or person selected to be a foreign official to corruptly demand, seek, receive, accept, or agree to receive or accept, directly or indirectly, anything of value personally or for any other person or nongovernmental entity, by making use of the mails or any means or instrumentality of interstate commerce, from any person (as defined in section 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–3), except that that definition shall be applied without regard to whether the person is an offender) while in the territory of the United States, from an issuer (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))), or from a domestic concern (as defined in section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2)), in return for—

''(A) being influenced in the performance of any official act;

''(B) being induced to do or omit to do any act in violation of the official duty of such foreign official or person; or

''(C) conferring any improper advantage,

in connection with obtaining or retaining business for or with, or directing business to, any person.

''(2) PENALTIES.—Any person who violates paragraph (1) shall be fined not more than $250,000 or 3 times the monetary equivalent of the thing of value, imprisoned for not more than 15 years, or both.

''(3) JURISDICTION.—An offense under paragraph (1) shall be subject to extraterritorial Federal jurisdiction.

''(4) REPORT.—Not later than 1 year after the date of enactment of the Foreign Extortion Prevention Act, and annually thereafter, the Attorney General, in consultation with the Secretary of State as relevant, shall submit to the Committee on the Judiciary and the Committee on Foreign Relations of the Senate and the Committee on the Judiciary and the Committee on Foreign Affairs of the House of Representatives, and post on the publicly available website of the Department of Justice, a report—

''(A) focusing, in part, on demands by foreign officials for bribes from entities domiciled or incorporated in the United States, and the efforts of foreign governments to prosecute such cases;

''(B) addressing United States diplomatic efforts to protect entities domiciled or incorporated in the United States from foreign bribery, and the effectiveness of those efforts in protecting such entities;

''(C) summarizing major actions taken under this section in the previous year, including enforcement actions taken and penalties imposed;

''(D) evaluating the effectiveness of the Department of Justice in enforcing this section; and

''(E) detailing what resources or legislative action the Department of Justice needs to ensure adequate enforcement of this section.

''(5) RULE OF CONSTRUCTION.—This subsection shall not be construed as encompassing conduct that would violate section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd–1) or section 104 or 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2; 15 U.S.C. 78dd–3) whether pursuant to a theory of direct liability, conspiracy, complicity, or otherwise.''.

SEC. 1090I. STUDIES AND REPORTS ON TREATMENT OF SERVICE OF CERTAIN MEMBERS OF THE ARMED FORCES WHO SERVED IN FEMALE CULTURAL SUPPORT TEAMS.

(a) FINDINGS.—Congress finds the following:

(1) In 2010, the Commander of United States Special Operations Command established the Cultural Support Team Program to overcome significant intelligence gaps during the Global War on Terror.

(2) From 2010 through 2021, approximately 310 female members, from every Armed Force, passed and were selected as members of female cultural support teams, and deployed with special operations forces.

(3) Members of female cultural support teams served honorably, demonstrated commendable courage, overcame such intelligence gaps, engaged in direct action, and suffered casualties during the Global War on Terror.

(4) The Federal Government has a duty to recognize members and veterans of female cultural support teams who volunteered to join the Armed Forces, to undergo arduous training for covered service, and to execute dangerous and classified missions in the course of such covered service.

(5) Members who performed covered service have sought treatment from the Department of Veterans Affairs for traumatic brain injuries, post-traumatic stress, and disabling physical trauma incurred in the course of such covered service, but have been denied such care.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) individuals who performed covered service performed exceptional service to the United States; and

(2) the Secretary of Defense should ensure that the performance of covered service is included in the military service record of each individual who performed covered service so that those with service-connected injuries can receive proper care and benefits for their service.

(c) SECRETARY OF DEFENSE STUDY AND REPORT.—

(1) IN GENERAL.—Not later than March 31, 2024, the Secretary of Defense shall—

(A) carry out a study on the treatment of covered service for purposes of retired pay under laws administered by the Secretary; and

(B) submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the study carried out under paragraph (1).

(2) LIST.—The report submitted under paragraph (1)(B) shall include a list of each individual who performed covered service whose military service record should be modified on account of covered service.

(d) SECRETARY OF VETERANS AFFAIRS STUDY AND REPORT.—

(1) IN GENERAL.—Not later than March 31, 2024, the Secretary of Veterans Affairs shall—

(A) carry out a study on the treatment of covered service for purposes of compensation under laws administered by the Secretary; and

(B) submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the study carried out under paragraph (1).

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

(A) A list of each veteran who performed covered service whose claim for disability compensation under a law administered by the Secretary was denied due to the inability of the Department of Veterans Affairs to determine the injury was service-connected.

(B) An estimate of the cost that would be incurred by the Department to provide veterans described in subparagraph (A) with the health care and benefits they are entitled to under the laws administered by the Secretary on account of their covered service.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

(2) COVERED SERVICE.—The term ''covered service'' means service—

(A) as a member of the Armed Forces;

(B) in a female cultural support team;

(C) with the personnel development skill identifier of R2J or 5DK, or any other validation methods, such as valid sworn statements, officer and enlisted performance evaluations, training certificates, or records of an award from completion of tour with a cultural support team; and

(D) during the period beginning on January 1, 2010, and ending on August 31, 2021.

SEC. 1090J. GLOBAL COOPERATIVE FRAMEWORK TO END HUMAN RIGHTS ABUSES IN SOURCING CRITICAL MINERALS.

(a) IN GENERAL.—The Secretary of State shall seek to convene a meeting of foreign leaders to establish a multilateral framework to end human rights abuses, including the exploitation of forced labor and child labor, related to the mining and sourcing of critical minerals.

(b) IMPLEMENTATION REPORT.—The Secretary shall lead the development of an annual global report on the implementation of the framework under subsection (a), including progress and recommendations to fully end human rights abuses, including the exploitation of forced labor and child labor, related to the extraction of critical minerals around the world.

(c) CONSULTATIONS.—The Secretary shall consult closely on a timely basis with the following with respect to developing and implementing the framework under subsection (a):

(1) The Forced Labor Enforcement Task Force established under section 741 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4681); and

(2) Congress.

(d) RELATIONSHIP TO UNITED STATES LAW.—Nothing in the framework under subsection (a) shall be construed—

(1) to amend or modify any law of the United States; or

(2) to limit any authority conferred under any law of the United States.

(e) EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE AND CERTAIN PROVISIONS OF THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—Nothing in this section shall—

(1) affect the authority of the President to take any action to join and subsequently comply with the terms and obligations of the Extractive Industries Transparency Initiative (EITI); or

(2) affect section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 78m note), or subsection (q) of section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m), as added by section 1504 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 2220), or any rule prescribed under either such section.

(f) CRITICAL MINERAL DEFINED.—In this section, the term ''critical mineral'' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

SEC. 1090K. READMISSION REQUIREMENTS FOR SERVICEMEMBERS.

Section 484C(a) of the Higher Education Act of 1965 (20 U.S.C. 1091c(a)) is amended to read as follows:

''(a) DEFINITION OF SERVICE IN THE UNIFORMED SERVICES.—In this section, the term 'service in the uniformed services' means service (whether voluntary or involuntary) on active duty in the Armed Forces, including such service by a member of the National Guard or Reserve.''.

Subtitle H—Drone Security

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''American Security Drone Act of 2023''.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity included on a list developed and maintained by the Federal Acquisition Security Council and published in the System for Award Management (SAM). This list will include entities in the following categories:

(A) An entity included on the Consolidated Screening List.

(B) Any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Homeland Security.

(C) Any entity the Secretary of Homeland Security, in coordination with the Attorney General, Director of National Intelligence, and the Secretary of Defense, determines poses a national security risk.

(D) Any entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People's Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Homeland Security.

(E) Any subsidiary or affiliate of an entity described in subparagraphs (A) through (D).

(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term ''covered unmanned aircraft system'' has the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

(3) INTELLIGENCE; INTELLIGENCE COMMUNITY.—The terms ''intelligence'' and ''intelligence community'' have the meanings given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1093. PROHIBITION ON PROCUREMENT OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Except as provided under subsections (b) through (f), the head of an executive agency may not procure any covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements related to the collection and transmission of sensitive information (consisting of communication links and the components that control the unmanned aircraft) that enable the operator to operate the aircraft in the National Airspace System. The Federal Acquisition Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of associated elements.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of conducting safety investigations.

(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives or operational mission.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

SEC. 1094. PROHIBITION ON OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) PROHIBITION.—

(1) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

(2) APPLICABILITY TO CONTRACTED SERVICES.—The prohibition under paragraph (1) applies to any covered unmanned aircraft systems that are being used by any executive agency through the method of contracting for the services of covered unmanned aircraft systems.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the operation is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation is necessary for the sole purpose of conducting safety investigations.

(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives or operational mission.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

(g) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General and the Secretary of Transportation, shall prescribe regulations or guidance to implement this section.

SEC. 1095. PROHIBITION ON USE OF FEDERAL FUNDS FOR PROCUREMENT AND OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through a contract, grant, or cooperative agreement, or otherwise made available may be used—

(1) to procure a covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity; or

(2) in connection with the operation of such a drone or unmanned aircraft system.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, and the Attorney General are exempt from the restriction under subsection (a) if the procurement or operation is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

(3) is an unmanned aircraft system that, as procured or as modified after procurement but before operational use, can no longer transfer to, or download data from, a covered foreign entity and otherwise poses no national security cybersecurity risks as determined by the exempting official.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the purpose of meeting NOAA's science or management objectives or operational mission.

(e) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

(f) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe regulations or guidance, as necessary, to implement the requirements of this section pertaining to Federal contracts.

SEC. 1096. PROHIBITION ON USE OF GOVERNMENT-ISSUED PURCHASE CARDS TO PURCHASE COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

Effective immediately, Government-issued Purchase Cards may not be used to procure any covered unmanned aircraft system from a covered foreign entity.

SEC. 1097. MANAGEMENT OF EXISTING INVENTORIES OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—All executive agencies must account for existing inventories of covered unmanned aircraft systems manufactured or assembled by a covered foreign entity in their personal property accounting systems, within one year of the date of enactment of this Act, regardless of the original procurement cost, or the purpose of procurement due to the special monitoring and accounting measures necessary to track the items' capabilities.

(b) CLASSIFIED TRACKING.—Due to the sensitive nature of missions and operations conducted by the United States Government, inventory data related to covered unmanned aircraft systems manufactured or assembled by a covered foreign entity may be tracked at a classified level, as determined by the Secretary of Homeland Security or the Secretary's designee.

(c) EXCEPTIONS.—The Department of Defense, the Department of Homeland Security, the Department of Justice, the Department of Transportation, and the National Oceanic and Atmospheric Administration may exclude from the full inventory process, covered unmanned aircraft systems that are deemed expendable due to mission risk such as recovery issues, or that are one-time-use covered unmanned aircraft due to requirements and low cost.

SEC. 1098. COMPTROLLER GENERAL REPORT.

Not later than 275 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the amount of commercial off-the-shelf drones and covered unmanned aircraft systems procured by Federal departments and agencies from covered foreign entities.

SEC. 1099. GOVERNMENT-WIDE POLICY FOR PROCUREMENT OF UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Department of Homeland Security, Department of Transportation, the Department of Justice, and other Departments as determined by the Director of the Office of Management and Budget, and in consultation with the National Institute of Standards and Technology, shall establish a government-wide policy for the procurement of an unmanned aircraft system—

(1) for non-Department of Defense and non-intelligence community operations; and

(2) through grants and cooperative agreements entered into with non-Federal entities.

(b) INFORMATION SECURITY.—The policy developed under subsection (a) shall include

the following specifications, which to the extent practicable, shall be based on industry standards and technical guidance from the National Institute of Standards and Technology, to address the risks associated with processing, storing, and transmitting Federal information in an unmanned aircraft system:

(1) Protections to ensure controlled access to an unmanned aircraft system.

(2) Protecting software, firmware, and hardware by ensuring changes to an unmanned aircraft system are properly managed, including by ensuring an unmanned aircraft system can be updated using a secure, controlled, and configurable mechanism.

(3) Cryptographically securing sensitive collected, stored, and transmitted data, including proper handling of privacy data and other controlled unclassified information.

(4) Appropriate safeguards necessary to protect sensitive information, including during and after use of an unmanned aircraft system.

(5) Appropriate data security to ensure that data is not transmitted to or stored in non-approved locations.

(6) The ability to opt out of the uploading, downloading, or transmitting of data that is not required by law or regulation and an ability to choose with whom and where information is shared when it is required.

(c) REQUIREMENT.—The policy developed under subsection (a) shall reflect an appropriate risk-based approach to information security related to use of an unmanned aircraft system.

(d) REVISION OF ACQUISITION REGULATIONS.—Not later than 180 days after the date on which the policy required under subsection (a) is issued—

(1) the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation, as necessary, to implement the policy; and

(2) any Federal department or agency or other Federal entity not subject to, or not subject solely to, the Federal Acquisition Regulation shall revise applicable policy, guidance, or regulations, as necessary, to implement the policy.

(e) EXEMPTION.—In developing the policy required under subsection (a), the Director of the Office of Management and Budget shall—

(1) incorporate policies to implement the exemptions contained in this subtitle; and

(2) incorporate an exemption to the policy in the case of a head of the procuring department or agency determining, in writing, that no product that complies with the information security requirements described in subsection (b) is capable of fulfilling mission critical performance requirements, and such determination—

(A) may not be delegated below the level of the Deputy Secretary, or Administrator, of the procuring department or agency;

(B) shall specify—

(i) the quantity of end items to which the waiver applies and the procurement value of those items; and

(ii) the time period over which the waiver applies, which shall not exceed three years;

(C) shall be reported to the Office of Management and Budget following issuance of such a determination; and

(D) not later than 30 days after the date on which the determination is made, shall be provided to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

SEC. 1099A. STATE, LOCAL, AND TERRITORIAL LAW ENFORCEMENT AND EMERGENCY SERVICE EXEMPTION.

(a) RULE OF CONSTRUCTION.—Nothing in this subtitle shall prevent a State, local, or territorial law enforcement or emergency service agency from procuring or operating a covered unmanned aircraft system purchased with non-Federal dollars.

(b) CONTINUITY OF ARRANGEMENTS.—The Federal Government may continue entering into contracts, grants, and cooperative agreements or other Federal funding instruments with State, local, or territorial law enforcement or emergency service agencies under which a covered unmanned aircraft system will be purchased or operated if the agency has received approval or waiver to purchase or operate a covered unmanned aircraft system pursuant to section 1095.

SEC. 1099B. STUDY.

(a) STUDY ON THE SUPPLY CHAIN FOR UNMANNED AIRCRAFT SYSTEMS AND COMPONENTS.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall provide to the appropriate congressional committees a report on the supply chain for covered unmanned aircraft systems, including a discussion of current and projected future demand for covered unmanned aircraft systems.

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

(A) A description of the current and future global and domestic market for covered unmanned aircraft systems that are not widely commercially available except from a covered foreign entity.

(B) A description of the sustainability, availability, cost, and quality of secure sources of covered unmanned aircraft systems domestically and from sources in allied and partner countries.

(C) The plan of the Secretary of Defense to address any gaps or deficiencies identified in subparagraph (B), including through the use of funds available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and partnerships with the National Aeronautics and Space Administration and other interested persons.

(D) Such other information as the Under Secretary of Defense for Acquisition and Sustainment determines to be appropriate.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section the term ''appropriate congressional committees'' means:

(A) The Committees on Armed Services of the Senate and the House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

(C) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology 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 Transportation and Infrastructure of the House of Representatives.

(F) The Committee on Homeland Security of the House of Representatives.

SEC. 1099C. EXCEPTIONS.

(a) EXCEPTION FOR WILDFIRE MANAGEMENT OPERATIONS AND SEARCH AND RESCUE OPERATIONS.—The appropriate Federal agencies, in consultation with the Secretary of Homeland Security, are exempt from the procurement and operation restrictions under sections 1093, 1094, and 1095 to the extent the procurement or operation is necessary for the purpose of supporting the full range of wildfire management operations or search and rescue operations.

(b) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—The elements of the intelligence community, in consultation with the Director of National Intelligence, are exempt from the procurement and operation restrictions under sections 1093, 1094, and 1095 to the extent the procurement or operation is necessary for the purpose of supporting intelligence activities.

(c) EXCEPTION FOR TRIBAL LAW ENFORCEMENT OR EMERGENCY SERVICE AGENCY.—Tribal law enforcement or Tribal emergency service agencies, in consultation with the Secretary of Homeland Security, are exempt from the procurement, operation, and purchase restrictions under sections 1093, 1094, and 1095 to the extent the procurement or operation is necessary for the purpose of supporting the full range of law enforcement operations or search and rescue operations on Indian lands.

SEC. 1099D. SUNSET.

Sections 1093, 1094, and 1095 shall cease to have effect on the date that is five years after the date of the enactment of this Act.

Subtitle I—Radiation Exposure Compensation Act

PART I—MANHATTAN PROJECT WASTE

SEC. 1099AA. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

(a) SHORT TITLE.—This section may be cited as the ''Radiation Exposure Compensation Expansion Act''.

(b) CLAIMS RELATING TO MANHATTAN PROJECT WASTE.—The Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting after section 5 the following:

''SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

''(a) IN GENERAL.—A claimant shall receive compensation for a claim made under this Act, as described in subsection (b) or (c), if—

''(1) a claim for compensation is filed with the Attorney General—

''(A) by an individual described in paragraph (2); or

''(B) on behalf of that individual by an authorized agent of that individual, if the individual is deceased or incapacitated, such as—

''(i) an executor of estate of that individual; or

''(ii) a legal guardian or conservator of that individual;

''(2) that individual, or if applicable, an authorized agent of that individual, demonstrates that the individual—

''(A) was physically present in an affected area for a period of at least 2 years after January 1, 1949; and

''(B) contracted a specified disease after such period of physical presence;

''(3) the Attorney General certifies that the identity of that individual, and if applicable, the authorized agent of that individual, is not fraudulent or otherwise misrepresented; and

''(4) the Attorney General determines that the claimant has satisfied the applicable requirements of this Act.

''(b) LOSSES AVAILABLE TO LIVING AFFECTED INDIVIDUALS.—

''(1) IN GENERAL.—In the event of a claim qualifying for compensation under subsection (a) that is submitted to the Attorney General to be eligible for compensation under this section at a time when the individual described in subsection (a)(2) is living, the amount of compensation under this section shall be in an amount that is the greater of $50,000 or the total amount of compensation for which the individual is eligible under paragraph (2).

''(2) LOSSES DUE TO MEDICAL EXPENSES.—A claimant described in paragraph (1) shall be eligible to receive, upon submission of contemporaneous written medical records, reports, or billing statements created by or at

the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, additional compensation in the amount of all documented out-of-pocket medical expenses incurred as a result of the specified disease suffered by that claimant, such as any medical expenses not covered, paid for, or reimbursed through—

''(A) any public or private health insurance;

''(B) any employee health insurance;

''(C) any workers' compensation program; or

''(D) any other public, private, or employee health program or benefit.

''(c) PAYMENTS TO BENEFICIARIES OF DECEASED INDIVIDUALS.—In the event that an individual described in subsection (a)(2) who qualifies for compensation under subsection (a) is deceased at the time of submission of the claim—

''(1) a surviving spouse may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the amount of $25,000; or

''(2) in the event that there is no surviving spouse, the surviving children, minor or otherwise, of the deceased individual may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the total amount of $25,000, paid in equal shares to each surviving child.

''(d) AFFECTED AREA.—For purposes of this section, the term 'affected area' means, in the State of Missouri, the ZIP Codes of 63031, 63033, 63034, 63042, 63045, 63074, 63114, 63135, 63138, 63044, 63140, 63145, 63147, 63102, 63304, 63134, 63043, 63341, 63368, and 63367.

''(e) SPECIFIED DISEASE.—For purposes of this section, the term 'specified disease' means any of the following:

''(1) Any leukemia, other than chronic lymphocytic leukemia, provided that the initial exposure occurred after the age of 20 and the onset of the disease was at least 2 years after first exposure.

''(2) Any of the following diseases, provided that the onset was at least 2 years after the initial exposure:

''(A) Multiple myeloma.

''(B) Lymphoma, other than Hodgkin's disease.

''(C) Type 1 or type 2 diabetes.

''(D) Systemic lupus erythematosus.

''(E) Multiple sclerosis.

''(F) Hashimoto's disease.

''(G) Primary cancer of the—

''(i) thyroid;

''(ii) male or female breast;

''(iii) esophagus;

''(iv) stomach;

''(v) pharynx;

''(vi) small intestine;

''(vii) pancreas;

''(viii) bile ducts;

''(ix) gall bladder;

''(x) salivary gland;

''(xi) urinary bladder;

''(xii) brain;

''(xiii) colon;

''(xiv) ovary;

''(xv) liver, except if cirrhosis or hepatitis B is indicated;

''(xvi) lung;

''(xvii) bone; or

''(xviii) kidney.

''(f) PHYSICAL PRESENCE.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of contemporaneous written residential documentation and at least one additional employer-issued or government-issued document or record that the claimant, for a period of at least 2 years after January 1, 1949, was physically present in an affected area.

''(g) DISEASE CONTRACTION IN AFFECTED AREAS.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of contemporaneous written medical records or reports created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, that the claimant, after such period of physical presence, contracted a specified disease.''.

PART II—COMPENSATION FOR WORKERS INVOLVED IN URANIUM MINING

SEC. 1099BB. SHORT TITLE.

This part may be cited as the ''Radiation Exposure Compensation Act Amendments of 2023''.

SEC. 1099CC. REFERENCES.

Except as otherwise specifically provided, whenever in this part an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision of law, the reference shall be considered to be made to a section or other provision of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note).

SEC. 1099DD. EXTENSION OF FUND.

Section 3(d) is amended—

(1) by striking the first sentence and inserting ''The Fund shall terminate 19 years after the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2023.''; and

(2) by striking ''2-year'' and inserting ''19-year''.

SEC. 1099EE. CLAIMS RELATING TO ATMOSPHERIC TESTING.

(a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(1)(A) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(B) in subclause (II)—

(i) by striking ''in the affected area'' and inserting ''in an affected area''; and

(ii) by striking ''or'' after the semicolon;

(C) by redesignating subclause (III) as subclause (V); and

(D) by inserting after subclause (II) the following:

''(III) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(IV) was physically present in an affected area—

''(aa) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(bb) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''; and

(2) in clause (ii)(I), by striking ''physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III)'' and inserting ''physical presence described in subclause (I), (II), (III), or (IV) of clause (i) or onsite participation described in clause (i)(V)''.

(b) AMOUNTS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1) is amended—

(1) in subparagraph (A), by striking ''an amount'' and inserting ''the amount''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) AMOUNT.—If the conditions described in subparagraph (C) are met, an individual who is described in subparagraph (A) shall receive $150,000.''.

(c) CONDITIONS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1)(C) is amended—

(1) by striking clause (i); and

(2) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(d) SPECIFIED DISEASES CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(2) is amended—

(1) in subparagraph (A)—

(A) by striking ''in the affected area'' and inserting ''in an affected area'';

(B) by striking ''2 years'' and inserting ''1 year''; and

(C) by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(2) in subparagraph (B)—

(A) by striking ''in the affected area'' and inserting ''in an affected area''; and

(B) by striking ''or'' at the end;

(3) by redesignating subparagraph (C) as subparagraph (E); and

(4) by inserting after subparagraph (B) the following:

''(C) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(D) was physically present in an affected area—

''(i) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(ii) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''.

(e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED DISEASES.—Section 4(a)(2) is amended in the matter following subparagraph (E) (as redesignated by subsection (d) of this section) by striking ''$50,000 (in the case of an individual described in subparagraph (A) or (B)) or $75,000 (in the case of an individual described in subparagraph (C)),'' and inserting ''$150,000''.

(f) MEDICAL BENEFITS.—Section 4(a) is amended by adding at the end the following:

''(5) MEDICAL BENEFITS.—An individual receiving a payment under this section shall be eligible to receive medical benefits in the same manner and to the same extent as an individual eligible to receive medical benefits under section 3629 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t).''.

(g) DOWNWIND STATES.—Section 4(b)(1) is amended to read as follows:

''(1) 'affected area' means—

''(A) except as provided under subparagraphs (B) and (C), Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Guam;

''(B) with respect to a claim by an individual under subsection (a)(1)(A)(i)(III) or subsection (a)(2)(C), only New Mexico; and

''(C) with respect to a claim by an individual under subsection (a)(1)(A)(i)(IV) or subsection (a)(2)(D), only Guam.''.

(h) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECIFIED DISEASE.—Section 4(b)(2) is amended by striking ''other than chronic lymphocytic leukemia'' and inserting ''including chronic lymphocytic leukemia''.

SEC. 1099FF. CLAIMS RELATING TO URANIUM MINING.

(a) EMPLOYEES OF MINES AND MILLS.—Section 5(a)(1)(A)(i) is amended—

(1) by inserting ''(I)'' after ''(i)'';

(2) by striking ''December 31, 1971; and'' and inserting ''December 31, 1990; or''; and

(3) by adding at the end the following:

''(II) was employed as a core driller in a State referred to in subclause (I) during the period described in such subclause; and''.

(b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended by inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury'' after ''nonmalignant respiratory disease''.

(c) MILLERS, CORE DRILLERS, AND ORE TRANSPORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

(1) by inserting '', core driller,'' after ''was a miller'';

(2) by inserting '', or was involved in remediation efforts at such a uranium mine or uranium mill,'' after ''ore transporter'';

(3) by inserting ''(I)'' after ''clause (i)''; and

(4) by striking all that follows ''nonmalignant respiratory disease'' and inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury; or''.

(d) COMBINED WORK HISTORIES.—Section 5(a)(1)(A)(ii) is further amended—

(1) by striking ''or'' at the end of subclause (I); and

(2) by adding at the end the following:

''(III)(aa) does not meet the conditions of subclause (I) or (II);

''(bb) worked, during the period described in clause (i)(I), in two or more of the following positions: miner, miller, core driller, and ore transporter;

''(cc) meets the requirements of paragraph (4) or (5), or both; and

''(dd) submits written medical documentation that the individual developed lung cancer or a nonmalignant respiratory disease or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury after exposure to radiation through work in one or more of the positions referred to in item (bb);''.

(e) DATES OF OPERATION OF URANIUM MINE.—Section 5(a)(2)(A) is amended by striking ''December 31, 1971'' and inserting ''December 31, 1990''.

(f) SPECIAL RULES RELATING TO COMBINED WORK HISTORIES.—Section 5(a) is amended by adding at the end the following:

''(4) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST ONE YEAR OF EXPERIENCE.—An individual meets the requirements of this paragraph if the individual worked in one or more of the positions referred to in paragraph (1)(A)(ii)(III)(bb) for a period of at least one year during the period described in paragraph (1)(A)(i)(I).

''(5) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR MINERS.—An individual meets the requirements of this paragraph if the individual, during the period described in paragraph (1)(A)(i)(I), worked as a miner and was exposed to such number of working level months that the Attorney General determines, when combined with the exposure of such individual to radiation through work as a miller, core driller, or ore transporter during the period described in paragraph (1)(A)(i)(I), results in such individual being exposed to a total level of radiation that is greater or equal to the level of exposure of an individual described in paragraph (4).''.

(g) DEFINITION OF CORE DRILLER.—Section 5(b) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the term 'core driller' means any individual employed to engage in the act or process of obtaining cylindrical rock samples of uranium or vanadium by means of a borehole drilling machine for the purpose of mining uranium or vanadium.''.

SEC. 1099GG. EXPANSION OF USE OF AFFIDAVITS IN DETERMINATION OF CLAIMS; REGULATIONS.

(a) AFFIDAVITS.—Section 6(b) is amended by adding at the end the following:

''(3) AFFIDAVITS.—

''(A) EMPLOYMENT HISTORY.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate the employment history of an individual as a miner, miller, core driller, or ore transporter if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the employment history of the individual;

''(ii) attests to the employment history of the individual;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(B) PHYSICAL PRESENCE IN AFFECTED AREA.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's physical presence in an affected area during a period described in section 4(a)(1)(A)(i) or section 4(a)(2) if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's presence in an affected area during that time period;

''(ii) attests to the individual's presence in an affected area during that period;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(C) PARTICIPATION AT TESTING SITE.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's participation onsite in a test involving the atmospheric detonation of a nuclear device if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(ii) attests to the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 6 is amended—

(1) in subsection (b)(2)(C), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)'';

(2) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(ii) in clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(B) in subparagraph (B), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)''; and

(3) in subsection (e), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''.

(c) REGULATIONS.—

(1) IN GENERAL.—Section 6(k) is amended by adding at the end the following: ''Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2023, the Attorney General shall issue revised regulations to carry out this Act.''.

(2) CONSIDERATIONS IN REVISIONS.—In issuing revised regulations under section 6(k) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note), as amended under paragraph (1), the Attorney General shall ensure that procedures with respect to the submission and processing of claims under such Act take into account and make allowances for the law, tradition, and customs of Indian tribes, including by accepting as a record of proof of physical presence for a claimant a grazing permit, a homesite lease, a record of being a holder of a post office box, a letter from an elected leader of an Indian tribe, or a record of any recognized tribal association or organization.

SEC. 1099HH. LIMITATION ON CLAIMS.

(a) EXTENSION OF FILING TIME.—Section 8(a) is amended—

(1) by striking ''2 years'' and inserting ''19 years''; and

(2) by striking ''2022'' and inserting ''2023''.

(b) RESUBMITTAL OF CLAIMS.—Section 8(b) is amended to read as follows:

''(b) RESUBMITTAL OF CLAIMS.—

''(1) DENIED CLAIMS.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2023, any claimant who has been denied compensation under this Act may resubmit a claim for consideration by the Attorney General in accordance with this Act not more than three times. Any resubmittal made before the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2023 shall not be applied to the limitation under the preceding sentence.

''(2) PREVIOUSLY SUCCESSFUL CLAIMS.—

''(A) IN GENERAL.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2023, any claimant who received compensation under this Act may submit a request to the Attorney General for additional compensation and benefits. Such request shall contain—

''(i) the claimant's name, social security number, and date of birth;

''(ii) the amount of award received under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2023;

''(iii) any additional benefits and compensation sought through such request; and

''(iv) any additional information required by the Attorney General.

''(B) ADDITIONAL COMPENSATION.—If the claimant received compensation under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2023 and submits a request under subparagraph (A), the Attorney General shall—

''(i) pay the claimant the amount that is equal to any excess of—

''(I) the amount the claimant is eligible to receive under this Act (as amended by the Radiation Exposure Compensation Act Amendments of 2023); minus

''(II) the aggregate amount paid to the claimant under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2023; and

''(ii) in any case in which the claimant was compensated under section 4, provide the claimant with medical benefits under section 4(a)(5).''.

SEC. 1099II. GRANT PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF URANIUM MINING AND MILLING.

(a) DEFINITIONS.—In this section—

(1) the term ''institution of higher education'' has the meaning given under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

(2) the term ''program'' means the grant program established under subsection (b); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) ESTABLISHMENT.—The Secretary shall establish a grant program relating to the epidemiological impacts of uranium mining and milling. Grants awarded under the program shall be used for the study of the epidemiological impacts of uranium mining and milling among non-occupationally exposed

individuals, including family members of uranium miners and millers.

(c) ADMINISTRATION.—The Secretary shall administer the program through the National Institute of Environmental Health Sciences.

(d) ELIGIBILITY AND APPLICATION.—Any institution of higher education or nonprofit private entity shall be eligible to apply for a grant. To apply for a grant an eligible institution or entity shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2024 through 2026.

SEC. 1099JJ. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) COVERED EMPLOYEES WITH CANCER.—Section 3621(9) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(9)) is amended by striking subparagraph (A) and inserting the following:

''(A) An individual with a specified cancer who is a member of the Special Exposure Cohort, if and only if—

''(i) that individual contracted that specified cancer after beginning employment at a Department of Energy facility (in the case of a Department of Energy employee or Department of Energy contractor employee) or at an atomic weapons employer facility (in the case of an atomic weapons employee); or

''(ii) that individual—

''(I) contracted that specified cancer after beginning employment in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, or any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act; and

''(II) was employed in a uranium mine or uranium mill described under subclause (I) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) at any time during the period beginning on January 1, 1942, and ending on December 31, 1990.''.

(b) MEMBERS OF SPECIAL EXPOSURE COHORT.—Section 3626 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384q) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) The Advisory Board on Radiation and Worker Health under section 3624 shall advise the President whether there is a class of employees—

''(A) at any Department of Energy facility who likely were exposed to radiation at that facility but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received; and

''(B) employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, who likely were exposed to radiation at that mine or mill but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received.''; and

(2) by striking subsection (b) and inserting the following:

''(b) DESIGNATION OF ADDITIONAL MEMBERS.—

''(1) Subject to the provisions of section 3621(14)(C), the members of a class of employees at a Department of Energy facility, or at an atomic weapons employer facility, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

''(2) Subject to the provisions of section 3621(14)(C), the members of a class of employees employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.''.

Subtitle J—Crypto Assets

SEC. 1099AAA. CRYPTO ASSET ANTI-MONEY LAUNDERING EXAMINATION STANDARDS.

Not later than 2 years after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Conference of State Bank Supervisors and Federal functional regulators, as defined in section 1010.100 of title 31, Code of Federal Regulations, shall establish a risk-focused examination and review process for financial institutions, as defined in that section, to assess the following relating to crypto assets, as determined by the Secretary:

(1) The adequacy of reporting obligations and anti-money laundering programs under subsections (g) and (h) of section 5318 of title 31, United States Code, respectively as applied to those institutions.

(2) Compliance of those institutions with anti-money laundering and countering the financing of terrorism requirements under subchapter II of chapter 53 of title 31, United States Code.

SEC. 1099BBB. COMBATING ANONYMOUS CRYPTO ASSET TRANSACTIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report and provide a briefing, as determined by the Secretary, to the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that assess the following issues:

(1) Categories of anonymity-enhancing technologies or services used in connection with crypto assets, such as mixers and tumblers, in use as of the date on which the report is submitted.

(2) As data are available, estimates of the magnitude of transactions related to the categories in paragraph (1) that are believed to be connected, directly or indirectly, to illicit finance, including crypto asset transaction volumes associated with sanctioned entities and entities subject to special measures pursuant to section 5318A of title 31, United States Code, and a description of any limitations applicable to the data used in such estimates.

(3) Categories of privacy-enhancing technologies or services used in connection with crypto assets in use as of the date on which the report is submitted.

(4) Legislative and regulatory approaches employed by other jurisdictions relating to the technologies and services described in paragraphs (1) and (3).

(5) Recommendations for legislation or regulation relating to the technologies and services described in paragraphs (1) and (3).

Subtitle K—Combating Cartels on Social Media Act of 2023

SEC. 1099AAAA. SHORT TITLE.

This subtitle may be cited as the ''Combating Cartels on Social Media Act of 2023''.

SEC. 1099BBBB. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED OPERATOR.—The term ''covered operator'' means the operator, developer, or publisher of a covered service.

(3) COVERED SERVICE.—The term ''covered service'' means—

(A) a social media platform;

(B) a mobile or desktop service with direct or group messaging capabilities, but not including text messaging services without other substantial social functionalities or electronic mail services, that the Secretary of Homeland Security determines is being or has been used by transnational criminal organizations in connection with matters described in section 1093; and

(C) a digital platform, or an electronic application utilizing the digital platform, involving real-time interactive communication between multiple individuals, including multi-player gaming services and immersive technology platforms or applications, that the Secretary of Homeland Security determines is being or has been used by transnational criminal organizations in connection with matters described in section 1093.

(4) CRIMINAL ENTERPRISE.—The term ''criminal enterprise'' has the meaning given the term ''continuing criminal enterprise'' in section 408 of the Controlled Substances Act (21 U.S.C. 848).

(5) ILLICIT ACTIVITIES.—The term ''illicit activities'' means the following criminal activities that transcend national borders:

(A) A violation of section 401 of the Controlled Substances Act (21 U.S.C. 841).

(B) Narcotics trafficking, as defined in section 808 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1907).

(C) Trafficking of weapons, as defined in section 922 of title 18, United States Code.

(D) Migrant smuggling, defined as a violation of section 274(a)(1)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)(A)(ii)).

(E) Human trafficking, defined as—

(i) a violation of section 1590, 1591, or 1592 of title 18, United States Code; or

(ii) engaging in severe forms of trafficking in persons, as defined in section 103 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102).

(F) Cyber crime, defined as a violation of section 1030 of title 18, United States Code.

(G) A violation of any provision that is subject to intellectual property enforcement, as defined in section 302 of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (15 U.S.C. 8112).

(H) Bulk cash smuggling of currency, defined as a violation of section 5332 of title 31, United States Code.

(I) Laundering the proceeds of the criminal activities described in subparagraphs (A) through (H).

(6) TRANSNATIONAL CRIMINAL ORGANIZATION.—The term ''transnational criminal organization'' means groups, networks, and associated individuals who operate transnationally for the purposes of obtaining power, influence, or monetary or commercial gain, wholly or in part by certain illegal means, while advancing their activities through a pattern of crime, corruption, or violence, and while protecting their illegal activities through a transnational organizational structure and the exploitation of public corruption or transnational logistics, financial, or communication mechanisms.

SEC. 1099CCCC. ASSESSMENT OF ILLICIT USAGE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security and the Secretary of State shall submit to the appropriate congressional committees a joint assessment describing—

(1) the use of covered services by transnational criminal organizations, or criminal enterprises acting on behalf of transnational criminal organizations, to engage in recruitment efforts, including the recruitment of individuals, including individuals under the age of 18, located in the United States to engage in or provide support with respect to illicit activities occurring in the United States, Mexico, or otherwise in proximity to an international boundary of the United States;

(2) the use of covered services by transnational criminal organizations to engage in illicit activities or conduct in support of illicit activities, including—

(A) smuggling or trafficking involving narcotics, other controlled substances, precursors thereof, or other items prohibited under the laws of the United States, Mexico, or another relevant jurisdiction, including firearms;

(B) human smuggling or trafficking, including the exploitation of children; and

(C) transportation of bulk currency or monetary instruments in furtherance of smuggling activity; and

(3) the existing efforts of the Secretary of Homeland Security, the Secretary of State, and relevant government and law enforcement entities to counter, monitor, or otherwise respond to the usage of covered services described in paragraphs (1) and (2).

SEC. 1099DDDD. STRATEGY TO COMBAT CARTEL RECRUITMENT ON SOCIAL MEDIA AND ONLINE PLATFORMS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security and the Secretary of State shall submit to the appropriate congressional committees a joint strategy, to be known as the National Strategy to Combat Illicit Recruitment Activity by Transnational Criminal Organizations on Social Media and Online Platforms, to combat the use of covered services by transnational criminal organizations, or criminal enterprises acting on behalf of transnational criminal organizations, to recruit individuals located in the United States to engage in or provide support with respect to illicit activities occurring in the United States, Mexico, or otherwise in proximity to an international boundary of the United States.

(b) ELEMENTS.—

(1) IN GENERAL.—The strategy required under subsection (a) shall, at a minimum, include the following:

(A) A proposal to improve cooperation and thereafter maintain cooperation between the Secretary of Homeland Security, the Secretary of State, and relevant law enforcement entities with respect to the matters described in subsection (a).

(B) Recommendations to implement a process for the voluntary reporting of information regarding the recruitment efforts of transnational criminal organizations in the United States involving covered services.

(C) A proposal to improve intragovernmental coordination with respect to the matters described in subsection (a), including between the Department of Homeland Security, the Department of State, and State, Tribal, and local governments.

(D) A proposal to improve coordination within the Department of Homeland Security and the Department of State and between the components of those Departments with respect to the matters described in subsection (a).

(E) Activities to facilitate increased intelligence analysis for law enforcement purposes of efforts of transnational criminal organizations to utilize covered services for recruitment to engage in or provide support with respect to illicit activities.

(F) Activities to foster international partnerships and enhance collaboration with foreign governments and, as applicable, multilateral institutions with respect to the matters described in subsection (a).

(G) Activities to specifically increase engagement and outreach with youth in border communities, including regarding the recruitment tactics of transnational criminal organizations and the consequences of participation in illicit activities.

(H) A detailed description of the measures used to ensure—

(i) law enforcement and intelligence activities focus on the recruitment activities of transitional criminal organizations not individuals the transnational criminal organizations attempt to or successfully recruit; and

(ii) the privacy rights, civil rights, and civil liberties protections in carrying out the activities described in clause (i), with a particular focus on the protections in place to protect minors and constitutionally protected activities.

(2) LIMITATION.—The strategy required under subsection (a) shall not include legislative recommendations or elements predicated on the passage of legislation that is not enacted as of the date on which the strategy is submitted under subsection (a).

(c) CONSULTATION.—In drafting and implementing the strategy required under subsection (a), the Secretary of Homeland Security and the Secretary of State shall, at a minimum, consult and engage with—

(1) the heads of relevant components of the Department of Homeland Security, including—

(A) the Under Secretary for Intelligence and Analysis;

(B) the Under Secretary for Strategy, Policy, and Plans;

(C) the Under Secretary for Science and Technology;

(D) the Commissioner of U.S. Customs and Border Protection;

(E) the Director of U.S. Immigration and Customs Enforcement;

(F) the Officer for Civil Rights and Civil Liberties;

(G) the Privacy Officer; and

(H) the Assistant Secretary of the Office for State and Local Law Enforcement;

(2) the heads of relevant components of the Department of State, including—

(A) the Assistant Secretary for International Narcotics and Law Enforcement Affairs;

(B) the Assistant Secretary for Western Hemisphere Affairs; and

(C) the Coordinator of the Global Engagement Center;

(3) the Attorney General;

(4) the Secretary of Health and Human Services; and

(5) the Secretary of Education; and

(6) as selected by the Secretary of Homeland Security, or his or her designee in the Office of Public Engagement, representatives of border communities, including representatives of—

(A) State, Tribal, and local governments, including school districts and local law enforcement; and

(B) nongovernmental experts in the fields of—

(i) civil rights and civil liberties;

(ii) online privacy;

(iii) humanitarian assistance for migrants; and

(iv) youth outreach and rehabilitation.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 90 days after the date on which the strategy required under subsection (a) is submitted to the appropriate congressional committees, the Secretary of Homeland Security and the Secretary of State shall commence implementation of the strategy.

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date on which the strategy required under subsection (a) is implemented under paragraph (1), and semiannually thereafter for 5 years, the Secretary of Homeland Security and the Secretary of State shall submit to the appropriate congressional committees a joint report describing the efforts of the Secretary of Homeland Security and the Secretary of State to implement the strategy required under subsection (a) and the progress of those efforts, which shall include a description of—

(i) the recommendations, and corresponding implementation of those recommendations, with respect to the matters described in subsection (b)(1)(B);

(ii) the interagency posture with respect to the matters covered by the strategy required under subsection (a), which shall include a description of collaboration between the Secretary of Homeland Security, the Secretary of State, other Federal entities, State, local, and Tribal entities, and foreign governments; and

(iii) the threat landscape, including new developments related to the United States recruitment efforts of transnational criminal organizations and the use by those organizations of new or emergent covered services and recruitment methods.

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

(3) CIVIL RIGHTS, CIVIL LIBERTIES, AND PRIVACY ASSESSMENT.—Not later than 2 years after the date on which the strategy required under subsection (a) is implemented under paragraph (1), the Office for Civil Rights and Civil Liberties and the Privacy Office of the Department of Homeland Security shall submit to the appropriate congressional committees a joint report that includes—

(A) a detailed assessment of the measures used to ensure the protection of civil rights, civil liberties, and privacy rights in carrying out this section; and

(B) recommendations to improve the implementation of the strategy required under subsection (a).

(4) RULEMAKING.—Prior to implementation of the strategy required under subsection (a) at the Department of Homeland Security, the Secretary of Homeland Security shall issue rules to carry out this section in accordance with section 553 of title 5, United States Code.

SEC. 1099EEEE. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to expand the statutory law enforcement or regulatory authority of the Department of Homeland Security or the Department of State.

SEC. 1099FFFF. NO ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated for the purpose of carrying out this subtitle.

TITLE XI—CONNECTING OCEANIA'S NATIONS WITH VANGUARD EXERCISES AND NATIONAL EMPOWERMENT

SEC. 1101. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''Connecting Oceania's Nations with Vanguard Exercises and National Empowerment'' or the ''CONVENE Act of 2023''.

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

TITLE XI—CONNECTING OCEANIA'S NATIONS WITH VANGUARD EXERCISES AND NATIONAL EMPOWERMENT

Sec. 1101. Short title; table of contents.
Sec. 1102. Definitions.
Sec. 1103. National security councils of specified countries.

SEC. 1102. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committees on Foreign Affairs and the Committee on Armed Services 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) NATIONAL SECURITY COUNCIL.—The term ''national security council'' means, with respect to a specified country, an intergovernmental body under the jurisdiction of the freely elected government of the specified country that acts as the primary coordinating entity for security cooperation, disaster response, and the activities described section 6103(f).

(4) SPECIFIED COUNTRY.—The term ''specified country'' means—

(A) the Federated States of Micronesia;

(B) the Republic of the Marshall Islands; and

(C) the Republic of Palau.

SEC. 1103. NATIONAL SECURITY COUNCILS OF SPECIFIED COUNTRIES.

(a) IN GENERAL.—The Secretary of State, in consultation with other relevant Federal departments and agencies, as appropriate, may consult and engage with each specified country to advise and provide assistance to a national security council (including by developing a national security council, if appropriate), or to identify a similar coordinating body for national security matters, comprised of citizens of the specified country—

(1) that enables the specified country—

(A) to better coordinate with the United States Government, including the Armed Forces, as appropriate;

(B) to increase cohesion on activities, including emergency humanitarian response, law enforcement, and maritime security activities; and

(C) to provide trained professionals to serve as members of the committees of the specified country established under the applicable Compact of Free Association; and

(2) for the purpose of enhancing resilience capabilities and protecting the people, infrastructure, and territory of the specified country from malign actions.

(b) COMPOSITION.—The Secretary of State, respecting the unique needs of each specified country, may seek to ensure that the national security council, or other identified coordinating body, of the specified country is composed of sufficient staff and members to enable the activities described in subsection (f).

(c) ACCESS TO SENSITIVE INFORMATION.—The Secretary of State, with the concurrence of the Director of National Intelligence, may establish, as appropriate, for use by the members and staff of the national security council, or other identified coordinating body, of each specified country standards and a process for vetting and sharing sensitive information.

(d) STANDARDS FOR EQUIPMENT AND SERVICES.—The Secretary of State may work with the national security council, or other identified coordinating body, of each specified country to ensure that—

(1) the equipment and services used by the national security council or other identified coordinating body are compliant with security standards so as to minimize the risk of cyberattacks or espionage;

(2) the national security council or other identified coordinating body takes all reasonable efforts not to procure or use systems, equipment, or software that originates from any entity identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3965; 10 U.S.C. 113 note); and

(3) to the extent practicable, the equipment and services used by the national security council or other identified coordinating body are interoperable with the equipment and services used by the national security councils, or other identified coordinating bodies, of the other specified countries.

(e) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for two years, the Secretary of State shall submit to the appropriate committees of Congress a report that includes—

(A) an assessment as to whether a national security council or a similar formal coordinating body is helping or would help achieve the objectives described in subsection (a) at acceptable financial and opportunity cost;

(B) a description of all actions taken by the United States Government to assist in the identification or maintenance of a national security council, or other identified coordinating body, in each specified country;

(C) with respect to each specified country, an assessment as to whether—

(i) the specified country has appropriately staffed its national security council or other identified coordinating body; and

(ii) the extent to which the national security council, or other identified coordinating body, of the specified country is capable of carrying out the activities described in subsection (f);

(D) an assessment of—

(i) any challenge to cooperation and coordination with the national security council, or other identified coordinating body, of any specified country;

(ii) current efforts by the Secretary of State to coordinate with the specified countries on the activities described in subsection (f); and

(iii) existing governmental entities within each specified country that are capable of supporting such activities;

(E) a description of any challenge with respect to—

(i) the implementation of the national security council, or other identified coordinating body, of any specified country; and

(ii) the implementation of subsections (a) through (d);

(F) an assessment of any attempt or campaign by a malign actor to influence the political, security, or economic policy of a specified country, a member of a national security council or other identified coordinating body, or an immediate family member of such a member; and

(G) any other matter the Secretary of State considers relevant.

(2) FORM.—Each report required by paragraph (1) may be submitted in unclassified form and may include a classified annex.

(f) ACTIVITIES DESCRIBED.—The activities described in this subsection are the following:

(1) HOMELAND SECURITY ACTIVITIES.—

(A) Coordination of—

(i) the prosecution and investigation of transnational criminal enterprises;

(ii) responses to national emergencies, such as natural disasters;

(iii) counterintelligence and counter-coercion responses to foreign threats; and

(iv) efforts to combat illegal, unreported, or unregulated fishing.

(B) Coordination with United States Government officials on humanitarian response, military exercises, law enforcement, and other issues of security concern.

(C) Identification and development of an existing governmental entity to support homeland defense and civil support activities.

TITLE XII—CIVILIAN PERSONNEL MATTERS

SEC. 1201. ONE-YEAR 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 1102 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''through 2023'' and inserting ''through 2024''.

SEC. 1202. 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 1103 of the

James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''2024'' and inserting ''2025''.

SEC. 1203. EXCLUSION OF POSITIONS IN NONAPPROPRIATED FUND INSTRUMENTALITIES FROM LIMITATIONS ON DUAL PAY.

Section 5531(2) of title 5, United States Code, is amended by striking ''Government corporation and'' and inserting ''Government corporation, but excluding''.

SEC. 1204. EXCEPTION TO LIMITATION ON NUMBER OF SENIOR EXECUTIVE SERVICE POSITIONS FOR THE DEPARTMENT OF DEFENSE.

Section 1109(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2449; 5 U.S.C. 3133 note) is amended by adding at the end the following new paragraph:

''(3) EXCEPTION.—The limitation under this subsection shall not apply to positions described in this subsection that are fully funded through amounts appropriated to an agency other than the Department of Defense.''.

SEC. 1205. REMOVAL OF WASHINGTON HEADQUARTERS SERVICES DIRECT SUPPORT FROM PERSONNEL LIMITATION ON THE OFFICE OF THE SECRETARY OF DEFENSE.

Section 143(b) of title 10, United States Code, is amended by striking ''(including Direct Support Activities of that Office and the Washington Headquarters Services of the Department of Defense)''.

SEC. 1206. CONSOLIDATION OF DIRECT HIRE AUTHORITIES FOR CANDIDATES WITH SPECIFIED DEGREES AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 4091 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking ''bachelor's degree'' and inserting ''bachelor's or advanced degree'';

(2) in subsection (c)—

(A) in the subsection heading, by striking ''CALENDAR YEAR'' and inserting ''FISCAL YEAR'' ;

(B) in the matter preceding paragraph (1), by striking ''calendar year'' and inserting ''fiscal year'';

(C) in paragraph (1), by striking ''6 percent'' and inserting ''11 percent''; and

(D) in paragraphs (1), (2), and (3), by striking ''the fiscal year last ending before the start of such calendar year'' and inserting ''the preceding fiscal year'';

(3) by striking subsection (f); and

(4) by redesignating subsection (g) as subsection (f).

SEC. 1207. EXPANSION AND EXTENSION OF DIRECT HIRE AUTHORITY FOR CERTAIN PERSONNEL OF THE DEPARTMENT OF DEFENSE.

Section 9905 of title 5, United States Code, is amended—

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

''(12) Any position in support of aircraft operations for which the Secretary determines there is a critical hiring need and shortage of candidates.

''(13) Any position in support of the safety of the public, law enforcement, or first response for which the Secretary determines there is a critical hiring need and shortage of candidates.

''(14) Any position in support of the Office of the Inspector General of the Department relating to oversight of the conflict in Ukraine for which the Secretary determines there is a critical hiring need and shortage of candidates.''; and

(2) in subsection (b)(1), by striking ''September 30, 2025'' and inserting ''September 30, 2030''.

SEC. 1208. EXTENSION OF DIRECT HIRE AUTHORITY FOR THE DEPARTMENT OF DEFENSE FOR POST-SECONDARY STUDENTS AND RECENT GRADUATES.

Section 1106(d) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is amended by striking ''September 30, 2025'' and inserting ''September 30, 2030''.

SEC. 1209. EXTENSION OF DIRECT HIRE AUTHORITY FOR DOMESTIC INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

Section 1125(a) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.; Public Law 114–328) is amended by striking ''through 2025,'' and inserting ''through 2028,''.

SEC. 1210. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEMBERS AT SPACE FORCE SCHOOLS.

(a) IN GENERAL.—Section 9371 of title 10, United States Code, is amended—

(1) in the section heading, by inserting ''**and Space Delta 13**'' after ''**Air University**''

(2) in subsection (a), by inserting ''or of the Space Delta 13'' after ''Air University''; and

(3) in subsection (c)—

(A) in paragraphs (1), by inserting ''or of the Space Delta 13'' after ''Air University''; and

(B) in paragraph (2), by inserting ''or of the Space Delta 13'' after ''Air University''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 947 of such title is amended by striking the item relating to section 9371 and inserting the following new item:

''9371. Air University and Space Delta 13: civilian faculty members.''.

SEC. 1211. REPORT AND SUNSET RELATING TO INAPPLICABILITY OF CERTIFICATION OF EXECUTIVE QUALIFICATIONS BY QUALIFICATION REVIEW BOARDS OF OFFICE OF PERSONNEL MANAGEMENT.

Section 1109 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (5 U.S.C. 3393 note) is amended—

(1) in subsection (d)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph (3):

''(3) ADDITIONAL REPORT.—Not later than December 1, 2024, the Secretary shall submit to the committees of Congress specified in paragraph (4) and the Comptroller General of the United States a report on the use of the authority provided in this section. The report shall include the following:

''(A) The number and type of appointments made under this section between August 13, 2018, and the date of the report.

''(B) Data on and an assessment of whether appointments under the authority in this section reduced the time to hire when compared with the time to hire under the review system of the Office of Personnel Management in use as of the date of the report.

''(C) An assessment of the utility of the appointment authority and process under this section.

''(D) An assessment of whether the appointments made under this section resulted in higher quality new executives for the Senior Executive Service of the Department when compared with the executives produced in the Department under the review system in use between August 13, 2013, and August 13, 2018.

''(E) Any recommendation for the improvement of the selection and qualification process for the Senior Executive Service of the Department that the Secretary considers necessary in order to attract and hire highly qualified candidates for service in that Senior Executive Service.''; and

(2) in subsection (e), by striking ''August 13, 2023'' and inserting ''September 30, 2025''.

SEC. 1212. EXTENSION OF DATE OF FIRST EMPLOYMENT FOR ACQUISITION OF COMPETITIVE STATUS FOR EMPLOYEES OF INSPECTORS GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS.

Section 419(d)(5)(B) of title 5, United States Code, is amended by striking ''2 years'' and inserting ''5 years''.

SEC. 1213. EXPANSION OF NONCOMPETITIVE APPOINTMENT ELIGIBILITY TO SPOUSES OF DEPARTMENT OF DEFENSE CIVILIANS.

(a) IN GENERAL.—Section 3330d of title 5, United States Code, is amended—

(1) in the section heading, by inserting ''**and Department of Defense civilian**'' after ''**military**'';

(2) in subsection (a), by adding at the end the following:

''(4) The term 'spouse of an employee of the Department of Defense' means an individual who is married to an employee of the Department of Defense who is transferred in the interest of the Government from one official station within the Department to another within the Department (that is outside of normal commuting distance) for permanent duty.''; and

(3) in subsection (b)—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(3) a spouse of an employee of the Department of Defense.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 33 of title 5, United States Code, is amended by striking the item relating to section 3330d and inserting the following:

''3330d. Appointment of military and Department of Defense civilian spouses.''.

(c) OPM LIMITATION AND REPORTS.—

(1) RELOCATING SPOUSES.—With respect to the noncompetitive appointment of a relocating spouse of an employee of the Department of Defense under paragraph (3) of section 3330d(b) of title 5, United States Code, as added by subsection (a), the Director of the Office of Personnel Management shall—

(A) monitor the number of those appointments;

(B) require the head of each agency with the authority to make those appointments under that provision to submit to the Director an annual report on those appointments, including information on the number of individuals so appointed, the types of positions filled, and the effectiveness of the authority for those appointments; and

(C) not later than 18 months after the date of enactment of this Act, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the use and effectiveness of the authority described in subparagraph (B).

(2) NON-RELOCATING SPOUSES.—With respect to the noncompetitive appointment of a spouse of an employee of the Department of Defense other than a relocating spouse described in paragraph (1), the Director of the Office of Personnel Management—

(A) shall treat the spouse as a relocating spouse under paragraph (1); and

(B) may limit the number of those appointments.

(d) SUNSET.—Effective on December 31, 2028—

(1) the authority provided by this section, and the amendments made by this section, shall expire; and

(2) the provisions of section 3330d of title 5, United States Code, amended or repealed by this section are restored or revived as if this section had not been enacted.

SEC. 1214. ELIMINATION OF GOVERNMENT ACCOUNTABILITY OFFICE REVIEW REQUIREMENT RELATING TO DEPARTMENT OF DEFENSE PERSONNEL AUTHORITIES.

Section 9902(h) of title 5, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''and the Comptroller General,'';

(2) by striking paragraph (2); and

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

SEC. 1215. AMENDMENTS TO THE JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.

(a) SELECTION OF PARTICIPANTS.—Subsection (d)(2) of section 932 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 1580 note prec.; Public Law 115–232) is amended to read as follows:

''(2) GEOGRAPHICAL REPRESENTATION.—Out of the total number of individuals selected to participate in the fellows program in any year, not more than 20 percent may be from any of the following geographic regions:

''(A) The Northeast United States.

''(B) The Southeast United States.

''(C) The Midwest United States.

''(D) The Southwest United States.

''(E) The Western United States.

''(F) Alaska, Hawaii, United States territories, and areas outside the United States.''.

(b) APPOINTMENT AND CAREER DEVELOPMENT.—Such section is further amended—

(1) in subsection (d)(3)—

(A) by striking ''assigned'' and inserting ''appointed''; and

(B) by striking ''assignment'' and inserting ''appointment''; and

(2) by amending subsections (e) and (f) to read as follows:

''(e) APPOINTMENT DURING PARTICIPATION IN FELLOWS PROGRAM.—

''(1) IN GENERAL.—The Secretary of Defense shall appoint each individual who participates in the fellows program to an excepted service position in an element of the Department.

''(2) PLACEMENT OPPORTUNITIES.—Each year, the head of each element of the Department shall submit to the Secretary an identification of placement opportunities for participants in the fellows program. Such placement opportunities shall provide for leadership development and potential commencement of a career track toward a position of senior leadership in the Department.

''(3) QUALIFICATION REQUIREMENTS.—The Secretary, in coordination with the heads of elements of the Department, shall establish qualification requirements for the appointment of participants under paragraph (1).

''(4) MATCHING QUALIFICATIONS, SKILLS, AND REQUIREMENTS.—In making appointments under paragraph (1), the Secretary shall seek to best match the qualifications and skills of the participants with the requirements for positions available for appointment.

''(5) TERM.—The term of each appointment under the fellows program shall be one year, but the Secretary may extend a term of appointment up to one additional year.

''(6) GRADE.—The Secretary shall appoint an individual under paragraph (1) to a position at the level of GS–10, GS–11, or GS–12 of the General Schedule based on the directly related qualifications, skills, and professional experience of the individual.

''(7) EDUCATION LOAN REPAYMENT.—To the extent that funds are provided in advance in appropriations Acts, the Secretary may repay a loan of a participant in the fellows program if the loan is described by subparagraph (A), (B), or (C) of section 16301(a)(1) of title 10, United States Code. Any repayment of a loan under this paragraph may require a minimum service agreement, as determined by the Secretary.

''(8) ELEMENT OF THE DEPARTMENT DEFINED.—In this subsection, the term 'element of the Department' means an element of the Department specified in section 111(b) of title 10, United States Code.

''(f) CAREER DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary of Defense shall ensure that participants in the fellows program—

''(A) receive career development opportunities and support appropriate for the commencement of a career track within the Department leading toward a future position of senior leadership within the Department, including ongoing mentorship support through appropriate personnel from entities within the Department; and

''(B) are provided appropriate employment opportunities for excepted service positions in the Department upon successful completion of the fellows program.

''(2) PUBLICATION OF SELECTION.—The Secretary shall publish, on an internet website of the Department available to the public, the names of the individuals selected to participate in the fellows program.''.

SEC. 1216. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT.

(a) DEFINITION.—In this section, the term ''temporary position'' means a position in the competitive or excepted service for a period of 180 days or less.

(b) PILOT PROJECT.—

(1) IN GENERAL.—The Secretary of the Army shall carry out a pilot project to establish a Civilian Cybersecurity Reserve.

(2) PURPOSE.—The purpose of the Civilian Cybersecurity Reserve is to enable the Army to provide manpower to the United States Cyber Command to effectively—

(A) preempt, defeat, deter, or respond to malicious cyber activity;

(B) conduct cyberspace operations;

(C) secure information and systems of the Department of Defense against malicious cyber activity; and

(D) assist in solving cyber workforce-related challenges.

(3) HIRING AUTHORITY.—In carrying out this section, 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.

(4) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation of benefits, and non-discrimination in reemployment of individuals appointed under this section, provided that such regulations shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38, United States Code.

(5) STATUS IN RESERVE.—During the period beginning on the date on which an individual is recruited to serve in the Civilian Cybersecurity Reserve and ending on the date on which the individual is appointed under this section, and during any period in between any such appointments, the individual shall not be considered a Federal employee.

(c) ELIGIBILITY; APPLICATION AND SELECTION.—

(1) IN GENERAL.—Under the pilot project required under subsection (b)(1), the Secretary of the Army shall establish criteria for—

(A) individuals to be eligible for the Civilian Cybersecurity Reserve; and

(B) the application and selection processes for the Civilian Cybersecurity Reserve.

(2) REQUIREMENTS FOR INDIVIDUALS.—The criteria established under paragraph (1)(A) with respect to an individual shall include—

(A) if the individual has previously served as a member of the Civilian Cybersecurity Reserve, that the previous appointment ended not less than 60 days before the individual may be appointed for a subsequent temporary position in the Civilian Cybersecurity Reserve; and

(B) cybersecurity expertise.

(3) PRESCREENING.—The Secretary shall—

(A) conduct a prescreening of each individual prior to appointment under this section for any topic or product that would create a conflict of interest; and

(B) require each individual appointed under this section to notify the Secretary if a potential conflict of interest arises during the appointment.

(4) AGREEMENT REQUIRED.—An individual may become a member of the Civilian Cybersecurity Reserve only if the individual enters into an agreement with the Secretary to become such a member, which shall set forth the rights and obligations of the individual and the Army.

(5) EXCEPTION FOR CONTINUING MILITARY SERVICE COMMITMENTS.—A member of the Selected Reserve under section 10143 of title 10, United States Code, may not be a member of the Civilian Cybersecurity Reserve.

(6) PROHIBITION.—Any individual who is an employee of the executive branch may not be recruited or appointed to serve in the Civilian Cybersecurity Reserve.

(d) SECURITY CLEARANCES.—

(1) IN GENERAL.—The Secretary of the Army shall ensure that all members of the Civilian Cybersecurity Reserve undergo the appropriate personnel vetting and adjudication commensurate with the duties of the position, including a determination of eligibility for access to classified information where a security clearance is necessary, according to applicable policy and authorities.

(2) COST OF SPONSORING CLEARANCES.—If a member of the Civilian Cybersecurity Reserve requires a security clearance in order to carry out the duties of the member, the Army shall be responsible for the cost of sponsoring the security clearance of the member.

(e) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date on which the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the report required under section 1540(d)(2) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) on the feasibility and advisability of creating and maintaining a civilian cybersecurity reserve corps, the Secretary of the Army shall—

(A) submit to the congressional defense committees an implementation plan for the pilot project required under subsection (b)(1); and

(B) provide to the congressional defense committees a briefing on the implementation plan.

(2) PROHIBITION.—The Secretary of the Army may not take any action to begin implementation of the pilot project required under subsection (b)(1) until the Secretary fulfills the requirements under paragraph (1).

(f) PROJECT GUIDANCE.—Not later than two years after the date of the enactment of this

Act, the Secretary of the Army shall, in consultation with the Office of Personnel Management and the Office of Government Ethics, issue guidance establishing and implementing the pilot project required under subsection (b)(1).

(g) BRIEFINGS AND REPORT.—

(1) BRIEFINGS.—Not later than one year after the date on which the guidance required under subsection (f) is issued, and every year thereafter until the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Secretary of the Army shall provide to the congressional defense committees a briefing on activities carried out under the pilot project, including—

(A) participation in the Civilian Cybersecurity Reserve, including the number of participants, the diversity of participants, and any barriers to recruitment or retention of members;

(B) an evaluation of the ethical requirements of the pilot project;

(C) whether the Civilian Cybersecurity Reserve has been effective in providing additional capacity to the Army; and

(D) an evaluation of the eligibility requirements for the pilot project.

(2) REPORT.—Not earlier than 180 days and not later than 90 days before the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Secretary shall submit to the congressional defense committees a report and provide a briefing on recommendations relating to the pilot project, including recommendations for—

(A) whether the pilot project should be modified, extended in duration, or established as a permanent program, and if so, an appropriate scope for the program;

(B) how to attract participants, ensure a diversity of participants, and address any barriers to recruitment or retention of members of the Civilian Cybersecurity Reserve;

(C) the ethical requirements of the pilot project and the effectiveness of mitigation efforts to address any conflict of interest concerns; and

(D) an evaluation of the eligibility requirements for the pilot project.

(h) EVALUATION.—Not later than three years after the pilot project required under subsection (b)(1) is established, the Comptroller General of the United States shall—

(1) conduct a study evaluating the pilot project; and

(2) submit to Congress—

(A) a report on the results of the study; and

(B) a recommendation with respect to whether the pilot project should be modified.

(i) SUNSET.—The pilot project required under subsection (b)(1) shall terminate on the date that is four years after the date on which the pilot project is established.

TITLE XIII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1301. MIDDLE EAST INTEGRATED MARITIME DOMAIN AWARENESS AND INTERDICTION CAPABILITY.

(a) IN GENERAL.—The Secretary of Defense, using existing authorities, shall seek to build upon the incorporation of Israel into the area of responsibility of the United States Central Command to develop a Middle East integrated maritime domain awareness and interdiction capability for the purpose of protecting the people, infrastructure, and territory of such countries from—

(1) manned and unmanned naval systems, undersea warfare capabilities, and anti-ship missiles of Iran and groups affiliated with Iran; and

(2) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the waterways within the area of responsibility of the United States Naval Forces Central Command.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 60 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 committees of Congress a strategy for the cooperation described in subsection (a).

(2) MATTERS TO BE INCLUDED.—The strategy required by paragraph (1) shall include the following:

(A) An assessment of the threats posed to ally or partner countries in the Middle East by—

(i) manned and unmanned naval systems, undersea warfare capabilities, and anti-ship missiles of Iran and groups affiliated with Iran; and

(ii) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the waterways within the area of responsibility of the United States Naval Forces Central Command.

(B) A description of existing multilateral maritime partnerships currently led by the United States Naval Forces Central Command, including the Combined Maritime Forces (including its associated Task Forces 150, 151, 152, and 153), the International Maritime Security Construct, and the Navy's Task Force 59, and a discussion of the role of such partnerships in building an integrated maritime security capability.

(C) A description of progress made in advancing the integration of Israel into the existing multilateral maritime partnerships described in subparagraph (B).

(D) A description of efforts among countries in the Middle East to coordinate intelligence, reconnaissance, and surveillance capabilities and indicators and warnings with respect to the threats described in subparagraph (A), and a description of any impediment to optimizing such efforts.

(E) A description of the current Department of Defense systems that, in coordination with ally and partner countries in the Middle East—

(i) provide awareness of and defend against such threats; and

(ii) address current capability gaps.

(F) An explanation of the manner in which an integrated maritime domain awareness and interdiction architecture would improve collective security in the Middle East.

(G) A description of existing and planned efforts to engage ally and partner countries in the Middle East in establishing such an architecture.

(H) An identification of the elements of such an architecture that may be acquired and operated by ally and partner countries in the Middle East, and a list of such elements for each such ally and partner.

(I) An identification of the elements of such an architecture that may only be provided and operated by members of the United States Armed Forces.

(J) An identification of any challenge to optimizing such an architecture in the Middle East.

(K) An assessment of progress and key challenges in the implementation of the strategy required by paragraph (1) using the metrics identified in accordance with paragraph (3).

(L) Recommendations for improvements in the implementation of such strategy based on such metrics.

(M) An assessment of any capabilities or lessons from the Navy's Task Force 59 that may be leveraged to support an integrated maritime domain awareness and interdiction capability in the Middle East.

(N) Any other matter the Secretary of Defense considers relevant.

(3) METRICS.—The Secretary of Defense shall identify metrics to assess progress in the implementation of the strategy required by paragraph (1).

(4) FORMAT.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) FEASIBILITY STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility and advisability of establishing an integrated maritime domain awareness and interdiction capability to protect the people, infrastructure, and territory of ally and partner countries in the Middle East from—

(A) manned and unmanned naval systems, undersea warfare capabilities, and anti-ship missiles of Iran and groups affiliated with Iran; and

(B) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the waterways of the Middle East.

(2) ELEMENTS.—The study required by paragraph (1) shall include—

(A) an assessment of funds that could be contributed by ally and partner countries of the United States; and

(B) a cost estimate of establishing such an integrated maritime domain awareness and interdiction capability.

(3) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the results of the study conducted under paragraph (1).

(d) PROTECTION OF SENSITIVE INFORMATION.—Any activity carried out under this section shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States.

(e) 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. 1302. AUTHORITY TO PROVIDE MISSION TRAINING THROUGH DISTRIBUTED SIMULATION.

(a) AUTHORITY FOR TRAINING AND DISTRIBUTION.—To enhance the interoperability and integration between the United States Armed Forces and the military forces of friendly foreign countries, the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—

(1) to provide to military personnel of a friendly foreign government persistent advanced networked training and exercise activities (in this section referred to as ''mission training through distributed simulation''); and

(2) to provide information technology, including hardware and computer software developed for mission training through distributed simulation activities.

(b) SCOPE OF MISSION TRAINING.—Mission training through distributed simulation provided under subsection (a) may include advanced distributed network training events and computer-assisted exercises.

(c) APPLICABILITY OF EXPORT CONTROL AUTHORITIES.—The provision of mission training through distributed simulation and information technology under this section shall be subject to the Arms Export Control

Act (22 U.S.C. 2751 et seq.) and any other export control authority under law relating to the transfer of military technology to foreign countries.

(d) GUIDANCE ON USE OF AUTHORITY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall develop and issue guidance on the procedures for the use of the authority provided in this section.

(e) REPORT.—

(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 appropriate committees of Congress a report on the use of mission training through distributed simulation by military personnel of friendly foreign countries.

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

(A) A description of ongoing mission training through distributed simulation activities between the United States Armed Forces and the military forces of friendly foreign countries.

(B) A description of the current capabilities of the military forces of friendly foreign countries to support mission training through distributed simulation activities with the United States Armed Forces.

(C) A description of the manner in which the Department intends to use mission training through distributed simulation activities to support implementation of the National Defense Strategy, including in areas of responsibility of the United States European Command and the United States Indo-Pacific Command.

(D) Any recommendation of the Secretary of Defense for legislative proposals or policy guidance regarding the use of mission training through distributed simulation activities.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(f) SUNSET.—The authority provided in this section shall terminate on December 31, 2025.

SEC. 1303. INCREASE IN SMALL-SCALE CONSTRUCTION LIMIT AND MODIFICATION OF AUTHORITY TO BUILD CAPACITY.

(a) DEFINITION OF SMALL-SCALE CONSTRUCTION.—Section 301(8) of title 10, United States Code, is amended by striking ''$1,500,000'' and inserting ''$2,000,000''.

(b) MODIFICATION OF AUTHORITY TO BUILD CAPACITY.—

(1) IN GENERAL.—Subsection (a) of section 333 of title 10, United States Code, is amended—

(A) in paragraph (3), by inserting ''or other counter-illicit trafficking operations'' before the period at the end; and

(B) by adding at the end the following new paragraph:

''(10) Foreign internal defense operations.''.

(2) INCREASE IN THRESHOLD FOR SMALL-SCALE CONSTRUCTION PROJECTS REQUIRING ADDITIONAL DOCUMENTATION.—Subsection (e)(8) of such section is amended by striking ''$750,000'' and inserting ''$1,000,000''.

(3) EQUIPMENT DISPOSITION.—Such section is further amended by adding at the end the following new subsection:

''(h) EQUIPMENT DISPOSITION.—The Secretary of Defense may treat as stocks of the Department of Defense—

''(1) equipment procured to carry out a program pursuant to subsection (a) that has not yet been transferred to a foreign country and is no longer needed to support such program or any other program carried out pursuant to such subsection; and

''(2) equipment that has been transferred to a foreign country to carry out a program pursuant to subsection (a) and is returned by the foreign country to the United States.''.

(4) INTERNATIONAL AGREEMENTS.—Such section is further amended by adding at the end the following new subsection:

''(i) INTERNATIONAL AGREEMENTS.—

''(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may—

''(A) allow a foreign country to provide sole-source direction for assistance in support of a program carried out pursuant to subsection (a); and

''(B) enter into an agreement with a foreign country to provide such sole-source direction.

''(2) NOTIFICATION.—Not later than 72 hours after the Secretary of Defense enters into an agreement under paragraph (1), the Secretary shall submit to the congressional defense committees a written notification that includes the following:

''(A) A description of the parameters of the agreement, including types of support, objectives, and duration of support and cooperation under the agreement.

''(B) A description and justification of any anticipated use of sole-source direction pursuant to such agreement.

''(C) A determination as to whether the anticipated costs to incurred under the agreement are fair and reasonable.

''(D) A certification that the agreement is in the national security interests of the United States.

''(E) Any other matter relating to the agreement, as determined by the Secretary of Defense.''.

(5) FOREIGN INTERNAL DEFENSE DEFINED.—Such section is further amended by adding at the end of the following new subsection:

''(j) FOREIGN INTERNAL DEFENSE DEFINED.—In this section, the term 'foreign internal defense' has the meaning given such term in the publication of the Chairman of the Joint Chiefs of Staff entitled 'Joint Publication 3–22 Foreign Internal Defense' issued on August 17, 2018 and validated on February 2, 2021.''.

SEC. 1304. EXTENSION OF LEGAL INSTITUTIONAL CAPACITY BUILDING INITIATIVE FOR FOREIGN DEFENSE INSTITUTIONS.

Section 1210(e) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2028''.

SEC. 1305. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended by striking ''beginning on October 1, 2022, and ending on December 31, 2023'' and inserting ''beginning on October 1, 2023, and ending on December 31, 2024''.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking ''beginning on October 1, 2022, and ending on December 31, 2023'' and inserting ''beginning on October 1, 2023, and ending on December 31, 2024''; and

(2) by striking ''$30,000,000'' and inserting ''$15,000,000''.

SEC. 1306. EXTENSION OF AUTHORITY FOR DEPARTMENT OF DEFENSE SUPPORT FOR STABILIZATION ACTIVITIES IN NATIONAL SECURITY INTEREST OF THE UNITED STATES.

Section 1210A(h) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626) is amended by striking ''December 31, 2023'' and inserting ''December 31, 2025''.

SEC. 1307. EXTENSION OF CROSS SERVICING AGREEMENTS FOR LOAN OF PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT IN COALITION OPERATIONS.

Section 1207(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. 2342 note) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2029''.

SEC. 1308. LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL SECURITY COOPERATION PROGRAM.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Defense Security Cooperation Agency for the International Security Cooperation Program, not more than 75 percent may be obligated or expended until the Secretary of Defense submits the security cooperation strategy for each covered combatant command required by section 1206 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1960).

SEC. 1309. MODIFICATION OF DEPARTMENT OF DEFENSE SECURITY COOPERATION WORKFORCE DEVELOPMENT.

Section 384 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''The Program'' and inserting the following:

''(1) IN GENERAL.—The Program''; and

(B) by adding at the end the following new paragraphs:

''(2) MANAGING ENTITY.—

''(A) DESIGNATION.—The Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, shall designate an entity within the Department of Defense to serve as the lead entity for managing the implementation of the Program.

''(B) DUTIES.—The entity designated under subparagraph (A) shall carry out the management and implementation of the Program, consistent with objectives formulated by the Secretary of Defense, which shall include the following:

''(i) Providing for comprehensive tracking of and accounting for all Department of Defense employees engaged in the security cooperation enterprise.

''(ii) Providing training requirements specified at the requisite proficiency levels for each position.

''(C) REPORTING.—The Secretary of Defense shall ensure that, not less frequently than annually, each military department, combatant command, defense agency, and any other entity involved in managing the security cooperation workforce submits to the entity designated under subparagraph (A) a report containing information necessary for the management and career development of the security cooperation workforce, as determined by the Director of the Defense Security Cooperation Agency.

''(3) SECURITY COOPERATION WORKFORCE MANAGEMENT INFORMATION SYSTEM.—The Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency, shall prescribe regulations to ensure that each military department, combatant

command, and defense agency provides standardized information and data to the Secretary on persons serving in positions within the security cooperation workforce.'';

(2) in subsection (e), by adding at the end the following new paragraph:

''(4) UPDATED GUIDANCE.—

''(A) IN GENERAL.—Not later than 270 days after the date of the enactment of this paragraph, and biannually thereafter through fiscal year 2028, the Secretary of Defense, in coordination with the Secretary of State, shall issue updated guidance for the execution and administration of the Program.

''(B) SCOPE.—The updated guidance required by subparagraph (A) shall—

''(i) fulfill each requirement set forth in paragraph (3), as appropriate; and

''(ii) include an identification of the manner in which the Department of Defense shall ensure that personnel assigned to security cooperation offices within embassies of the United States are trained and managed to a level of proficiency that is at least equal to the level of proficiency provided to the attaché workforce by the Defense Attaché Service.'';

(3) by redesignating subsections (f) through (h) as subsections (h) through (j), respectively; and

(4) by inserting after subsection (e) the following new subsections (f) and (g):

''(f) FOREIGN MILITARY SALES CENTER OF EXCELLENCE.—

''(1) ESTABLISHMENT.—The Secretary of Defense shall direct an existing schoolhouse within the Department of Defense to serve as a Foreign Military Sales Center of Excellence to improve the training and education of personnel engaged in foreign military sales planning and execution.

''(2) OBJECTIVES.—The objectives of the Foreign Military Sales Center of Excellence shall include—

''(A) conducting research on and promoting best practices for ensuring that foreign military sales are timely and effective; and

''(B) enhancing existing curricula for the purpose of ensuring that the foreign military sales workforce is fully trained and prepared to execute the foreign military sales program.

''(g) DEFENSE SECURITY COOPERATION UNIVERSITY.—

''(1) CHARTER.—The Secretary of Defense shall develop and promulgate a charter for the operation of the Defense Security Cooperation University.

''(2) MISSION.—The charter required by paragraph (1) shall set forth the mission, and associated structures and organizations, of the Defense Security Cooperation University, which shall include—

''(A) management and implementation of international military training and education security cooperation programs and authorities executed by the Department of Defense;

''(B) management and provision of institutional capacity-building services executed by the Department of Defense; and

''(C) advancement of the profession of security cooperation through research, data collection, analysis, publication, and learning.

''(3) COOPERATIVE RESEARCH AND DEVELOPMENT ARRANGEMENTS.—

''(A) IN GENERAL.—In engaging in research and development projects pursuant to subsection (a) of section 4001 of this title by a contract, cooperative agreement, or grant pursuant to subsection (b)(1) of such section, the Secretary of Defense may enter into such contract or cooperative agreement, or award such grant, through the Defense Security Cooperation University.

''(B) TREATMENT AS GOVERNMENT-OPERATED FEDERAL LABORATORY.—The Defense Security Cooperation University shall be considered a Government-operated Federal laboratory for purposes of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

''(4) ACCEPTANCE OF RESEARCH GRANTS.—

''(A) IN GENERAL.—The Secretary of Defense, through the Under Secretary of Defense for Policy, may authorize the President of the Defense Security Cooperation University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the Defense Security Cooperation University for a scientific, literary, or educational purpose.

''(B) QUALIFYING GRANTS.—A qualifying research grant under this paragraph is a grant that is awarded on a competitive basis by an entity described in subparagraph (C) for a research project with a scientific, literary, or educational purpose.

''(C) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted under this paragraph only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

''(D) ADMINISTRATION OF GRANT FUNDS.—The Director of the Defense Security Cooperation Agency shall establish an account for administering funds received as research grants under this section. The President of the Defense Security Cooperation University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

''(E) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Defense Security Cooperation University may be used to pay expenses incurred by the Defense Security Cooperation University in applying for, and otherwise pursuing, the award of qualifying research grants.

''(F) REGULATIONS.—The Secretary of Defense, through the Under Secretary of Defense for Policy, shall prescribe regulations for the administration of this section.''.

SEC. 1310. MODIFICATION OF AUTHORITY TO PROVIDE SUPPORT TO CERTAIN GOVERNMENTS FOR BORDER SECURITY OPERATIONS.

Section 1226(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended by adding at the end the following:

''(G) To the Government of Tajikistan for purposes of supporting and enhancing efforts of the armed forces of Tajikistan to increase security and sustain increased security along the border of Tajikistan and Afghanistan.

''(H) To the Government of Uzbekistan for purposes of supporting and enhancing efforts of the armed forces of Uzbekistan to increase security and sustain increased security along the border of Uzbekistan and Afghanistan.

''(I) To the Government of Turkmenistan for purposes of supporting and enhancing efforts of the armed forces of Turkmenistan to increase security and sustain increased security along the border of Turkmenistan and Afghanistan.''.

SEC. 1311. MODIFICATION OF DEFENSE OPERATIONAL RESILIENCE INTERNATIONAL COOPERATION PILOT PROGRAM.

Section 1212 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2834; 10 U.S.C. 311 note) is amended—

(1) in subsection (a), by striking ''military forces'' and inserting ''national security forces'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''military-to-military relationships'' and inserting ''relationships with the national security forces of partner countries''; and

(ii) in subparagraph (C), by striking ''military forces'' and inserting ''national security forces''; and

(B) by adding at the end the following new paragraph:

''(4) SUSTAINMENT AND NON-LETHAL ASSISTANCE.—A program under subsection (a) may include the provision of sustainment and non-lethal assistance, including training, defense services, supplies (including consumables), and small-scale construction (as such terms are defined in section 301 of title 10, United States Code).'';

(3) in subsection (e)(3)(A), by striking ''military force'' and inserting ''national security forces''; and

(4) by adding at the end the following new subsection:

''(g) NATIONAL SECURITY FORCES DEFINED.—In this section, the term 'national security forces' has the meaning given the term in section 301 of title 10, United States Code.''.

SEC. 1312. ASSISTANCE TO ISRAEL FOR AERIAL REFUELING.

(a) TRAINING ISRAELI PILOTS TO OPERATE KC–46 AIRCRAFT.—

(1) IN GENERAL.—The Secretary of the Air Force shall—

(A) make available sufficient resources and accommodations within the United States to train members of the Israeli Air Force on the operation of KC–46 aircraft;

(B) conduct training for members of the Israeli Air Force, including—

(i) training for pilots and crew on the operation of the KC–46 aircraft in accordance with standards considered sufficient to conduct coalition operations of the United States Air Force and the Israeli Air Force; and

(ii) training for ground personnel on the maintenance and sustainment requirements of the KC–46 aircraft considered sufficient for such operations; and

(C) conduct the timing of such training so as to ensure that the first group of trainee members of the Israeli Air Force is anticipated to complete the training not later than 2 weeks after the date on which the first KC–46 aircraft is delivered to Israel.

(2) UNITED STATES AIR FORCE MILITARY PERSONNEL EXCHANGE PROGRAM.—The Secretary of Defense shall, with respect to members of the Israeli Air Force associated with the operation of KC–46 aircraft—

(A) before the completion of the training required by paragraph (1)(B), authorize the participation of such members of the Israeli Air Force in the United States Air Force Military Personnel Exchange Program;

(B) make available billets in the United States Air Force Military Personnel Exchange Program necessary for such members of the Israeli Air Force to participate in such program; and

(C) to the extent practicable, ensure that such members of the Israeli Air Force are able to participate in the United States Air Force Military Personnel Exchange Program immediately after such members complete such training.

(3) TERMINATION.—This subsection shall cease to have effect on the date that is ten years after the date of the enactment of this Act.

(b) BRIEFING.—Not later than 90 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 that includes the following:

(1) An assessment of—

(A) the current operational requirements of the Government of Israel for aerial refueling; and

(B) any gaps in current or near-term capabilities.

(2) The estimated date of delivery to Israel of KC–46 aircraft procured by the Government of Israel.

(3) A detailed description of—

(A) any actions the United States Government is taking to expedite the delivery to Israel of KC–46 aircraft procured by the Government of Israel, while minimizing adverse impacts to United States defense readiness, including strategic forces readiness;

(B) any additional actions the United States Government could take to expedite such delivery; and

(C) additional authorities Congress could provide to help expedite such delivery.

(4) A description of the availability of any United States aerial refueling tanker aircraft that is retired or is expected to be retired during the two-year period beginning on the date of the enactment of this Act that could be provided to Israel.

(c) FORWARD DEPLOYMENT OF UNITED STATES KC–46 AIRCRAFT TO ISRAEL.—

(1) BRIEFING.—Not later than 90 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 that describes the capacity of and requirements for the United States Air Force to forward deploy KC–46 aircraft to Israel on a rotational basis until the date on which a KC–46 aircraft procured by the Government of Israel is commissioned into the Israeli Air Force and achieves full combat capability.

(2) ROTATIONAL FORCES.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary of Defense shall, consistent with maintaining United States defense readiness, rotationally deploy one or more KC–46 aircraft to Israel until the earlier of—

(i) the date on which a KC–46 aircraft procured by the military forces of Israel is commissioned into such military forces and achieves full combat capability; or

(ii) five years after the date of the enactment of this Act.

(B) LIMITATION.—The Secretary of Defense may only carry out a rotational deployment under subparagraph (A) if the Government of Israel consents to the deployment.

(C) PRESENCE.—The Secretary of Defense shall consult with the Government of Israel to determine the length of rotational deployments of United States KC–46 aircraft to Israel until the applicable date under subparagraph (A).

SEC. 1313. REPORT ON COORDINATION WITH PRIVATE ENTITIES AND STATE GOVERNMENTS WITH RESPECT TO THE STATE PARTNERSHIP PROGRAM.

(a) IN GENERAL.— The Secretary of Defense shall submit to Congress a report on the feasibility of coordinating with private entities and State governments to provide resources and personnel to support technical exchanges under the Department of Defense State Partnership Program established under section 341 of title 10, United States Code.

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

(1) An analysis of the limitations of the State Partnership Program.

(2) The types of personnel and expertise that could be helpful to partner country participants in the State Partnership Program.

(3) Any authority needed to leverage such expertise from private entities and State governments, as applicable.

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

SEC. 1321. EXTENSION AND MODIFICATION 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, 2023'' and inserting ''December 31, 2024''.

(b) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (l)(3) of such section is amended—

(1) in subparagraph (A), by striking ''The President'' and all that follows through ''if the President'' and inserting ''The Secretary of Defense may waive the limitations under paragraph (1) for the purposes of providing support under subsection (a)(4) if the Secretary'';

(2) by striking subparagraph (B);

(3) in subparagraph (C), by striking ''as required by subparagraph (B)(ii)(I)'';

(4) in subparagraph (D), by striking ''December 31, 2023'' and inserting ''December 31, 2024''; and

(5) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

SEC. 1322. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

(1) by striking ''fiscal year 2023'' and inserting ''fiscal year 2024''; and

(2) by striking ''$25,000,000'' and inserting ''$18,000,000''.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking ''fiscal year 2023'' and inserting ''fiscal year 2024''.

SEC. 1323. 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. 3559) is amended, in the matter preceding paragraph (1)—

(1) by inserting ''equipment and training to counter threats from unmanned aerial systems,'' before ''and sustainment''; and

(2) by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

(b) FUNDING.—Subsection (g) of such section is amended by striking ''Overseas Contingency Operations for fiscal year 2023, there are authorized to be appropriated $358,000,000'' and inserting ''fiscal year 2024, there is authorized to be appropriated $241,950,000''.

(c) FOREIGN CONTRIBUTIONS.—Subsection (h) of such section is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

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

''(2) USE OF CONTRIBUTIONS.—The limitations on costs under subsections (a) and (m) shall not apply with respect to the expenditure of foreign contributions in excess of such limitations.''.

(d) WAIVER AUTHORITY.—Subsection (o) of such section is amended—

(1) in paragraph (1), by striking ''The President'' and all that follows through ''if the President'' and inserting ''The Secretary of Defense may waive the limitations on costs under subsection (a) or (m) if the Secretary'';

(2) by striking paragraph (3);

(3) in paragraph (4), by striking ''as required by paragraph (3)(B)(i)'';

(4) in paragraph (5), by striking ''December 31, 2023'' and inserting ''December 31, 2024''; and

(5) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(e) NOTIFICATION OF PROVISION OF COUNTER UNMANNED AERIAL SYSTEMS TRAINING AND ASSISTANCE.—Such section is further amended by adding at the end the following new subsection:

''(p) NOTIFICATION OF PROVISION OF COUNTER UNMANNED AERIAL SYSTEMS TRAINING AND ASSISTANCE.—

''(1) IN GENERAL.—Not later than 30 days after providing assistance under this section for countering threats from unmanned aerial systems, the Secretary of Defense shall notify the appropriate congressional committees of such provision of assistance.

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

''(A) An identification of the military forces being provided such assistance.

''(B) A description of the type of such assistance, including the types of training and equipment, being provided.''.

SEC. 1324. BRIEFING ON NUCLEAR CAPABILITY OF IRAN.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide the Committees on Armed Services of the Senate and the House of Representatives with—

(1) a briefing on—

(A) threats to global security posed by the nuclear weapon capability of Iran; and

(B) progress made by Iran in enriching uranium at levels proximate to or exceeding weapons grade; and

(2) recommendations for actions the United States may take to ensure that Iran does not acquire a nuclear weapon capability.

SEC. 1325. MODIFICATION OF ESTABLISHMENT OF COORDINATOR FOR DETAINED ISIS MEMBERS AND RELEVANT POPULATIONS IN SYRIA.

(a) 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, the Committee on the Judiciary, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(2) ISIS MEMBER.—The term ''ISIS member'' means a person who was part of, or substantially supported, the Islamic State in Iraq and Syria.

(3) SENIOR COORDINATOR.—The term ''Senior Coordinator'' means the coordinator for detained ISIS members and relevant displaced populations in Syria designated under subsection (a) of section 1224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1642), as amended by subsection (d).

(b) SENSE OF CONGRESS.—

It is the sense of Congress that—

(A) ISIS detainees held by the Syrian Democratic Forces and ISIS-affiliated individuals located within displaced persons camps in Syria pose a significant and growing humanitarian challenge and security threat to the region;

(B) the vast majority of individuals held in displaced persons camps in Syria are women

and children, approximately 50 percent of whom are under the age of 12 at the al-Hol camp, and they face significant threats of violence and radicalization, as well as lacking access to adequate sanitation and health care facilities;

(C) there is an urgent need to seek a sustainable solution to such camps through repatriation and reintegration of the inhabitants;

(D) the United States should work closely with international allies and partners to facilitate the repatriation and reintegration efforts required to provide a long-term solution for such camps and prevent the resurgence of ISIS; and

(E) if left unaddressed, such camps will continue to be drivers of instability that jeopardize the long-term prospects for peace and stability in the region.

(c) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) ISIS-affiliated individuals located within displacement camps in Syria, and other inhabitants of displacement camps in Syria, be repatriated and, where appropriate, prosecuted, or where possible, reintegrated into their country of origin, consistent with all relevant domestic laws and applicable international laws prohibiting refoulement; and

(2) the camps will be closed as soon as is practicable.

(d) MODIFICATION OF ESTABLISHMENT OF COORDINATOR FOR DETAINED ISIS MEMBERS AND RELEVANT DISPLACED POPULATIONS IN SYRIA.—Section 1224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1642) is amended—

(1) by striking subsection (a);

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

''(a) DESIGNATION.—

''(1) IN GENERAL.—The President, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, and the Attorney General, shall designate an existing official to serve within the executive branch as senior-level coordinator to coordinate, in conjunction with other relevant agencies, matters related to ISIS members who are in the custody of the Syrian Democratic Forces and other relevant displaced populations in Syria, including—

''(A) by engaging foreign partners to support the repatriation and disposition of such individuals, including by encouraging foreign partners to repatriate, transfer, investigate, and prosecute such ISIS members, and share information;

''(B) coordination of all multilateral and international engagements led by the Department of State and other agencies that are related to the current and future handling, detention, and prosecution of such ISIS members;

''(C) the funding and coordination of the provision of technical and other assistance to foreign countries to aid in the successful investigation and prosecution of such ISIS members, as appropriate, in accordance with relevant domestic laws, international humanitarian law, and other internationally recognized human rights and rule of law standards;

''(D) coordination of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, displaced persons at camps or facilities in Syria that hold family members of such ISIS members;

''(E) coordination with relevant agencies on matters described in this section; and

''(F) any other matter the President considers relevant.

''(2) RULE OF CONSTRUCTION.—If, on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, an individual has already been designated, consistent with the requirements and responsibilities described in paragraph (1), the requirements under that paragraph shall be considered to be satisfied with respect to such individual until the date on which such individual no longer serves as the Senior Coordinator.'';

(3) in subsection (c), by striking ''subsection (b)'' and inserting ''subsection (a)'';

(4) in subsection (d), by striking ''subsection (b)'' and inserting ''subsection (a)'';

(5) in subsection (e), by striking ''January 31, 2021'' and inserting ''January 31, 2025'';

(6) in subsection (f)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following new paragraph (2):

''(2) SENIOR COORDINATOR.—The term 'Senior Coordinator' means the individual designated under subsection (a).''; and

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

''(4) RELEVANT AGENCIES.—The term 'relevant agencies' means—

''(A) the Department of State;

''(B) the Department of Defense;

''(C) the Department of the Treasury;

''(D) the Department of Justice;

''(E) the United States Agency for International Development;

''(F) the Office of the Director of National Intelligence; and

''(G) any other agency the President considers relevant.''; and

(7) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively.

(e) STRATEGY ON ISIS-RELATED DETAINEE AND DISPLACEMENT CAMPS IN SYRIA.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, the Director of National Intelligence, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, and the Attorney General, shall submit to the appropriate committees of Congress an interagency strategy with respect to ISIS-affiliated individuals and ISIS-related detainee and other displaced persons camps in Syria.

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

(A) methods to address—

(i) disengagement from and prevention of recruitment into violence, violent extremism, and other illicit activity in such camps;

(ii) efforts to encourage and facilitate repatriation and, as appropriate, investigation and prosecution of foreign nationals from such camps, consistent with all relevant domestic and applicable international laws;

(iii) the return and reintegration of displaced Syrian and Iraqi women and children into their communities of origin;

(iv) international engagement to develop processes for repatriation and reintegration of foreign nationals from such camps;

(v) contingency plans for the relocation of detained and displaced persons who are not able to be repatriated from such camps;

(vi) efforts to improve the humanitarian conditions in such camps, including through the delivery of medicine, psychosocial support, clothing, education, and improved housing; and

(vii) assessed humanitarian and security needs of all camps and detainment facilities based on prioritization of such camps and facilities most at risk of humanitarian crises, external attacks, or internal violence;

(B) an assessment of—

(i) rehabilitation centers in northeast Syria, including humanitarian conditions and processes for admittance and efforts to improve both humanitarian conditions and admittance processes for such centers and camps, as well as on the prevention of youth radicalization; and

(ii) processes for being sent to, and resources directed towards, rehabilitation centers and programs in countries that receive returned ISIS affiliated individuals, with a focus on the prevention of radicalization of minor children;

(C) a plan to improve, in such camps—

(i) security conditions, including by training of personnel and through construction; and

(ii) humanitarian conditions;

(D) a framework for measuring progress of humanitarian, security, and repatriation efforts with the goal of closing such camps; and

(E) any other matter the Secretary of State considers appropriate.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex that is transmitted separately.

(f) ANNUAL INTERAGENCY REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter through January 31, 2025, the Senior Coordinator, in coordination with the relevant agencies, shall submit to the appropriate committees of Congress a detailed report that includes the following:

(A) A detailed description of the facilities and camps where detained ISIS members, and families with perceived ISIS affiliation, are being held and housed, including—

(i) a description of the security and management of such facilities and camps;

(ii) an assessment of resources required for the security of such facilities and camps;

(iii) an assessment of the adherence by the operators of such facilities and camps to international humanitarian law standards; and

(iv) an assessment of children held within such facilities and camps that may be used as part of smuggling operations to evade security at the facilities and camps.

(B) A description of all efforts undertaken by, and the resources needed for, the United States Government to address deficits in the humanitarian environment and security of such facilities and camps.

(C) A description of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, displaced persons at camps or facilities in Iraq, Syria, and any other area affected by ISIS activity, including a description of—

(i) support for efforts by the Syrian Democratic Forces to facilitate the return and reintegration of displaced people from Iraq and Syria;

(ii) repatriation efforts with respect to displaced women and children and male children aging into adults while held in these facilities and camps;

(iii) any current or future potential threat to United States national security interests posed by detained ISIS members or displaced families, including an analysis of the al-Hol camp and annexes; and

(iv) United States Government plans and strategies to respond to any threat identified under clause (iii).

(D) The number of individuals repatriated from the custody of the Syrian Democratic Forces.

(E) An analysis of factors on the ground in Syria and Iraq that may result in the unintended release of detained or displaced ISIS members, and an assessment of any measures available to mitigate such releases.

(F) A detailed description of efforts to encourage the final disposition and security of detained or displaced ISIS members with other countries and international organizations.

(G) A description of foreign repatriation and rehabilitation programs deemed successful systems to model, and an analysis of the long-term results of such programs.

(H) A description of the manner in which the United States Government communicates regarding repatriation and disposition efforts with the families of United States citizens believed to have been victims of a criminal act by a detained or displaced ISIS member, in accordance with section 503(c) of the Victims' Rights and Restitution Act of 1990 (34 U.S.C. 20141(c)) and section 3771 of title 18, United States Code.

(I) An analysis of all efforts between the United States and partner countries within the Global Coalition to Defeat ISIS or other countries to share related information that may aid in resolving the final disposition of ISIS members, and any obstacles that may hinder such efforts.

(J) Any other matter the Coordinator considers appropriate.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex that is transmitted separately.

(g) RULE OF CONSTRUCTION.—Nothing in this section, or an amendment made by this section, may be construed—

(1) to limit the authority of any Federal agency to independently carry out the authorized functions of such agency; or

(2) to impair or otherwise affect the activities performed by that agency as granted by law.

Subtitle C—Matters Relating to Europe and the Russian Federation

SEC. 1331. EXTENSION AND MODIFICATION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) FUNDING.—Subsection (f) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in the matter preceding paragraph (1), by striking ''for overseas contingency operations''; and

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

''(9) For fiscal year 2024, $300,000,000.''.

(b) TERMINATION OF AUTHORITY.—Subsection (h) of such section is amended by striking ''December 31, 2024'' and inserting ''December 31, 2027''.

SEC. 1332. EXTENSION AND MODIFICATION OF TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

Section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended—

(1) in subsection (c)(1), by adding at the end the following new subparagraph:

''(C) The Republic of Kosovo.''; and

(2) in subsection (h)—

(A) in the first sentence, by striking ''December 31, 2024'' and inserting ''December 31, 2026''; and

(B) in the second sentence, by striking ''December 31, 2024.'' and inserting ''December 31, 2026''.

SEC. 1333. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER INTERNATIONALLY RECOGNIZED TERRITORY OF UKRAINE.

Section 1245(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking ''None of the funds'' and all that follows through ''2023'' and inserting ''None of the funds authorized to be appropriated for fiscal year 2023 or 2024''.

SEC. 1334. EXTENSION AND MODIFICATION OF TEMPORARY AUTHORIZATIONS RELATED TO UKRAINE AND OTHER MATTERS.

Section 1244 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (a)(7), by striking ''September 30, 2024'' and inserting ''September 30, 2025''; and

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by inserting ''or fiscal year 2024'' after ''fiscal year 2023'';

(B) in subparagraph (P), by striking ''; and'' and inserting a semicolon;

(C) in subparagraph (Q), by striking the period at the end and inserting ''; and''; and

(D) by inserting at the end the following new subparagraphs:

''(R) 3,300 Tomahawk Cruise Missiles;

''(S) 1,100 Precision Strike Missiles (PrSM);

''(T) 550 Mark 48 Torpedoes;

''(U) 1,650 RIM–162 Evolved Sea Sparrow Missiles (ESSM);

''(V) 1,980 RIM–116 Rolling Airframe Missiles (RAM); and

''(W) 11,550 Small Diameter Bomb IIs (SDB–II).''.

SEC. 1335. PRIORITIZATION FOR BASING, TRAINING, AND EXERCISES IN NORTH ATLANTIC TREATY ORGANIZATION MEMBER COUNTRIES.

(a) IN GENERAL.—Subject to subsection (b), when considering decisions related to United States military basing, training, and exercises, the Secretary of Defense shall prioritize those North Atlantic Treaty Organization member countries that have achieved defense spending of not less than 2 percent of their gross domestic product by 2024.

(b) WAIVER.—The Secretary of Defense may waive subsection (a) if the Secretary submits a certification to the congressional defense committees that a waiver is in the national security interests of the United States.

SEC. 1336. STUDY AND REPORT ON LESSONS LEARNED REGARDING INFORMATION OPERATIONS AND DETERRENCE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into a contract or other agreement with an eligible entity to conduct an independent study on lessons learned from information operations conducted by the United States, Ukraine, the Russian Federation, and member countries of the North Atlantic Treaty Organization during the lead-up to the Russian Federation's full-scale invasion of Ukraine in 2022 and throughout the conflict.

(2) ELEMENT.—The study required by paragraph (1) shall include recommendations for improvements to United States information operations to enhance effectiveness, as well as recommendations on how information operations may be improved to support the maintenance of deterrence.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, 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 study in its entirety, along with any such comments as the Secretary considers relevant.

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

(c) ELIGIBLE ENTITY DEFINED.—In this section, the term ''eligible entity''—

(1) means an entity independent of the Department of Defense that is not under the direction or control of the Secretary of Defense; and

(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.

SEC. 1337. REPORT ON PROGRESS ON MULTI-YEAR STRATEGY AND PLAN FOR THE BALTIC SECURITY INITIATIVE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report on the progress made in the implementation of the multi-year strategy and spending plan set forth in the June 2021 report of the Department of Defense entitled ''Report to Congress on the Baltic Security Initiative''.

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

(1) An identification of any significant change to the goals, objectives, and milestones identified in the June 2021 report described in subsection (a), in light of the radically changed security environment in the Baltic region after the full-scale invasion of Ukraine by the Russian Federation on February 24, 2022, and with consideration to enhancing the deterrence and defense posture of the North Atlantic Treaty Organization in the Baltic region, including through the implementation of the regional defense plans of the North Atlantic Treaty Organization.

(2) An update on the Department of Defense funding allocated for such strategy and spending plan for fiscal years 2022 and 2023 and projected funding requirements for fiscal years 2024, 2025, and 2026 for each goal identified in such report.

(3) An update on the host country funding allocated and planned for each such goal.

(4) An assessment of the progress made in the implementation of the recommendations set forth in the fiscal year 2020 Baltic Defense Assessment, and reaffirmed in the June 2021 report described in subsection (a), that each Baltic country should—

(A) increase its defense budget;

(B) focus on and budget for sustainment of capabilities in defense planning; and

(C) consider combined units for expensive capabilities such as air defense, rocket artillery, and engineer assets.

SEC. 1338. SENSE OF THE SENATE ON THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) the success of the North Atlantic Treaty Organization is critical to advancing United States national security objectives in Europe, the Indo-Pacific region, and around the world;

(2) the North Atlantic Treaty Organization 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;

(3) the United States reaffirms its ironclad commitment—

(A) to the North Atlantic Treaty Organization as the foundation of transatlantic security; and

(B) to upholding its obligations under the North Atlantic Treaty, including Article 5;

(4) the unprovoked and illegal invasion of Ukraine by the Russian Federation has upended security in Europe and requires the full attention of the transatlantic alliance;

(5) welcoming Finland as the 31st member of the North Atlantic Treaty Organization has made the North Atlantic Treaty Organization Alliance stronger and the remaining North Atlantic Treaty Organization member countries should swiftly ratify the accession protocols of Sweden so as to bolster the collective security of the North Atlantic Treaty Organization by increasing the security and stability of the Baltic Sea region and Northern Europe;

(6) the North Atlantic Treaty Organization member countries that have not yet met the two-percent defense spending pledge, as agreed to at the 2014 Wales Summit, should endeavor to meet the timeline as expeditiously as possible, but certainly within the five-year period beginning on the date of the enactment of this Act;

(7) the United States and North Atlantic Treaty Organization allies and partners should continue efforts to identify, synchronize, and deliver needed assistance to Ukraine as Ukraine continues the fight against the illegal and unjust war of the Russian Federation;

(8) the Strategic Concept, agreed to by all North Atlantic Treaty Organization member countries at the Madrid Summit in 2022, outlined the focus of the North Atlantic Treaty Organization for the upcoming decade, and North Atlantic Treaty Organization allies should continue to implement the strategies outlined, including by making efforts to address the challenges posed by the coercive policies of the People's Republic of China that undermine the interests, security, and shared values of the North Atlantic Treaty Organization Alliance;

(9) the United States and North Atlantic Treaty Organization allies should continue long-term efforts—

(A) to improve interoperability among the military forces of member countries of the North Atlantic Treaty Organization so as to enhance collective operations, including the divestment of Soviet-era capabilities;

(B) to enhance security sector cooperation and explore opportunities to reinforce civil sector preparedness and resilience measures that may be likely targets of malign influence campaigns;

(C) to mitigate the impact of hybrid warfare operations, particularly those in the information and cyber domains; and

(D) to expand joint research and development initiatives with a focus on emerging technologies such as quantum computing, artificial intelligence, and machine learning, including through the work of the Defence Innovation Accelerator for the North Atlantic initiative (commonly known as ''DIANA'');

(10) the European Deterrence Initiative remains critically important and has demonstrated its unique value to the United States and North Atlantic Treaty Organization allies during the current Russian Federation-created war against Ukraine;

(11) the United States should continue to work with North Atlantic Treaty Organization allies, and other allies and partners, to build permanent mechanisms to strengthen supply chains, enhance supply chain security, and fill supply chain gaps;

(12) the United States should prioritize collaboration with North Atlantic Treaty Organization allies to secure enduring and robust critical munitions supply chains so as to increase military readiness;

(13) the United States and the North Atlantic Treaty Organization should expand cooperation efforts on cybersecurity issues to prevent adversaries and criminals from compromising critical systems and infrastructure; and

(14) it is in the interest of the United States that the North Atlantic Treaty Organization adopt a robust strategy toward the Black Sea, and the United States should also consider working with interested partner countries to advance a coordinated strategy inclusive of diverse elements of transatlantic security architecture in the Black Sea region.

SEC. 1339. SENSE OF THE SENATE ON DEFENCE INNOVATION ACCELERATOR FOR THE NORTH ATLANTIC (DIANA) IN THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) the new initiative within the North Atlantic Treaty Organization (NATO) to establish a new research and development initiative, known as the Defence Innovation Accelerator for the North Atlantic (DIANA), is an important step in aligning the industry and academic innovation communities of the NATO member states towards common goals for identifying, experimenting, and transitioning critical technologies of importance to NATO;

(2) DIANA will spur increased defense research and development funding to rapidly adapt to a new era of strategic competition by bringing defense personnel together with NATO's leading entrepreneurs and academic researchers;

(3) DIANA will also increase opportunities for engagement on NATO's priority technology areas, including artificial intelligence, data, autonomy, quantum-enabled technologies, biotechnology, hypersonic technologies, space, novel materials and manufacturing, and energy and propulsion; and

(4) through DIANA, NATO allies will foster innovative ecosystems and develop talent for dual use technologies to maintain NATO's strategic advantage.

SEC. 1340. SENSE OF THE SENATE REGARDING THE ARMING OF UKRAINE.

It is the sense of the Senate that Ukraine would derive military benefit from the provision of munitions such as the dual-purpose improved conventional munition (DPICM). Such weapons could be fired from systems in the existing Ukrainian inventory and would enhance Ukraine's stockpile of available munitions and would bolster Ukraine's efforts to end Russia's illegal and unjust war. The Department of Defense, in concert with the other members of the Ukraine Defense Contract Group, should continue to support Ukraine's brave fight to defeat the invasion of the Russian Federation. The Department of Defense, in close coordination with the State Department, should assess the feasibility and advisability of providing such munitions, including giving appropriate attention to humanitarian considerations, including supporting Ukraine's effort to end the widespread suffering of the Ukrainian people by bringing Russia's war of choice to an end as soon as possible on terms favorable to Ukraine, as well as the views of other members of the Ukraine Defense Contract Group.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 1341. INDO-PACIFIC CAMPAIGNING INITIATIVE.

(a) IN GENERAL.—The Secretary of Defense shall establish, and the Commander of the United States Indo-Pacific Command shall carry out, an Indo-Pacific Campaigning Initiative (in this section referred to as the ''Initiative'') for purposes of—

(1) strengthening United States alliances and partnerships with foreign military partners in the Indo-Pacific region;

(2) deterring military aggression by potential adversaries against the United States and allies and partners of the United States;

(3) dissuading strategic competitors from seeking to achieve their objectives through the conduct of military activities below the threshold of traditional armed conflict;

(4) improving the understanding of the United States Armed Forces with respect to the operating environment in the Indo-Pacific region;

(5) shaping the perception of potential adversaries with respect to United States military capabilities and the military capabilities of allies and partners of the United States in the Indo-Pacific region; and

(6) improving the ability of the United States Armed Forces to coordinate and operate with foreign military partners in the Indo-Pacific region.

(b) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than March 1, 2024, the Secretary shall provide the congressional defense committees with a briefing that describes ongoing and planned campaigning activities in the Indo-Pacific region for fiscal year 2024.

(2) REPORT.—Not later than December 1, 2024, the Secretary shall submit to the congressional defense committees a report that—

(A) summarizes the campaigning activities conducted in the Indo-Pacific region during fiscal year 2024; and

(B) includes—

(i) a value assessment of each such activity;

(ii) lessons learned in carrying out such activities;

(iii) any identified resource or authority gap that has negatively impacted the implementation of the Initiative; and

(iv) proposed plans for additional campaigning activities in the Indo-Pacific region to fulfill the purposes described in subsection (a).

(c) CAMPAIGNING DEFINED.—In this section, the term ''campaigning''—

(1) means the conduct and sequencing of logically linked military activities to achieve strategy-aligned objectives, including modifying the security environment over time to the benefit of the United States and the allies and partners of the United States while limiting, frustrating, and disrupting competitor activities; and

(2) includes deliberately planned military activities in the Indo-Pacific region involving bilateral and multilateral engagements with foreign partners, training, exercises, demonstrations, experiments, and other activities to achieve the objectives described in subsection (a).

SEC. 1342. TRAINING, ADVISING, AND INSTITUTIONAL CAPACITY-BUILDING PROGRAM FOR MILITARY FORCES OF TAIWAN.

(a) ESTABLISHMENT.—Consistent with the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the Taiwan Enhanced Resilience Act (subtitle A of title LV of Public Law 117–263), the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with appropriate officials of Taiwan, shall establish a comprehensive training, advising, and institutional capacity-building program for the military forces of Taiwan using the authorities provided in chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(b) PURPOSES.—The purposes of the program established under subsection (a) shall be—

(1) to enable a layered defense of Taiwan by the military forces of Taiwan, including in support of the use of an asymmetric defense strategy;

(2) to enhance interoperability between the United States Armed Forces and the military forces of Taiwan;

(3) to encourage information sharing between the United States Armed Forces and the military forces of Taiwan;

(4) to promote joint force employment; and

(5) to improve professional military education and the civilian control of the military.

(c) ELEMENTS.—The program established under subsection (a) shall include efforts to improve—

(1) the tactical proficiency of the military forces of Taiwan;

(2) the operational employment of the military forces of Taiwan to conduct a layered defense of Taiwan, including in support of an asymmetric defense strategy;

(3) the employment of joint military capabilities by the military forces of Taiwan, including through joint military training, exercises, and planning;

(4) the reform and integration of the reserve military forces of Taiwan;

(5) the use of defense articles and services transferred from the United States to Taiwan;

(6) the integration of the military forces of Taiwan with relevant civilian agencies, including the All-Out Defense Mobilization Agency;

(7) the ability of Taiwan to participate in bilateral and multilateral military exercises, as appropriate;

(8) the defensive cyber capabilities and practices of the Ministry of National Defense of Taiwan; and

(9) any other matter the Secretary of Defense considers relevant.

(d) DECONFLICTION, COORDINATION, AND CONCURRENCE.—The Secretary of Defense shall deconflict, coordinate, and seek the concurrence of the Secretary of State and the heads of other relevant departments and agencies with respect to activities carried out under the program required by subsection (a), in accordance with the requirements of the authorities provided in chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(e) REPORTING.—As part of each annual report on Taiwan defensive military capabilities and intelligence support required by section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988), the Secretary of Defense shall provide—

(1) an update on efforts made to address each element under subsection (c); and

(2) an identification of any authority or resource shortfall that inhibits such efforts.

SEC. 1343. INDO-PACIFIC MARITIME DOMAIN AWARENESS INITIATIVE.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall seek to establish an initiative with allies and partners of the United States, including Australia, Japan, and India, to be known as the ''Indo-Pacific Maritime Domain Awareness Initiative'' (in this section referred to as the ''Initiative''), to bolster maritime domain awareness in the Indo-Pacific region.

(b) USE OF AUTHORITIES.—In carrying out the Initiative, the Secretary of Defense may use the authorities provided in chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(c) PURPOSES.—The purposes of the Initiative are as follows:

(1) To enhance the ability of allies and partners of the United States in the Indo-Pacific region to fully monitor the maritime domain of such region.

(2) To leverage emerging technologies to support maritime domain awareness objectives.

(3) To provide a comprehensive understanding of the maritime domain in the Indo-Pacific region, including by facilitating information sharing among such allies and partners.

(d) REPORT.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report that outlines ongoing and planned activities of the Initiative, and the resources needed to carry out the such activities, for fiscal year 2025.

SEC. 1344. EXTENSION 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 2023'' and inserting ''the National Defense Authorization Act for Fiscal Year 2024''; and

(2) by striking ''fiscal year 2023'' and inserting ''fiscal year 2024''.

(b) REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION AND STUDY ON COMPETITIVE STRATEGIES.—Subsection (d)(1)(A) of such section is amended by striking ''fiscal years 2023 and 2024'' and inserting ''fiscal years 2024 and 2025''.

SEC. 1345. 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 2023'' and inserting ''fiscal year 2024''.

SEC. 1346. EXTENSION AND MODIFICATION OF PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH FOREIGN MILITARY PARTNERS IN SOUTHEAST ASIA.

(a) IN GENERAL.—Subsection (a) of section 1256 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3956; 10 U.S.C. 333 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''in Vietnam, Thailand, and Indonesia'' and inserting ''with covered foreign military partners'';

(2) in paragraph (1), by striking ''Vietnam, Thailand, and Indonesia'' and inserting ''covered foreign military partners''; and

(3) in paragraph (2), by striking ''Vietnam, Thailand, and Indonesia on'' and inserting ''covered foreign military partners on defensive''.

(b) ELEMENTS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking ''Vietnam, Thailand, and Indonesia'' and inserting ''covered foreign military partners''; and

(2) in paragraph (2), by striking ''Vietnam, Thailand, and Indonesia'' and inserting ''covered foreign military partners''.

(c) REPORTS.—Subsection (c)(2)(B) of such title is amended by striking ''Vietnam, Thailand, and Indonesia'' and inserting ''covered foreign military partners''.

(d) CERTIFICATION.—Subsection (d) of such section is amended—

(1) by inserting ''with any covered foreign military partner'' after ''scheduled to commence''; and

(2) by striking ''Vietnam, Indonesia, or Thailand'' and inserting ''the covered foreign military partner''.

(e) EXTENSION.—Subsection (e) of such section is amended by striking ''December 31, 2024'' and inserting ''December 31, 2029''.

(f) DEFINITIONS.—Subsection (f) of such section is amended to read as follows:

''(f) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(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.

''(2) COVERED FOREIGN MILITARY PARTNER.—The term 'covered foreign military partner' means the following:

''(A) Vietnam.

''(B) Thailand.

''(C) Indonesia.

''(D) The Philippines.

''(E) Malaysia.''.

(g) CONFORMING AMENDMENTS.—

(1) Section 1256 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3956; 10 U.S.C. 333 note) is amended, in the section heading, by striking ''**VIETNAM, THAILAND, AND INDONESIA**'' and inserting ''**COVERED FOREIGN MILITARY PARTNERS IN SOUTHEAST ASIA**''.

(2) The table of contents for the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3388) is amended by striking the item relating to section 1256 and inserting the following:

''Sec. 1256. Pilot program to improve cyber cooperation with covered foreign military partners in Southeast Asia.''.

(3) The table of contents for title XII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3905) is amended by striking the item relating to section 1256 and inserting the following:

''Sec. 1256. Pilot program to improve cyber cooperation with covered foreign military partners in Southeast Asia.''.

SEC. 1347. EXTENSION AND MODIFICATION OF CERTAIN TEMPORARY AUTHORIZATIONS.

(a) IN GENERAL.—Section 1244 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2844) is amended—

(1) in the section heading, by striking ''**OTHER MATTERS**'' and inserting ''**TAIWAN**''; and

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting ''or the Government of Taiwan'' after ''the Government of Ukraine''; and

(ii) in subparagraph (C), by inserting ''or the Government of Taiwan'' after ''the Government of Ukraine'';

(B) in paragraph (5)—

(i) by striking subparagraph (A) and inserting the following:

''(A) the replacement of defense articles from stocks of the Department of Defense provided to—

''(i) the Government of Ukraine;

''(ii) foreign countries that have provided support to Ukraine at the request of the United States;

''(iii) the Government of Taiwan; or

''(iv) foreign countries that have provided support to Taiwan at the request of the United States; or''; and

(ii) in subparagraph (B), by inserting ''or the Government of Taiwan'' before the period at the end;

(C) in paragraph (7), by striking ''September 30, 2024'' and inserting ''September 30, 2028'';

(D) by redesignating paragraph (7) as paragraph (8); and

(E) by inserting after paragraph (6) the following new paragraph (7):

''(7) NOTIFICATION.—Not later than 7 days after the exercise of authority under subsection (a) the Secretary of Defense shall notify the congressional defense committees of the specific authority exercises, the relevant contract, and the estimated reductions in schedule.''.

(b) CLERICAL AMENDMENTS.—

(1) The table of contents at the beginning of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2395) is amended by striking the item relating to section 1244 and inserting the following:

''Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.''.

(2) The table of contents at the beginning of title XII of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2820) is amended by striking the item relating to section 1244 and inserting the following:

''Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.''.

SEC. 1348. PLAN FOR ENHANCED SECURITY COOPERATION WITH JAPAN.

(a) IN GENERAL.—Not later than June 1, 2024, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a plan for enhancing United States security cooperation with Japan.

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

(1) A plan for—

(A) increased bilateral training, exercises, combined patrols, and other activities between the United States Armed Forces and the Self-Defense Forces of Japan;

(B) increasing multilateral military-to-military engagements involving the United States Armed Forces, the Self-Defense Forces of Japan, and the military forces of other regional allies and partners, including Australia, India, the Republic of Korea, and the Philippines, as appropriate;

(C) increased sharing of intelligence and other information, including the adoption of enhanced security protocols;

(D) current mechanisms, processes, and plans to coordinate and engage with the Joint Headquarters of the Self-Defense Forces of Japan; and

(E) enhancing cooperation on advanced technology initiatives, including artificial intelligence, cyber, space, undersea, hypersonic, and related technologies.

(2) An analysis of the feasibility and advisability of—

(A) increasing combined planning efforts between the United States and Japan to address potential regional contingencies;

(B) modifying United States command structures in Japan—

(i) to coordinate all United States military activities and operations in Japan;

(ii) to complement similar changes by the Self-Defense Forces of Japan; and

(iii) to facilitate integrated planning and implementation of combined activities; and

(C) additional modifications to the force posture of the United States Armed Forces in Japan, including the establishment of additional main operating locations, cooperative security locations, contingency locations, and other forward operating sites.

(3) An identification of challenges to the implementation of the plan required by subsection (a) and any recommended legislative changes, resourcing requirements, bilateral agreements, or other measures that would facilitate the implementation of such plan.

(c) FORM.—The plan required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) 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.

SEC. 1349. PLAN FOR IMPROVEMENTS TO CERTAIN OPERATING LOCATIONS IN INDO-PACIFIC REGION.

(a) IDENTIFICATION OF OPERATING LOCATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a classified survey to identify each United States operating location within the area of responsibility of the United States Indo-Pacific Command, including in the First, Second, and Third Island Chains, that—

(A) may be used to respond militarily to aggression by the People's Republic of China; and

(B) is considered to not be sufficiently capable of mitigating damage to aircraft of the United States Armed Forces in the event of a missile, aerial drone, or other form of attack by the People's Republic of China.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the survey under paragraph (1).

(b) PLAN.—Not later than 60 days after the date on which the report required by paragraph (2) of subsection (a) is submitted, the Secretary shall submit to the congressional defense committees a plan—

(1) to implement improvements, as appropriate, to operating locations identified under that subsection so as to increase the survivability of aircraft of the United States Armed Forces in the event of a missile, aerial drone, or other form of attack b3y the People's Republic of China; and

(2) that includes an articulation of other means for increasing survivability of such aircraft in the event of such an attack, including dispersal and deception.

(c) FORM.—The report and plan required by this section shall be submitted in classified form.

SEC. 1350. STRATEGY FOR IMPROVING POSTURE OF GROUND-BASED THEATER-RANGE MISSILES IN INDO-PACIFIC REGION.

(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 strategy for improving the posture of ground-based theater-range missile capabilities in the Indo-Pacific region.

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

(1) An assessment of gaps in conventional ground-based theater-range precision strike capabilities in the area of responsibility of the United States Indo-Pacific Command.

(2) An identification of military requirements for conventional ground-based theater-range missile systems, including range, propulsion, payload, launch platform, weapon effects, and other operationally relevant factors in the Indo-Pacific region.

(3) An identification of prospective basing locations in the area of responsibility of the United States Indo-Pacific Command, including an articulation of the bilateral agreements necessary to support such deployments.

(4) A description of operational concepts for employment, including integration with short-range and multi-domain fires, in denial operations in the Western Pacific.

(5) An identification of prospective foreign partners and institutional mechanisms for co-development and co-production of new theater-range conventional missiles.

(6) An assessment of the cost and schedule of developmental ground-based theater-range missiles programs, including any potential cost-sharing arrangements with foreign partners through existing institutional mechanisms.

(7) The designation of a theater component commander or joint task force commander within the United States Indo-Pacific Command responsible for developing a theater missile strategy.

(8) Any other matter the Secretary considers relevant.

(c) FORM.—The strategy required by subsection (a) may be submitted in classified form but shall include an unclassified summary.

(d) GROUND-BASED THEATER-RANGE MISSILE DEFINED.—In this section, the term ''ground-based theater-range missile'' means a conventional mobile ground-launched ballistic or cruise missile system with a range between 500 and 5,500 kilometers.

SEC. 1351. ENHANCING MAJOR DEFENSE PARTNERSHIP WITH INDIA.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State and the head of any other relevant Federal department or agency, shall seek to ensure that India is appropriately considered for security cooperation benefits consistent with the status of India as a major defense partner of the United States, including with respect to the following lines of effort:

(1) Eligibility for funding to initiate or facilitate cooperative research, development, testing, or evaluation projects with the Department of Defense, with priority given to projects in the areas of—

(A) artificial intelligence;

(B) undersea domain awareness;

(C) air combat and support;

(D) munitions; and

(E) mobility.

(2) Eligibility to enter into reciprocal agreements with the Department of Defense for the cooperative provision of training on a bilateral or multilateral basis in support of programs for the purpose of building capacity in the areas of—

(A) counterterrorism operations;

(B) counter-weapons of mass destruction operations;

(C) counter-illicit drug trafficking operations;

(D) counter-transnational organized crime operations;

(E) maritime and border security operations;

(F) military intelligence operations;

(G) air domain awareness operations; and

(H) cyberspace security and defensive cyberspace operations.

(3) Eligibility to enter into a memorandum of understanding or other formal agreement with the Department of Defense for the purpose of conducting cooperative research and development projects on defense equipment and munitions.

(4) Eligibility for companies from India to bid on contracts for the maintenance, repair, or overhaul of Department of Defense equipment located outside the United States.

(b) BRIEFING.—Not later than March 1, 2024, the Secretary of Defense, in coordination with the Secretary of State and the head of any other relevant Federal department or agency, shall provide the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives with a briefing on the status of security cooperation activities with India, including the lines of effort specified in subsection (a).

SEC. 1352. MILITARY CYBERSECURITY COOPERATION WITH TAIWAN.

(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, with the concurrence of the Secretary of State and in coordination with the Commander of the United States Cyber Command and the Commander of the United States Indo-Pacific Command, shall seek to engage with appropriate officials of Taiwan for the purpose of expanding cooperation on military cybersecurity activities using the authorities under chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(b) COOPERATION EFFORTS.—In expanding the cooperation of military cybersecurity activities between the Department of Defense and the military forces of Taiwan under subsection (a), the Secretary of Defense may carry out efforts—

(1) to actively defend military networks, infrastructure, and systems;

(2) to eradicate malicious cyber activity that has compromised such networks, infrastructure, and systems;

(3) to leverage United States commercial and military cybersecurity technology and services to harden and defend such networks, infrastructure, and systems; and

(4) to conduct combined cybersecurity training activities and exercises.

(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 committees of Congress a briefing on the implementation of this section.

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

(A) A description of the feasibility and advisability of expanding the cooperation on military cybersecurity activities between the Department of Defense and the military forces of Taiwan.

(B) An identification of any challenges and resources that need to be addressed so as to expand such cooperation.

(C) An overview of efforts undertaken pursuant to this section.

(D) 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 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. 1353. DESIGNATION OF SENIOR OFFICIAL FOR DEPARTMENT OF DEFENSE ACTIVITIES RELATING TO, AND IMPLEMENTATION PLAN FOR, SECURITY PARTNERSHIP AMONG AUSTRALIA, THE UNITED KINGDOM, AND THE UNITED STATES.

(a) DESIGNATION OF SENIOR OFFICIAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior civilian official of the Department of Defense who shall be responsible for overseeing Department of Defense activities relating to the security partnership among Australia, the United Kingdom, and the United States (commonly known as the ''AUKUS partnership'').

(b) PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Administrator for Nuclear Security and the Secretary of State, shall submit to the appropriate committees of Congress an implementation plan outlining Department efforts relating to the AUKUS partnership.

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

(A) Timelines and major anticipated milestones for the implementation of the AUKUS partnership.

(B) An identification of dependencies of such milestones on defense requirements that are—

(i) unrelated to the AUKUS partnership; and

(ii) solely within the decisionmaking responsibility of Australia or the United Kingdom.

(C) Recommendations for adjustments to statutory and regulatory export authorities or frameworks, including technology transfer and protection, necessary to efficiently implement the AUKUS partnership.

(D) A consideration of the implications of the plan on the industrial base with respect to—

(i) the expansion of existing United States submarine construction capacity to fulfill United States, United Kingdom, and Australia requirements;

(ii) acceleration of the restoration of United States capabilities for producing highly enriched uranium to fuel submarine reactors;

(iii) stabilization of commodity markets and expanding supplies of high-grade steel, construction materials, and other resources required for improving shipyard condition and expanding throughput capacity; and

(iv) coordination and synchronization of industrial sourcing opportunities among Australia, the United Kingdom, and the United States.

(E) A description of resourcing and personnel requirements, including the hiring of additional foreign disclosure officers.

(F) A plan for improving information sharing, including—

(i) recommendations for modifications to foreign disclosure policies and processes;

(ii) the promulgation of written information-sharing guidelines or policies to improve information sharing under the AUKUS partnership;

(iii) the establishment of an information handling caveat specific to the AUKUS partnership; and

(iv) the reduction in use of the Not Releasable to Foreign Nations (NOFORN) information handling caveat.

(G) Processes for the protection of privately held intellectual property, including patents.

(H) A plan to leverage, for the AUKUS partnership, any relevant existing cybersecurity or technology partnership or cooperation activity between the United States and the United Kingdom or between the United States and Australia.

(I) Recommended updates to other statutory, regulatory, policy, or process frameworks.

(J) Any other matter the Secretary of Defense considers appropriate.

(c) SEMIANNUAL UPDATES.—Not later than 60 days after the date on which the plan required by subsection (b) is submitted, and semiannually thereafter on April 1 and October 1 each year through 2029, the senior civilian official designated under subsection (a) shall provide the congressional defense committees with a briefing on the status of all Department activities to implement the AUKUS partnership.

(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 Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committees on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1354. REPORT AND NOTIFICATION RELATING TO TRANSFER OF OPERATIONAL CONTROL ON KOREAN PENINSULA.

(a) REPORT.—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 committees of Congress a report that—

(1) describes the conditions under which the military forces of the Republic of Korea would be prepared to assume wartime operational control of the United States and Republic of Korea Combined Forces Command; and

(2) includes an assessment of the extent to which the military forces of the Republic of Korea meet such conditions as of the date on which the report is submitted.

(b) NOTIFICATION.—

(1) IN GENERAL.—Not later than 30 days before the date on which wartime operational control of the United States and Republic of Korea Combined Forces Command is transferred to the Republic of Korea, the Secretary of Defense, in coordination with the Secretary of State, shall notify the appropriate committees of Congress of such transfer.

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

(A) An assessment of the extent to which the military forces of the Republic of Korea meet the conditions described in the report submitted under subsection (a), including with respect to the acquisition by the Republic of Korea of necessary military capabilities to counter the capabilities of the Democratic People's Republic of Korea.

(B) A description of the command relationship among the United Nations Command, the United States and Republic of Korea Combined Forces Command, the United States Forces Korea, and the military forces of the Republic of Korea.

(C) An assessment of the extent to which such transfer impacts the security of the United States, the Republic of Korea, and other regional allies and partners.

(c) 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. 1355. REPORT ON RANGE OF CONSEQUENCES OF WAR WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than December 1, 2024, the Director of the Office of Net Assessment shall submit to the congressional defense committees a report on the range of geopolitical and economic consequences of a United States-People's Republic of China conflict in 2030.

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

(1) account for potential—

(A) attacks within the homelands of the United States and the People's Republic of China, including cyber threats and the potential disruption of critical infrastructure;

(B) impacts on the United States Armed Forces and the military forces of United States allies and partners, including loss of life, capabilities, United States force posture, and United States alliances in the Indo-Pacific region;

(C) impacts on the military forces of the People's Republic of China, including loss of life and capabilities;

(D) impacts on the civilian populations of Japan, Taiwan, Australia, and other countries in the Indo-Pacific region;

(E) disruption of the global economy; and

(F) any other matter the Director of the Office of Net Assessment considers relevant; and

(2) include a review of previous attempts in history to forecast the consequences and costs of war.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) BRIEFING.—Not less than 14 days before the date on which the report required by subsection (a) is submitted, the Director of the Office of Net Assessment shall provide a briefing to the congressional defense committees on the conclusions of the report.

SEC. 1356. STUDY AND REPORT ON COMMAND STRUCTURE AND FORCE POSTURE OF UNITED STATES ARMED FORCES IN INDO-PACIFIC REGION.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct an independent study for the purpose of improving the current command structure and force posture of the United States Armed Forces in the area of responsibility of the United States Indo-Pacific Command.

(2) REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center selected to conduct the study required by paragraph (1) shall submit to the Secretary a report on the findings of the study.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) An assessment of—

(I) the current command structure of the United States Armed Forces in the area of responsibility of the United States Indo-Pacific Command;

(II) the current force posture, basing, access, and overflight agreements of the United States Armed Forces in such area of responsibility; and

(III) any operational or command and control challenge resulting from the geography, current force posture of the United States Armed Forces, or current command structure of the United States Armed Forces in the area of responsibility of the United States Indo-Pacific Command.

(ii) Any recommendation for—

(I) adjustments to the force posture of the United States Armed Forces in such area of responsibility, including an identification of any additional basing, access, and overflight agreement that may be necessary in response to the changing security environment in such area of responsibility;

(II) modifying the current organizational and command structure of the United States Indo-Pacific Command, including United States Forces Japan and United States Forces Korea, in response to such changing security environment; or

(III) improving the ability to better coordinate with allies and partners during peacetime and conflict.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1, 2025, the Secretary shall submit to the congressional defense committees an unaltered copy of the report submitted to the Secretary under subsection (a)(2), together with the views of the Secretary on the findings set forth in such report and any corresponding recommendation.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(3) PUBLIC AVAILABILITY.—The Secretary shall make available to the public the unclassified form of the report required by paragraph (1).

SEC. 1357. STUDIES ON DEFENSE BUDGET TRANSPARENCY OF THE PEOPLE'S REPUBLIC OF CHINA AND THE UNITED STATES.

(a) STUDIES REQUIRED.—

(1) DEFENSE INTELLIGENCE AGENCY STUDY.—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 Intelligence Agency, shall—

(A) complete a study on the defense budget of the People's Republic of China;

(B) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study; and

(C) make the results of the study available to the public on the internet website of the Department of Defense.

(2) SECRETARY OF DEFENSE STUDY.—Not later than 90 days after the date on which the study required by paragraph (1) is submitted, the Secretary of Defense shall—

(A) complete a comparative study on the defense budgets of the People's Republic of China and the United States;

(B) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study; and

(C) make the results of the study available to the public on the internet website of the Department of Defense.

(3) METHODOLOGY.—The studies required by paragraphs (1) and (2) shall each employ a robust methodology that—

(A) does not depend on the official pronouncements of the Government of the People's Republic of China or the Chinese Communist Party;

(B) takes into account the military-civil fusion present in the People's Republic of China; and

(C) employs the building-block method of analysis or a similar method of analysis, as appropriate.

(4) OBJECTIVE.—The objective of the studies required by paragraphs (1) and (2) shall be to provide the people of the United States with an accurate comparison of the defense spending of the People's Republic of China and the United States.

(b) ELEMENTS.—At a minimum, the studies required by this section shall do the following:

(1) Determine the amounts invested by each subject country across functional categories for spending, including—

(A) defense-related research and development;

(B) weapons procurement from domestic and foreign sources;

(C) operations and maintenance;

(D) pay and benefits;

(E) military pensions; and

(F) any other category the Secretary considers relevant.

(2) Consider the effects of purchasing power parity and market exchange rates, particularly on nontraded goods.

(3) Estimate the magnitude of omitted spending from official defense budget information and account for such spending in the comparison.

(4) Exclude spending related to veterans' benefits, other than military pensions provided to veterans.

(c) CONSIDERATIONS.—The studies required by this section may take into consideration the following:

(1) The effects of state-owned enterprises on the defense expenditures of the People's Republic of China.

(2) The role of differing acquisition policies and structures with respect to the defense expenditures of each subject country.

(3) Any other matter relevant to evaluating the resources dedicated to the defense spending or the various military-related outlays of the People's Republic of China.

(d) FORM.—The studies required by this section shall be submitted in unclassified form, free of handling restrictions, but may include classified annexes.

SEC. 1358. BRIEFING ON PROVISION OF SECURITY ASSISTANCE BY THE PEOPLE'S REPUBLIC OF CHINA AND SUMMARY OF DEPARTMENT OF DEFENSE MITIGATION ACTIVITIES.

(a) BRIEFING.—Not later than March 1, 2024, the Secretary of Defense, in coordination with the Secretary of State, shall provide to the appropriate committees of Congress a briefing that describes the provision of security assistance and training by the People's Republic of China to foreign military forces for the purpose of achieving the national objectives of the People's Republic of China.

(b) SUMMARY OF MITIGATION ACTIVITIES.—As part of the first report submitted under section 1206(c)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1960; 10 U.S.C. 301 note) after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a summary of Department of Defense activities designed to mitigate the provision of security assistance and training referred to in subsection (a), including such activities that—

(1) strengthen United States alliances and partnerships with foreign military partners;

(2) identify countries or governments to which the People's Republic of China provides such security assistance or military training;

(3) dissuade countries and governments from relying on the People's Republic of China as a partner for such security assistance and military training;

(4) identify any manner in which the United States, or close allies of the United States, may engage with countries and governments to be the preferred partner for security assistance and military training; and

(5) improve the ability of the United States Armed Forces to coordinate and operate with allies and partners for purposes of mitigating the provision of security assistance and military training by the People's Republic of China.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—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.

SEC. 1359. SEMIANNUAL BRIEFINGS ON BILATERAL AGREEMENTS SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and every 180 days thereafter through fiscal year 2027, the Secretary of Defense, in coordination with the Secretary of State, shall provide the appropriate committees of Congress with a briefing on bilateral agreements supporting the United States military posture in the Indo-Pacific region.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include the following:

(1) An update on notable changes to elements described in section 1262(b) of the

James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2857).

(2) An assessment of the impact on United States military operations if any individual or combination of allies and partners were to deny continued access, basing, or overflight rights, including with respect to—

(A) forward presence;

(B) agile basing;

(C) pre-positioned materials; or

(D) fueling and resupply.

(c) 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. 1360. SEMIANNUAL BRIEFINGS ON MILITARY OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter through March 30, 2027, the Secretary of Defense shall provide to the congressional defense committees a briefing on—

(1) the military activities of the People's Republic of China with respect to Taiwan and the South China Sea;

(2) efforts by the Department of Defense to engage with the People's Liberation Army; and

(3) United States efforts to enable the defense of Taiwan and bolster maritime security in the South China Sea.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include the following:

(1) An update on—

(A) military developments of the People's Republic of China relating to any possible Taiwan or South China Sea contingency, including upgrades to the weapon systems of the People's Republic of China, the procurement of new weapons by the People's Republic of China, and changes to the posture of the People's Liberation Army;

(B) military equipment acquired by Taiwan pursuant to the Presidential drawdown authority under section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)) or through the direct commercial sales or foreign military sales processes;

(C) United States efforts to deter aggression by the People's Republic of China in the Indo-Pacific region, including any campaigning or exercise activities conducted by the United States; and

(D) United States efforts to train the military forces of Taiwan and allies and partners in Southeast Asia.

(2) The most recent information regarding the readiness of or preparations by the People's Liberation Army to potentially conduct aggressive military action against Taiwan.

(3) A description of any military activity carried out during the preceding quarter by the People's Republic of China in the vicinity of Taiwan.

(4) A description of engagements by Department of Defense officials with the People's Liberation Army, including with respect to maintaining open lines of communication, establishing crisis management capabilities, and deconfliction of military activities.

(5) Any other matter the Secretary considers relevant.

SEC. 1361. PROHIBITION ON USE OF FUNDS TO SUPPORT ENTERTAINMENT PROJECTS WITH TIES TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

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.

SEC. 1362. PROHIBITION ON USE OF FUNDS FOR THE WUHAN INSTITUTE OF VIROLOGY.

None of the funds authorized to be appropriated under this Act may be made available for the Wuhan Institute of Virology for any purpose.

SEC. 1363. AUDIT TO IDENTIFY DIVERSION OF DEPARTMENT OF DEFENSE FUNDING TO CHINA'S RESEARCH LABS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Office of Inspector General shall conduct a study, and submit a report to Congress, regarding the amount of Federal funds awarded by the Department of Defense (whether directly or indirectly) through grants, contracts, subgrants, subcontracts, or any other type of agreement or collaboration, during the 10-year period immediately preceding such date of enactment, that—

(1) was provided, whether purposely or inadvertently, to—

(A) the People's Republic of China;

(B) the Communist Party of China;

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

(D) EcoHealth Alliance Inc., including any subsidiaries and related organizations that are directly controlled by EcoHealth Alliance, Inc.; or

(E) any other lab, agency, organization, individual, or instrumentality that is owned, controlled (directly or indirectly), or overseen (officially or unofficially) by any of the entities listed in subparagraphs (A) through (D); or

(2) was used to fund research or experiments that could have reasonably resulted in the enhancement of any coronavirus, influenza, Nipah, Ebola, or other pathogen of pandemic potential or chimeric versions of such a virus or pathogen in the People's Republic of China or any other foreign country.

(b) IDENTIFICATION OF COUNTRIES AND PATHOGENS.—The report required under subsection (a) shall specify—

(1) the countries in which the research or experiments described in subsection (a)(2) was conducted; and

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

SEC. 1364. PROHIBITING FEDERAL FUNDING FOR ECOHEALTH ALLIANCE INC.

None of the funds authorized to be appropriated under this Act may be made available for any purpose to—

(1) EcoHealth Alliance, Inc.;

(2) any subsidiary of EcoHealth Alliance Inc;

(3) any organization that is directly controlled by EcoHealth Alliance Inc; or

(4) any organization or individual that is a subgrantee or subcontractor of EcoHealth Alliance Inc.

SEC. 1365. ASSESSMENT RELATING TO CONTINGENCY OPERATIONAL PLAN OF UNITED STATES INDO-PACIFIC COMMAND.

(a) IN GENERAL.—The Secretary of Defense shall conduct an assessment, based on the contingency operational plan for a major conflict in the area of operations of the United States Indo-Pacific Command, to identify and characterize the dependencies of such plan on specific critical infrastructure facilities, capabilities, and services for the successful mobilization, deployment, and sustainment of forces.

(b) BRIEFINGS.—The Secretary shall provide to the congressional defense committees—

(1) before the date on which the Secretary commences the assessment required by subsection (a), a briefing that sets forth the terms of reference and a plan for such assessment; and

(2) a briefing on the results of such assessment, not later than the earlier of—

(A) the date on which Secretary completes such assessment; or

(B) the date that is 180 days after the enactment of this Act.

SEC. 1366. ASSESSMENT OF ABSORPTIVE CAPACITY OF MILITARY FORCES OF TAIWAN.

(a) REPORT.—

(1) 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 submit to the appropriate committees of Congress a report on the absorptive capacity of the military forces of Taiwan for military capabilities provided and approved by the United States for delivery to Taiwan in the last 10 years, including the date of projected or achieved initial and full operational capabilities.

(2) BRIEFING REQUIREMENT.—Not later than 30 days after the delivery of the required report, the Secretary shall provide a briefing on the report to the appropriate committees of Congress.

(3) FORM.—The required report shall be provided in classified form with an unclassified cover letter.

(b) DEFINITIONS.—In this section:

(1) ABSORPTIVE CAPACITY.—The term ''absorptive capacity'' means the capacity of the recipient unit to achieve initial operational capability, including to operate, maintain, sustain, deploy, and employ to operational effect, a defense article or service for its intended end-use.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1367. ANALYSIS OF RISKS AND IMPLICATIONS OF POTENTIAL SUSTAINED MILITARY BLOCKADE OF TAIWAN BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) ANALYSIS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, in coordination with the Director of National Intelligence, shall complete a comprehensive analysis of the risks and implications of a sustained military blockade of Taiwan by the People's Republic of China.

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

(A) An assessment of the means by which the People's Republic of China could execute a sustained military blockade of Taiwan, including the most likely courses of action through which the People's Republic of China could accomplish such a blockade.

(B) An identification of indications and warnings of a potential sustained military blockade of Taiwan by the People's Republic of China, and the likely timelines for such indications and warnings.

(C) An identification of other coercive actions the People's Republic of China may potentially take before or independently of such a blockade, including the seizure of outlying islands of Taiwan.

(D) An assessment of the impact of such a blockade on the ability of Taiwan to sustain its military capabilities, economy, and population.

(E) An assessment of threats to, and other potential negative impacts on, the United States homeland during such a blockade scenario.

(F) An assessment of key military operational problems presented by such a blockade.

(G) An assessment of the concept-required military capabilities necessary to address the problems identified under subparagraph (F).

(H) An assessment of challenges to escalation management.

(I) An assessment of military or nonmilitary options to counter or retaliate against such a blockade or the seizure of outlying islands of Taiwan, including through horizontal escalation.

(J) An assessment of the extent to which such a blockade is addressed by the Joint Warfighting Concept and Joint Concept for Competing.

(K) An identification of necessary changes to United States Armed Forces force design, doctrine, and tactics, techniques, and procedures for responding to or mitigating the impact of such a blockade.

(L) An assessment of the role of United States partners and allies in addressing the threats and challenges posed by a such a potential blockade.

(M) Any other matter the Secretary of Defense considers relevant.

(b) INTERAGENCY ENGAGEMENT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall seek to engage with the head of any other appropriate Federal department or agency—

(1) regarding the threats and challenges posed by a potential sustained military blockade of Taiwan by the People's Republic of China; and

(2) to better understand potential options for a response by the United States Government to such a blockade.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a classified report—

(1) on the assessment required by paragraph (1) of subsection (a), including all elements described in paragraph (2) of that subsection; and

(2) the interagency engagements conducted under subsection (b).

(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 Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SEC. 1368. SENSE OF THE SENATE ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.

(a) FINDINGS.—The Senate makes the following findings:

(1) The 2022 National Defense Strategy states, ''[m]utually-beneficial Alliances and partnerships are our greatest global strategic advantage.''.

(2) The United States Indo-Pacific Strategy states, ''we will prioritize our single greatest asymmetric strength: our network of security alliances and partnerships. Across the region, the United States will work with allies and partners to deepen our interoperability and develop and deploy advanced warfighting capabilities as we support them in defending their citizens and their sovereign interests.''.

(3) Secretary of Defense Lloyd Austin testified on March 28, 2023, that ''our allies and partners are a huge force multiplier. They magnify our power, advance our shared security interests, and help uphold a world that is free, open, prosperous, and secure.''.

(4) Chairman of the Joint Chiefs of Staff General Milley testified on March 28, 2023, that ''our alliances and partnerships are key to maintaining the rules-based international order and a stable and open international system promoting peace and prosperity. . .We are stronger when we operate closely with our allies and partners.''.

(5) Commander of the United States Indo-Pacific Command Admiral Aquilino testified on April 20, 2023, that ''a robust network of allies and partners, built on the strength of our shared interests, is our greatest advantage. United States Indo-Pacific Command is strengthening all layers of our security network: allies, multilateral arrangements, partners, friends, and the Five Eyes nations. We execute security cooperation activities, training, and exercises to strengthen those relationships, build partner capacity, and enhance interoperability.''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate 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 extended 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;

(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 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 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.

SEC. 1369. ASSESSMENT OF GIFTS AND GRANTS TO UNITED STATES INSTITUTIONS OF HIGHER EDUCATION FROM ENTITIES ON THE NON-SDN CHINESE MILITARY-INDUSTRIAL COMPLEX COMPANIES LIST.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the appropriate congressional committees an assessment of gifts and grants to United States institutions of higher education from entities on the Non-SDN Chinese Military-Industrial Complex Companies List maintained by the Office of Foreign Assets Control.

(b) ELEMENTS.—The Secretary, in consultation with the Secretary of Education, shall include in the assessment required by subsection (a) an estimate of—

(1) a list and description of each of the gifts and grants provided to United States institutions of higher education by entities described in subsection (a); and

(2) the monetary value of each of those gifts and grants.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(2) GIFTS AND GRANTS.—The term ''gifts and grants'' includes financial contributions, material donations, provision of services, scholarships, fellowships, research funding, infrastructure investment, contracts, or any other form of support that provides a benefit to the recipient institution.

SEC. 1370. 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 on December 31, 2024'' and inserting ''shall expire on the date on which the President certifies to the appropriate congressional committees that—

''(1) the Secretary of State has, on or after the date of the enactment of this paragraph, certified under section 205 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.) that Hong Kong warrants treatment under United States law in the same manner as United States laws were applied to Hong Kong before July 1, 1997;

''(2) the Hong Kong Police have not engaged in gross violations of human rights during the 1-year period ending on the date of such certification; and

''(3) there has been an independent examination of human rights concerns related to the crowd control tactics of the Hong Kong Police and the Government of the Hong Kong Special Administrative Region has adequately addressed those concerns.''.

Subtitle E—Securing Maritime Data From China

SEC. 1371. SHORT TITLE.

This subtitle may be cited as the ''Securing Maritime Data from China Act of 2023''.

SEC. 1372. LOGINK DEFINED.

In this subtitle, the term ''LOGINK'' means the public, open, shared logistics information network known as the National Public Information Platform for Transportation and Logistics by the Ministry of Transport of the People's Republic of China.

SEC. 1373. COUNTERING THE SPREAD OF LOGINK.

(a) CONTRACTING PROHIBITION.—The Department of Defense may not enter into or renew any contract with any entity that uses—

(1) LOGINK;

(2) any logistics platform controlled by, affiliated with, or subject to the jurisdiction of the Chinese Communist Party or the Government of the People's Republic of China; or

(3) any logistics platform that shares data with a system described in paragraph (1) or (2).

(b) APPLICABILITY.—Subsection (a) applies with respect to any contract entered into or renewed on or after the date that is 2 years after the date of the enactment of this Act.

Subtitle F—Reports

SEC. 1381. REPORT ON DEPARTMENT OF DEFENSE ROLES AND RESPONSIBILITIES IN SUPPORT OF NATIONAL STRATEGY FOR THE ARCTIC REGION.

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 Department of Defense roles and responsibilities in support of the National Strategy for the Arctic Region that includes—

(1) an identification of the Department's lines of effort to support the implementation of the National Strategy for the Arctic Region, including the implementation plan for each applicable military department;

(2) a plan for the execution of, and a projected timeline and the resource requirements for, each such line of effort; and

(3) any other matter the Secretary considers relevant.

Subtitle G—Other Matters

SEC. 1391. MILITARY INTELLIGENCE COLLECTION AND ANALYSIS PARTNERSHIPS.

(a) USE OF FUNDS OTHER THAN APPROPRIATED FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), the Director of the Defense Intelligence Agency, in coordination with the Secretary of State and the Director of National Intelligence, may accept and expend foreign partner funds in order for the foreign partner or partners to share with the Defense Intelligence Agency the expenses of joint and combined military intelligence collection and analysis activities.

(2) LIMITATIONS.—

(A) PREVIOUSLY DENIED FUNDS.—Funds accepted under this section may not be expended, in whole or in part, by or for the benefit of the Defense Intelligence Agency for any purpose for which Congress has previously denied funds.

(B) JOINT BENEFIT.—The authority provided by paragraph (1) may not be used to acquire items or services for the sole benefit of the United States.

(b) ANNUAL REPORT.—Not later than March 1, 2025, and annually thereafter for four years, the Director of the Defense Intelligence Agency shall submit to the appropriate committees of Congress a report on any funds accepted or expended under this section during the preceding calendar year, including an identification of the foreign partner or partners involved and a description of the purpose of such funds.

(c) TERMINATION.—The authority to accept and expend foreign partner funds pursuant to this section shall terminate on December 31, 2028.

(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 Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1392. COLLABORATION WITH PARTNER COUNTRIES TO DEVELOP AND MAINTAIN MILITARY-WIDE TRANSFORMATIONAL STRATEGIES FOR OPERATIONAL ENERGY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than January 1, 2025, the Secretary of Defense shall establish a partnership program using existing authorities to collaborate with the military forces of partner countries in developing and maintaining military-wide transformational strategies for operational energy (in this section referred to as the ''Program'').

(2) ORGANIZATION.—The Assistant Secretary of Defense for Energy, Installations, and Environment, in coordination with the Under Secretary of Defense for Policy and in consultation with the Secretaries of the military departments, the commanders of the combatant commands, and any other individual the Secretary of Defense considers appropriate, shall be responsible for, and shall oversee, the Program.

(b) OBJECTIVE.—The objective of the Program is to promote the readiness of the United States Armed Forces and the military forces of partner countries for missions in contested logistics environments by focusing on demand reduction and employing more diverse and renewable operational energy sources so as to enhance energy security, energy resilience, and energy conservation, reduce logistical vulnerabilities, and ensure that supply lines are resilient to extreme weather, disruptions to energy supplies, and direct or indirect cyber attacks.

(c) ACTIVITIES.—

(1) IN GENERAL.—Under the Program, the United States Armed Forces and the military forces of each participating partner country shall, in coordination—

(A) establish policies to improve warfighting capability through energy security and energy resilience;

(B) integrate efforts to mitigate mutual contested logistics challenges through the reduction of operational energy demand;

(C) identify and mitigate operational energy challenges presented by any contested logistics environment, including through developing innovative delivery systems, distributed storage, flexible contracting, and improved automation;

(D) assess and integrate, to the extent practicable, any technology, including electric, hydrogen, nuclear, biofuels, and any other sustainable fuel technology or renewable energy technology, that may reduce operational energy demand in the near term or long term;

(E) assess and consider any infrastructure investment of allied and partner countries that may affect operational energy availability in the event of a conflict with a near-peer adversary; and

(F) assess and integrate, to the extent practicable—

(i) any technology that increases sustainability; and

(ii) any practice, technology, or strategy that reduces negative impacts on human health.

(2) COUNTRY CONSIDERATIONS.—In carrying out any activity under paragraph (1), to the extent practicable, the relevant existing and past military conflicts and cultural practices of, and beliefs prevalent in, the participating country shall be taken into account.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than September 30, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a strategy for the implementation of the Program.

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

(A) A governance structure for the Program, including—

(i) the officials tasked to oversee the Program;

(ii) the format of the governing body of the Program;

(iii) the functions and duties of such governing body with respect to establishing and maintaining the Program; and

(iv) mechanisms for coordinating with partner countries selected to participate in the Program.

(B) With respect to the selection of partner countries initially selected to participate in the Program—

(i) an identification of each such country;

(ii) the rationale for selecting each such country, including a description of—

(I) the benefits to the military forces of the partner country; and

(II) the benefits to the United States Armed Forces of participation by such country;

(iii) a description of any limitation on the participation of a selected partner country; and

(iv) any other information the Secretary considers appropriate.

(C) A list of additional authorities, appropriations, or other congressional support necessary to ensure the success of the Program.

(D) A campaign of objectives for the first three fiscal years of the Program, including—

(i) a description of, and a rationale for selecting, such objectives;

(ii) an identification of milestones toward achieving such objectives; and

(iii) metrics for evaluating success in achieving such objectives.

(E) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(F) Any other information the Secretary considers appropriate.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(e) REPORT.—

(1) IN GENERAL.—Not later than September 20, 2025, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the Program.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) A narrative summary of activities conducted as part of the Program during the preceding fiscal year.

(B) Except in the case of the initial report, an assessment of progress toward the objectives established for the preceding fiscal year described in the preceding report under this subsection using the metrics established in such report.

(C) A campaign of objectives for the three fiscal years following the date of submission of the report, including—

(i) a description of, and a rationale for selecting, such objectives;

(ii) an identification of milestones toward achieving such objectives; and

(iii) metrics for evaluating success in achieving such objectives.

(D) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(E) Any other information the Secretary considers appropriate.

(3) FORM.— Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(f) TERMINATION.—The Program shall terminate on December 31, 2029.

(g) CONTESTED LOGISTICS ENVIRONMENT DEFINED.—In this section, the term ''contested logistics environment'' means an environment in which the United States Armed Forces or the military forces of a partner country engage in conflict with an adversary that presents challenges in all domains and directly targets logistics operations, facilities, and activities in the United States, abroad, or in transit from one location to the other.

SEC. 1393. MODIFICATION OF SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 127c the following:

''§ 127d. Support of special operations for irregular warfare

''(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the relevant Chief of Mission, expend up to $20,000,000 during any fiscal year to provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing and authorized irregular warfare operations by United States Special Operations Forces.

''(b) FUNDS.—Funds for support under this section in a fiscal year shall be derived from amounts authorized to be appropriated for that fiscal year for the Department of Defense for operation and maintenance.

''(c) PROCEDURES.—

''(1) IN GENERAL.—The authority in this section shall be exercised in accordance with such procedures as the Secretary shall establish for purposes of this section.

''(2) ELEMENTS.—The procedures required under paragraph (1) shall establish, at a minimum, the following:

''(A) Policy guidance for the execution of, and constraints within, activities under the authority in this section.

''(B) The processes through which activities under the authority in this section are to be developed, validated, and coordinated, as appropriate, with relevant entities of the United States Government.

''(C) The processes through which legal reviews and determinations are made to comply with the authority in this section and ensure that the exercise of such authority is consistent with the national security of the United States.

''(D) The processes to ensure, to the extent practicable, that before a decision to provide support is made, the recipients of support do not pose a counterintelligence or force protection threat and have not engaged in gross violations of human rights.

''(E) The processes by which the Department shall keep the congressional defense committees fully and currently informed of—

''(i) the requirements for the use of the authority in this section; and

''(ii) activities conducted under such authority.

''(3) NOTICE TO CONGRESS ON PROCEDURES AND MATERIAL MODIFICATIONS.—The Secretary shall notify the congressional defense committees of the procedures established pursuant to this section before any exercise of the authority in this section, and shall notify such committee of any material modification of the procedures.

''(d) CONSTRUCTION OF AUTHORITY.—Nothing in this section shall be construed to constitute a specific statutory authorization for any of the following:

''(1) The conduct of a covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

''(2) The introduction of United States Armed Forces (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))) into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

''(3) The provision of support to regular forces, irregular forces, groups, or individuals for the conduct of operations that United States Special Operations Forces are not otherwise legally authorized to conduct themselves.

''(4) The conduct or support of activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

''(e) LIMITATION ON DELEGATION.—The authority of the Secretary to make funds available under this section for support of a military operation may not be delegated.

''(f) PROGRAMMATIC AND POLICY OVERSIGHT.—The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict shall have primary programmatic and policy oversight within the Office of the Secretary of Defense of support to irregular warfare activities authorized by this section.

''(g) NOTIFICATION.—

''(1) IN GENERAL.—Not later than 15 days before exercising the authority in this section to make funds available to initiate support of an ongoing and authorized operation or changing the scope or funding level of any support under this section for such an operation by $500,000 or an amount equal to 10 percent of such funding level (whichever is less), the Secretary shall notify the congressional defense committees of the use of such authority with respect to such operation. Any such notification shall be in writing.

''(2) ELEMENTS.—A notification required by this subsection shall include the following:

''(A) The type of support to be provided to United States Special Operations Forces, and a description of the ongoing and authorized operation to be supported.

''(B) A description of the foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating the ongoing and authorized operation that is to be the recipient of funds.

''(C) The type of support to be provided to the recipient of the funds, and a description of the end-use monitoring to be used in connection with the use of the funds.

''(D) The amount obligated under the authority to provide support.

''(E) The duration for which the support is expected to be provided, and an identification of the timeframe in which the provision of support will be reviewed by the commander of the applicable combatant command for a determination with respect to the necessity of continuing such support.

''(F) The determination of the Secretary that the provision of support does not constitute any of the following:

''(i) An introduction of United States Armed Forces (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))) into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).

''(ii) A covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

''(iii) An authorization for the provision of support to regular forces, irregular forces, groups, or individuals for the conduct of operations that United States Special Operations Forces are not otherwise legally authorized to conduct themselves.

''(iv) The conduct or support of activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

''(h) NOTIFICATION OF SUSPENSION OR TERMINATION OF SUPPORT.—

''(1) IN GENERAL.—Not later than 48 hours after suspending or terminating support to any foreign force, irregular force, group, or individual provided pursuant to the authority in this section, the Secretary shall submit to the congressional defense committees a written notice of such suspension or termination.

''(2) ELEMENTS.—The written notice required by paragraph (1) shall include each of the following:

''(A) A description of the reasons for the suspension or termination of such support.

''(B) A description of any effect on regional, theater, or global campaign plan objectives anticipated to result from such suspension or termination.

''(C) A plan for such suspension or termination, and, in the case of support that is planned to be transitioned to any other program of the Department of Defense or to a program of any other Federal department or agency, a detailed description of the transition plan, including the resources, equipment, capabilities, and personnel associated with such plan.

''(i) BIANNUAL REPORTS.—

''(1) REPORT ON PRECEDING FISCAL YEAR.—Not later than 120 days after the close of each fiscal year in which subsection (a) is in effect, the Secretary shall submit to the congressional defense committees a report on

the support provided under this section during the preceding fiscal year.

''(2) REPORT ON CURRENT CALENDAR YEAR.—Not later than 180 days after the submittal of each report required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on the support provided under this section during the first half of the fiscal year in which the report under this paragraph is submitted.

''(3) ELEMENTS.—Each report required by this subsection shall include the following:

''(A) A summary of the ongoing irregular warfare operations, and associated authorized campaign plans, being conducted by United States Special Operations Forces that were supported or facilitated by foreign forces, irregular forces, groups, or individuals for which support was provided under this section during the period covered by such report.

''(B) A description of the support or facilitation provided by such foreign forces, irregular forces, groups, or individuals to United States Special Operations Forces during such period.

''(C) The type of recipients that were provided support under this section during such period, identified by authorized category (foreign forces, irregular forces, groups, or individuals).

''(D) A detailed description of the support provided to the recipients under this section during such period.

''(E) The total amount obligated for support under this section during such period, including budget details.

''(F) The intended duration of support provided under this section during such period.

''(G) An assessment of value of the support provided under this section during such period, including a summary of significant activities undertaken by foreign forces, irregular forces, groups, or individuals to support irregular warfare operations by United States Special Operations Forces.

''(H) The total amount obligated for support under this section in prior fiscal years.

''(j) QUARTERLY BRIEFINGS.—

''(1) IN GENERAL.—Not less frequently than quarterly, the Secretary shall provide to the congressional defense committees a briefing on the use of the authority provided by this section, and other matters relating to irregular warfare, with the primary purposes of—

''(A) keeping the congressional defense committees fully and currently informed of irregular warfare requirements and activities, including emerging combatant commands requirements; and

''(B) consulting with the congressional defense committees regarding such matters.

''(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

''(A) An update on irregular warfare activities within each geographic combatant command and a description of the manner in which such activities support the respective theater campaign plan and the National Defense Strategy.

''(B) An overview of relevant authorities and legal issues, including limitations.

''(C) An overview of irregular warfare-related interagency activities and initiatives.

''(D) A description of emerging combatant command requirements for the use of the authority provided by this section.

''(k) IRREGULAR WARFARE DEFINED.—Subject to subsection (f), in this section, the term 'irregular warfare' means Department of Defense activities not involving armed conflict that support predetermined United States policy and military objectives conducted by, with, and through regular forces, irregular forces, groups, and individuals.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127c the following new item:

''127d. Support of special operations for irregular warfare.''.

(c) REPEAL.—Section 1202 of the National Defense Authorization Act for Fiscal Year 2018 is repealed.

SEC. 1394. MODIFICATION OF AUTHORITY FOR EXPENDITURE OF FUNDS FOR CLANDESTINE ACTIVITIES THAT SUPPORT OPERATIONAL PREPARATION OF THE ENVIRONMENT.

Section 127f of title 10, United States Code, is amended—

(1) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (g), and (h), respectively;

(2) by inserting after subsection (b) the following new subsection (c):

''(c) PROCEDURES.—

''(1) IN GENERAL.—The authority in this section shall be exercised in accordance with such procedures as the Secretary shall establish for purposes of this section.

''(2) ELEMENTS.—The procedures required under paragraph (1) shall establish, at a minimum, each of the following:

''(A) Policy, strategy, or other guidance for the execution of, and constraints within, activities conducted under this section.

''(B) The processes through which activities conducted under this section are to be developed, validated, and coordinated, as appropriate, with relevant entities of the United States Government.

''(C) The processes through which legal reviews and determinations are made to comply with the authority in this section and ensure that the exercise of such authority is consistent with the national security interests of the United States.

''(D) The processes by which the Department of Defense shall keep the congressional defense committees fully and currently informed of—

''(i) the requirements for the use of the authority in this section; and

''(ii) activities conducted under such authority.

''(3) NOTICE TO CONGRESS.—The Secretary shall notify the congressional defense committees of any material modification to the procedures established under paragraph (1).'';

(3) by inserting after subsection (e), as redesignated, the following new subsection (f):

''(f) NOTIFICATION.—Not later than 15 days before exercising the authority in this section to make funds available to initiate a new operational preparation of the environment activity or changing the scope or funding level of any support for such an operation by $1,000,000 or an amount equal to 20 percent of such funding level (whichever is less), or not later than 48 hours after exercising such authority if the Secretary determines that extraordinary circumstances that impact the national security of the United States exist, the Secretary shall notify the congressional defense committees of the use of such authority with respect to that activity. Any such notification shall be in writing.''; and

(4) by adding at the end the following new subsections:

''(i) OVERSIGHT BY ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.—The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall have primary responsibility within the Office of the Secretary of Defense for oversight of policies and programs authorized by this section.

''(j) CONSTRUCTION OF AUTHORITY.—Nothing in this section may be construed to constitute authority to conduct, or provide statutory authorization for, any of the following:

''(1) Execution of operational activities.

''(2) A covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

''(3) An introduction of the armed forces, (including the introduction of United States Armed Forces as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))), into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).

''(4) Activities or support for activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

''(k) OPERATIONAL PREPARATION OF THE ENVIRONMENT DEFINED.—In this section, the term 'operational preparation of the environment' means the conduct of activities in likely or potential operational areas to set conditions for mission execution.''.

SEC. 1395. MODIFICATION OF INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note) is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(B) by inserting after paragraph (6) the following new paragraph (7):

''(7) Policies to limit or prohibit funding provided by the Department of Defense for institutions or individual researchers who knowingly contract or make other financial arrangements with entities identified in the list described in paragraph (9), which policies shall include—

''(A) use of such list as part of a risk assessment decision matrix during proposal evaluations, including the development of a question for proposers or broad area announcements that require proposers to disclose any contractual or financial connections with such entities;

''(B) a requirement that the Department shall notify a proposer of suspected noncompliance with a policy issued under this paragraph and provide not less than 30 days to take actions to remedy such noncompliance;

''(C) the establishment of an appeals procedure under which a proposer may appeal a negative decision on a proposal if the decision is based on a determination informed by such list; and

''(D) a requirement that each awardee of funding provided by the Department shall disclose to the Department any contract or financial arrangement made with such an entity during the period of the award.''; and

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

''(11) Development of measures of effectiveness and performance to assess and track progress of the Department of Defense across the initiative, which measures shall include—

''(A) the evaluation of currently available data to support the assessment of such measures, including the identification of areas in which gaps exist that may require collection of completely new data, or modifications to existing data sets;

''(B) current means and methods for the collection of data in an automated manner, including the identification of areas in which gaps exist that may require new means for data collection or visualization of such data; and

''(C) the development of an analysis and assessment methodology framework to make tradeoffs between the measures developed

under this paragraph and other metrics related to assessing undue foreign influence on the Department of Defense research enterprise, such as commercial due diligence, beneficial ownership, and foreign ownership, control, and influence.''; and

(2) in subsection (e)(2), by adding at the end the following new subparagraph:

''(G) A description of the status of the measures of effectiveness and performance described in subsection (c)(11) for the period covered by such report, including an analytical assessment of the impact of such measures on the goals of the initiative.''.

SEC. 1396. MODIFICATION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

Section 1213(h) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), and moving such clauses, as redesignated, two ems to the right;

(2) by redesignating paragraph (1) as subparagraph (A) and moving such subparagraph, as redesignated, two ems to the right;

(3) by amending paragraph (2) to read as follows:

''(B) A description of any denied or refused ex gratia payment or request, including—

''(i) the date on which any such request was made;

''(ii) the steps the Department of Defense has taken to respond to the request;

''(iii) in the case of a refused payment, the reason for such refusal, if known; and

''(iv) any other reason for which a payment was not offered or made.'';

(4) by redesignating paragraph (3) as subparagraph (C) and moving such subparagraph, as redesignated, two ems to the right;

(5) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

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

''(2) PUBLIC AVAILABILITY.—

''(A) IN GENERAL.—Not later than 15 days after the date on which the Secretary of Defense submits each report required by paragraph (1), the Secretary shall make the report available to the public in an electronic format.

''(B) PRIVACY.—The Secretary of Defense shall exclude from each report made available to the public under subparagraph (A)—

''(i) confidential or personally identifiable information pertaining to specific payment recipients so as to ensure the safety and privacy of such recipients; and

''(ii) any confidential or classified information that would undermine Department of Defense operational security.''.

SEC. 1397. MODIFICATION OF AUTHORITY FOR COOPERATION ON DIRECTED ENERGY CAPABILITIES.

(a) PROGRAM AUTHORIZATION.—Section 1280 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3982; 22 U.S.C. 8606 note) is amended—

(1) in subsection (d), in the first sentence—

(A) by inserting ''acting through the Under Secretary of Defense for Research and Engineering,'' after ''the Secretary of Defense,''; and

(B) by striking ''may establish a program'' and inserting ''is authorized''; and

(2) by adding at the end the following new subsection:

''(e) NOTIFICATION.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall submit to the appropriate committees of Congress an assessment detailing—

''(A) the most promising directed energy missile defense technologies available for co-development with the Government of Israel;

''(B) any risks relating to the implementation of a directed energy missile defense technology co-development program with the Government of Israel;

''(C) an anticipated spending plan for fiscal year 2024 funding authorized by the National Defense Authorization Act for Fiscal Year 2024 to carry out this section; and

''(D) initial projections for likely funding requirements to carry out a directed energy missile defense technology co-development program with the Government of Israel over the five fiscal years beginning after the date of the enactment of that Act, as applicable.

''(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.''.

(b) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2024 by section 4201 for research, development, test, and evaluation for Advanced Component Development and Prototypes is hereby increased by $25,000,000, with the amount of the increase to be available for Israeli Cooperative Programs (PE 0603913C).

(c) OFFSET.—The amount authorized to be appropriated for fiscal year 2024 by section 4201 for research, development, test, and evaluation for the Air Force is hereby decreased by $25,000,000, with the amount of the decrease to be taken from the amounts available for VC–25B (PE 0401319F).

SEC. 1398. MODIFICATION OF ARCTIC SECURITY INITIATIVE.

Section 1090(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1927) is amended—

(1) in subparagraph (A), by striking ''the Secretary may'' and inserting ''the Secretary shall''; and

(2) in subparagraph (B)(i), by striking ''If the Initiative is established'' and inserting ''On the establishment of the Initiative''.

SEC. 1399. TERMINATION OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Section 943(g) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4578) is amended to read as follows:

''(g) TERMINATION.—The authority under this section shall terminate on December 31, 2023.''.

SEC. 1399A. EXTENSION OF PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.

Section 1273 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1699) is amended to read as follows:

''SEC. 1273. PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.

''For the one-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Department of Defense may not provide in-flight refueling pursuant to section 2342 of title 10, United States Code, or any other applicable statutory authority, to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen unless and until a declaration of war or a specific statutory authorization for such use of the United States Armed Forces has been enacted.''.

SEC. 1399B. EXTENSION OF UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION.

Section 1279(f) of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 8606 note) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2026''.

SEC. 1399C. PROHIBITION ON DELEGATION OF AUTHORITY TO DESIGNATE FOREIGN PARTNER FORCES AS ELIGIBLE FOR THE PROVISION OF COLLECTIVE SELF-DEFENSE SUPPORT BY UNITED STATES ARMED FORCES.

(a) IN GENERAL.—The authority to designate foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces may not be delegated below the Secretary of Defense.

(b) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall review existing designations of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces and provide the congressional defense committees with a certification with respect to whether each such designation remains valid.

(c) WAIVER.—

(1) IN GENERAL.—The Secretary may waive the prohibition under subsection (a) if the Secretary determines that there are compelling circumstances that necessitate the waiver of such prohibition.

(2) NOTICE.—Not later than 48 hours after the Secretary exercises the waiver authority under paragraph (1), the Secretary shall submit to the congressional defense committees a notice of the waiver, which shall include—

(A) a description of the compelling circumstances that necessitated the wavier;

(B) a description of the United States national security interests served by the waiver;

(C) an identification of any named operation related to the waiver; and

(D) an articulation of any temporal, geographic, or other limitations on the waiver.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as invalidating a designation of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces that is in effect as of the date of the enactment of this Act.

(e) COLLECTIVE SELF-DEFENSE DEFINED.—In this section, the term ''collective self-defense'' means the use of United States military force to defend designated foreign partner forces, their facilities, and their property.

SEC. 1399D. PARTICIPATION BY MILITARY DEPARTMENTS IN INTEROPERABILITY PROGRAMS WITH MILITARY FORCES OF AUSTRALIA, CANADA, NEW ZEALAND, AND THE UNITED KINGDOM.

(a) IN GENERAL.—Section 1274 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2350a note) is amended—

(1) in the section heading, by striking ''**ADMINISTRATION OF THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES' PROGRAM**'' and inserting ''**PARTICIPATION BY MILITARY DEPARTMENTS IN INTEROPERABILITY PROGRAMS WITH MILITARY FORCES OF AUSTRALIA, CANADA, NEW ZEALAND, AND THE UNITED KINGDOM**''; and

(2) in subsection (a)—

(A) by inserting ''a military department of'' after ''the participation by''; and

(B) by striking ''the land-force program known as the American, British, Canadian, and Australian Armies' Program'' and inserting ''an interoperability program with the military forces of one or more participating countries specified in subsection (b)''.

(b) CLERICAL AMENDMENTS.—

(1) The table of contents of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1632) is amended by striking the item relating to section 1274 and inserting the following:

''Sec. 1274. Participation by military departments in interoperability programs with military forces of Australia, Canada, New Zealand, and the United Kingdom.''.

(2) The table of contents for title XII of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1977) is amended by striking the item relating to section 1274 and inserting the following:

''Sec. 1274. Participation by military departments in interoperability programs with military forces of Australia, Canada, New Zealand, and the United Kingdom.''.

SEC. 1399E. COOPERATION WITH ALLIES AND PARTNERS IN MIDDLE EAST ON DEVELOPMENT OF INTEGRATED REGIONAL CYBERSECURITY ARCHITECTURE.

(a) COOPERATION.—

(1) IN GENERAL.—The Secretary of Defense, using existing authorities and in consultation with the head of any other Federal agency, as appropriate, shall seek to cooperate with allies and partners in the Middle East with respect to developing an integrated regional cybersecurity architecture and deepening military cybersecurity partnerships to defend military networks, infrastructure, and systems against hostile cyber activity.

(2) PROTECTION OF SENSITIVE INFORMATION.—Any activity carried out under paragraph (1)shall be conducted in a manner that—

(A) is consistent with the protection of intelligence sources and methods; and

(B) appropriately protects sensitive information and the national security interests of the United States.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a strategy for cooperation with allies and partners in the Middle East to develop an integrated regional cybersecurity architecture to defend military networks, infrastructure, and systems against hostile cyber activity.

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

(A) An assessment of the threat landscape of cyberattacks, military networks, infrastructure, and systems against allies and partners within the Middle East.

(B) A description of current efforts to share, between the United States and allies and partners within the Middle East, indicators and warnings, tactics, techniques, procedures, threat signatures, planning efforts, training, and other similar information about cyber threats.

(C) An analysis of current bilateral and multilateral defense protocols protecting military networks, infrastructure, and systems and sharing sensitive cyber threat information between the United States and allies and partners in the Middle East.

(D) An assessment of whether a multinational integrated military cybersecurity partnership, including establishing a center in the Middle East to facilitate such activities, would improve collective security in the Middle East.

(E) An assessment of gaps in ally and partner capabilities that would have to be remedied in order to establish such a center.

(F) A description of any prior or ongoing effort to engage allies and partners in the Middle East in establishing—

(i) a multinational integrated cybersecurity partnership or other bilateral or multilateral defensive cybersecurity information sharing and training partnership; or

(ii) other cooperative defensive cybersecurity measures.

(G) An identification of elements of a potential multinational military cybersecurity partnership, or other bilateral or multilateral defensive cybersecurity measures, that—

(i) can be acquired and operated by specified foreign partners within the area of responsibility of the United States Central Command;

(ii) can only be provided and operated by the United States; and

(iii) can be provided by a third party entity contracted by the United States Central Command jointly with specified foreign partners.

(H) Any other matter the Secretary of Defense considers relevant.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) 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, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1399F. FOREIGN ADVANCE ACQUISITION ACCOUNT.

(a) ESTABLISHMENT.—The Secretary of Defense may establish, within the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.), an account, to be known as the ''Foreign Advance Acquisition Account'' (in this section referred to as the ''Account''), that shall be maintained separately from other accounts and used to accelerate the production of United States-produced end items in reasonable anticipation of the sale of such end items through the foreign military sales or direct commercial sales processes.

(b) USE OF FUNDS.—Amounts in the Account shall be made available to the Secretary of Defense for the following purposes:

(1) To finance the acquisition, using the procedures of the Special Defense Acquisition Fund, of defense articles and services in advance of the transfer of such articles and services to covered countries through the foreign military sales process.

(2) To provide a mechanism for covered countries to contribute funds, including before the completion of a letter of offer under the procedures of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the acquisition of such defense articles and services.

(3) To pay for storage, maintenance, and other costs related to the storage, preservation, and preparation for transfer of defense articles and services acquired using amounts in the Account prior to their transfer, and to pay for the administrative costs of the Department of Defense incurred in the acquisition of such items to the extent not reimbursed pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)).

(c) CONTRIBUTIONS FROM COVERED COUNTRIES.—The Secretary of Defense may accept contributions of amounts to the Account from any foreign person, entity, or government of a covered country.

(d) LIMITATIONS.—

(1) APPLICABILITY OF OTHER LAW.—Defense articles and services acquired by the Secretary of Defense using amounts in the Account may not be transferred to any foreign country unless such transfer is authorized by the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or other applicable law.

(2) PREVIOUSLY DENIED FUNDS.—Amounts in the Account may not be expended, in whole or in part, by or for the benefit of the Department of Defense for a purpose for which Congress has previously denied funds.

(3) ADDITIONAL LIMITATION.—Amounts in the Account may not be used to acquire items or services for the sole benefit of the United States.

(e) ANNUAL REPORT.—Not later than 60 days after the date on which each fiscal year ends, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the use of the Account that includes, for such fiscal year—

(1) an identification of each covered country that contributed to the Account;

(2) the amount deposited into the Account by each such covered country; and

(3) for each such covered country, the designated defense articles or services acquired or to be acquired.

(f) QUARTERLY REPORT.—Not later than 90 days after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the use of the Account that includes, for each transaction—

(1) a description of the transaction;

(2) the amount of the transaction;

(3) the covered country concerned;

(4) an identification of any storage, maintenance, or other costs associated with the transaction; and

(5) the anticipated date of delivery of the applicable defense articles or services.

(g) TERMINATION.—The authority under subsection (b) to use funds in the Account shall terminate on January 1, 2028.

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or impair the responsibilities conferred on the Secretary of State or the Secretary of Defense under the Arms Export Control Act (22 U.S.C. 2751 et seq.) or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(i) 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 Appropriations, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED COUNTRY.—The term ''covered country'' means—

(A) a country, other than the United States, that is a participant in the security partnership among Australia, the United Kingdom, and the United States (commonly known as the ''AUKUS'' partnership);

(B) a member country of the North Atlantic Treaty Organization; and

(C) any other country, as designated by the Secretary of Defense.

SEC. 1399G. LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL EXPENSES OF THE OFFICE OF THE SECRETARY OF DEFENSE.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operation

and maintenance, Defense-wide, and available for the Office of the Secretary of Defense for travel expenses, not more than 75 percent may be obligated or expended until the Secretary of Defense submits—

(1) the implementation plan required by section 1087 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2802; 10 U.S.C. 161 note) relating to the requirement of such section to establish a joint force headquarters in the area of operations of United States Indo-Pacific Command to serve as an operational command;

(2) the plan required by section 1332(g)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2008) relating to strategic competition in the areas of responsibility of United States Southern Command and United States Africa Command; and

(3) the strategy and posture review required by section 1631(g) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1743; 10 U.S.C. 397 note) relating to operations in the information environment.

SEC. 1399H. PLANS RELATED TO RAPID TRANSFER OF CERTAIN MISSILES AND DEFENSE CAPABILITIES.

(a) IN GENERAL.—The Assistant Secretary of the Navy for Research, Development and Acquisition shall—

(1) develop a plan to prepare Navy Harpoon block IC missiles in a ''sundown'', ''deep stow'', or ''demilitarized'' condition code (including missiles removed from Navy surface ships) for rapid transfer to allies and security partners in the United States European Command and United States Indo-Pacific Command areas of responsibility, if so ordered; and

(2) establish a plan that would enable the rapid transfer of additional enhanced coastal defense capabilities that have tactical significance in assisting partners and allies in reclaiming sovereign territory, deterring maritime resupply of illegally seized territory, or aiding in preventing an amphibious invasion of sovereign territory.

(b) SUBMISSION TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary shall submit to the congressional defense committees the plans required by paragraphs (1) and (2) of subsection (a).

SEC. 1399I. ENSURING PEACE THROUGH STRENGTH IN ISRAEL.

(a) EXTENSION OF AUTHORITIES.—

(1) WAR RESERVES STOCKPILE AUTHORITY.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''September 30, 2025'' and inserting ''January 1, 2028''.

(2) RULES GOVERNING THE TRANSFER OF PRECISION-GUIDED MUNITIONS TO ISRAEL ABOVE THE ANNUAL RESTRICTION.—Section 1275(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3980; 22 U.S.C. 2321h note) is amended by striking ''on the date that is three years after the date of the enactment of this Act'' and inserting ''on January 1, 2028''.

(b) DEPARTMENT OF DEFENSE ASSESSMENT OF TYPE AND QUANTITY OF PRECISION-GUIDED MUNITIONS AND OTHER MUNITIONS FOR USE BY ISRAEL.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through December 31, 2028, the Secretary of Defense shall conduct an assessment with respect to the following:

(A) The current quantity and type of precision-guided munitions in the stockpile pursuant to section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011).

(B) The quantity and type of precision-guided munitions necessary for Israel to protect its homeland and counter Hezbollah, Hamas, Palestinian Islamic Jihad, or any other armed terror group or hostile forces in the region in the event of a sustained armed confrontation.

(C) The quantity and type of other munitions necessary for Israel to protect its homeland and counter Hezbollah, Hamas, Palestinian Islamic Jihad, or any other armed group or hostile forces in the region in the event of a sustained armed confrontation.

(D) The quantity and type of munitions, including precision-guided munitions, necessary for Israel to protect its homeland and counter any combination of Hezbollah, Hamas, Palestinian Islamic Jihad, and any other armed terror groups or hostile forces in the region in the event of a multi-front, sustained armed confrontation.

(E) The resources the Government of Israel would need to dedicate to acquire the quantity and type of munitions, including precision-guided munitions, described in subparagraphs (B) through (D).

(F) Whether, as of the date on which the applicable assessment is completed, sufficient quantities and types of munitions, including precision-guided munitions, to conduct operations described in subparagraphs (B) through (D) are present in—

(i) the inventory of the military forces of Israel;

(ii) the War Reserves Stock Allies-Israel;

(iii) any other United States stockpile or depot within the area of responsibility of United States Central Command, as the Secretary considers appropriate to disclose to the Government of Israel; or

(iv) the inventory of the United States Armed Forces, as the Secretary considers appropriate to disclose to the Government of Israel.

(G) The current inventory of such munitions, including precision-guided munitions, possessed by the United States, and whether, as of the date on which the applicable assessment is completed, the United States is assessed to have sufficient munitions to meet the requirements of current operation plans of the United States or global other munitions requirements.

(H) United States planning and steps being taken—

(i) to assist Israel to prepare for the contingencies, and to conduct the operations, described in subparagraphs (B) through (D); and

(ii) to resupply Israel with the quantity and type of such munitions described in such subparagraphs in the event of a sustained armed confrontation described in such subparagraphs.

(I) The quantity and pace at which the United States is capable of pre-positioning, increasing, stockpiling, or rapidly replenishing, or assisting in the rapid replenishment of, such munitions in preparation for, and in the event of, such a sustained armed confrontation.

(2) CONSULTATION.—In carrying out the assessment required by paragraph (1), the Secretary shall consult with the Israeli Ministry of Defense, provided that the Israeli Ministry of Defense agrees to be so consulted.

(c) REPORTS.—

(1) DEPARTMENT OF DEFENSE ASSESSMENT.—Not later than 15 days after the date on which each Department of Defense assessment required by subsection (b) is completed, the Secretary shall submit to the appropriate committees of Congress a report on such assessment.

(2) PRE-POSITIONING AND STOCKPILE IMPLEMENTATION REPORT.—Not later than 180 days after the date on which the report required by paragraph (1) is submitted, and every 180 days thereafter through December 31, 2028, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) details the actions being taken by the United States, if any, to pre-position, increase, stockpile, address shortfalls, and otherwise ensure that the War Reserves Stock Allies-Israel has, and assist Israel in ensuring that Israel has, sufficient quantities and types of munitions, including precision-guided munitions, to conduct the operations described in subparagraphs (B) through (D) of subsection (b)(1); and

(B) includes a description of procedures implemented by the United States, if any, for rapidly replenishing, or assisting in the rapid replenishment of, stockpiles of such munitions for use by Israel as may be necessary.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' 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.

(d) CONSOLIDATION OF REPORTS.—

(1) Section 1273 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2066) is amended by striking subsection (b).

(2) Section 1275 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3979; 22 U.S.C. 2321h note) is amended by striking subsection (d).

SEC. 1399J. IMPROVEMENTS TO SECURITY COOPERATION WORKFORCE AND DEFENSE ACQUISITION WORKFORCE.

(a) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—

(1) IN GENERAL.—The Secretary of Defense shall, consistent with the requirements of section 384 of title 10, United States Code, as amended by section 1209 of this Act—

(A) carry out activities to professionalize, and increase the resources available to, the security cooperation workforce so as to enable the streamlining and expediting of the foreign military sales process; and

(B) seek to ensure that—

(i) members of the defense acquisition workforce involved in the foreign military sales process are aware of evolving United States regional and country-level defense capability-building priorities; and

(ii) members of the defense acquisition workforce are professionally evaluated using metrics to measure—

(I) responsiveness to foreign partner requests;

(II) ability to meet foreign partner capability and delivery schedule requirements; and

(III) advancement of foreign capability-building priorities described in the guidance updated under subsection (b).

(2) REPORT.—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 Senate and the House of Representatives a report on the resources necessary to implement paragraph (1), including—

(A) the anticipated costs of new personnel and training to carry out such paragraph;

(B) the estimated increase in foreign military sales administrative user fees necessary to offset such costs; and

(C) the feasibility and advisability of establishing, at the Department of Defense level or the military department level, a contracting capacity that—

(i) is specific to the execution of contracts for foreign military sales;

(ii) is fully funded by the Defense Security Cooperation Agency using foreign military sales administrative funds so as to ensure that such capacity is dedicated solely to foreign military sales contracting;

(iii) is monitored by the Defense Security Cooperation Agency Chief Performance Office, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, to ensure effectiveness in meeting foreign military sales contracting requirements; and

(iv) empowers the Director of the Defense Security Cooperation Agency, in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Acquisition and Sustainment, to increase or decrease foreign military sales contracting capacity through the guidance updated under subsection (b).

(b) GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall update, as necessary, Department of Defense guidance governing the execution of foreign military sales by the Department to ensure that such guidance—

(A) incorporates the National Security Strategy and the National Defense Strategy;

(B) is informed by the theater campaign plans and theater security cooperation strategies of the combatant commands; and

(C) is disseminated to the security cooperation workforce and the defense acquisition workforce.

(2) ELEMENTS.—The updated guidance required by paragraph (1) shall—

(A) identify—

(i) regional and country-level foreign defense capability-building priorities; and

(ii) levels of urgency and desired timelines for achieving foreign capability-building objectives; and

(B) provide guidance to the defense acquisition workforce regarding levels of resourcing, innovation, and risk tolerance that should be considered in meeting urgent needs.

(c) FOREIGN MILITARY SALES CONTINUOUS PROCESS IMPROVEMENT BOARD.—

(1) ESTABLISHMENT.—The Secretary of Defense may establish a Foreign Military Sales Continuous Process Improvement Board (in this section referred to as the ''Board'') to serve as an enduring governance structure within the Department of Defense that reports to the Secretary on matters relating to the foreign military sales process so as to enhance accountability and continuous improvement within the Department, including the objectives of—

(A) improving the understanding, among officials of the Department, of ally and partner requirements;

(B) enabling efficient reviews for release of technology;

(C) providing allies and partner countries with relevant priority equipment;

(D) accelerating acquisition and contracting support;

(E) expanding the capacity of the defense industrial base; and

(F) working with other departments and agencies to promote broad United States Government support.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall be composed of not fewer than seven members, each of whom shall have expertise in the foreign military sales process.

(B) RESTRICTION.—The Board may not have as a member—

(i) an officer or employee of the Department of Defense; or

(ii) a member of the United States Armed Forces.

(d) DEFINITIONS.—In this section:

(1) DEFENSE ACQUISITION WORKFORCE.—The term ''defense acquisition workforce'' means the Department of Defense acquisition workforce described in chapter 87 of title 10, United States Code.

(2) SECURITY COOPERATION WORKFORCE.—The term ''security cooperation workforce'' has the meaning given the term in section 384 of title 10, United States Code.

SEC. 1399K. MODIFICATION OF FOREIGN MILITARY SALES PROCESSING.

(a) RESPONSES.—

(1) LETTERS OF REQUEST FOR PRICING AND AVAILABILITY.—The Secretary of Defense shall seek to ensure that an eligible foreign purchaser that has submitted a letter of request for pricing and availability data receives a response to the letter not later than 45 days after the date on which the letter is received by a United States security cooperation organization, the Defense Security Cooperation Agency, or other implementing agency.

(2) LETTERS OF REQUEST FOR LETTERS OF OFFER AND ACCEPTANCE.—The Secretary of Defense shall seek to ensure that an eligible foreign purchaser that has submitted a letter of request for a letter of offer and acceptance receives a response—

(A) in the case of a letter of request for a blanket-order letter of offer and acceptance, cooperative logistics supply support arrangements, or associated amendments and modifications, not later than 45 days after the date on which the letter of request is received by a United States security cooperation organization, the Defense Security Cooperation Agency, or other implementing agency;

(B) in the case of a letter of request for a defined-order letter of offer and acceptance or associated amendments and modifications, not later than 100 days after such date; and

(C) in the case of a letter of request for a defined-order letter of offer and acceptance or associated amendments that involve extenuating factors, as approved by the Director of the Defense Security Cooperation Agency, not later than 150 days after such date.

(3) WAIVER.—The Secretary of Defense may waive paragraphs (1) and (2) if—

(A) such a waiver is in the national security interests of the United States; and

(B) not later than 5 days after exercising such waiver authority, the Secretary provides to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives notice of the exercise of such authority, including an explanation of the one or more reasons for failing to meet the applicable deadline.

(b) EXPANSION OF COUNTRY PRIORITIZATION.—With respect to foreign military sales to member countries of the North Atlantic Treaty Organization, major non-NATO allies, major defense partners, and major security partners, the Secretary of Defense may assign a Defense Priorities and Allocations System order rating of DX (within the meaning of section 700.11 of title 15, Code of Federal Regulations (as in effect on the date of the enactment of this Act)).

(c) DEFINITIONS.—In this section:

(1) BLANKET-ORDER LETTER OF OFFER AND ACCEPTANCE.—The term ''blanket-order letter of offer and acceptance'' means an agreement between an eligible foreign purchaser and the United States Government for a specific category of items or services (including training) that—

(A) does not include a definitive listing of items or quantities; and

(B) specifies a maximum dollar amount against which orders for defense articles and services may be placed.

(2) COOPERATIVE LOGISTICS SUPPLY SUPPORT ARRANGEMENT.—The term ''cooperative logistics supply support arrangement'' means a military logistics support arrangement designed to provide responsive and continuous supply support at the depot level for United States-made military materiel possessed by foreign countries or international organizations.

(3) DEFINED-ORDER LETTER OF OFFER AND ACCEPTANCE.—The term ''defined-order letter of offer and acceptance'' means a foreign military sales case characterized by an order for a specific defense article or service that is separately identified as a line item on a letter of offer and acceptance.

(4) IMPLEMENTING AGENCY.—The term ''implementing agency'' means the military department or defense agency assigned, by the Director of the Defense Security Cooperation Agency, the responsibilities of—

(A) preparing a letter of offer and acceptance;

(B) implementing a foreign military sales case; and

(C) carrying out the overall management of the activities that—

(i) will result in the delivery of the defense articles or services set forth in the letter of offer and acceptance; and

(ii) was accepted by an eligible foreign purchaser.

(5) LETTER OF REQUEST.—The term ''letter of request''—

(A) means a written document—

(i) submitted to a United States security cooperation organization, the Defense Security Cooperation Agency, or an implementing agency by an eligible foreign purchaser for the purpose of requesting to purchase or otherwise obtain a United States defense article or defense service through the foreign military sales process; and

(ii) that contains all relevant information in such form as may be required by the Secretary of Defense; and

(B) includes—

(i) a formal letter;

(ii) an e-mail;

(iii) signed meeting minutes from a recognized official of the government of an eligible foreign purchaser; and

(iv) any other form of written document, as determined by the Secretary of Defense or the Director of the Defense Security Cooperation Agency.

(6) MAJOR DEFENSE PARTNER.—The term ''major defense partner'' means—

(A) India; and

(B) any other country, as designated by the Secretary of Defense.

(7) MAJOR NON-NATO ALLY.—The term ''major non-NATO ally''—

(A) has the meaning given the term in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403)); and

(B) includes Taiwan, as required by section 1206 of the Security Assistance Act of 2002 (Public Law 107–228; 22U.S.C. 2321k note).

(8) MAJOR SECURITY PARTNER.—The term ''major security partner'' means—

(A) the United Arab Emirates;

(B) Bahrain;

(C) Saudi Arabia; and

(D) any other country, as designated by the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence.

SEC. 1399L. ENDING CHINA'S DEVELOPING NATION STATUS.

(a) SHORT TITLE.—This section may be cited as the ''Ending China's Developing Nation Status Act''.

(b) FINDING; STATEMENT OF POLICY.—

(1) FINDING.—Congress finds that the People's Republic of China is still classified as a developing nation under multiple treaties and international organization structures, even though China has grown to be the second largest economy in the world.

(2) STATEMENT OF POLICY.—It is the policy of the United States—

(A) to oppose the labeling or treatment of the People's Republic of China as a developing nation in current and future treaty negotiations and in each international organization of which the United States and the People's Republic of China are both current members;

(B) to pursue the labeling or treatment of the People's Republic of China as a developed nation in each international organization of which the United States and the People's Republic of China are both current members; and

(C) to work with allies and partners of the United States to implement the policies described in paragraphs (1) and (2).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives with respect to—

(i) reports produced by the Secretary of State; and

(ii) a waiver exercised pursuant to subsection (f)(2), except with respect to any international organization for which the United States Trade Representative is the chief representative of the United States; and

(B) the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to—

(i) reports produced by the United States Trade Representative; and

(ii) a waiver exercised pursuant to subsection (f)(2) with respect to any international organization for which the United States Trade Representative is the chief representative of the United States.

(2) SECRETARY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''Secretary'' means the Secretary of State.

(B) EXCEPTION.—The term ''Secretary'' shall mean the United States Trade Representative with respect to any international organization for which the United States Trade Representative is the chief representative of the United States.

(d) REPORT ON DEVELOPMENT STATUS IN CURRENT TREATY NEGOTIATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(1) identifies all current treaty negotiations in which—

(A) the proposed treaty would provide for different treatment or standards for enforcement of the treaty based on respective development status of the states that are party to the treaty; and

(B) the People's Republic of China is actively participating in the negotiations, or it is reasonably foreseeable that the People's Republic of China would seek to become a party to the treaty; and

(2) for each treaty negotiation identified pursuant to paragraph (1), describes how the treaty under negotiation would provide different treatment or standards for enforcement of the treaty based on development status of the states parties.

(e) REPORT ON DEVELOPMENT STATUS IN EXISTING ORGANIZATIONS AND TREATIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress that—

(1) identifies all international organizations or treaties, of which the United States is a member, that provide different treatment or standards for enforcement based on the respective development status of the member states or states parties;

(2) describes the mechanisms for changing the country designation for each relevant treaty or organization; and

(3) for each of the organizations or treaties identified pursuant to paragraph (1)—

(A) includes a list of countries that—

(i) are labeled as developing nations or receive the benefits of a developing nation under the terms of the organization or treaty; and

(ii) meet the World Bank classification for upper middle income or high-income countries; and

(B) describes how the organization or treaty provides different treatment or standards for enforcement based on development status of the member states or states parties.

(f) MECHANISMS FOR CHANGING DEVELOPMENT STATUS.—

(1) IN GENERAL.—In any international organization of which the United States and the People's Republic of China are both current members, the Secretary, in consultation with allies and partners of the United States, shall pursue—

(A) changing the status of the People's Republic of China from developing nation to developed nation if a mechanism exists in such organization to make such status change; or

(B) proposing the development of a mechanism described in paragraph (1) to change the status of the People's Republic of China in such organization from developing nation to developed nation.

(2) WAIVER.—The President may waive the application of subparagraph (A) or (B) of paragraph (1) with respect to any international organization if the President notifies the appropriate committees of Congress that such a waiver is in the national interests of the United States.

SEC. 1399M. SHARING OF INFORMATION WITH RESPECT TO SUSPECTED VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

Section 628A of the Tariff Act of 1930 (19 U.S.C. 1628a) is amended—

(1) in subsection (a)(1), by inserting '', packing materials, shipping containers,'' after ''its packaging'' each place it appears; and

(2) in subsection (b)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) any other party with an interest in the merchandise, as determined appropriate by the Commissioner.''.

SEC. 1399N. FOREIGN PORT SECURITY ASSESSMENTS.

(a) SHORT TITLE.—This section may be cited as the ''International Port Security Enforcement Act''.

(b) IN GENERAL.—Section 70108 of title 46, United States Code, is amended—

(1) in subsection (f)—

(A) in paragraph (1), by striking ''provided that'' and all that follows and inserting the following: ''if—

''(A) the Secretary certifies that the foreign government or international organization—

''(i) has conducted the assessment in accordance with subsection (b); and

''(ii) has provided the Secretary with sufficient information pertaining to its assessment (including information regarding the outcome of the assessment); and

''(B) the foreign government that conducted the assessment is not a state sponsor of terrorism (as defined in section 3316(h).''; and

(B) by amending paragraph (3) to read as follows:

''(3) LIMITATIONS.—Nothing in this section may be construed—

''(A) to require the Secretary to treat an assessment conducted by a foreign government or an international organization as an assessment that satisfies the requirement under subsection (a);

''(B) to limit the discretion or ability of the Secretary to conduct an assessment under this section;

''(C) to limit the authority of the Secretary to repatriate aliens to their respective countries of origin; or

''(D) to prevent the Secretary from requesting security and safety measures that the Secretary considers necessary to safeguard Coast Guard personnel during the repatriation of aliens to their respective countries of origin.''; and

(2) by adding at the end the following:

''(g) STATE SPONSORS OF TERRORISM AND INTERNATIONAL TERRORIST ORGANIZATIONS.—The Secretary—

''(1) may not enter into an agreement under subsection (f)(2) with—

''(A) a foreign government that is a state sponsor of terrorism; or

''(B) a foreign terrorist organization; and

''(2) shall—

''(A) deem any port that is under the jurisdiction of a foreign government that is a state sponsor of terrorism as not having effective antiterrorism measures for purposes of this section and section 70109; and

''(B) immediately apply the sanctions described in section 70110(a) to such port.''.

SEC. 1399O. LEGAL PREPAREDNESS FOR SERVICEMEMBERS ABROAD.

(a) REVIEW REQUIRED.—Not later than December 31, 2024, the Secretary of State, in coordination with the Secretary of Defense, shall—

(1) review the 10 largest foreign countries by United States Armed Forces presence and evaluate local legal systems, protections afforded by bilateral agreements between the United States and countries being evaluated, and how the rights and privileges afforded under such agreements may differ from United States law; and

(2) 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 findings of the review.

(b) TRAINING REQUIRED.—The Secretary of Defense shall review and improve as necessary training and educational materials for members of the Armed Forces, their spouses, and dependents, as appropriate, who are stationed in a country reviewed pursuant to subsection (a)(1) regarding relevant foreign laws, how such foreign laws may differ from the laws of the United States, and the rights of accused in common scenarios under such foreign laws.

(c) TRANSLATION STANDARDS AND READINESS.—The Secretary of Defense, in coordination with the Secretary of State, shall review foreign language standards for servicemembers and employees of the Department of Defense and Department of State who are responsible for providing foreign language translation services in situations involving foreign law enforcement

where a servicemember may be being detained, to ensure such persons maintain an appropriate proficiency in the legal terminology and meaning of essential terms in a relevant language.

Subtitle H—Limitation on Withdrawal From NATO

SEC. 1399AA. OPPOSITION OF CONGRESS TO SUSPENSION, TERMINATION, DENUNCIATION, OR WITHDRAWAL FROM NORTH ATLANTIC TREATY.

The President shall not suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty, done at Washington, DC, April 4, 1949, except by and with the advice and consent of the Senate, provided that two-thirds of the Senators present concur, or pursuant to an Act of Congress.

SEC. 1399BB. LIMITATION ON THE USE OF FUNDS.

No funds authorized or appropriated by any Act may be used to support, directly or indirectly, any decision on the part of any United States Government official to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty, done at Washington, DC, April 4, 1949, until such time as both the Senate and the House of Representatives pass, by an affirmative vote of two-thirds of Members, a joint resolution approving the withdrawal of the United States from the treaty, or pursuant to an Act of Congress.

SEC. 1399CC. NOTIFICATION OF TREATY ACTION.

(a) CONSULTATION.—Prior to the notification described in subsection (b), the President shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives in relation to any initiative to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty.

(b) NOTIFICATION.—The President shall notify the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives in writing of any deliberation or decision to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty, as soon as possible but in no event later than 180 days prior to taking such action.

SEC. 1399DD. AUTHORIZATION OF LEGAL COUNSEL TO REPRESENT CONGRESS.

(a) IN GENERAL.—By adoption of a resolution of the Senate or the House of Representatives, respectively, the Senate Legal Counsel or the General Counsel to the House of Representatives may be authorized to initiate, or intervene in, in the name of the Senate or the House of Representatives, as the case may be, independently, or jointly, any judicial proceedings in any Federal court of competent jurisdiction in order to oppose any action to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty in a manner inconsistent with this subtitle.

(b) CONSIDERATION.—Any resolution or joint resolution introduced relating to any action to suspend, terminate, denounce or withdraw the United States from the North Atlantic Treaty and introduced pursuant to section 4(a) of this title shall be considered in accordance with the procedures of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765).

SEC. 1399EE. REPORTING REQUIREMENT.

Any legal counsel operating pursuant to section 1299R shall report as soon as practicable to the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives with respect to any judicial proceedings which the Senate Legal Counsel or the General Counsel to the House of Representatives, as the case may be, initiates or in which it intervenes pursuant to section 1299R.

SEC. 1399FF. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to authorize, imply, or otherwise indicate that the President may suspend, terminate, denounce, or withdraw from any treaty to which the Senate has provided its advice and consent without the advice and consent of the Senate to such act or pursuant to an Act of Congress.

SEC. 1399GG. SEVERABILITY.

If any provision of this subtitle or the application of such provision is held by a Federal court to be unconstitutional, the remainder of this subtitle and the application of such provisions to any other person or circumstance shall not be affected thereby.

SEC. 1399HH. DEFINITIONS.

In this subtitle, the terms ''withdrawal'', ''denunciation'', ''suspension'', and ''termination'' have the meaning given the terms in the Vienna Convention on the Law of Treaties, concluded at Vienna May 23, 1969.

Subtitle I—Combating Global Corruption

SEC. 1399AAA. SHORT TITLE.

This subtitle may be cited as the ''Combating Global Corruption Act''.

SEC. 1399BBB. DEFINITIONS.

In this subtitle:

(1) CORRUPT ACTOR.—The term ''corrupt actor'' means—

(A) any foreign person or entity that is a government official or government entity responsible for, or complicit in, an act of corruption; and

(B) any company, in which a person or entity described in subparagraph (A) has a significant stake, which is responsible for, or complicit in, an act of corruption.

(2) CORRUPTION.—The term ''corruption'' means the unlawful exercise of entrusted public power for private gain, including by bribery, nepotism, fraud, or embezzlement.

(3) SIGNIFICANT CORRUPTION.—The term ''significant corruption'' means corruption committed at a high level of government that has some or all of the following characteristics:

(A) Illegitimately distorts major decisionmaking, such as policy or resource determinations, or other fundamental functions of governance.

(B) Involves economically or socially large-scale government activities.

SEC. 1399CCC. PUBLICATION OF TIERED RANKING LIST.

(a) IN GENERAL.—The Secretary of State shall annually publish, on a publicly accessible website, a tiered ranking of all foreign countries.

(b) TIER 1 COUNTRIES.—A country shall be ranked as a tier 1 country in the ranking published under subsection (a) if the government of such country is complying with the minimum standards set forth in section 1299R.

(c) TIER 2 COUNTRIES.—A country shall be ranked as a tier 2 country in the ranking published under subsection (a) if the government of such country is making efforts to comply with the minimum standards set forth in section 1299R, but is not achieving the requisite level of compliance to be ranked as a tier 1 country.

(d) TIER 3 COUNTRIES.—A country shall be ranked as a tier 3 country in the ranking published under subsection (a) if the government of such country is making de minimis or no efforts to comply with the minimum standards set forth in section 1299R.

SEC. 1399DDD. MINIMUM STANDARDS FOR THE ELIMINATION OF CORRUPTION AND ASSESSMENT OF EFFORTS TO COMBAT CORRUPTION.

(a) IN GENERAL.—The government of a country is complying with the minimum standards for the elimination of corruption if the government—

(1) has enacted and implemented laws and established government structures, policies, and practices that prohibit corruption, including significant corruption;

(2) enforces the laws described in paragraph (1) by punishing any person who is found, through a fair judicial process, to have violated such laws;

(3) prescribes punishment for significant corruption that is commensurate with the punishment prescribed for serious crimes; and

(4) is making serious and sustained efforts to address corruption, including through prevention.

(b) FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT CORRUPTION.—In determining whether a government is making serious and sustained efforts to address corruption, the Secretary of State shall consider, to the extent relevant or appropriate, factors such as—

(1) whether the government of the country has criminalized corruption, investigates and prosecutes acts of corruption, and convicts and sentences persons responsible for such acts over which it has jurisdiction, including, as appropriate, incarcerating individuals convicted of such acts;

(2) whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate corruption, including nationals of the country who are deployed in foreign military assignments, trade delegations abroad, or other similar missions, who engage in or facilitate significant corruption;

(3) whether the government of the country has adopted measures to prevent corruption, such as measures to inform and educate the public, including potential victims, about the causes and consequences of corruption;

(4) what steps the government of the country has taken to prohibit government officials from participating in, facilitating, or condoning corruption, including the investigation, prosecution, and conviction of such officials;

(5) the extent to which the country provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat corruption, including reporting, investigating, and monitoring;

(6) whether an independent judiciary or judicial body in the country is responsible for, and effectively capable of, deciding corruption cases impartially, on the basis of facts and in accordance with the law, without any improper restrictions, influences, inducements, pressures, threats, or interferences (direct or indirect);

(7) whether the government of the country is assisting in international investigations of transnational corruption networks and in other cooperative efforts to combat significant corruption, including, as appropriate, cooperating with the governments of other countries to extradite corrupt actors;

(8) whether the government of the country recognizes the rights of victims of corruption, ensures their access to justice, and takes steps to prevent victims from being further victimized or persecuted by corrupt actors, government officials, or others;

(9) whether the government of the country protects victims of corruption or whistleblowers from reprisal due to such persons having assisted in exposing corruption, and

refrains from other discriminatory treatment of such persons;

(10) whether the government of the country is willing and able to recover and, as appropriate, return the proceeds of corruption;

(11) whether the government of the country is taking steps to implement financial transparency measures in line with the Financial Action Task Force recommendations, including due diligence and beneficial ownership transparency requirements;

(12) whether the government of the country is facilitating corruption in other countries in connection with state-directed investment, loans or grants for major infrastructure, or other initiatives; and

(13) such other information relating to corruption as the Secretary of State considers appropriate.

(c) ASSESSING GOVERNMENT EFFORTS TO COMBAT CORRUPTION IN RELATION TO RELEVANT INTERNATIONAL COMMITMENTS.—In determining whether a government is making serious and sustained efforts to address corruption, the Secretary of State shall consider the government of a country's compliance with the following, as relevant:

(1) The Inter-American Convention against Corruption of the Organization of American States, done at Caracas March 29, 1996.

(2) The Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organisation of Economic Co-operation and Development, done at Paris December 21, 1997 (commonly referred to as the ''Anti-Bribery Convention'').

(3) The United Nations Convention against Transnational Organized Crime, done at New York November 15, 2000.

(4) The United Nations Convention against Corruption, done at New York October 31, 2003.

(5) Such other treaties, agreements, and international standards as the Secretary of State considers appropriate.

SEC. 1399EEE. IMPOSITION OF SANCTIONS UNDER GLOBAL MAGNITSKY HUMAN RIGHTS ACCOUNTABILITY ACT.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of the Treasury, should evaluate whether there are foreign persons engaged in significant corruption for the purposes of potential imposition of sanctions under the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note)—

(1) in all countries identified as tier 3 countries under section 1299Q(d); or

(2) in relation to the planning or construction or any operation of the Nord Stream 2 pipeline.

(b) REPORT REQUIRED.—Not later than 180 days after publishing the list required by section 1299Q(a) and annually thereafter, the Secretary of State shall submit to the committees specified in subsection (e) a report that includes—

(1) a list of foreign persons with respect to which the President imposed sanctions pursuant to the evaluation under subsection (a);

(2) the dates on which such sanctions were imposed;

(3) the reasons for imposing such sanctions; and

(4) a list of all foreign persons that have been engaged in significant corruption in relation to the planning, construction, or operation of the Nord Stream 2 pipeline.

(c) FORM OF REPORT.—Each report required by subsection (b) shall be submitted in unclassified form but may include a classified annex.

(d) BRIEFING IN LIEU OF REPORT.—The Secretary of State, in coordination with the Secretary of the Treasury, may (except with respect to the list required by subsection (b)(4)) provide a briefing to the committees specified in subsection (e) instead of submitting a written report required under subsection (b), if doing so would better serve existing United States anti-corruption efforts or the national interests of the Untied States.

(e) TERMINATION OF REQUIREMENTS RELATING TO NORD STREAM 2.—The requirements under subsections (a)(2) and (b)(4) shall terminate on the date that is 5 years after the date of the enactment of this Act.

(f) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives.

SEC. 1399FFF. DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.

(a) IN GENERAL.—The Secretary of State shall annually designate an anti-corruption point of contact at the United States diplomatic post to each country identified as tier 2 or tier 3 under section 1299Q, or which the Secretary otherwise determines is in need of such a point of contact. The point of contact shall be the chief of mission or the chief of mission's designee.

(b) RESPONSIBILITIES.—Each anti-corruption point of contact designated under subsection (a) shall be responsible for enhancing coordination and promoting the implementation of a whole-of-government approach among the relevant Federal departments and agencies undertaking efforts to—

(1) promote good governance in foreign countries; and

(2) enhance the ability of such countries—

(A) to combat public corruption; and

(B) to develop and implement corruption risk assessment tools and mitigation strategies.

(c) TRAINING.—The Secretary of State shall implement appropriate training for anti-corruption points of contact designated under subsection (a).

Subtitle J—International Children With Disabilities Protection

SEC. 1399AAAA. SHORT TITLE.

This subtitle may be cited as the ''International Children with Disabilities Protection Act of 2023''.

SEC. 1399BBBB. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) stigma and discrimination against children with disabilities, particularly intellectual and other developmental disabilities, and lack of support for community inclusion have left people with disabilities and their families economically and socially marginalized;

(2) organizations of persons with disabilities and family members of persons with disabilities are often too small to apply for or obtain funds from domestic or international sources or ineligible to receive funds from such sources;

(3) as a result of the factors described in paragraphs (1) and (2), key stakeholders have often been left out of public policymaking on matters that affect children with disabilities; and

(4) financial support, technical assistance, and active engagement of persons with disabilities and their families is needed to ensure the development of effective policies that protect families, ensure the full inclusion in society of children with disabilities, and promote the ability of persons with disabilities to live in the community with choices equal to others.

SEC. 1399CCCC. DEFINITIONS.

In this subtitle:

(1) DEPARTMENT.—The term ''Department'' means the Department of State.

(2) ELIGIBLE IMPLEMENTING PARTNER.—The term ''eligible implementing partner'' means a nongovernmental organization or other civil society organization that—

(A) has the capacity to administer grants directly or through subgrants that can be effectively used by local organizations of persons with disabilities; and

(B) has international expertise in the rights of persons with disabilities, including children with disabilities and their families.

(3) ORGANIZATION OF PERSONS WITH DISABILITIES.—The term ''organization of persons with disabilities'' means a nongovernmental civil society organization run by and for persons with disabilities and families of children with disabilities.

SEC. 1399DDDD. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) assist partner countries in developing policies and programs that recognize, support, and protect the civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities, including children, such that the latter may grow and thrive in supportive family environments and make the transition to independent living as adults;

(2) promote the development of advocacy and leadership skills among persons with disabilities and their families in a manner that enables effective civic engagement, including at the local, national, and regional levels, and promote policy reforms and programs that support full economic and civic inclusion of persons with disabilities and their families;

(3) promote the development of laws and policies that—

(A) strengthen families and protect against the unnecessary institutionalization of children with disabilities; and

(B) create opportunities for children and youth with disabilities to access the resources and support needed to achieve their full potential to live independently in the community with choices equal to others;

(4) promote the participation of persons with disabilities and their families in advocacy efforts and legal frameworks to recognize, support, and protect the civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities; and

(5) promote the sustainable action needed to bring about changes in law, policy, and programs to ensure full family inclusion of children with disabilities and the transition of children with disabilities to independent living as adults.

SEC. 1399EEEE. INTERNATIONAL CHILDREN WITH DISABILITIES PROTECTION PROGRAM AND CAPACITY BUILDING.

(a) INTERNATIONAL CHILDREN WITH DISABILITIES PROTECTION PROGRAM.—

(1) IN GENERAL.—There is authorized to be established within the Department of State a program to be known as the ''International Children with Disabilities Protection Program'' (in this section referred to as the ''Program'') to carry out the policy described in [section __4].

(2) CRITERIA.—In carrying out the Program under this section, the Secretary of State, in consultation with leading civil society groups with expertise in the protection of civil and political rights of and enjoyment of fundamental freedoms by persons with disabilities, may establish criteria for priority activities under the Program in selected countries.

(3) DISABILITY INCLUSION GRANTS.—The Secretary of State may award grants to eligible implementing partners to administer grant amounts directly or through subgrants.

(4) SUBGRANTS.—An eligible implementing partner that receives a grant under paragraph (3) should provide subgrants and, in doing so, shall prioritize local organizations of persons with disabilities working within a focus country or region to advance the policy described in [section __4].

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Of funds made available in fiscal years 2024 through 2029 to carry out the purposes of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq), there are authorized to be appropriated to carry out this subtitle amounts as follows:

(A) $2,000,000 for fiscal year 2024.

(B) $5,000,000 for each of fiscal years 2025 through 2029.

(2) CAPACITY-BUILDING AND TECHNICAL ASSISTANCE PROGRAMS.—Of the amounts authorized to be appropriated by paragraph (1), not less than $1,000,000 for each of fiscal years 2024 through 2029 should be available for capacity-building and technical assistance programs to—

(A) develop the leadership skills of persons with disabilities, legislators, policymakers, and service providers in the planning and implementation of programs to advance the policy described in [section __4];

(B) increase awareness of successful models of the promotion of civil and political rights and fundamental freedoms, family support, and economic and civic inclusion among organizations of persons with disabilities and allied civil society advocates, attorneys, and professionals to advance the policy described in [section __4]; and

(C) create online programs to train policymakers, advocates, and other individuals on successful models to advance reforms, services, and protection measures that enable children with disabilities to live within supportive family environments and become full participants in society, which—

(i) are available globally;

(ii) offer low-cost or no-cost training accessible to persons with disabilities, family members of such persons, and other individuals with potential to offer future leadership in the advancement of the goals of family inclusion, transition to independent living as adults, and protection measures for children with disabilities; and

(iii) should be targeted to government policymakers, advocates, and other potential allies and supporters among civil society groups.

SEC. 1399FFFF. ANNUAL REPORT ON IMPLEMENTATION.

(a) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not less frequently than annually through fiscal year 2029, the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report on—

(A) the programs and activities carried out to advance the policy described in [section __4]; and

(B) any broader work of the Department in advancing that policy.

(2) ELEMENTS.—Each report required by paragraph (1) shall include, with respect to each program carried out under [section __5]—

(A) the rationale for the country and program selection;

(B) the goals and objectives of the program, and the kinds of participants in the activities and programs supported;

(C) a description of the types of technical assistance and capacity building provided; and

(D) an identification of any gaps in funding or support needed to ensure full participation of organizations of persons with disabilities or inclusion of children with disabilities in the program.

(3) CONSULTATION.—In preparing each report required by paragraph (1), the Secretary of State shall consult with organizations of persons with disabilities.

SEC. 1399GGGG. PROMOTING INTERNATIONAL PROTECTION AND ADVOCACY FOR CHILDREN WITH DISABILITIES.

(a) SENSE OF CONGRESS ON PROGRAMMING AND PROGRAMS.—It is the sense of Congress that—

(1) all programming of the Department and the United States Agency for International Development related to health systems strengthening, primary and secondary education, and the protection of civil and political rights of persons with disabilities should seek to be consistent with the policy described in [section __4]; and

(2) programs of the Department and the United States Agency for International Development related to children, global health, and education—

(A) should—

(i) engage organizations of persons with disabilities in policymaking and program implementation; and

(ii) support full inclusion of children with disabilities in families; and

(B) should aim to avoid support for residential institutions for children with disabilities except in situations of conflict or emergency in a manner that protects family connections as described in subsection (b).

(b) SENSE OF CONGRESS ON CONFLICT AND EMERGENCIES.—It is the sense of Congress that—

(1) programs of the Department and the United States Agency for International Development serving children in situations of conflict or emergency, among displaced or refugee populations, or in natural disasters should seek to ensure that children with and without disabilities can maintain family ties; and

(2) in situations of emergency, if children are separated from parents or have no family, every effort should be made to ensure that children are placed with extended family, in kinship care, or in an adoptive or foster family.

Subtitle K—Western Hemisphere Partnership Act of 2023

SEC. 1399AAAAA. SHORT TITLE.

This subtitle may be cited as the ''Western Hemisphere Partnership Act of 2023''.

SEC. 1399BBBBB. UNITED STATES POLICY IN THE WESTERN HEMISPHERE.

It is the policy of the United States to promote economic competitiveness, democratic governance, and security in the Western Hemisphere by—

(1) encouraging stronger economic relations, respect for property rights, the rule of law, and enforceable investment rules and labor and environmental standards;

(2) advancing the principles and practices expressed in the Charter of the Organization of American States, the American Declaration on the Rights and Duties of Man, and the Inter-American Democratic Charter; and

(3) enhancing the capacity and technical capabilities of democratic partner nation government institutions, including civilian law enforcement, the judiciary, attorneys general, and security forces.

SEC. 1399CCCCC. PROMOTING SECURITY AND THE RULE OF LAW IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should strengthen security cooperation with democratic partner nations in the Western Hemisphere to promote a secure hemisphere and to address the negative impacts of transnational criminal organizations and malign external state actors.

(b) COLLABORATIVE EFFORTS.—The Secretary of State, in coordination with the heads of other relevant Federal agencies, should support the improvement of security conditions and the rule of law in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) enhance the institutional capacity and technical capabilities of defense and security institutions in democratic partner nations to conduct national or regional security missions, including through regular bilateral and multilateral engagements, foreign military sales and financing, international military education and training programs, expanding the National Guard State Partnership Programs, and other means;

(2) provide technical assistance and material support (including, as appropriate, radars, vessels, and communications equipment) to relevant security forces to disrupt, degrade, and dismantle organizations involved in the illicit trafficking of narcotics and precursor chemicals, transnational criminal activities, illicit mining, and illegal, unreported, and unregulated fishing, and other illicit activities;

(3) enhance the institutional capacity, legitimacy, and technical capabilities of relevant civilian law enforcement, attorneys general, and judicial institutions to—

(A) strengthen the rule of law and transparent governance;

(B) combat corruption and kleptocracy in the region; and

(C) improve regional cooperation to disrupt, degrade, and dismantle transnational organized criminal networks and terrorist organizations, including through training, anticorruption initiatives, anti-money laundering programs, and strengthening cyber capabilities and resources;

(4) enhance port management and maritime security partnerships and airport management and aviation security partnerships to disrupt, degrade, and dismantle transnational criminal networks and facilitate the legitimate flow of people, goods, and services;

(5) strengthen cooperation to improve border security across the Western Hemisphere, dismantle human smuggling and trafficking networks, and increase cooperation to demonstrably strengthen migration management systems;

(6) counter the malign influence of state and non-state actors and disinformation campaigns;

(7) disrupt illicit domestic and transnational financial networks;

(8) foster mechanisms for cooperation on emergency preparedness and rapid recovery from natural disasters, including by—

(A) supporting 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;

(B) training disaster recovery officials on latest techniques and lessons learned from United States experiences;

(C) making available, preparing, and transferring on-hand nonlethal supplies, and providing training on the use of such supplies, for humanitarian or health purposes to respond to unforeseen emergencies; and

(D) conducting medical support operations and medical humanitarian missions, such as hospital ship deployments and base-operating services, to the extent required by the operation;

(9) foster regional mechanisms for early warning and response to pandemics in the Western Hemisphere, including through—

(A) improved cooperation with and research by the United States Centers for Disease Control and Prevention through regional pandemic response centers;

(B) personnel exchanges for technology transfer and skills development; and

(C) surveying and mapping of health networks to build local health capacity;

(10) promote the meaningful participation of women across all political processes, including conflict prevention and conflict resolution and post-conflict relief and recovery efforts; and

(11) hold accountable actors that violate political and civil rights.

(c) LIMITATIONS ON USE OF TECHNOLOGIES.—Operational technologies transferred pursuant to subsection (b) to partner governments for intelligence, defense, or law enforcement purposes shall be used solely for the purposes for which the technology was intended. The United States shall take all necessary steps to ensure that the use of such operational technologies is consistent with United States law, including protections of freedom of expression, freedom of movement, and freedom of association.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other relevant Federal agencies, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a 5-year strategy to promote security and the rule of law in the Western Hemisphere in accordance to this section.

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

(A) A detailed assessment of the resources required to carry out such collaborative efforts.

(B) Annual benchmarks to track progress and obstacles in undertaking such collaborative efforts.

(C) A public diplomacy component to engage the people of the Western Hemisphere with the purpose of demonstrating that the security of their countries is enhanced to a greater extent through alignment with the United States and democratic values rather than with authoritarian countries such as the People's Republic of China, the Russian Federation, and the Islamic Republic of Iran.

(3) BRIEFING.—Not later than 1 year after submission of the strategy required under paragraph (1), and annually thereafter, the Secretary of State shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a briefing on the implementation of the strategy.

SEC. 1399DDDDD. PROMOTING DIGITALIZATION AND CYBERSECURITY IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support digitalization and expand cybersecurity cooperation in the Western Hemisphere to promote regional economic prosperity and security.

(b) PROMOTION OF DIGITALIZATION AND CYBERSECURITY.—The Secretary of State, in coordination with the heads of other relevant Federal agencies, should promote digitalization and cybersecurity in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) promote digital connectivity and facilitate e-commerce by expanding access to information and communications technology (ICT) supply chains that adhere to high-quality security and reliability standards, including—

(A) to open market access on a national treatment, nondiscriminatory basis; and

(B) to strengthen the cybersecurity and cyber resilience of partner countries;

(2) advance the provision of digital government services (e-government) that, to the greatest extent possible, promote transparency, lower business costs, and expand citizens' access to public services and public information; and

(3) develop robust cybersecurity partnerships to—

(A) promote the inclusion of components and architectures in information and communications technology (ICT) supply chains from participants in initiatives that adhere to high-quality security and reliability standards;

(B) share best practices to mitigate cyber threats to critical infrastructure from ICT architectures by technology providers that supply equipment and services covered under section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601);

(C) effectively respond to cybersecurity threats, including state-sponsored threats; and

(D) to strengthen resilience against cyberattacks and cybercrime.

SEC. 1399EEEEE. PROMOTING ECONOMIC AND COMMERCIAL PARTNERSHIPS IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should enhance economic and commercial ties with democratic partners to promote prosperity in the Western Hemisphere by modernizing and strengthening trade capacity-building and trade facilitation initiatives, encouraging market-based economic reforms that enable inclusive economic growth, strengthening labor and environmental standards, addressing economic disparities of women, and encouraging transparency and adherence to the rule of law in investment dealings.

(b) IN GENERAL.—The Secretary of State, in coordination with the United States Trade Representative, the Chief Executive Officer of the Development Finance Corporation, and the heads of other relevant Federal agencies, should support the improvement of economic conditions in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) facilitate a more open, transparent, and competitive environment for United States businesses and promote robust and comprehensive trade capacity-building and trade facilitation by—

(A) reducing trade and nontariff barriers between the countries in the region, establishing a mechanism for pursuing Mutual Recognition Agreements and Formalized Regulatory Cooperation Agreements in priority sectors of the economy;

(B) establishing a forum for discussing and evaluating technical and other assistance needs to help establish streamlined ''single window'' processes to facilitate movement of goods and common customs arrangements and procedures to lower costs of goods in transit and speed to destination;

(C) building relationships and exchanges between relevant regulatory bodies in the United States and democratic partners in the Western Hemisphere to promote best practices and transparency in rulemaking, implementation, and enforcement, and provide training and assistance to help improve supply chain management in the Western Hemisphere;

(D) establishing regional fora for identifying, raising, and addressing supply chain management issues, including infrastructure needs and strengthening of investment rules and regulatory frameworks;

(E) establishing a dedicated program of trade missions and reverse trade missions to increase commercial contacts and ties between the United States and Western Hemisphere partner countries; and

(F) strengthening labor and environmental standards in the region;

(2) establish frameworks or mechanisms to review and address the long-term financial sustainability and national security implications of foreign investments in strategic sectors or services;

(3) establish competitive and transparent infrastructure project selection and procurement processes that promote transparency, open competition, financial sustainability, and robust adherence to global standards and norms; and

(4) advance robust and comprehensive energy production and integration, including through a more open, transparent, and competitive environment for United States companies competing in the Western Hemisphere, including by—

(A) facilitating further development of integrated regional energy markets;

(B) improving management of grids, including technical capability to ensure the functionality, safe and responsible management, and quality of service of electricity providers, carriers, and management and distribution systems;

(C) facilitating private sector-led development of reliable and affordable power generation capacity;

(D) establishing a process for surveying grid capacity and management focused on identifying electricity service efficiencies and establishing cooperative mechanisms for providing technical assistance for—

(i) grid management, power pricing, and tariff issues;

(ii) establishing and maintaining appropriate regulatory best practices; and

(iii) proposals to establish regional power grids for the purpose of promoting the sale of excess supply to consumers across borders;

(E) assessing the viability and effectiveness of decentralizing power production and transmission and building micro-grid power networks to improve, when feasible, access to electricity, particularly in rural and underserved communities where centralized power grid connections may not be feasible in the short to medium term; and

(F) exploring opportunities to partner with the private sector and multilateral institutions, such as the World Bank and the Inter-American Development Bank, to promote universal access to reliable and affordable electricity in the Western Hemisphere.

SEC. 1399FFFFF. PROMOTING TRANSPARENCY AND DEMOCRATIC GOVERNANCE IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support efforts to strengthen the capacity and legitimacy of democratic institutions and inclusive processes in the Western Hemisphere to promote a more transparent, democratic, and prosperous region.

(b) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development and heads of other relevant Federal agencies, should support transparent, accountable, and democratic governance in the Western Hemisphere through collaborative efforts with democratic partners that—

(1) strengthen the capacity of national electoral institutions to ensure free, fair, and transparent electoral processes, including through pre-election assessment missions, technical assistance, and independent local and international election monitoring and observation missions;

(2) enhance the capabilities of democratically elected national legislatures, parliamentary bodies, and autonomous regulatory institutions to conduct oversight;

(3) strengthen the capacity of subnational government institutions to govern in a transparent, accountable, and democratic

manner, including through training and technical assistance;

(4) combat corruption at local and national levels, including through trainings, cooperation agreements, initiatives aimed at dismantling corrupt networks, and political support for bilateral or multilateral anticorruption mechanisms that strengthen attorneys general and prosecutors' offices;

(5) strengthen the capacity of civil society to conduct oversight of government institutions, build the capacity of independent professional journalism, facilitate substantive dialogue with government and the private sector to generate issue-based policies, and mobilize local resources to carry out such activities;

(6) promote the meaningful and significant participation of women in democratic processes, including in national and subnational government and civil society; and

(7) support the creation of procedures for the Organization of American States (OAS) to create an annual forum for democratically elected national legislatures from OAS member States to discuss issues of hemispheric importance, as expressed in section 4 of the Organization of American States Legislative Engagement Act of 2020 (Public Law 116–343).

SEC. 1399GGGGG. INVESTMENT, TRADE, AND DEVELOPMENT IN AFRICA AND LATIN AMERICA AND THE CARIBBEAN.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa and Latin America and the Caribbean.

(2) FOCUS OF STRATEGY.—The strategy required by paragraph (1) shall focus on increasing exports of United States goods and services to Africa and Latin America and the Caribbean by 200 percent in real dollar value by the date that is 10 years after the date of the enactment of this Act.

(3) CONSULTATIONS.—In developing the strategy required by paragraph (1), the President shall consult with—

(A) Congress;

(B) each agency that is a member of the Trade Promotion Coordinating Committee;

(C) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(D) each agency that participates in the Trade Policy Staff Committee established;

(E) the President's Export Council;

(F) each of the development agencies;

(G) any other Federal agencies with responsibility for export promotion or financing and development; and

(H) the private sector, including businesses, nongovernmental organizations, and African and Latin American and Caribbean diaspora groups.

(4) SUBMISSION TO APPROPRIATE CONGRESSIONAL COMMITTEES.—

(A) STRATEGY.—Not later than 200 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(B) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by paragraph (1).

(b) SPECIAL AFRICA AND LATIN AMERICA AND THE CARIBBEAN EXPORT STRATEGY COORDINATORS.—The Secretary of Commerce shall designate an individual within the Department of Commerce to serve as Special Africa Export Strategy Coordinator and an individual within the Department of Commerce to serve as Special Latin America and the Caribbean Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by subsection (a);

(2) to coordinate developing and implementing the strategy with—

(A) the Trade Promotion Coordinating Committee;

(B) the Director General for the U.S. and Foreign Commercial Service and the Assistant Secretary for Global Markets;

(C) the Assistant United States Trade Representative for African Affairs or the Assistant United States Trade Representative for the Western Hemisphere, as appropriate;

(D) the Assistant Secretary of State for African Affairs or the Assistant Secretary of State for Western Hemisphere Affairs, as appropriate;

(E) the Foreign Agricultural Service of the Department of Agriculture;

(F) the Export-Import Bank of the United States;

(G) the United States International Development Finance Corporation; and

(H) the development agencies; and

(3) considering and reflecting the impact of promotion of United States exports on the economy and employment opportunities of importing country, with a view to improving secure supply chains, avoiding economic disruptions, and stabilizing economic growth in a trade and export strategy.

(c) TRADE MISSIONS TO AFRICA AND LATIN AMERICA AND THE CARIBBEAN.—It is the sense of Congress that, not later than one year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct joint trade missions to Africa and to Latin America and the Caribbean.

(d) TRAINING.—The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the United States International Development Finance Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than one year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country receives that training.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Energy and Commerce of the House of Representatives.

(2) DEVELOPMENT AGENCIES.—The term ''development agencies'' means the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and relevant multilateral development banks.

(3) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(4) TRADE POLICY STAFF COMMITTEE.—The term ''Trade Policy Staff Committee'' means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations.

(5) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established under section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727).

(6) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SEC. 1399HHHHH. SENSE OF CONGRESS ON PRIORITIZING NOMINATION AND CONFIRMATION OF QUALIFIED AMBASSADORS.

It is the sense of Congress that it is critically important that both the President and the Senate play their respective roles to nominate and confirm qualified ambassadors as quickly as possible.

SEC. 1399IIIII. WESTERN HEMISPHERE DEFINED.

In this subtitle, the term ''Western Hemisphere'' does not include Cuba, Nicaragua, or Venezuela.

SEC. 1399JJJJJ. REPORT ON EFFORTS TO CAPTURE AND DETAIN UNITED STATES CITIZENS AS HOSTAGES.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on efforts by the Maduro regime of Venezuela to detain United States citizens and lawful permanent residents.

(b) ELEMENTS.—The report required by subsection (a) shall include, regarding the arrest, capture, detainment, and imprisonment of United States citizens and lawful permanent residents—

(1) the names, positions, and institutional affiliation of Venezuelan individuals, or those acting on their behalf, who have engaged in such activities;

(2) a description of any role played by transnational criminal organizations, and an identification of such organizations; and

(3) where relevant, an assessment of whether and how United States citizens and lawful permanent residents have been lured to Venezuela.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but shall include a classified annex, which shall include a list of the total number of United States citizens and lawful permanent residents detained or imprisoned in Venezuela as of the date on which the report is submitted.

TITLE XIV—COOPERATIVE THREAT REDUCTION

SEC. 1401. COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $350,999,000 authorized to be appropriated to the Department of Defense for fiscal year 2024 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, $6,815,000.

(2) For chemical weapons destruction, $16,400,000.

(3) For global nuclear security, $19,406,000.

(4) For cooperative biological engagement, $228,030,000.

(5) For proliferation prevention, $46,324,000.

(6) For activities designated as Other Assessments/Administrative Costs, $34,024,000.

(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 2024, 2025, and 2026.

TITLE XV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1501. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2024 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. 1502. 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 2024 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. 1503. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 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. 1504. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1505. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2024 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. 1511. RECOVERY OF RARE EARTH ELEMENTS AND OTHER STRATEGIC AND CRITICAL MATERIALS THROUGH END-OF-LIFE EQUIPMENT RECYCLING.

The Secretary of Defense shall establish policies and procedures—

(1) to identify end-of-life equipment of the Department of Defense that contains rare earth elements and other materials determined pursuant to section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)) to be strategic and critical materials; and

(2) to identify, establish, and implement policies and procedures to recover such materials from such equipment for the purposes of reuse by the Department of Defense.

SEC. 1512. IMPROVEMENTS TO STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) PURPOSES.—Section 2 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a) is amended by adding at the end the following new subsection:

''(d) To the maximum extent practicable and to reduce the reliance of the National Defense Stockpile program on appropriated funds, the National Defense Stockpile Manager shall seek to achieve positive cash flows from the recovery of strategic and critical materials pursuant to section 6(a)(5).''.

(b) STOCKPILE MANAGEMENT.—Section 6 of such Act (50 U.S.C. 98e) is amended—

(1) in subsection (a)(5), by striking ''from excess'' and all that follows and inserting ''from other Federal agencies, either directly as materials or embedded in excess-to-need, end-of-life items, or waste streams;'';

(2) in subsection (c)(1), by striking ''subsection (a)(5) or (a)(6)'' and inserting ''subsection (a)(6) or (a)(7)'';

(3) in subsection (d)(2), by striking ''subsection (a)(5)'' and inserting ''subsection (a)(6)''; and

(4) by adding at the end the following new subsections:

''(g)(1) The National Defense Stockpile Manager shall establish a pilot program to use, to the maximum extent practicable, commercial best practices in the acquisition and disposal of strategic and critical materials for the stockpile.

''(2)(A) The Stockpile Manager shall brief the congressional defense committees (as defined in section 101(a) of title 10, United States Code)—

''(i) as soon as practicable after the establishment of the pilot program under paragraph (1); and

''(ii) annually thereafter until the termination of the pilot program under paragraph (3).

''(B) The briefing required by subparagraph (A)(i) shall address—

''(i) the commercial best practices selected for use under the pilot program;

''(ii) how the Stockpile Manager determined which commercial best practices to select; and

''(iii) the plan of the Stockpile Manager for using such practices.

''(C) Each briefing required by subparagraph (A)(ii) shall provide a summary of—

''(i) how the Stockpile Manager has used commercial best practices under the pilot program during the year preceding the briefing;

''(ii) how many times the Stockpile Manager has used such practices;

''(iii) the outcome of each use of such practices; and

''(iv) any savings achieved or lessons learned as a result of the use of such practices.

''(3) The pilot program established under paragraph (1) shall terminate effective on the date that is 5 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.

''(h) Unless otherwise necessary for national defense, the National Defense Stockpile Manager shall implement recovery programs under subsection (a)(5) to be cash flow positive.''.

(c) DEVELOPMENT AND CONSERVATION OF RELIABLE SOURCES.—

(1) IN GENERAL.—Section 15 of such Act (50 U.S.C. 98h–6) is amended to read as follows:

''SEC. 15. DEVELOPMENT AND CONSERVATION OF RELIABLE SOURCES.

''(a) DUTIES.—Subject to subsection (c), the National Defense Stockpile Manager shall encourage the development and appropriate conservation of reliable sources of strategic and critical materials—

''(1) by purchasing, or making a commitment to purchase, strategic and critical materials from reliable sources when such materials are needed for the stockpile;

''(2) by contracting with facilities located in and owned and controlled by reliable sources, or making a commitment to contract with such facilities, for the processing or refining of strategic and critical materials in the stockpile when processing or refining is necessary to convert such materials into a form more suitable for storage or disposition or meeting stockpile requirements;

''(3) by qualifying facilities located in and owned and controlled by reliable sources, or qualifying strategic and critical materials produced by such facilities, to meet stockpile requirements;

''(4) by contracting with facilities located in and owned and controlled by reliable sources to recycle strategic and critical materials to meet stockpile requirements or increase the balance of the National Defense Stockpile Transaction Fund under section 9; and

''(5) by entering into an agreement to co-fund a bankable feasibility study for a project for the development of strategic and critical materials located in and owned and controlled by a reliable source, if the agreement—

''(A) limits the liability of the stockpile to not more than the total funding provided by the Federal Government;

''(B) limits the funding contribution of the Federal Government to not more than 50 percent of the cost of the bankable feasibility study; and

''(C) does not obligate the Federal Government to purchase strategic and critical materials from the reliable source.

''(b) ADDITIONAL AUTHORITIES.—

''(1) EXTENDED CONTRACTING AUTHORITY.—

''(A) IN GENERAL.—The term of a contract or commitment made under subsection (a) may not exceed ten years.

''(B) PREEXISTING CONTRACTS.—A contract entered into before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 for a term of more than ten years may be extended, on or after such date of enactment, for a total of not more than an additional ten years pursuant to any option or options set forth in the contract.

''(2) MATTERS RELATING TO CO-FUNDING OF BANKABLE FEASIBILITY STUDIES.—To the extent authorized by Congress pursuant to the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and determined to be required by the President pursuant to that Act, the National Defense Stockpile Manager may provide for loans or procure debt issued by other entities to carry out a project for the development of strategic and critical materials under subsection (a)(5).

''(c) PROPOSED TRANSACTIONS INCLUDED IN ANNUAL MATERIALS PLAN.—Descriptions of proposed transactions under subsection (a) shall be included in the Annual Materials and Operations Plan. Changes to any such transaction, or the addition of a transaction not included in such plan, shall be made in accordance with section 5.

''(d) AVAILABILITY OF FUNDS.—The authority of the National Defense Stockpile Manager to enter into obligations under this section is effective for any fiscal year only to the extent that funds in the National Defense Stockpile Transaction Fund under section 9 are adequate to meet such obligations.

''(e) BANKABLE FEASIBILITY STUDY DEFINED.—In this section, the term 'bankable feasibility study' means a comprehensive technical and economic study—

''(1) of the selected development option for a strategic and critical materials project that includes appropriately detailed assessments of realistically assumed extraction, processing, metallurgical, economic, marketing, legal, environmental, social, and governmental considerations and any other relevant operational factors and detailed financial analysis, that are necessary to demonstrate at the time of reporting that production is reasonably justified; and

''(2) that may reasonably serve as the basis for a final decision by a proponent of a project or financial institution to proceed with, or finance, the development of the project.''.

(2) CONFORMING AMENDMENTS.—

(A) MATERIALS RESEARCH AND DEVELOPMENT.—Section 8(a) of such Act (50 U.S.C. 98g(a)) is amended—

(i) in paragraph (1)(A), by striking ''or in its territories or possessions,'' and inserting ''its territories or possessions, or in a reliable source''; and

(ii) in paragraph (2), by striking ''in order to—'' and all that follows through ''mineral products.'' and inserting the following: ''in order to develop new sources of strategic and critical materials, develop substitutes, or conserve domestic sources and reliable sources of supply for such strategic and critical materials.''.

(B) DEFINITIONS.—Section 12 of such Act (50 U.S.C. 98h–3) is amended by striking paragraph (3) and inserting the following new paragraph (3):

''(i) The term 'reliable source' mean a citizen or business entity of—

''(I) the United States or any territory or possession of the United States;

''(II) a country of the national technology and industrial base, as defined in section 4801 of title 10, United States Code; or

''(III) a qualifying country, as defined in section 225.003 of the Defense Federal Acquisition Regulation Supplement.''.

(d) TECHNICAL AMENDMENT.—Subsection (e) of section 10 of such Act (50 U.S.C. 98h–1) is amended to read as follows:

''(e) APPLICATION OF PROVISIONS RELATING TO FEDERAL ADVISORY COMMITTEES.—Section 1013 of title 5, United States Code, shall not apply to the Board.''.

SEC. 1513. AUTHORITY TO DISPOSE OF MATERIALS FROM THE NATIONAL DEFENSE STOCKPILE.

Pursuant to section 5(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(b)), the National Defense Stockpile Manager may dispose of the following materials contained in the National Defense Stockpile in the following quantities:

(1) 8 short tons of beryllium.

(2) 154,043 short dry tons of metallurgical grade manganese ore.

(3) 5,000 kilograms of germanium.

(4) 91,413 pounds of pan-based carbon fibers.

(5) Not more than 1,000 short tons of materials transferred from another department or agency of the United States to the National Defense Stockpile under section 4(b) of such Act (50 U.S.C. 98c(b)) that the National Defense Stockpile Manager determines is no longer required for the Stockpile (in addition to any amount of such materials previously authorized for disposal).

SEC. 1514. BEGINNING BALANCES OF THE NATIONAL DEFENSE STOCKPILE TRANSACTION FUND FOR AUDIT PURPOSES.

For purposes of an audit conducted under chapter 9A of title 10, United States Code, of the National Defense Stockpile Transaction Fund established by section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h)—

(1) the ending balance of $313,633,491.15 reported in the Central Accounting Reporting System of the Department of the Treasury for September 30, 2021, is the Fund Balance with Treasury ending balance on that date;

(2) the Total Actual Resources–Collected opening balance for October 1, 2021, for United States Standard General Ledger Account 420100 is $314,548,154.42, as recorded in official accounting records; and

(3) the Unapportioned–Unexpired Authority ending balance for September 30, 2021, for United States Standard General Ledger Account 445000 is $216,976,300.69, as recorded in official accounting records.

Subtitle C—Other Matters

SEC. 1521. 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 by section 1405 and available for the Defense Health Program for operation and maintenance, $172,000,000 may be transferred by the Secretary of Defense to the Joint Department 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).

(b) TREATMENT OF TRANSFERRED FUNDS.—For purposes of subsection (a)(2) of such section 1704, any funds transferred under subsection (a) shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(c) USE OF TRANSFERRED FUNDS.—For 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. 1522. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2024 from the Armed Forces Retirement Home Trust Fund the sum of $77,000,000 for the operation of the Armed Forces Retirement Home.

SEC. 1523. MODIFICATION OF LEASING AUTHORITY OF ARMED FORCES RETIREMENT HOME.

(a) AGREEMENTS; APPROVAL AND NOTIFICATION.—Section 1511(i) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(i)) is amended by adding at the end the following new paragraphs:

''(9) Before entering into a lease described in this subsection, the Chief Operating Officer may enter into an agreement with a potential lessee providing for a period of exclusivity, access, study, or for similar purposes. The agreement shall provide for the payment (in cash or in kind) by the potential lessee of consideration for the agreement unless the Chief Operating Officer determines that payment of consideration will not promote the purpose and financial stability of the Retirement Home or be in the public interest.

''(10) No further approval by the Secretary of Defense, nor notification or report to Congress, shall be required for subordinate leases under this subsection unless the facts or terms of the original lease have materially changed.''.

(b) ADMINISTRATION OF FUNDS.—Section 1511(i)(7) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(i)) is amended—

(1) by inserting ''an agreement with a potential lessee or'' after ''The proceeds from''; and

(2) by striking the period at the end and inserting '', to remain available for obligation and expenditure to finance expenses of the Retirement Home related to the formation and administration of agreements and leases entered into under the provisions of this subsection.''.

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

Subtitle A—Space Activities

SEC. 1601. ACQUISITION STRATEGY FOR PHASE 3 OF THE NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) FISCAL YEARS 2025 THROUGH 2029.—With respect to the acquisition strategy for Phase 3 of the National Security Space Launch program, for fiscal years 2025 through 2029, the Secretary of Defense shall establish—

(1) a low-risk launch program, to be known as ''Lane One'', that consists of an indefinite delivery indefinite quantity acquisition approach based on not fewer than 20 launches so as to encourage the capabilities of new entrants that have conducted not fewer than one previous launch; and

(2) a launch program, similar to the Phase Two National Security Assured Access Launch program, to be known as ''Lane Two'', that meets all National Security Space Launch requirements, with full mission assurance, based on not fewer than 35 launches.

(b) FISCAL YEARS 2027 THROUGH 2029.—With respect to the acquisition strategy for Phase 3 of the National Security Space Launch program, for fiscal years 2027 through 2029, the Secretary of Defense shall establish an accession launch program, to be known as ''Lane Two A'', using the requirements of the program established under subsection (a)(2) based on five launches of GPS Block IIIF satellites or satellites the launches of which are complex, high-energy missions.

SEC. 1602. INITIAL OPERATING CAPABILITY FOR ADVANCED TRACKING AND LAUNCH ANALYSIS SYSTEM AND SYSTEM-LEVEL REVIEW.

(a) ADVANCED TRACKING AND LAUNCH ANALYSIS SYSTEM.—

(1) DATE FOR INITIAL OPERATING CAPABILITY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall—

(A) designate a date for the delivery of the initial operating capability for the Advanced Tracking and Launch Analysis System (ATLAS); and

(B) notify the congressional defense committees of such date.

(2) EFFECT OF FAILURE TO TIMELY DELIVER.—If the initial operating capability for ATLAS is not achieved by the date designated under paragraph (1)(A), the Secretary shall—

(A) terminate the ATLAS program;

(B) designate an alternative program option that provides a comparable capability to the capability intended to be provided by ATLAS; and

(C) not later than 30 days after such date, notify the congressional defense committees with respect to—

(i) such termination;

(ii) the designated alternative program option;

(iii) the justification for selecting such option; and

(iv) the estimated time and total costs to completion of such option.

(b) SYSTEM-LEVEL REVIEW.—

(1) IN GENERAL.—The Secretary shall enter into a contract with a federally funded research and development center under which the federally funded research and development center shall, not less frequently than every 2 years through 2032, conduct a review of the space command and control software acquisition program to assess the ability of such program to build a software framework that integrates multiple aspects of space operations to enable the warfighter to command and control space assets in a time of conflict.

(2) ELEMENTS.—Each review under paragraph (1) shall consider the integration into such software framework of the following:

(A) Sensor data applicable to the command and control of space assets.

(B) Information contained in the Unified Data Library relating to the number and location of space objects.

(C) The ability to control space assets based on such data and information.

(D) Any other matter the Secretary considers necessary.

(3) BRIEFING.—The Secretary shall provide the congressional defense committees with a briefing on the findings of each review under paragraph (1), including—

(A) an assessment of any deficiency identified in the review; and

(B) a plan to address such deficiency in a timely manner.

SEC. 1603. DEPARTMENT OF THE AIR FORCE RESPONSIBILITY FOR SPACE-BASED GROUND AND AIRBORNE MOVING TARGET INDICATION.

(a) IN GENERAL.—The Department of the Air Force shall be responsible for—

(1) serving as the final authority for the tasking of space-based ground and airborne moving target indication systems that—

(A) are primarily or fully funded by the Department of Defense; and

(B) provide near real-time, direct support to satisfy theater operations; and

(2) presenting such capability to the combatant commands to accomplish the warfighting missions of the combatant commands under the Unified Command Plan.

(b) MILESTONE DEVELOPMENT AUTHORITY.—Subject to section 4204 of title 10, United States Code, the Secretary of the Air Force, in consultation with the Director of National Intelligence, shall be the Milestone A approval (as defined in section 4211 of such title) decision authority for space-related acquisition programs for ground and airborne moving target indication collection assets described in subsection (a) that are primarily or fully funded within the Military Intelligence Program.

SEC. 1604. PRINCIPAL MILITARY DEPUTY FOR SPACE ACQUISITION AND INTEGRATION.

Section 9016(b)(6) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) The Assistant Secretary of the Air Force for Space Acquisition and Integration shall have a Principle Military Deputy for Space Acquisition and Integration, who shall be an officer of the Space Force on active duty. The Principal Military Deputy for Space Acquisition and Integration shall be appointed from among officers who have significant experience in the areas of acquisition and program management. The position of Principal Military Deputy for Space Acquisition and Integration shall be designated as a critical acquisition position under section 1731 of this title. In the event of a vacancy in the position of Assistant Secretary of the Air Force for Space Acquisition and Integration, the Principal Military Deputy for Space Acquisition and Integration may serve as Acting Assistant Secretary for Space Acquisition and Integration for a period of not more than one year.''.

SEC. 1605. USE OF MIDDLE TIER ACQUISITION AUTHORITY FOR SPACE DEVELOPMENT AGENCY ACQUISITION PROGRAM.

(a) IN GENERAL.—The Director of the Space Development Agency shall use the middle tier of acquisition authority, consistent with section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 3201 note prec.) and Department of Defense Instruction 5000.80, entitled ''Operation of the Middle Tier of Acquisition (MTA)'' and issued on December 30, 2019 (or a successor instruction), for the rapid fielding of satellites and associated systems for Tranche 1, Tranche 2, and Tranche 3 of the proliferated warfighter space architecture of the Space Development Agency.

(b) RAPID PROTOTYPING AND FIELDING.—Any tranche of satellites or associated systems developed and fielded under subsection (a) shall have a level of maturity that allows such satellites or systems to be rapidly prototyped within an acquisition program or rapidly fielded within five years of the development of an approved requirement.

(c) DESIGNATION AS MAJOR CAPABILITY ACQUISITION.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment may designate a tranche described in subsection (a) as a major capability acquisition program, consistent with Department of Defense Instruction 5000.80, entitled ''Operation of the Middle Tier of Acquisition (MTA)'' and issued on December 30, 2019 (or a successor instruction).

(2) NOTICE TO CONGRESS.—Not later than 90 days before the date on which a designation under paragraph (1) is made, the Under Secretary of Defense for Acquisition and Sustainment shall notify the congressional defense committees of the intent to so designate and provide a justification for such designation.

SEC. 1606. SPECIAL AUTHORITY FOR PROVISION OF COMMERCIAL SPACE LAUNCH SUPPORT SERVICES.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, is amended by inserting after section 2276 the following new section:

''§ 2276a. Special authority for provision of commercial space launch support services

''(a) IN GENERAL.—The Secretary of a military department, pursuant to the authority provided by this section and any other provision of law, may support Federal and commercial space launch capacity on any domestic real property under the control of the Secretary through the provision of space launch support services.

''(b) PROVISION OF LAUNCH EQUIPMENT AND SERVICES TO COMMERCIAL ENTITIES.—

''(1) AGREEMENT AUTHORITY.—

''(A) IN GENERAL.—The Secretary concerned may enter into a contract, or conduct any other transaction, with a commercial entity that intends to conduct space launch activities on a military installation under the jurisdiction of the Secretary, including a contract or other transaction for the provision of supplies, services, equipment, and construction needed for commercial space launch.

''(B) NONDELEGATION.—The Secretary may not delegate the authority provided in subparagraph (A).

''(2) AGREEMENT COSTS.—

''(A) DIRECT COSTS.—A contract entered into, or a transaction conducted, under paragraph (1) shall include a provision that requires the commercial entity entering into the contract or conducting the transaction to reimburse the Department of Defense for all direct costs to the United States that are associated with the goods, services, and equipment provided to the commercial entity under the contract or transaction.

''(B) INDIRECT COSTS.—A contract entered into, or a transaction conducted, under paragraph (1) may—

''(i) include a provision that requires the commercial entity to reimburse the Department of Defense for such indirect costs as the Secretary concerned considers to be fair and reasonable; and

''(ii) provide for the recovery of indirect costs through establishment of a rate, fixed price, or similar mechanism the Secretary concerned considers to be fair and reasonable.

''(3) RETENTION OF FUNDS COLLECTED FROM COMMERCIAL USERS.—Amounts collected from a commercial entity under paragraph (2) shall be credited to the appropriation accounts under which the costs associated with the contract (direct and indirect) were incurred.

''(4) REGULATIONS.—The Secretary shall promulgate regulations to carry out this subsection.

''(c) DEFINITIONS.—In this section:

''(1) SPACE LAUNCH.—The term 'space launch' includes all activities, supplies, equipment, facilities, and services supporting launch preparation, launch, reentry, recovery, and other launch-related activities for the payload and the space transportation vehicle.

''(2) COMMERCIAL ENTITY; COMMERCIAL.—The terms 'commercial entity' and 'commercial' means a non-Federal entity organized under the laws of the United States or of any jurisdiction within the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 135 of title 10, United States Code, is amended by inserting after the item relating to section 2276 the following:

''2276a. Special authority for provision of commercial space launch support services.''.

SEC. 1607. TREATMENT OF POSITIONING, NAVIGATION, AND TIMING RESILIENCY, MODIFICATIONS, AND IMPROVEMENTS PROGRAM AS ACQUISITION CATEGORY 1D PROGRAM.

The Under Secretary of Defense for Acquisition and Sustainment shall treat the Positioning, Navigation, and Timing Resiliency, Modifications, and Improvements program of the Air Force (Program Element 0604201F) as an acquisition category 1D program, and the authority to manage such program may not be delegated.

SEC. 1608. BRIEFING ON CLASSIFICATION PRACTICES AND FOREIGN DISCLOSURE POLICIES REQUIRED FOR COMBINED SPACE OPERATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall provide a briefing to the appropriate committees of Congress on the classification practices and foreign disclosure policies required to enable the development and conduct of combined space operations among the following countries:

(1) Australia.

(2) Canada.

(3) France.

(4) Germany.

(5) New Zealand.

(6) The United Kingdom.

(7) The United States.

(8) Any other ally or partner country, as determined by the Secretary of Defense or the Director of National Intelligence.

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

(1) The military and national intelligence information required to be shared with the countries described in subsection (a) so as to enable the development and conduct combined space operations.

(2) The policy, organizational, or other barriers that currently prevent such information sharing for combined space operations.

(3) The actions being taken by the Department of Defense and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to remove the barriers to such information sharing, and the timeline for implementation of such actions.

(4) Any statutory changes required to remove such barriers.

(5) Any other matter, as determined by the Secretary of Defense or the Director of National Intelligence.

(c) IMPLEMENTATION UPDATE.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall provide a briefing to the appropriate committees of Congress on the implementation of the actions described in subsection (b)(3).

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional defense committees; and

(2) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

SEC. 1609. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS RELATING TO SELECTION OF PERMANENT LOCATION FOR HEADQUARTERS OF UNITED STATES SPACE COMMAND.

(a) LIMITATION ON AVAILABILITY OF FUNDS FOR MILITARY CONSTRUCTION PROJECTS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Air Force may be obligated or expended for a military construction project (as described in section 2801(b) of title 10, United States Code) for the construction or modification of facilities for temporary or permanent use by the United States Space Command for headquarters operations until the report required under subsection (c) is submitted.

(b) LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL EXPENDITURES.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 to the Office of the Secretary of the Air Force for travel expenditures, not more than 50 percent may be obligated or expended until the report required under subsection (c) is submitted.

(c) REPORT.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the justification for the selection of a permanent location for headquarters of the United States Space Command.

Subtitle B—Nuclear Forces

SEC. 1611. 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 for fiscal year 2024 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, sustainment, or replacement of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1612. SENTINEL INTERCONTINENTAL BALLISTIC MISSILE PROGRAM SILO ACTIVITY.

The LGM–35A Sentinel intercontinental ballistic missile program shall refurbish and make operable not fewer than 150 silos for intercontinental ballistic missiles at each of the following locations:

(1) Francis E. Warren Air Force Base, Laramie County, Wyoming.

(2) Malmstrom Air Force Base, Cascade County, Montana.

(3) Minot Air Force Base, Ward County, North Dakota.

SEC. 1613. MATTERS RELATING TO THE ACQUISITION AND DEPLOYMENT OF THE SENTINEL INTERCONTINENTAL BALLISTIC MISSILE WEAPON SYSTEM.

(a) AUTHORITY FOR MULTI-YEAR PROCUREMENT.—Subject to section 3501 of title 10, United States Code, the Secretary of the Air Force may enter into one or more multi-year contracts for the procurement of up to 659 Sentinel intercontinental ballistic missiles and for subsystems associated with such missiles.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Air Force may enter into one or more contracts, beginning in fiscal year 2024, for advance procurement associated with the Sentinel intercontinental ballistic missiles for which authorization to enter into a multi-year procurement contract is provided under subsection (a), and for subsystems associated with such missiles 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 2024 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.—If the total base quantity of Sentinel intercontinental ballistic missiles to be procured through all contracts entered into under subsection (a) is less than 659, the Secretary of the Air Force shall ensure that one or more of the contracts includes a pre-priced option for the procurement of additional Sentinel intercontinental ballistic missiles such that the sum of such base quantity and the number of such missiles that may be procured through the exercise of such options is equal to 659 missiles.

(2) DEFINITIONS.—In this subsection:

(A) BASE QUANTITY.—The term ''base quantity'' means the quantity of Sentinel intercontinental ballistic missiles to be procured under a contract entered into under subsection (a), excluding any quantity of such missiles that may be procured through the exercise of an option that may be part of such contract.

(B) PRE-PRICED OPTION.—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 Air Force to procure a quantity of intercontinental ballistic missiles at a predetermined price specified in such contract.

(e) LIMITATION.—The Secretary of the Air Force may not modify a contract entered into under subsection (a) if the modification would increase the per unit price of the Sentinel intercontinental ballistic missiles by more than 10 percent above the target per unit price specified in the original contract for such missiles under subsection (a).

(f) MODIFICATIONS TO THE INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE.—Section 1638 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (b)(1), by inserting '', who shall report directly to the Commander of Air Force Global Strike Command'' after ''Modernization''; and

(2) by striking subsection (d)(1) and inserting the following:

''(1) WEAPON SYSTEM.—For purposes of nomenclature and acquisition life cycle activities ranging from development through sustainment and demilitarization, each wing level configuration of the LGM–35A Sentinel intercontinental ballistic missile shall be a weapon system.''.

SEC. 1614. PLAN FOR DECREASING THE TIME TO UPLOAD ADDITIONAL WARHEADS TO THE INTERCONTINENTAL BALLISTIC MISSILE FLEET.

(a) IN GENERAL.—The Secretary of the Air Force, in coordination with the Commander of the United States Strategic Command, shall develop a plan to decrease the amount of time required to upload additional warheads to the intercontinental ballistic missile force.

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

(1) An assessment of the storage capacity of weapons storage areas and any weapons generation facilities at covered bases, including the capacity of each covered base to store additional warheads.

(2) An assessment of the current nuclear warhead transportation capacity of the National Nuclear Security Administration and associated timelines for transporting additional nuclear warheads to covered bases.

(3) An evaluation of the capacity of the maintenance squadrons and security forces at covered bases and the associated timelines for adding warheads to the intercontinental ballistic missile force.

(4) An identification of actions that would address any identified limitations and increase the readiness of the intercontinental ballistic missile force to upload additional warheads.

(5) An evaluation of courses of actions to upload additional warheads to a portion of the intercontinental ballistic missile force.

(6) An assessment of the feasibility and advisability of initiating immediate deployment of W78 warheads to a single wing of the intercontinental ballistic missile force as a hedge against delay of the LGM–35A Sentinel intercontinental ballistic missile.

(7) A funding plan for carrying out actions identified in paragraphs (4) and (5).

(c) SUBMISSION TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force and the Commander of the United States Strategic Command shall submit to the congressional defense committees the plan required by subsection (a).

(d) FORM.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) BRIEFING.—Not later than 30 days after the submission of the plan required by subsection (a), the Secretary of the Air Force and the Commander of the United States Strategic Command shall brief the congressional defense committees on the actions being pursued to implement the plan.

(f) COVERED BASE DEFINED.—The term ''covered base'' means the following:

(1) Francis E. Warren Air Force Base, Laramie County, Wyoming.

(2) Malmstrom Air Force Base, Cascade County, Montana.

(3) Minot Air Force Base, Ward County, North Dakota.

SEC. 1615. TASKING AND OVERSIGHT AUTHORITY WITH RESPECT TO INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE FOR SENTINEL PROGRAM.

Section 1638 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by—

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

(2) inserting after subsection (d), the following new subsection (e):

''(e) DELEGATION OF AUTHORITY.—The Secretary of Defense shall—

''(1) not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, delegate to the Commander of the Air Force Global Strike Command such tasking and oversight authorities, as the Secretary considers necessary, with respect to other components of the Department of Defense participating in the Task Force; and

''(2) not later than 30 days after the date of such delegation of authority, notify the congressional defense committees of the delegation.''.

SEC. 1616. LONG-TERM SUSTAINMENT OF SENTINEL ICBM GUIDANCE SYSTEM.

(a) IN GENERAL.—Prior to issuing a Milestone C decision for the program to develop the LGM–35A Sentinel intercontinental ballistic missile system (referred to in this section as the ''Sentinel''), the Under Secretary of Defense for Acquisition and Sustainment shall certify to the congressional defense committees that there is a long-term capability in place to maintain and modernize the guidance system of the Sentinel over the full life cycle of the Sentinel.

(b) CERTIFICATION ELEMENTS.—The certification described in subsection (a) shall include a list of capabilities to maintain and advance—

(1) accelerometers;

(2) gyroscopes;

(3) guidance computers;

(4) specialized mechanical and retaining assemblies;

(5) test equipment; and

(6) such other components to ensure the guidance system will be maintained and modernized over the life of the Sentinel.

SEC. 1617. SENSE OF SENATE ON POLARIS SALES AGREEMENT.

(a) FINDINGS.—The Senate finds the following:

(1) On December 21, 1962, President John F. Kennedy and Prime Minister of the United Kingdom Harold Macmillan met in Nassau, Bahamas, and issued a joint statement (commonly referred to as the ''Statement on Nuclear Defense Systems''), agreeing that the United States would make Polaris missiles available on a continuing basis to the United Kingdom for use in submarines.

(2) On April 6, 1963, Secretary of State Dean Rusk and Her Majesty's Ambassador to the United States David Ormsby-Gore signed the Polaris Sales Agreement, reaffirming the Statement on Nuclear Defense Systems and agreeing that the United States Government shall provide and the Government of the United Kingdom shall purchase from the United States Government Polaris missiles, equipment, and supporting services.

(3) The HMS Resolution launched the first Polaris missile of the United Kingdom on February 15, 1968, and, in 1969, commenced the first strategic deterrent patrol for the United Kingdom, initiating a continuous at-sea deterrent posture for the United Kingdom that remains in effect.

(4) The Polaris Sales Agreement was amended to include the Trident II (D5) strategic weapon system on October 19, 1982, in Washington, D.C., through an exchange of notes between Secretary of State Jonathan Howe and Her Majesty's Ambassador to the United States Oliver Wright.

(5) Through an exchange of letters in 2008 between the Secretary of Defense the Honorable Robert Gates and the Secretary of State for Defence of the United Kingdom the Right Honorable Desmond Browne and under the auspices of the Polaris Sales Agreement, the United States Government and the Government of the United Kingdom agreed to continue cooperation to design a common missile compartment for the follow-on ballistic missile submarines of each nation.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate—

(1) recognizes the 60th anniversary of the Polaris Sales Agreement between the United States and the United Kingdom of Great Britain and Northern Ireland;

(2) congratulates the Royal Navy for steadfastly maintaining the Continuous At-Sea Deterrent;

(3) Recognizes the important contribution of the Continuous At-Sea Deterrent to the North Atlantic Treaty Organization;

(4) reaffirms that the United Kingdom is a valued and special ally of the United States; and

(5) looks forward to continuing and strengthening the shared commitment of the United States and the United Kingdom to sustain submarine-based strategic deterrents well into the future.

SEC. 1618. MATTERS RELATING TO THE NUCLEAR-ARMED SEA-LAUNCHED CRUISE MISSILE.

(a) PROGRAM TREATMENT.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) establish a program for the development of a nuclear-armed, sea-launched cruise missile capability;

(2) designate such program as an acquisition category 1D program, to be managed consistent with the provisions of Department of Defense Instruction 5000.85 (relating to major capability acquisition);

(3) initiate a nuclear weapon project for the W80–4 ALT warhead, at phase 6.2 of the phase 6.X process (relating to feasibility study and down select), to align with the program described in paragraph (1);

(4) submit to the National Nuclear Security Administration a formal request, through the Nuclear Weapons Council, for participation in and support for the W80–4 ALT warhead project; and

(5) designate the Department of the Navy as the military department to lead the W80–4 ALT nuclear weapon program for the Department of Defense.

(b) INITIAL OPERATIONAL CAPABILITY.—The Secretary of Defense and the Administrator for Nuclear Security shall take such actions as necessary to ensure the program described in subsection (a) achieves initial operational capability, as defined jointly by the Secretary of the Navy and the Commander of United States Strategic Command, by not later than fiscal year 2035.

(c) LIMITATION.—The Under Secretary of Defense for Acquisition and Sustainment may not approve a Full Rate Production Decision or authorize Full Scale Production (as those terms are defined in the memorandum of the Nuclear Weapons Council entitled ''Procedural Guidelines for the Phase 6.X Process'' and dated April 19, 2000), for the W80–4 ALT program.

(d) BRIEFING.—

(1) IN GENERAL.—Beginning not later than November 1, 2023, and on March 1 and September 1 of each year thereafter, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretary of the Navy, the Administrator for Nuclear Security, and the Commander of the United States Strategic Command, shall jointly brief the congressional defense committees on the progress of the program described in subsection (a).

(2) CONTENTS.—Each briefing required under paragraph (1) shall include—

(A) a description of significant achievements of the program described in subsection (a) completed during the period specified in paragraph (3) and any planned objectives that were not achieved during such period;

(B) for the 180-day period following the briefing—

(i) planned objectives for the programs; and

(ii) anticipated spending plans for the programs;

(C) a description of any notable technical hurdles that could impede timely completion of the programs; and

(D) any other information the Under Secretary of Defense for Acquisition and Sustainment considers appropriate.

(3) PERIOD SPECIFIED.—The period specified in this paragraph is—

(A) in the case of the first briefing required by paragraph (1), the 180-day period preceding the briefing; and

(B) in the case of any subsequent such briefing, the period since the previous such briefing.

(4) TERMINATION.—The requirement to provide briefings under paragraph (1) shall terminate on the date that the program described in subsection (a) achieve initial operational capability, as defined jointly by the Secretary of the Navy and the Commander of United States Strategic Command.

(e) PHASE 6.X PROCESS DEFINED.—In this section, the term ''phase 6.X process'' means the phase 6.X process for major stockpile sustainment activities set forth in the memorandum of the Nuclear Weapons Council entitled ''Procedural Guidelines for the Phase 6.X Process'' and dated April 19, 2000.

SEC. 1619. OPERATIONAL TIMELINE FOR STRATEGIC AUTOMATED COMMAND AND CONTROL SYSTEM.

(a) IN GENERAL.—The Secretary of the Air Force shall develop a replacement of the Strategic Automated Command and Control System (SACCS) by not later than the date that the LGM–35A Sentinel intercontinental ballistic missile program reaches initial operational capability.

(b) REPLACEMENT CAPABILITIES.—The replacement required by subsection (a) shall—

(1) replace the SACCS base processors;

(2) replace the SACCS processors at launch control centers;

(3) provide internet protocol connectivity for wing-wide command centers of the LGM–35A Sentinel intercontinental ballistic missile program;

(4) include such other capabilities necessary to address the evolving requirements of the LGM–35A Sentinel intercontinental ballistic missile program as the Secretary considers appropriate.

SEC. 1620. AMENDMENT TO ANNUAL REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEMS.

Section 492a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) INDEPENDENT ASSESSMENT BY UNITED STATES STRATEGIC COMMAND.—

''(1) IN GENERAL.—Not later than 150 days after the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, the Commander of United States Strategic Command shall

complete an independent assessment of the sufficiency of the execution of acquisition, construction, and recapitalization programs of the Department of Defense and the National Nuclear Security Administration to modernize the nuclear forces of the United States and meet current and future deterrence requirements.

''(2) CONTENTS.—The assessment required under paragraph (1) shall evaluate the ongoing execution of modernization programs associated with—

''(A) the nuclear weapons design, production, and sustainment infrastructure;

''(B) the nuclear weapons stockpile;

''(C) the delivery systems for nuclear weapons; and

''(D) the nuclear command, control, and communications system.

''(3) ROUTING AND SUBMISSION.—

''(A) SUBMISSION TO NUCLEAR WEAPONS COUNCIL.—Not later than 15 days after completion of the assessment required by paragraph (1), the Commander of United States Strategic Command shall—

''(i) submit the assessment to the Chairman of the Nuclear Weapons Council; and

''(ii) notify the congressional defense committees that the assessment has been submitted to the Chairman of the Nuclear Weapons Council.

''(B) SUBMISSION TO CONGRESS.—Not later than 15 days after the Chairman of the Nuclear Weapons Council receives the assessment required by paragraph (1), the Chairman shall transmit the assessment, without change, to the congressional defense committees.''.

SEC. 1621. TECHNICAL AMENDMENT TO ADDITIONAL REPORT MATTERS ON STRATEGIC DELIVERY SYSTEMS.

Section 495(b) of title 10, United States Code, is amended in the matter preceding paragraph (1)—

(1) by striking ''before fiscal year 2020'' and inserting ''prior to the expiration of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011 (commonly referred to as the 'New START Treaty')''; and

(2) by striking ''1043 of the National Defense Authorization Act for Fiscal Year 2012'' and inserting ''492(a) of title 10, United States Code,''.

SEC. 1622. AMENDMENT TO STUDY OF WEAPONS PROGRAMS THAT ALLOW ARMED FORCES TO ADDRESS HARD AND DEEPLY BURIED TARGETS.

Section 1674 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (e)—

(A) in the heading, by striking ''ON USE OF FUNDS''; and

(B) by striking ''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'' and inserting ''neither the Secretary of Defense nor the Secretary of Energy may take any action''; and

(2) in subsection (f), by striking ''on the use of funds under'' and inserting ''in''.

SEC. 1623. LIMITATION ON USE OF FUNDS UNTIL PROVISION OF DEPARTMENT OF DEFENSE INFORMATION TO GOVERNMENT ACCOUNTABILITY OFFICE.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for Operation and Maintenance, Defense-wide, and available for the Office of the Under Secretary of Defense for Policy, not more than 50 percent may be obligated or expended until the date on which the Comptroller General of the United States notifies the congressional defense committees that the Secretary of Defense has fully complied with information requests by the Government Accountability Office with respect to the conduct of the study required by section 1652 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2100).

SEC. 1624. MONITORING IRANIAN ENRICHMENT.

(a) SIGNIFICANT ENRICHMENT ACTIVITY DEFINED.—In this section, the term ''significant enrichment activity'' means—

(1) any enrichment of any amount of uranium–235 to a purity percentage that is 5 percent higher than the purity percentage indicated in the prior submission to Congress under subsection (b)(1); or

(2) any enrichment of uranium–235 in a quantity exceeding 10 kilograms.

(b) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 48 hours after the Director of National Intelligence assesses that the Islamic Republic of Iran has produced or possesses any amount of uranium–235 enriched to greater than 60 percent purity or has engaged in significant enrichment activity, the Director of National Intelligence shall submit to Congress such assessment, consistent with the protection of intelligence sources and methods.

(2) DUPLICATION.—For any submission 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.

Subtitle C—Missile Defense

SEC. 1631. DESIGNATION OF OFFICIAL RESPONSIBLE FOR MISSILE DEFENSE OF GUAM.

Paragraph (1) of section 1660(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended to read as follows:

''(1) DESIGNATION.—The Secretary of Defense shall designate the Under Secretary of Defense for Acquisition and Sustainment as the 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).''.

SEC. 1632. SELECTION OF A DIRECTOR OF THE MISSILE DEFENSE AGENCY.

Subsection (a) of section 205 of title 10, United States Code, is amended to read as follows:

''(a) DIRECTOR OF THE MISSILE DEFENSE AGENCY.—There is a Director of the Missile Defense Agency who shall be appointed for a period of six years by the President from among the general officers on active duty in the Army, Air Force, Marine Corps, or Space Force or from among the flag officers on active duty in the Navy.''.

SEC. 1633. MODIFICATION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1339), as amended by section 1688 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1144) and section 1644 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4062), is further amended—

(1) in paragraph (1), by striking ''through 2025'' and inserting ''through 2030'';

(2) in paragraph (2), by striking ''through 2026'' and inserting ''through 2031''; and

(3) in paragraph (3)—

(A) in the paragraph heading, by striking ''EMERGING'' and inserting ''OTHER DEPARTMENT OF DEFENSE MISSILE DEFENSE ACQUISITION EFFORTS AND RELATED'';

(B) by striking ''emerging issues and'' and inserting ''emerging issues, any Department of Defense missile defense acquisition efforts, and any other related issue and''; and

(C) by inserting ''on a mutually agreed upon date'' before the period at the end.

SEC. 1634. 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 2024 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 2024 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 2024 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

(3) Committee on Foreign Affairs of the House of Representatives.

SEC. 1635. MODIFICATION OF SCOPE OF PROGRAM ACCOUNTABILITY MATRICES REQUIREMENTS FOR NEXT GENERATION INTERCEPTORS FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.

Section 1668(f) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) by inserting ''and the product development phase'' after ''technology development phase'' each place is appears; and

(2) in paragraph (7), by striking ''enter the product development phase'' and inserting ''enter the production phase''.

SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF COST ASSESSMENT AND PROGRAM EVALUATION UNTIL SUBMISSION OF MISSILE DEFENSE ROLES AND RESPONSIBILITIES REPORT.

Of the funds authorized to be appropriated for fiscal year 2024 by section 301 for operation and maintenance, Defense-wide, and available for the Office of Cost Assessment and Program Evaluation, not more than 50 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the report required by section 1675(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

SEC. 1637. INTEGRATED AIR AND MISSILE DEFENSE ARCHITECTURE FOR THE INDO-PACIFIC REGION.

(a) STRATEGY REQUIRED.—The Commander of United States Indo-Pacific Command shall, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of United States Northern Command, the Director of the Missile Defense Agency, and the Director of the Joint Integrated Air and Missile Defense Organization, develop a comprehensive strategy for developing, acquiring, and operationally establishing an integrated air and missile defense architecture for the United States Indo-Pacific Command area of responsibility.

(b) STRATEGY COMPONENTS.—At a minimum, the strategy required by subsection (a) shall address the following:

(1) The sensing, tracking, and intercepting capabilities required to address the full range of credible missile threats to—

(A) the Hawaiian Islands;

(B) the island of Guam and other islands in the greater Marianas region, as determined necessary by the Commander of United States Indo-Pacific Command;

(C) other United States territories within the area of responsibility of United States Indo-Pacific Command; and

(D) United States forces deployed within the territories of other nations within such area of responsibility.

(2) The appropriate balance of missile detection, tracking, defense, and defeat capabilities within such area of responsibility.

(3) A command and control network for integrating missile detection, tracking, defense, and defeat capabilities across such area of responsibility.

(4) A time-phased scheduling construct for fielding the constituent systems that will comprise the integrated air and missile defense architecture for such area of responsibility.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than March 15, 2024, and not less frequently than once each year thereafter, the Commander of United States Indo-Pacific Command shall, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of United States Northern Command, the Director of the Missile Defense Agency, and the Director of the Joint Integrated Air and Missile Defense Organization, submit to the congressional defense committees an annual report outlining the following with regard to the strategy developed pursuant to subsection (a):

(A) The activities conducted and progress made in developing and implementing the strategy over the previous calendar year.

(B) The planned activities for developing and implementing the strategy in the upcoming year.

(C) A description of likely risks and impediments to the successful implementation of the strategy.

(2) TERMINATION.—The requirements of paragraph (1) shall terminate on the earlier of the following:

(A) March 15, 2029.

(B) The date on which a comprehensive integrated air and missile defense architecture for the area of responsibility of United States Indo-Pacific Command has achieved initial operational capability, as determined jointly by the Commander of United States Indo-Pacific Command and the Director of the Missile Defense Agency.

(d) LIMITATIONS.—Of the equipment and components previously procured by the Department of Defense for the purposes of constructing the Homeland Defense Radar–Hawaii, none of such assets may be repurposed for other uses until the first annual report required by subsection (c)(1) is submitted to the congressional defense committees pursuant to such subsection.

SEC. 1638. MODIFICATION OF NATIONAL MISSILE DEFENSE POLICY.

Section 1681(a) of the of the National Defense Authorization Act for fiscal year 2017 (Public Law 114–328; 10 U.S.C. 4205 note) is amended to read as follows:

''(a) POLICY.—It is the policy of the United States to—

''(1) maintain and improve, with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense—

''(A) an effective, layered missile defense system capable of defending the territory of the United States against the developing and increasingly complex missile threat; and

''(B) an effective regional missile defense system capable of defending the allies, partners, and deployed forces of the United States against increasingly complex missile threats; and

''(2) rely on nuclear deterrence to address more sophisticated and larger quantity near-peer intercontinental missile threats to the homeland of the United States.''.

Subtitle D—Other Matters

SEC. 1641. ELECTRONIC WARFARE.

(a) IN GENERAL.—Part I of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 25—ELECTRONIC WARFARE

''Sec.
''500. Electronic Warfare Executive Committee.
''500a. Guidance on the electronic warfare mission area and joint electromagnetic spectrum operations.

''500b. Annual report on electronic warfare strategy of the Department of Defense.
''500c. Annual assessment of budget with respect to electronic warfare capabilities.
''500d. Electromagnetic spectrum superiority implementation plan.
''500e. Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations.
''500f. Evaluations of abilities of armed forces and combatant commands to perform electromagnetic spectrum operations missions.

''§ 500. Electronic Warfare Executive Committee

''(a) IN GENERAL.—There is within the Department of Defense an Electronic Warfare Executive Committee (in this section referred to as the 'Executive Committee').

''(b) PURPOSES.—The Executive Committee shall—

''(1) serve as the principal forum within the Department of Defense to inform, coordinate, and evaluate matters relating to electronic warfare;

''(2) provide senior oversight, coordination, and budget and capability harmonization with respect to such matters; and

''(3) act as an advisory body to the Secretary of Defense, the Deputy Secretary of Defense, and the Management Action Group of the Deputy Secretary with respect to such matters.

''(c) RESPONSIBILITIES.—The Executive Committee shall—

''(1) advise key senior level decision-making bodies of the Department of Defense with respect to the development and implementation of acquisition investments relating to electronic warfare and electromagnetic spectrum operations of the Department, including relevant acquisition policies, projects, programs, modeling, and test and evaluation infrastructure;

''(2) provide a forum to enable synchronization and integration support with respect to the development and acquisition of electronic warfare capabilities—

''(A) by aligning the processes of the Department for requirements, research, development, acquisition, testing, and sustainment; and

''(B) carrying out other related duties; and

''(3) act as the senior level review forum for the portfolio of capability investments of the Department relating to electronic warfare and electromagnetic spectrum operations and other related matters.

''(d) COORDINATION WITH INTELLIGENCE COMMUNITY.—The Executive Committee, acting through the Under Secretary of Defense for Intelligence and Security, shall coordinate with the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to generate requirements, facilitate collaboration, establish interfaces, and align efforts of the Department of Defense with respect to electronic warfare capability and acquisition with efforts of the intelligence community relating to electronic warfare capability and acquisition in areas of dependency or mutual interest between the Department and the intelligence community.

''(e) MEETINGS.—

''(1) FREQUENCY.—The Executive Committee shall hold meetings not less frequently than quarterly and as necessary to address particular issues.

''(2) FORM.—The Executive Committee may hold meetings by videoconference.

''(f) MEMBERSHIP.—

''(1) IN GENERAL.—The Executive Committee shall be composed of the following principal members:

''(A) The Under Secretary of Defense for Acquisition and Sustainment.

''(B) The Vice Chairman of the Joint Chiefs of Staff.

''(C) The Under Secretary of Defense for Intelligence and Security.

''(D) The Under Secretary of Defense for Policy.

''(E) The Commander of the United States Strategic Command.

''(F) The Chief Information Officer of the Department of Defense.

''(G) Such other Federal officers or employees as the Secretary of Defense considers appropriate, consistent with other authorities of the Department of Defense and publications of the Joint Staff, including the Charter for the Electronic Warfare Executive Committee, dated March 17, 2015.

''(g) CO-CHAIRS OF EXECUTIVE COMMITTEE.—

''(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment and the Vice Chairman of the Joint Chiefs of Staff, or their designees, shall serve as co-chairs of the Executive Committee.

''(2) RESPONSIBILITIES OF CO-CHAIRS.—The co-chairs of the Executive Committee shall—

''(A) preside at all Executive Committee meetings or have their designees preside at such meetings;

''(B) provide administrative control of the Executive Committee;

''(C) jointly guide the activities and actions of the Executive Committee;

''(D) approve all agendas for and summaries of meetings of the Executive Committee;

''(E) charter tailored working groups to conduct mission area analysis, as required, under subsection (i); and

''(F) perform such other duties as may be necessary to ensure the good order and functioning of the Executive Committee.

''(h) ELECTRONIC WARFARE CAPABILITY TEAM.—

''(1) IN GENERAL.—There is within the Executive Committee an electronic warfare capability team, which shall—

''(A) serve as a flag officer level focus group and executive secretariat subordinate to the Executive Committee; and

''(B) in that capacity—

''(i) provide initial senior level coordination on key electronic warfare issues;

''(ii) prepare recommended courses of action to present to the Executive Committee; and

''(iii) perform other related duties.

''(2) CO-CHAIRS.—The electronic warfare capability team shall be co-chaired by one representative from the Office of the Under Secretary of Defense for Acquisition and Sustainment and one representative from the Force Structure, Resources, and Assessment Directorate of the Joint Staff (J–8).

''(3) STAFF.—The principal members of the Executive Committee shall designate representatives from their respective staffs to the electronic warfare capability team.

''(i) MISSION AREA WORKING GROUPS.—

''(1) IN GENERAL.—The Executive Committee shall establish mission area working groups on a temporary basis—

''(A) to address specific issues and mission areas relating to electronic warfare and electromagnetic spectrum operations;

''(B) to involve subject matter experts and components of the Department of Defense with expertise in electronic warfare and electromagnetic spectrum operations; and

''(C) to perform other related duties.

''(2) DISSOLUTION.—The Executive Committee shall dissolve a mission area working group established under paragraph (1) once the issue the working group was established to address is satisfactorily resolved.

''(j) ADMINISTRATION.—The Under Secretary of Defense for Acquisition and Sustainment shall administratively support the Executive Committee, including by designating not fewer than two officials of the Department of Defense to support the day-to-day operations of the Executive Committee.

''(k) REPORT TO CONGRESS.—Not later than February 28, 2024, and annually thereafter through 2030, the Executive Committee shall submit to the congressional defense committees a summary of activities of the Executive Committee during the preceding fiscal year.

''§ 500a. Guidance on the electronic warfare mission area and joint electromagnetic spectrum operations

''The Secretary of Defense shall—

''(1) establish processes and procedures to develop, integrate, and enhance the electronic warfare mission area and the conduct of joint electromagnetic spectrum operations in all domains across the Department of Defense; and

''(2) ensure that such processes and procedures provide for integrated defense-wide strategy, planning, and budgeting with respect to the conduct of such operations by the Department, including activities conducted to counter and deter such operations by malign actors.

''§ 500b. Annual report on electronic warfare strategy of the Department of Defense

''(a) IN GENERAL.—At the same time as the President submits to Congress the budget of the President under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Secretary of each of the military departments, shall submit to the congressional defense committees an annual report on the electronic warfare strategy of the Department of Defense.

''(b) CONTENTS OF REPORT.—Each report required under subsection (a) shall include each of the following:

''(1) A description and overview of—

''(A) the electronic warfare strategy of the Department of Defense;

''(B) how such strategy supports the National Defense Strategy; and

''(C) the organizational structure assigned to oversee the development of the Department's electronic warfare strategy, requirements, capabilities, programs, and projects.

''(2) A list of all the electronic warfare acquisition programs and research and development projects of the Department of Defense and a description of how each program or project supports the Department's electronic warfare strategy.

''(3) For each unclassified program or project on the list required by paragraph (2)—

''(A) the senior acquisition executive and organization responsible for oversight of the program or project;

''(B) whether or not validated requirements exist for the program or project and, if such requirements do exist, the date on which the requirements were validated and the organizational authority that validated such requirements;

''(C) the total amount of funding appropriated, obligated, and forecasted by fiscal year for the program or project, including the program element or procurement line number from which the program or project receives funding;

''(D) the development or procurement schedule for the program or project;

''(E) an assessment of the cost, schedule, and performance of the program or project as

it relates to the program baseline for the program or project, as of the date of the submission of the report, and the original program baseline for such program or project, if such baselines are not the same;

''(F) the technology readiness level of each critical technology that is part of the program or project;

''(G) whether or not the program or project is redundant or overlaps with the efforts of another military department; and

''(H) the capability gap that the program or project is being developed or procured to fulfill.

''(4) A classified annex that contains the items described in subparagraphs (A) through (H) of paragraph (3) for each classified program or project on the list required by paragraph (2).

''§ 500c. Annual assessment of budget with respect to electronic warfare capabilities

''At the same time as the President submits to Congress the budget of the President under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Secretary of Defense shall submit to the congressional defense committees an assessment by the Director of Cost Assessment and Program Evaluation as to whether sufficient funds are requested in such budget for anticipated activities in such fiscal year for each of the following:

''(1) The development of an electromagnetic battle management capability for joint electromagnetic spectrum operations.

''(2) The establishment and operation of associated joint electromagnetic spectrum operations cells.

''§ 500d. Electromagnetic spectrum superiority implementation plan

''(a) IN GENERAL.—The Chief Information Officer of the Department of Defense shall be responsible for oversight of the electromagnetic superiority implementation plan.

''(b) REPORT REQUIRED.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Chief Information Officer shall submit to the congressional defense committees a report that includes the following with respect to the electromagnetic superiority implementation plan:

''(1) The implementation plan in effect as of the date of the report, noting any revisions from the preceding plan.

''(2) A statement of the elements of the implementation plan that have been achieved.

''(3) For each element that has been achieved, an assessment of whether the element is having its intended effect.

''(4) For any element that has not been achieved, an assessment of progress made in achieving the element, including a description of any obstacles that may hinder further progress.

''(5) For any element that has been removed from the implementation plan, a description of the reason for the removal of the element and an assessment of the impact of not pursuing achievement of the element.

''(6) Such additional matters as the Chief Information Officer considers appropriate.

''(c) ELECTROMAGNETIC SUPERIORITY IMPLEMENTATION PLAN DEFINED.—In this section, the term 'electromagnetic superiority implementation plan' means the Electromagnetic Superiority Implementation Plan signed by the Secretary of Defense on July 15, 2021, and any successor plan.

''§ 500e. Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations

''(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Secretary of Defense shall establish an Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations (in this section referred to as the 'operational lead') at the United States Strategic Command, which shall report to the Commander of the United States Strategic Command.

''(b) FUNCTION.—The operational lead shall be responsible for synchronizing, assessing, and making recommendations to the Chairman of the Joint Chiefs of Staff with respect to the readiness of the combatant commands to conduct joint electromagnetic spectrum operations.

''(c) BRIEFINGS REQUIRED.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Chairman, acting through the operational lead, shall brief to the congressional defense committees on the following:

''(1) Progress made in achieving full operational capability to conduct joint electromagnetic spectrum operations and any impediments to achieving such capability.

''(2) The readiness of the combatant commands to conduct such operations.

''(3) Recommendations for overcoming any deficiencies in the readiness of the combatant commands to conduct such operations and any material gaps contributing to such deficiencies.

''(4) Such other matters as the Chairman considers important to ensuring that the combatant commands are capable of conducting such operations.

''§ 500f. Evaluations of abilities of armed forces and combatant commands to perform electromagnetic spectrum operations missions

''(a) EVALUATIONS OF ARMED FORCES.—

''(1) IN GENERAL.—Not later than October 1, 2024, and annually thereafter through 2029, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, and the Chief of Space Operations shall each carry out an evaluation of the ability of the armed force concerned to perform electromagnetic spectrum operations missions required by each of the following:

''(A) The Electromagnetic Spectrum Superiority Strategy.

''(B) The Joint Staff-developed concept of operations for electromagnetic spectrum operations.

''(C) The operations and contingency plans of the combatant commands.

''(2) CERTIFICATION REQUIRED.—Not later than December 31 of each year in which evaluations are required under paragraph (1), each official specified in that paragraph shall certify to the congressional defense committees that the evaluation required to be carried out by that official has occurred.

''(3) ELEMENTS.—Each evaluation under paragraph (1) shall include an assessment of the following:

''(A) Current programs of record, including—

''(i) the ability of weapon systems to perform missions in contested electromagnetic spectrum environments; and

''(ii) the ability of electronic warfare capabilities to disrupt adversary operations.

''(B) Future programs of record, including—

''(i) the need for distributed or network-centric electronic warfare and signals intelligence capabilities; and

''(ii) the need for automated and machine learning- or artificial intelligence-assisted electronic warfare capabilities.

''(C) Order of battle.

''(D) Individual and unit training.

''(E) Tactics, techniques, and procedures, including—

''(i) maneuver, distribution of assets, and the use of decoys; and

''(ii) integration of non-kinetic and kinetic fires.

''(F) Other matters relevant to evaluating the ability of the armed force concerned to perform electromagnetic spectrum operations missions described in paragraph (1).

''(b) EVALUATIONS OF COMBATANT COMMANDS.—

''(1) IN GENERAL.—Not later than October 1, 2024, and annually thereafter through 2029, the Chairman of the Joint Chiefs of Staff, acting through the Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations established under section 500e (in this section referred to as the 'operational lead'), shall carry out an evaluation of the plans and posture of the combatant commands to execute the electromagnetic spectrum operations envisioned in each of the following:

''(A) The Electromagnetic Spectrum Superiority Strategy.

''(B) The Joint Staff-developed concept of operations for electromagnetic spectrum operations.

''(2) ELEMENTS.—Each evaluation under paragraph (1) shall include an assessment, as relevant, of the following:

''(A) Operation and contingency plans.

''(B) The manning, organizational alignment, and capability of joint electromagnetic spectrum operations cells.

''(C) Mission rehearsal and exercises.

''(D) Force positioning, posture, and readiness.

''(3) BRIEFING REQUIRED.—Not later than December 31 of each year in which an evaluation is required under paragraph (A), the Chairman of the Joint Chiefs of Staff, acting through the operational lead, shall brief the congressional defense committees on the results of the evaluation.''.

(b) CLERICAL AMENDMENT.—The tables of chapters at the beginning of subtitle A of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 24 the following new item:

''25. Electronic Warfare ..... 500''.

(c) CONFORMING REPEAL.—Section 1053 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 113 note) is repealed.

SEC. 1642. STUDY ON THE FUTURE OF THE INTEGRATED TACTICAL WARNING ATTACK ASSESSMENT SYSTEM.

(a) IN GENERAL.—The Chairman of the Joint Chiefs of Staff shall enter into an agreement with a federally funded research and development center—

(1) to conduct a study on the future of the Integrated Tactical Warning Attack Assessment System (ITW/AA); and

(2) to submit to the Chairman a report on the findings of the center with respect to the study conducted under paragraph (1).

(b) ELEMENTS.—The study conducted pursuant to an agreement under subsection (a) shall cover the following:

(1) Future air and missile threats to the United States.

(2) The integration of multi-domain sensor data and their ground systems with the existing architecture of the Integrated Tactical Warning Attack Assessment System.

(3) The effect of the integration described in paragraph (2) on the data reliability standards of the Integrated Tactical Warning Attack Assessment System.

(4) Future data visualization, conferencing, and decisionmaking capabilities of such system.

(5) Such other matters as the Chairman considers relevant to the study.

(c) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Chairman shall submit to the congressional defense committees—

(1) the report submitted to the Chairman under subsection (a)(2); and

(2) the assessment of the Chairman with respect to the findings in such report and the recommendations of the Chairman with respect to modernizing the Integrated Tactical Warning Attack Assessment System.

SEC. 1643. COMPREHENSIVE REVIEW OF ELECTRONIC WARFARE TEST RANGES AND FUTURE CAPABILITIES.

(a) IN GENERAL.—The Under Secretary of Defense for Research and Engineering, in consultation with the Chairman of the Joint Chiefs of Staff, shall conduct a comprehensive review of any deficiencies in the capacity of the electronic warfare test ranges and future electronic warfare capabilities of the Department of Defense relating to current and future global threats, research and development efforts, modeling, and electromagnetic and physical encroachment of the test ranges.

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

(1) Each electronic warfare test range, its size, any distinguishing features, and its electronic warfare capabilities.

(2) The electronic warfare capabilities that are best practiced at which range and any encroachment issues between ranges.

(3) Future electronic warfare capabilities and planned acquisitions.

(4) Any modeling the Test Resource Management Center has done on incorporating future or planned electronic warfare capabilities into the current test ranges.

(5) Any other matter the Under Secretary considers necessary.

(c) BRIEFING REQUIRED.—Not later than March 31, 2024, the Under Secretary shall provide the congressional defense committees with a briefing on the findings of the review required by subsection (a) that includes—

(1) an assessment of any deficiency in the electronic warfare test ranges and future electronic warfare capabilities of the Department of Defense identified in the review; and

(2) a plan to address any such deficiency in a timely manner.

SEC. 1644. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 130i(i) of title 10, United States Code, is amended by striking ''2023'' both places it appears and inserting ''2026''.

SEC. 1645. ADDRESSING SERIOUS DEFICIENCIES IN ELECTRONIC PROTECTION OF SYSTEMS THAT OPERATE IN THE RADIO FREQUENCY SPECTRUM.

(a) IN GENERAL.—The Secretary of Defense shall take such actions as the Secretary considers necessary and practicable—

(1) to establish requirements for and assign sufficient priority to ensuring electronic protection of sensor, navigation, and communications systems and subsystems against jamming, spoofing, and unintended interference from military systems; and

(2) to provide management oversight and supervision of the military departments to ensure electronic protection of military systems that emit and receive in radio frequencies against modern threats and interference from military systems operating in the same or adjacent radio frequency of Federal spectrum.

(b) SPECIFIC REQUIRED ACTIONS.—The Secretary shall require the military departments and combat support agencies to—

(1) develop and approve requirements, through the Joint Requirements Oversight Council as appropriate, within 270 days of the date of the enactment of this Act, for every radar, signals intelligence, navigation, and communications system and subsystem subject to the Global Force Management process to be able to withstand threat-realistic levels of jamming, spoofing, and unintended interference, which includes self-generated interference;

(2) test every system and subsystem described in paragraph (1) at a test range that permits threat-realistic electronic warfare attacks against the system or subsystem by a red team or opposition force at least once every 4 years, with the first set of highest priority systems to be initially tested no later than fiscal year 2025;

(3) retrofit every system and subsystem described in paragraph (1) that fails to meet electronic protection requirements during testing with electronic protection measures that can withstand threat-realistic jamming, spoofing, and unintended interference within 3 years from the date of the testing, and to retest such systems and subsystems within 4 years of the initial failed test;

(4) survey, identify, and test available technology that can be practically and affordably retro-fitted on the systems described in paragraph (1) and which provides robust protection against threat-realistic jamming, spoofing, and unintended interference; and

(5) design and build electronic protection into ongoing and future development programs to withstand expected jamming and spoofing threats and unintended interference.

(c) WAIVER.—The Secretary may establish a process for issuing waivers on a case-by-case basis for the testing requirement established in paragraph (2) of subsection (b) and for the retrofit requirement established in paragraph (3) of such subsection.

(d) ANNUAL REPORTS.—Each fiscal year, coinciding with the submission of the President's budget request to Congress pursuant to section 1105(a) of title 31, United States Code, through fiscal year 2030, the Director of Operational Test and Evaluation shall submit to the Electronic Warfare Executive Committee, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a comprehensive annual report aggregating reporting from the military departments and combat support agencies that describes—

(1) the implementation of the requirements of this section;

(2) the systems subject to testing in the previous year and the results of such tests, including a description of the requirements for electronic protection established for the tested systems; and

(3) each waiver issued in the previous year with respect to such requirements, together with a detailed rationale for the waiver and a plan for addressing the basis for the waiver request.

SEC. 1646. FUNDING LIMITATION ON CERTAIN UNREPORTED PROGRAMS.

(a) LIMITATION ON AVAILABILITY OF FUNDS.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 may be obligated or expended, directly or indirectly, in part or in whole, for, on, in relation to, or in support of activities involving unidentified anomalous phenomena protected under any form of special access or restricted access limitations that have not been formally, officially, explicitly, and specifically described, explained, and justified to the appropriate committees of Congress, congressional leadership, and the Director, including for any activities relating to the following:

(1) Recruiting, employing, training, equipping, and operations of, and providing security for, Government or contractor personnel with a primary, secondary, or contingency mission of capturing, recovering, and securing unidentified anomalous phenomena craft or pieces and components of such craft.

(2) Analyzing such craft or pieces or components thereof, including for the purpose of determining properties, material composition, method of manufacture, origin, characteristics, usage and application, performance, operational modalities, or reverse engineering of such craft or component technology.

(3) Managing and providing security for protecting activities and information relating to unidentified anomalous phenomena from disclosure or compromise.

(4) Actions relating to reverse engineering or replicating unidentified anomalous phenomena technology or performance based on analysis of materials or sensor and observational information associated with unidentified anomalous phenomena.

(5) The development of propulsion technology, or aerospace craft that uses propulsion technology, systems, or subsystems that is based on or derived from or inspired by inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena craft or materials.

(6) Any aerospace craft that uses propulsion technology other than chemical propellants, solar power, and electric ion thrust.

(b) NOTIFICATION AND REPORTING.—

(1) IN GENERAL.—Any person currently or formerly under contract with the Federal Government that has in their possession material or information provided by or derived from the Federal Government relating to unidentified anomalous phenomena that formerly or currently is protected by any form of special access or restricted access shall—

(A) not later than 60 days after the date of the enactment of this Act, notify the Director of such possession; and

(B) not later than 180 days after the date of the enactment of this Act, make available to the Director for assessment, analysis, and inspection—

(i) all such material and information; and

(ii) a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena materiel.

(2) PROTECTIONS.—The provision of notice and the making available of material and information under paragraph (1) shall be treated as an authorized disclosure under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b).

(c) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—Consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), independent research and development funding relating to material or information described in subsection (a) shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the Director in accordance with subsection (b).

(d) NOTICE TO CONGRESS.—Not later than 30 days after the date on which the Director has received a notification under subparagraph (A) of subsection (b)(1) or information or material under paragraph (B) of such subsection, the Director shall provide a written notification of such receipt to the appropriate committees of Congress and congressional leadership.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(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.

(3) The term ''Director'' means the Director of the All-domain Anomaly Resolution Office.

(4) 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(n)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

SEC. 1647. REVISION OF SECRETARY OF DEFENSE AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

(a) EXTENSION OF AUTHORITY.—Section 431(a) of title 10, United States Code, is amended by striking ''December 31, 2023'' and inserting ''December 31, 2025''.

(b) INTERAGENCY COORDINATION AND SUPPORT.—Paragraph (1) of section 431(b) of such title is amended to read as follows:

''(1) be pre-coordinated with the Director of the Central Intelligence Agency using procedures mutually agreed upon by the Secretary of Defense and the Director, and, where appropriate, be supported by the Director; and''.

TITLE XVII—CYBERSPACE-RELATED MATTERS

Subtitle A—Matters Relating to Cyber Operations and Cyber Forces

SEC. 1701. MEASURES TO ENHANCE THE READINESS AND EFFECTIVENESS OF THE CYBER MISSION FORCE.

(a) PERSONNEL REQUIREMENTS AND TRAINING FOR CRITICAL WORK ROLES.—The Secretary of Defense shall—

(1) develop a plan to require—

(A) a term of enlistment that is—

(i) common across the military departments for critical work roles of the Cyber Mission Force;

(ii) appropriate given the value of the training required for such work roles; and

(iii) sufficient and extensive enough to meet the readiness requirements established by the Commander of United States Cyber Command;

(B) tour lengths for personnel in the Cyber Mission Force that are—

(i) common across the military departments; and

(ii) sufficient and extensive enough to meet the readiness requirements established by the Commander of United States Cyber Command;

(C) the military departments to present Cyber Mission Force personnel to the Commander of United States Cyber Command who are fully trained to the standards required by the work roles established by the Commander, including the critical work roles of the Cyber Mission Force, prior to their attachment or assignment to a unit of United States Cyber Command;

(D) obligated service for members who receive the training contemplated in paragraph (C) which is commensurate with the significant financial and time investments made by the military service for the training received; and

(E) facilitation of consecutive assignments at the same unit while not inhibiting the advancement or promotion potential of any member of the Armed Forces.

(2) direct the Secretaries of the military departments to implement the plan developed under paragraph (1); and

(3) establish curriculum and capacity within one or more military departments to train sufficient numbers of personnel from all of the military departments who can effectively perform the critical Cyber Mission Force work roles to achieve the readiness requirements established by the Commander of United States Cyber Command.

(b) PILOT PROGRAM ON ACQUIRING CONTRACT SERVICES FOR CRITICAL WORK ROLES.—

(1) PILOT PROGRAM REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commander of United States Cyber Command shall commence a pilot program to assess the feasibility and advisability of acquiring the services of skilled personnel in the critical work roles of the Cyber Mission Force by contracting with one or more persons to enhance the readiness and effectiveness of the Cyber Mission Force.

(2) PILOT PROGRAM DURATION.—The Commander shall carry out the pilot program required by subsection paragraph (1) during the three-year period beginning on the date of the commencement of the pilot program and may, after such period—

(A) continue carrying out such pilot program after such period for such duration as the Commander considers appropriate; or

(B) transition such pilot program to a permanent program.

(c) PLAN ON HIRING, TRAINING, AND RETAINING CIVILIANS TO SERVE IN CRITICAL WORK ROLES.—Not later than 120 days after the date of the enactment of this Act, the Commander shall—

(1) develop a plan to hire, train, and retain civilians to serve in the critical work roles of the Cyber Mission Force and other positions of the Cyber Mission Force to enhance the readiness and effectiveness of the Cyber Mission Force; and

(2) provide the congressional defense committees a briefing on the plan developed under paragraph (1).

(d) DEFINITION OF CRITICAL WORK ROLES OF THE CYBER MISSION FORCE.—The term ''critical work roles of the Cyber Mission Force'' means work roles of the Cyber Mission Force relating to on-network operations, tool development, and exploitation analysis.

SEC. 1702. CYBER INTELLIGENCE CENTER.

(a) ESTABLISHMENT OF CAPABILITY REQUIRED.—The Secretary of Defense shall establish a dedicated cyber intelligence capability to support the requirements of United States Cyber Command, the other combatant commands, the military departments, defense agencies, the Joint Staff, and the Office of the Secretary of Defense for foundational, scientific and technical, and all-source intelligence on cyber technology development, capabilities, concepts of operation, operations, and plans and intentions of cyber threat actors.

(b) ESTABLISHMENT OF CENTER AUTHORIZED.—

(1) AUTHORIZATION.—Subject to paragraph (2), the Secretary may establish an all-source analysis center under the administration of the Defense Intelligence Agency to provide foundational intelligence for the capability established under subsection (a).

(2) LIMITATION.—Information technology services for a center established under paragraph (1) may not be provided by the National Security Agency.

(c) RESOURCES.—

(1) IN GENERAL.—The Secretary shall direct and provide resources to the Commander of United States Cyber Command within the Military Intelligence Program to fund collection and analysis by the National Security Agency to meet the specific requirements established by the Commander for signals intelligence support.

(2) TRANSFER OF ACTIVITIES.—The Secretary may transfer the activities required under paragraph (1) to the National Intelligence Program if the Director of National Intelligence concurs and the transfer is specifically authorized in an intelligence authorization Act.

(d) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Commander shall—

(1) develop an estimate of the signals intelligence collection and analysis required of the National Security Agency and the cost of such collection and analysis; and

(2) provide the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the estimate developed under paragraph (1).

SEC. 1703. PERFORMANCE METRICS FOR PILOT PROGRAM FOR SHARING CYBER CAPABILITIES AND RELATED INFORMATION WITH FOREIGN OPERATIONAL PARTNERS.

(a) IN GENERAL.—The section 398 of title 10, United States Code (relating to pilot program for sharing cyber capabilities and related information with foreign operational partners), as added by section 1551(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), 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):

''(f) PERFORMANCE METRICS.—(1) The Secretary of Defense shall maintain performance metrics to track the results of sharing cyber capabilities and related information with foreign operational partners under a pilot program authorized by subsection (a).

''(2) The performance metrics under paragraph (1) shall include the following:

''(A) Who the cyber capability was used against.

''(B) The effect of the cyber capability, including whether and how the transfer of the cyber capability improved the operational cyber posture of the United States and achieved operational objectives of the United States, or had no effect.

''(C) Such other outcome-based or appropriate performance metrics as the Secretary considers appropriate for evaluating the effectiveness of a pilot program carried out under subsection (a).''.

(b) TECHNICAL CORRECTION.—Chapter 19 of such title is amended—

(1) in the table of sections for such chapter by striking the item relating to such section 398 and inserting the following:

''398a. Pilot program for sharing cyber capabilities and related information with foreign operational partners.''; and

(2) by redesignating such section 398 as section 398a.

SEC. 1704. NEXT GENERATION CYBER RED TEAMS.

(a) DEVELOPMENT AND SUBMISSION OF PLANS.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy shall direct the appropriate Assistant Secretary of Defense in the Office of the Under Secretary of Defense for Policy, in consultation with the Principal Cyber Advisors of the military departments, to oversee the development and submission of a plan described in subsection (b) to the Director of Operational Test and

Evaluation (OT&E) and the Director of the National Security Agency (NSA) for assessment under subsection (c).

(b) PLANS DESCRIBED.—The plan described in this subsection is a plan—

(1) to modernize cyber red teams (''CRTs'') with a focus on utilizing cyber threat intelligence and threat modeling to ensure the ability to emulate advanced nation-state threats, automation, artificial intelligence or machine learning capabilities, and data collection and correlation;

(2) to establish joint service standards and metrics to ensure cyber red teams are adequately trained, staffed, and equipped to emulate advanced nation-state threats; and

(3) to expand partnerships between the Department of Defense, particularly existing cyber red teams, and academia to expand the cyber talent workforce.

(c) ASSESSMENT.—The Director of Operational Test and Evaluation shall, in coordination with the Director of the National Security Agency, review the plan submitted pursuant to subsection (a) and in doing so shall conduct an assessment of the plan with consideration of the following:

(1) Opportunities for cyber red team operations to expand across the competition continuum, including during the cooperation and competition phases, strongly emphasizing pre-conflict preparation of the battlespace to better match adversary positioning and cyber activities, including operational security assessments to strengthen the ability of the Department to gain and maintain a tactical advantage.

(2) The extent to which critical and emerging technologies and concepts such as artificial intelligence and machine learning enabled analysis and process automation can reduce the amount of person hours operators spend on maintenance and reporting to maximize research and training time.

(3) 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 sustainability of the next generation of cyber red teams.

(4) The extent to which additional resources or partnerships may be needed to remediate personnel shortfalls in cyber red teams, including funding for internship programs, hiring, and contracting.

(d) IMPLEMENTATION.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall issue such policies and guidance and prescribe such regulations as the Secretary determines necessary to carry out the plan required by subsection (a).

(e) ANNUAL REPORTS.—Not later than January 31, 2025, and not less frequently than annually thereafter until January 31, 2031, the Director of Operational Test and Evaluation shall include in the annual report required by section 139(h) of title 10, United States Code, the following:

(1) The findings of the Director with respect to the assessment carried out pursuant to subsection (c).

(2) The results of test and evaluation events, including any resource and capability shortfalls limiting the ability of cyber red teams to meet operational requirements.

(3) The extent to which operations of cyber red teams have expanded across the competition continuum, including during cooperation and competition phases, to match adversary positioning and cyber activities.

(4) A summary of identified categories of common gaps and shortfalls across military department and Defense Agency cyber red teams.

(5) Any identified lessons learned that would affect training or operational employment decisions relating to cyber red teams.

SEC. 1705. MANAGEMENT OF DATA ASSETS BY CHIEF DIGITAL OFFICER.

(a) IN GENERAL.—The Secretary of Defense shall, acting through the Chief Data and Artificial Intelligence Officer of the Department of Defense (CDAO), provide data assets and data analytics capabilities necessary for understanding the global cyber-social terrain to support the planning and execution of defensive and offensive information operations, defensive and offensive cyber operations, indications and warning of adversary military activities and operations, and calibration of actions and reactions in great power competition.

(b) RESPONSIBILITIES OF CHIEF DATA AND ARTIFICIAL INTELLIGENCE OFFICER.—The Chief Data and Artificial Intelligence Officer shall—

(1) develop a baseline of data assets maintained by all defense intelligence agencies, military departments, combatant commands, and any other components of the Department; and

(2) develop and oversee the implementation of plans to enhance data assets that are essential to support the purposes set forth in subsection (a).

(c) OTHER MATTERS.—The Chief Data and Artificial Intelligence Officer shall—

(1) designate or establish one or more executive agents for enhancing data assets and the acquisition of data analytic tools for users;

(2) ensure that data assets in the possession of a component of the Department are accessible for the purposes described in subsection (a); and

(3) ensure that advanced analytics, including artificial intelligence technology, are developed and applied to the analysis of data assets in support of the purposes described in subsection (a).

(d) SEMIANNUAL BRIEFINGS.—Not later than 120 days after the date of the enactment of this Act and not less frequently semiannually thereafter, the Chief Data and Artificial Intelligence Officer shall provide the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the implementation of this section.

(e) PRIOR APPROVAL REPROGRAMMING.—After the date of the enactment of this Act, the Secretary may transfer funds to begin implementation of this section, subject to established limitations and approval procedures.

SEC. 1706. AUTHORITY FOR COUNTERING ILLEGAL TRAFFICKING BY MEXICAN TRANSNATIONAL CRIMINAL ORGANIZATIONS IN CYBERSPACE.

(a) AUTHORITY.—

(1) IN GENERAL.—In accordance with sections 124 and 394 of title 10, United States Code, the Secretary of Defense may, in coordination with other relevant Federal departments and agencies and in consultation with the Government of Mexico as appropriate, conduct detection, monitoring, and other operations in cyberspace to counter Mexican transnational criminal organizations that are engaged in any of the following activities that cross the southern border of the United States:

(A) Smuggling of illegal drugs, controlled substances, or precursors thereof.

(B) Human trafficking.

(C) Weapons trafficking.

(D) Other illegal activities.

(2) CERTAIN ENTITIES.—The authority provided by paragraph (1) may be used to counter Mexican transnational criminal organizations, including entities cited in the most recent National Drug Threat Assessment published by the United States Drug Enforcement Administration, that are engaged in the activities described in (1).

(b) CYBER STRATEGY FOR COUNTERING ILLEGAL TRAFFICKING BY TRANSNATIONAL CRIMINAL ORGANIZATIONS AFFECTING THE SECURITY OF UNITED STATES SOUTHERN BORDER.—

(1) STRATEGY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall, in consultation with the National Cyber Director and the heads of such other Federal departments and agencies as the Secretary considers appropriate, submit to the appropriate congressional committees a strategy for conducting operations in cyberspace under subsection (a).

(2) ELEMENTS.—The strategy submitted pursuant to paragraph (1) shall include the following:

(A) A description of the cyberspace presence and activities, including any information operations, of the entities described under subsection (a)(2) pose to the national security of the United States.

(B) A description of any previous actions taken by the Department of Defense to conduct operations in cyberspace to counter illegal activities by transnational criminal organizations, and a description of those actions.

(C) An assessment of the financial, technological, and personnel resources that the Secretary can deploy to exercise the authority provided in subsection (a) to counter illegal trafficking by transnational criminal organizations.

(D) Recommendations, if any, for additional authorities as may be required to enhance the exercise of the authority provided in subsection (a).

(E) A description of the extent to which the Secretary has worked, or intends to work, with the Government of Mexico, interagency partners, and the private sector to enable operations in cyberspace against illegal trafficking by transnational criminal organizations.

(F) A description of the security cooperation programs in effect on the day before the date of the enactment of this Act that would enable the Secretary to cooperate with Mexican defense partners against illegal trafficking by transnational criminal organizations in cyberspace.

(G) An assessment of the potential risks associated with cooperating with Mexican counterparts against transnational criminal organizations in cyberspace and ways that those risks can be mitigated, including in cooperation with Mexican partners.

(H) A description of any cooperation agreements or initiatives in effect on the day before the date of the enactment of this Act with interagency partners and the government of Mexico to counter transnational criminal organizations in cyberspace.

(c) QUARTERLY MONITORING BRIEFING.—The Secretary shall, on a quarterly basis in conjunction with the briefings required by section 484 of title 10, United States Code, provide to the appropriate congressional committees a briefing setting forth, for the preceding calendar quarter, the following:

(1) Each country in which an operation was conducted under subsection (a).

(2) The purpose and nature of each operation set forth pursuant to paragraph (1).

(3) The start date and end date or expected duration of each operation set forth pursuant to paragraph (1).

(4) The elements of the Department of Defense down to O–6 command level who conducted or are conducting the operations set forth pursuant to paragraph (1).

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede any standing prohibitions on collection of information on United States persons.

SEC. 1707. PILOT PROGRAM FOR CYBERSECURITY COLLABORATION CENTER INCLUSION OF SEMICONDUCTOR MANUFACTURERS.

(a) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Defense shall, in coordination with the Director of the National Security Agency, establish a pilot program to assess the feasibility and advisability of improving the semiconductor manufacturing supply chain by enabling the National Security Agency Cybersecurity Collaboration Center to collaborate with semiconductor manufacturers in the United States.

(b) PROGRAM SCOPE.—The pilot program established pursuant to subsection (a) shall focus on improving the cybersecurity of the supply chain for semiconductor design and manufacturing, including the following:

(1) The cybersecurity of design and manufacturing processes, as well as assembly, packaging, and testing.

(2) Protecting against cyber-driven intellectual property theft.

(3) Reducing the risk of supply chain disruptions caused by cyberattacks.

(c) ELIGIBILITY.—Persons who directly support the manufacture, packaging, and assembly of semiconductors within the United States and who provide semiconductor components for the Department of Defense, national security systems (as defined in section 3552(b) of title 44, United States Code), or the defense industrial base are eligible to participate in the pilot program.

(d) BRIEFINGS.—

(1) INITIAL.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide the appropriate committees of Congress a briefing on the pilot program required under subsection (a).

(B) ELEMENTS.—The briefing required under subparagraph (A) shall include the following:

(i) The plans of the Secretary for the implementation of the pilot program.

(ii) Identification of key priorities for the pilot program.

(iii) Identification of any potential challenges in standing up the pilot program or impediments to semiconductor manufacturer or semiconductor component supplier participation in the pilot program.

(2) ANNUAL.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act and annually thereafter for the duration of the pilot program required by subsection (a), the Secretary shall provide the appropriate committees of Congress a briefing on the progress of the pilot program.

(B) ELEMENTS.—Each briefing required under subparagraph (A) shall include the following:

(i) Recommendations for addressing relevant policy, budgetary, security, and legislative gaps to increase the effectiveness of the pilot program. For the first annual briefing, this shall include an assessment of the resources necessary for the pilot to be successful.

(ii) Recommendations for increasing semiconductor manufacturer or semiconductor component supplier participation in the pilot program.

(iii) A description of the challenges encountered in carrying out the pilot program, including any concerns expressed by semiconductor manufacturers or semiconductor component supplier.

(iv) The findings of the Secretary with respect to the feasibility and advisability of extending or expanding the pilot program.

(v) Such other matters as the Secretary considers appropriate.

(e) TERMINATION.—The pilot program required by subsection (a) shall terminate on the date that is four years after the date of the enactment of this Act.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1708. INDEPENDENT EVALUATION REGARDING POTENTIAL ESTABLISHMENT OF UNITED STATES CYBER FORCE AND FURTHER EVOLUTION OF CURRENT MODEL FOR MANAGEMENT AND EXECUTION OF CYBER MISSION.

(a) AGREEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with the National Academy of Public Administration (in this section referred to as the ''National Academy'') for the National Academy to conduct the evaluation under subsection (b) and submit the report under subsection (e).

(2) TIMING.—The Secretary shall seek to enter into the agreement described in paragraph (1) by not later than 60 days after the date of the enactment of this Act.

(b) EVALUATION.—

(1) IN GENERAL.—Under an agreement between the Secretary and the National Academy entered into pursuant to subsection (a), the National Academy shall conduct an evaluation regarding the advisability of—

(A) establishing a separate Armed Force dedicated to operations in the cyber domain (in this section referred to as the ''United States Cyber Force''); or

(B) refining and further evolving the current organization approach, which is based on the Special Operations Command model for United States Cyber Command.

(2) SCOPE.—The evaluation conducted pursuant to paragraph (1) shall include consideration of—

(A) the potential establishment of a United States Cyber Force as a separate Armed Force commensurate with the Army, Navy, Marine Corps, Air Force, and Space Force, for the purpose of organizing, training, and equipping the personnel required to enable and conduct operations in the cyber domain through positions aligned to the United States Cyber Command and the other unified combatant commands;

(B) a United States Cyber Force able to devise and implement recruiting and retention policies and standards specific to the range of skills and career fields required to enable and conduct cyberspace operations, as determined by the United States Cyber Command and the other unified combatant commands;

(C) the performance and efficacy of the Armed Forces to date, and potential improvements thereto from extending the model described in paragraph (1)(B), in satisfying the requirements of the combatant commands to enable and conduct operations in the cyber domain through positions aligned to the United States Cyber Command and other unified combatant commands, and any expected differences in that performance based on the creation of a United States Cyber Force as compared to evolutionary modifications to the current model;

(D) the performance and efficacy of the Armed Forces to date, and potential improvements thereto from extending the model described in paragraph (1)(B), in devising and implementing recruitment and retention policies specific to the range of skills and career fields required to enable and conduct cyberspace operations, as determined by the United States Cyber Command and the other unified combatant commands, and any expected differences in that performance based on the creation of a United States Cyber Force as compared to evolutionary modifications to the current model;

(E) potential and recommended delineations of responsibility between the other Armed Forces and a United States Cyber Force and an enhanced model described in paragraph (1)(B) with respect to network management, resourcing, and operations;

(F) potential and recommended delineations of responsibility between the other Armed Forces and a United States Cyber Force and an enhancement of the model described in paragraph (1)(B) for United States Cyber Command with respect to organizing, training, and equipping members of the Cyberspace Operations Forces, not serving in positions aligned under the Cyber Mission Force, to the extent necessary to support network management and operations;

(G) views and perspectives of members of the Armed Forces, in each grade, serving in the Cyber Mission Force with experience in operational work roles (as defined by the Commander of the United States Cyber Command), and military and civilian leaders across the Department regarding the establishment of a Cyber Force and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command;

(H) the extent to which each of the other Armed Forces is formed towards, and organized around, operations within a given warfighting domain, and the potential applicability of such formation and organizing constructs to a United States Cyber Force with respect to the cyber domain;

(I) findings from previous relevant assessments, analyses, and studies conducted by the Secretary, the Comptroller General of the United States, or other entities determined relevant by the National Academy on the establishment of a United States Cyber Force and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command;

(J) the organizing constructs for effective and operationally mature cyber forces of foreign countries and the relevance of such constructs to the potential creation of a United States Cyber Force and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command;

(K) lessons learned from the creation of the United States Space Force that should be applied to the creation of a United States Cyber Force;

(L) recommendations for approaches to the creation of a United States Cyber Force and the further evolution of the model described in paragraph (1)(B) for United States Cyber Command that would minimize disruptions to Department of Defense cyber operations;

(M) the histories of the Armed Forces, including an analysis of the conditions that preceded the establishment of each new Armed Force established since 1900; and

(N) a comparison between the potential service secretariat leadership structures for a United States Cyber Force and the further evolution of the model described in paragraph (1) for United States Cyber Command, including establishing the United States Cyber Force within an existing military department, standing up a new military department, and evolving the service secretary-like function of the Principal Cyber Advisor in the Office of the Under Secretary of Defense for Policy.

(3) CONSIDERATIONS.—The evaluation conducted pursuant to paragraph (1) shall include an evaluation of how a potential United States Cyber Force dedicated to the cyber domain would compare in performance and efficacy to the current model and a further evolution of the model described in paragraph (1)(B) for United States Cyber

Command, with respect to the following functions and potential objective end states, as well as an evaluation of the importance of the functions and potential end states:

(A) Organizing, training, and equipping the size of a force necessary to satisfy existing and projected requirements of the Department of Defense.

(B) Harmonizing training requirements and programs in support of cyberspace operations.

(C) Recruiting and retaining qualified officers and enlisted members of the Armed Forces at the levels necessary to execute cyberspace operations.

(D) Using reserve component forces in support of cyberspace operations.

(E) Sustaining persistent force readiness.

(F) Generating foundational intelligence in support of cyberspace operations.

(G) Acquiring and providing cyber capabilities in support of cyberspace operations.

(H) Establishing pay parity among members of the Armed Forces serving in and qualified for work roles in support of cyberspace operations.

(I) Establishing pay parity among civilians serving in and qualified for work roles in support of cyberspace operations.

(J) Establishing advancement parity for members of the Armed Forces serving in and qualified for work roles in support of cyberspace operations.

(K) Establishing advancement parity for civilians serving in and qualified for work roles in support of cyberspace operations.

(L) Developing professional military education content and curricula focused on the cyber domain.

(c) SUPPORT FROM FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—

(1) IN GENERAL.—Upon a request from the National Academy, the Secretary shall seek to enter into an agreement with a federally funded research and development center described in paragraph (2) under which such federally funded research and development center shall support the National Academy in conducting the evaluation under subsection (b).

(2) FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER DESCRIBED.—A federally funded research and development center described in this paragraph is a federally funded research and development center the staff of which includes subject matter experts with appropriate security clearances and expertise in—

(A) cyber warfare;

(B) personnel management;

(C) military training processes; and

(D) acquisition management.

(d) ACCESS TO DEPARTMENT OF DEFENSE PERSONNEL, INFORMATION, AND RESOURCES.—Under an agreement entered into between the Secretary and the National Academies under subsection (a)—

(1) the Secretary shall agree to provide to the National Academy access to such personnel, information, and resources of the Department of Defense as may be determined necessary by the National Academy in furtherance of the conduct of the evaluation under subsection (b); and

(2) if the Secretary does not provide such access, or any other major obstacle to such access occurs, the National Academy shall agree to notify the congressional defense committees not later than seven days after the date of such refusal or other occurrence.

(e) REPORT.—

(1) SUBMISSION TO CONGRESS.—Under an agreement entered into between the Secretary and the National Academy under subsection (a), the National Academy shall submit to the congressional defense committees a report containing the findings of the National Academy with respect to the evaluation under subsection (b) not later than 210 days after the date of the execution of the agreement.

(2) PROHIBITION AGAINST INTERFERENCE.—No personnel of the Department of Defense, nor any other officer or employee of the United States Government, may interfere, exert undue influence, or in any way seek to alter the findings of the National Academy specified in paragraph (1) prior to the submission thereof under such paragraph.

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

Subtitle B—Matters Relating to Department of Defense Cybersecurity and Information Technology

SEC. 1711. REQUIREMENTS FOR DEPLOYMENT OF FIFTH GENERATION INFORMATION AND COMMUNICATIONS CAPABILITIES TO DEPARTMENT OF DEFENSE BASES AND FACILITIES.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) develop and implement a strategy for deploying private networks, based on fifth generation information and communications capabilities (5G) and Open Radio Access Network (ORAN) architecture, to military bases and facilities that are tailored to the specific mission, security, and performance requirements of those bases and facilities;

(2) create a common, transparent, and streamlined process for enabling public network service providers of fifth generation information and communications capabilities to gain access to military bases and facilities to provide commercial subscriber services to government and contractor personnel and organizations located on those bases and facilities; and

(3) decide, on a case-by-case basis or as a common requirement, whether to contract for—

(A) neutral hosting, whereby infrastructure and services will be provided to companies deploying private networks and public network services through Multi-Operator Core Network architectures; or

(B) separate private network and public network infrastructure.

(b) INTERNATIONAL COOPERATION ACTIVITIES.—The Secretary may engage in cooperation activities with foreign allies and partners of the United States, using an authority provided by another provision of law, to inform the efficient and effective deployment of Open Radio Access Network architecture and to implement the strategy required under subsection (a)(1).

(c) DUE DATE FOR STRATEGY AND BRIEFING.—

(1) STRATEGY.—The Secretary shall develop the strategy required in subsection (a)(1) not later than 120 days after the date of the enactment of this Act.

(2) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the strategy developed under paragraph (1) of subsection (a) and the activities of the Secretary under such subsection.

(d) DEFINITION OF OPEN RADIO ACCESS NETWORK.—The term ''Open Radio Access Network'' means a network architecture that is modular, uses open interfaces, and virtualizes functionality on commodity hardware through software.

SEC. 1712. DEPARTMENT OF DEFENSE INFORMATION NETWORK BOUNDARY AND CROSS-DOMAIN DEFENSE.

(a) MODERNIZATION PROGRAM REQUIRED.—The Secretary of Defense shall carry out a modernization program for network boundary and cross-domain defense against cyber attacks, expanding upon the fiscal year 2023 pilot program and initial deployment to the primary Department of Defense internet access points (IAPs) managed by the Defense Information Systems Agency (DISA).

(b) PROGRAM PHASES.—

(1) IN GENERAL.—The modernization program required by subsection (a) shall be implemented in phases, with the objective of completing the program by October 1, 2028.

(2) OBJECTIVES.—The phases required by paragraph (1) shall include the following objectives:

(A) By the end of fiscal year 2026, completion of—

(i) a pilot of modernized boundary defense capabilities and initial and full deployment of the capabilities to internet access points managed by the Defense Information Systems Agency; and

(ii) the extension of modernized boundary defense capabilities to all additional internet access points of the Department of Defense information network (DODIN).

(B) By the end of fiscal year 2027, survey, pilot, and deploy modernized boundary defense capabilities to the access points and cross-domain capabilities of the Secret Internet Protocol Network.

(C) By the end of fiscal year 2028, survey, pilot, and deploy modernized boundary defense capabilities to remaining classified networks and enclaves of the Department information network.

(c) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on—

(1) the findings of the Secretary with respect to the pilot and initial deployment under subsection (b)(2)(A)(i); and

(2) the plans of the Secretary for the phased deployment to other internet access points and classified networks pursuant to subsection (b).

SEC. 1713. POLICY AND GUIDANCE ON MEMORY-SAFE SOFTWARE PROGRAMMING.

(a) POLICY AND GUIDANCE.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall develop a Department of Defense-wide policy and guidance in the form of a directive memorandum to implement the recommendations of the National Security Agency contained in the Software Memory Safety Cybersecurity Information Sheet published by the Agency in November, 2022, regarding memory-safe software programming languages and testing to identify memory-related vulnerabilities in software developed, acquired by, and used by the Department of Defense.

(b) REQUIREMENTS.—The policy required in subsection (a) shall—

(1) establish the conditions and associated approval processes under which a component of the Department may—

(A) contract for the development of custom software that includes open source and reused software written in programming languages that are not classified as memory-safe by the Agency;

(B) acquire commercial software items that use programming languages that are not classified as memory-safe by the Agency;

(C) contract for software-as-a-service where the contractor uses programming languages that are not classified as memory-safe by the Agency; and

(D) develop software in Federal Government-owned software factories programming languages that are not classified as memory-safe by the Agency; and

(2) establish requirements and processes for employing static and dynamic application security testing that can identify memory-use issues and vulnerabilities and resolve them for software contracted for, developed, or acquired as described in paragraph (1).

(c) BRIEFING REQUIRED.—Not later than 300 days after the date of the enactment of this

Act, the Secretary shall provide the congressional defense committees a briefing on the policy and guidance developed under subsection (a).

SEC. 1714. DEVELOPMENT OF REGIONAL CYBERSECURITY STRATEGIES.

(a) DEVELOPMENT OF STRATEGIES REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Commander of United States Cyber Command and each commander of a geographic combatant command, develop, for each geographic combatant command, a regional cybersecurity strategy to support the operations of such command.

(b) ELEMENTS.—Each regional cybersecurity strategy developed under subsection (a) for a geographic combatant command shall include the following:

(1) A description or an outline of methods to identify both nation-state and non-state cyber threat actors.

(2) Processes to enhance the targeting, intelligence, and cyber capabilities of the combatant command.

(3) Plans to increase the number of cyber planners embedded in the combatant command.

(4) Processes to integrate cyber forces into other warfare domains.

(5) A plan to assist, train, advise, and participate in cyber capacity building with international partners.

(6) A prioritization of cyber risks and vulnerabilities within the geographic region.

(7) Processes to coordinate cyber activities with interagency partners with activities in the geographic region.

(8) Specific plans to assist in the defense of foreign infrastructure that is critical to the national security interests of the United States.

(9) Means by which the Cybersecurity and Infrastructure Security Agency will be integrated into each strategy.

SEC. 1715. CYBER INCIDENT REPORTING.

(a) CYBER INCIDENT REPORTING REQUIREMENT.—

(1) DEPARTMENT GOVERNANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Chief Information Officer of the Department of Defense, the Commander of United States Cyber Command, and the Commander of the Joint Force Headquarters Department of Defense Information Network—

(A) assign responsibility to the Commander of the Joint Force Headquarters Department of Defense Information Network to oversee cyber incident reporting and notification of cyber incidents to Department leadership;

(B) align policy and system requirements to enable the Department to have enterprise-wide visibility of cyber incident reporting to support rapid and appropriate response; and

(C) distribute new guidance to Department personnel on cyber incident reporting, which shall include detailed procedures for identifying, reporting, and notifying Department leadership of critical cyber incidents.

(2) DEFENSE INDUSTRIAL BASE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall ensure that the Chief Information Officer determines what actions need to be taken to encourage more complete and timely mandatory cyber incident reporting from persons in the defense industrial base.

(3) DATA BREACH NOTIFICATION.—The Secretary shall ensure that components of the Department document instances in which Department personnel affected by a privacy data breach are notified of the breach within 72 hours of the discovery of the breach.

(b) ASSESSMENT ON ESTABLISHING OFFICE OF CYBER STATISTICS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall complete an assessment of the feasibility and suitability of establishing, and resourcing required to establish, an office of cyber statistics to track cyber incidents and measure the response time of defense agencies and the military departments to address cyber threats, risks, and vulnerabilities.

(2) ELEMENTS.—The assessment required under paragraph (1) shall include an evaluation of the feasibility, suitability, and resourcing required for defense agencies and the military departments—

(A) to collect data on the amount of time it takes to detect a cyber incident;

(B) to respond to a cyber incident;

(C) to fully mitigate the risk of high-impact cyber vulnerabilities;

(D) to recover data following a malicious cyber intrusion; and

(E) to collect such other metrics as the Secretary determines would help improve cyber incident reporting practices.

SEC. 1716. MANAGEMENT BY DEPARTMENT OF DEFENSE OF MOBILE APPLICATIONS.

(a) IMPLEMENTATION OF RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall evaluate and implement to the maximum practicable extent the recommendations of the Inspector General of the Department of Defense with respect to managing mobile applications contained in the report set forth by the Inspector General dated February 9, 2023, and entitled ''Management Advisory: The DoD's Use of Mobile Applications'' (Report No. DODIG–2023–041).

(2) DEADLINE.—The Secretary shall implement the recommendations specified in subsection (a) by not later than one year after the date of the enactment of this Act, unless the Secretary notifies the congressional defense committees in writing of specific recommendations that the Secretary chooses not to implement or to implement after the date that is one year after the date of the enactment of this Act.

(b) BRIEFING ON REQUIREMENTS RELATED TO COVERED APPLICATIONS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall brief the congressional defense committees on actions taken by the Secretary to enforce compliance with existing policy of the Department of Defense that prohibits—

(A) the installation and use of covered applications on Federal Government devices; and

(B) the use of covered applications on the Department of Defense Information Network on personal devices.

(2) COVERED APPLICATIONS DEFINED.—In this subsection, the term ''covered applications'' means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited.

SEC. 1717. SECURITY ENHANCEMENTS FOR THE NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS NETWORK.

(a) REQUIRED ESTABLISHMENT OF CROSS-FUNCTIONAL TEAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a cross-functional team, in accordance with section 911(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note), to develop and direct the implementation of a threat-driven cyber defense construct for systems and networks that support the nuclear command, control, and communications (commonly referred to as ''NC3'') mission.

(2) PARTICIPATION IN THE CROSS-FUNCTIONAL TEAM.—The Secretary shall ensure that each of the military departments, the Defense Information Systems Agency, the National Security Agency, United States Cyber Command, and the Nuclear Command, Control, and Communications Enterprise Center of United States Strategic Command provide staff for the cross-functional team.

(3) SCOPE.—The cross-functional team shall work to enhance the cyber defense of the nuclear command, control, and communications network during the period beginning on the date of the enactment of this Act and ending on October 31, 2028, or a subsequent date as the Secretary may determine.

(b) REQUIRED CONSTRUCT AND PLAN OF ACTION AND MILESTONES.—Not later than one year after the date of the enactment of this Act, the head of the cross-functional team established pursuant to subsection (a)(1) shall develop a cyber defense construct and associated plans of actions and milestones to enhance the security of the systems and networks that support the nuclear command, control, and communications mission that are based on—

(1) the application of the principles of the Zero Trust Architecture approach to security;

(2) analysis of appropriately comprehensive endpoint and network telemetry data; and

(3) control capabilities enabling rapid investigation and remediation of indicators of compromise and threats to mission execution.

(c) ANNUAL BRIEFINGS.—During the 60-day period beginning on the date that is 30 days before the date on which the President submits to Congress the budget of the President for fiscal year 2025 pursuant to section 1105(a) of title 31, United States Code, and for each of fiscal years 2026 through 2028, the Secretary shall provide the congressional defense committees a briefing on the implementation of this section.

SEC. 1718. GUIDANCE REGARDING SECURING LABORATORIES OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Chief Information Officer of the Department of Defense, the Chief Digital and Artificial Intelligence Officer of the Department, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Intelligence and Security, issue guidance throughout the Department regarding methods and processes to secure laboratories of the Armed Forces from—

(1) unauthorized access and intrusion;

(2) damage to, and destruction, manipulation, or theft of, physical and digital laboratory assets;

(3) accidental or intentional release or disclosure of sensitive information; and

(4) cyber sabotage.

(b) METHODS AND PROCESSES.—At a minimum, the methods and processes required under subsection (a) shall include guidance to—

(1) secure laboratory operations through zero trust principles;

(2) control access of devices to laboratory information networks;

(3) secure inventory management processes;

(4) control or limit access to laboratories of the Armed Forces to authorized individuals;

(5) maintain the security and integrity of data libraries, repositories, and other digital assets;

(6) report and remediate cyber incidents or other unauthorized intrusions;

(7) train and educate personnel of the Department on laboratory security;

(8) develop an operations security (OPSEC) plan to secure laboratory operations that can be used to implement the appropriate countermeasures given the mission, assessed risk, and resources available to the unit and provides guidelines for implementation of routine procedures and measures to be employed during daily operations or activities of the unit; and

(9) develop and train applicable units on individualized secure laboratory critical information and indicator lists to aid in protecting critical information about Department activities, intentions, capabilities, or limitations that an adversary seeks to gain a military, political, diplomatic, economic, or technological advantage.

SEC. 1719. ESTABLISHING IDENTITY, CREDENTIAL, AND ACCESS MANAGEMENT INITIATIVE AS A PROGRAM OF RECORD.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall establish the Identity, Credential, and Access Management (ICAM) initiative as a program of record subject to milestone reviews, compliance with requirements, and operational testing.

(b) ELEMENTS.—The program of record established pursuant to subsection (a) shall encompass, at a minimum, the following:

(1) Correcting the authentication and credentialing security weaknesses, including in the Public Key Infrastructure program, identified by the Director of Operational Test and Evaluation in a report submitted to Congress in April, 2023, entitled ''FY14–21 Observations of the Compromise of Cyber Credentials''.

(2) Implementing improved authentication technologies, such as biometric and behavioral authentication techniques and other non-password-based solutions.

(c) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the parameters of the program of record established pursuant to subsection (a).

SEC. 1720. STRATEGY ON CYBERSECURITY RESILIENCY OF DEPARTMENT OF DEFENSE SPACE ENTERPRISE.

(a) STRATEGY.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Chief Information Officer of the Department of Defense, the Commander of United States Cyber Command, the Secretary of the Air Force, and the Commander of United States Space Command, develop and commence implementation of a Department-wide strategy regarding cyber protection activities for the Department of Defense space enterprise.

(b) ELEMENTS.—The strategy developed and implemented pursuant to subsection (a) shall, at a minimum, address the following elements:

(1) The coordination and synchronization of cyber protection activities across combatant commands, the military departments, and defense agencies.

(2) The adoption and implementation of zero trust architecture on legacy and new space-based systems.

(3) How the Department will prioritize the mitigation of known cyber risks and vulnerabilities to legacy and new space-based systems.

(4) How the Department will accelerate the development of capabilities to protect space-based systems from cyber threats.

(c) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the strategy developed and implemented pursuant to subsection (a).

SEC. 1721. REQUIREMENTS FOR IMPLEMENTATION OF USER ACTIVITY MONITORING FOR CLEARED PERSONNEL AND OPERATIONAL AND INFORMATION TECHNOLOGY ADMINISTRATORS AND OTHER PRIVILEGED USERS.

(a) IN GENERAL.—The Secretary of Defense shall require each head of a component of the Department of Defense to fully implement directives, policies, and program requirements for user activity monitoring and least privilege access controls for Federal Government and contractor personnel granted access to classified information and classified networks.

(b) SPECIFIC USER ACTIVITY CONTROL REQUIREMENTS.—The Secretary shall require each head of a Department component to fully implement the detection, collection, and auditing of the following:

(1) Sent and received emails, including sent attachments and emails sent outside of Federal Government domains.

(2) Screen captures and print jobs, with focused attention on unusual volumes and times.

(3) Accesses to World Wide Web Uniform Resource Locators and uploads and downloads involving nongovernment domains.

(4) All instances in which a user creates, copies, moves to, or renames a file on removable media.

(5) Secure file transfers, including on nonstandard ports.

(6) Keystrokes.

(7) Unauthorized research on user activity monitoring agents and techniques to disable user activity monitoring agents.

(8) Attempts to clear event logs on devices.

(9) Unauthorized applications being installed or run on an endpoint.

(10) Installation and use of mounted drives, including serial numbers of such drives.

(11) Initiation and control of an interactive session on a remote computer or virtual machine.

(12) Instances where monitored users are denied access to a network location or resource.

(13) Users uploading to or downloading from cloud services.

(14) Administrative actions by privileged users, including remote and after-hour administrative actions, as well as document viewing, copy and paste activity, and file copying to new locations.

(c) ADDITIONAL REQUIREMENTS.—The Secretary shall require each head of a Department component to implement the following:

(1) Automated controls to prohibit privileged user accounts from performing general user activities not requiring privileged access.

(2) Two-person control whereby privileged users attempt to initiate data transfers from a classified domain and removable media-based data transfer activities on classified networks.

(d) ESTABLISHING USER ACTIVITY MONITORING BEHAVIOR THRESHOLDS.—

(1) IN GENERAL.—The Secretary shall require each head of a Department component to implement standard triggers, alerts, and controls developed by the Under Secretary of Defense for Intelligence and Security based on insider threat behavior models approved by the Under Secretary.

(2) APPROVAL OF DEVIATIONS.—A head of a Department component that seeks to adopt a practice pursuant to paragraph (1) that deviates from standard triggers, alerts, and controls described in such paragraph by being less stringent shall submit to the Under Secretary a request for approval for such deviation along with a written justification for such deviation.

(e) PERIODIC TESTING.—The Secretary shall require each head of a Department component, not less frequently than once every two years—

(1) to conduct insider threat testing using threat-realistic tactics, techniques, and procedures; and

(2) to submit to the Under Secretary and the Director of Operational Test and Evaluation a report on the findings of the head with respect to the testing conducted pursuant to paragraph (1).

(f) PERIODIC REVIEWS AND UPDATES.—The Secretary shall review and update the standard set of triggers, alerts, and controls described in subsection (d)(1) at least once every three years to account for new technology, new insider threat behaviors, and the results of testing conducted pursuant to subsection (e)(1).

(g) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services and the Select Committee on Intelligence of the Senate and the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives a report on the implementation of the requirements of this section.

(h) DEFINITION OF TRIGGERS.—In this section, the term ''trigger'' means a set of logic statements applied to a data stream that produces an alert when an anomalous incident or behavior occurs.

SEC. 1722. DEPARTMENT OF DEFENSE DIGITAL CONTENT PROVENANCE.

(a) BRIEFING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Media Activity (DMA) shall provide a to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on developing a course of education at the Defense Information School (DINFOS) to teach the practical concepts and skills needed by Department of Defense public affairs, audiovisual, visual information, and records management specialists.

(2) ELEMENTS.—The briefing provided pursuant to paragraph (1) shall cover the following:

(A) The expertise and qualifications of the Department personnel who will be responsible for teaching the proposed course of education.

(B) The list of sources that will be consulted and used to develop the proposed curriculum for the course of education.

(C) A description of the industry open technical standards under subsection (b)(1)(C).

(D) The status of the implementation of the course of education.

(b) COURSE OF EDUCATION REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of the Defense Media Activity shall establish a course of education at the Defense Information School to teach the practical concepts and skills needed by public affairs, audiovisual, visual information, and records management specialists to understand the following:

(A) Digital content provenance for applicable Department media content.

(B) The challenges posed to Department missions and operations by a digital content forgery.

(C) How existing industry open technical standards may be used to authenticate the digital content provenance of applicable Department media content.

(2) MATTERS COVERED.—The course of education established pursuant to paragraph (1) shall cover the following:

(A) The challenges to Department missions and operations posed by a digital content forgery.

(B) The development of industry open technical standards for verifying the digital content provenance of applicable Department media content.

(C) Hands-on training techniques for capturing secure and authenticated digital content for documenting and communicating Department themes and messages.

(D) Training for completing post-production tasks by using industry open technical standards for digital content provenance and transmitting applicable Department media content in both operational and non-operational environments.

(E) Such other matters as the Director considers appropriate.

(3) REPORT.—Not later than one year after the date of the establishment of the course required in paragraph (1), the Director shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the following:

(A) The status of the development of a curriculum to carry out the course of education required by paragraph (1).

(B) The implementation plan of the Director for such course of education, including the following:

(i) The expertise and qualifications of the Department personnel responsible for teaching the course of education.

(ii) The list of sources consulted and used to develop the curriculum for the course of education.

(iii) A description of the industry open technical standards under subsection (b)(1)(C).

(iv) The status of the implementation of the course of education.

(C) The resources available to the Director to carry out this subsection and whether the Director requires any additional resources to carry out this subsection.

(c) PILOT PROGRAM ON IMPLEMENTING DIGITAL CONTENT PROVENANCE STANDARDS.—

(1) PILOT PROGRAM REQUIRED.—Not later than one year after the date of the enactment of this Act, the Director shall commence a pilot program to assess the feasibility and advisability of implementing industry open technical standards for digital content provenance for official Department photographic and video visual documentation that is publicly released by the Defense Visual Information Distribution Service (DVIDS) and other distribution platforms, systems, and services used by the Department.

(2) ELEMENTS.—In carrying out the pilot program required by paragraph (1), the Director shall—

(A) establish a process for using industry open technical standards for verifying the digital content provenance of applicable Department media content;

(B) apply technology solutions on photographs and videos of the Department publicly released after the date of the enactment of this section, that comport with industry open technical standard for digital content provenance;

(C) assess the feasibility and advisability of applying an industry open technical standard for digital content provenance on historical visual information records of the Department stored at the Defense Visual Information Records Center; and

(D) develop and apply measure of effectiveness for the execution of the pilot program.

(3) CONSULTATION.—In carrying out the pilot program required by paragraph (1), the Director may consult with federally funded research and development centers, private industry, academia, and such others as the Director considers appropriate.

(4) TERMINATION.—The pilot program carried out pursuant to paragraph (1) shall terminate on January 1, 2027.

(5) REPORT.—

(A) IN GENERAL.—Not later than January 1, 2026, the Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the pilot program.

(B) CONTENTS.—The report submitted pursuant to subparagraph (A) shall include the following:

(i) The findings of the Director with respect to the pilot program.

(ii) The names of all entities the Director consulted with in carrying out the pilot program as authorized under paragraph (3).

(iii) Assessment of the effectiveness of the pilot.

(iv) A recommendation as to whether the pilot program should be made permanent.

(d) DEFINITIONS.—In this section:

(1) The term ''applicable Department media content'' means the media holdings generated, stored, or controlled by the Defense Media Activity.

(2) The term ''digital content forgery'' means the use of emerging technologies, including artificial intelligence and machine learning techniques to fabricate or manipulate audio, visual, or text content with the intent to mislead.

(3) The term ''digital content provenance'' means the verifiable chronology of the origin and history of a piece of digital content, such as an image, video, audio recording, or electronic document.

SEC. 1723. POST-GRADUATE EMPLOYMENT OF CYBER SERVICE ACADEMY SCHOLARSHIP RECIPIENTS IN INTELLIGENCE COMMUNITY.

Section 1535 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 2200 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', the heads of the elements of the intelligence community,'' after ''the Secretary of Homeland Security''; and

(B) in paragraph (3), by striking ''Department of Defense Cyber and Digital Service Academy'' and inserting ''Cyber Service Academy''; and

(2) in subsection (d), by inserting ''or an element of the intelligence community'' after ''missions of the Department'';

(3) in subsection (e)—

(A) by striking ''Secretary'' each place it appears and inserting ''head concerned''; and

(B) by inserting '', or within an element of the intelligence community, as the case may be'' after ''United States Code'';

(4) in subsections (h), (j), and (k), by striking ''Secretary'' each place it appears and inserting ''head concerned''; and

(5) by adding at the end of the following new subsections:

''(p) INTERAGENCY CONSIDERATIONS.—

''(1) IN GENERAL.—The Secretary of Defense shall enter into an agreement with the head of an element of the intelligence community to allow a scholarship recipient to satisfy the recipient's post-award employment obligations under this section by working for an element of the intelligence community that is not part of the Department of Defense if the head of that element agrees to reimburse the Department of Defense for the scholarship program costs associated with that scholarship recipient.

''(2) LIMITATIONS.—(A) A scholarship recipient may not serve the recipient's post-award employment obligation under this section at an element of the intelligence community that is not part of the Department of Defense before an agreement under paragraph (1) is reached.

''(B) Not more than 10 percent of scholarship recipients in each class may be placed in positions outside the Department of Defense unless the Secretary certifies that the Department of Defense cannot facilitate a placement within the Department of Defense.

''(q) DEFINITIONS.—In this section:

''(1) The term 'head concerned' means—

''(A) The Secretary of Defense, with respect to matters concerning the Department of Defense; or

''(B) the head of an element of the intelligence community, with respect to matters concerning that element.

''(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. 1724. MINIMUM NUMBER OF SCHOLARSHIPS TO BE AWARDED ANNUALLY THROUGH CYBER SERVICE ACADEMY.

Section 1535(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 2200 note) is amended by adding at the end the following new paragraph:

''(5) MINIMUM NUMBER OF SCHOLARSHIP AWARDS.—

''(A) IN GENERAL.—The Secretary of Defense shall award not fewer than 1,000 scholarships through the Program in fiscal year 2026 and in each fiscal year thereafter.

''(B) WAIVER.—The Secretary of Defense may award fewer than the number of scholarships required under subparagraph (A) in a fiscal year if the Secretary determines and notifies the congressional defense committees that fewer scholarships are necessary to address workforce needs.''.

SEC. 1725. CONTROL AND MANAGEMENT OF DEPARTMENT OF DEFENSE DATA AND ESTABLISHMENT OF CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.

(a) CONTROL AND MANAGEMENT OF DEPARTMENT OF DEFENSE DATA.—The Chief Digital and Artificial Intelligence Officer of the Department of Defense shall maintain the authority, but not the requirement, to access and control, on behalf of the Secretary of Defense, of all data collected, acquired, accessed, or utilized by Department of Defense components consistent with section 1513 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 4001 note).

(b) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.—Paragraph (3) of section 238(d) 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 to read as follows:

''(3) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.—

''(A) ESTABLISHMENT.—(i) The Secretary shall establish a council to provide policy oversight to ensure the responsible, coordinated, and ethical employment of data and artificial intelligence capabilities across Department of Defense missions and operations.

''(ii) The council established pursuant to clause (i) shall be known as the 'Chief Digital and Artificial Intelligence Officer Governing Council' (in this paragraph the 'Council').

''(B) MEMBERSHIP.—The Council shall be composed of the following:

''(i) Joint Staff J–6.

''(ii) The Under Secretary of Defense for Acquisition and Sustainment.

''(iii) The Under Secretary of Defense for Research and Evaluation.

''(iv) The Under Secretary of Defense for Intelligence and Security.

''(v) The Under Secretary of Defense for Policy.

''(vi) The Director of Cost Analysis and Program Evaluation.

''(vii) The Chief Information Officer of the Department.

''(viii) The Director of Administration and Management.

''(ix) The service acquisition executives of each of the military departments.

''(C) HEAD OF COUNCIL.—The Council shall be headed by the Chief Digital and Artificial Intelligence Officer of the Department.

''(D) MEETINGS.—The Council shall meet not less frequently than twice each fiscal year.

''(E) DUTIES OF COUNCIL.—The duties of the Council are as follows:

''(i) To streamline the organizational structure of the Department as it relates to artificial intelligence development, implementation, and oversight.

''(ii) To improve coordination on artificial intelligence governance with the defense industry sector.

''(iii) To establish and oversee artificial intelligence guidance on ethical requirements and protections for usage of artificial intelligence supported by Department funding and reduces or mitigates instances of unintended bias in artificial intelligence algorithms.

''(iv) To identify, monitor, and periodically update appropriate recommendations for operational usage of artificial intelligence.

''(v) To review, as the head of the Council considers necessary, artificial intelligence program funding to ensure that any Department investment in an artificial intelligence tool, system, or algorithm adheres to all Department established policy related to artificial intelligence.

''(vi) To provide periodic status updates on the efforts of the Department to develop and implement artificial intelligence into existing Department programs and processes.

''(vii) To provide guidance on access and distribution restrictions relating to data, models, tool sets, or testing or validation infrastructure.

''(viii) to implement and oversee a data and artificial intelligence educational program for the purpose of familiarizing the Department at all levels on the applications of artificial intelligence in their operations.

''(ix) To implement and oversee a data decree scorecard.

''(x) Such other duties as the Council determines appropriate.

''(F) PERIODIC REPORTS.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 and not less frequently than once every 18 months thereafter, the Council shall submit to the Secretary and the congressional defense committees a report on the activities of the Council during the period covered by the report.''.

SEC. 1726. REQUIREMENT TO SUPPORT FOR CYBER EDUCATION AND WORKFORCE DEVELOPMENT AT INSTITUTIONS OF HIGHER LEARNING.

(a) AUTHORITY.—The Secretary of Defense shall support the development of foundational expertise in critical cyber operational skills at institutions of higher learning, selected by the Secretary under subsection (b), for current and future members of the Armed Forces and civilian employees of the Department of Defense.

(b) SELECTION.—The Secretary shall select institutions of higher learning to receive support under subsection (a) from among institutions of higher learning that meet the following eligibility criteria:

(1) The institution offers a program from beginning through advanced skill levels to provide future military and civilian leaders of the Armed Forces with operational cyber expertise.

(2) The institution includes instruction and practical experiences that lead to recognized certifications and degrees in the cyber field.

(3) The institution has and maintains an educational partnership with an active component of the Armed Forces or a Department component designed to facilitate the development of critical cyber skills for students who may pursue a military career.

(4) The institution is located in close proximity to a military installation with a cyber mission defined by the Department or the Armed Forces.

(c) SUPPORT.—Under subsection (a), the Secretary shall provide, at a minimum, to each institution of higher learning selected by the Secretary under subsection (b) the following support for civilian and military leaders of the Department transitioning into cyber fields at the Department:

(1) Expansion of cyber educational programs focused on enhancing such transition.

(2) Hands-on cyber opportunities, including laboratories and security operations centers.

(3) Direct financial assistance to civilian and military students at the Department to increase access to courses and hands-on opportunities under paragraphs (1) and (2).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2024.

SEC. 1727. IMPROVEMENTS RELATING TO CYBER PROTECTION SUPPORT FOR DEPARTMENT OF DEFENSE PERSONNEL IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

Section 1645 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2224 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''and personal accounts'' after ''personal technology devices''; and

(ii) by inserting ''and shall provide such support to any such personnel who request the support'' after ''in paragraph (2)''; and

(B) in paragraph (2)(B), by inserting ''or personal accounts'' after ''personal technology devices'';

(2) in subsection (c)—

(A) in paragraph (1), by inserting ''or personal accounts'' after ''personal technology devices''; and

(B) in paragraph (2), by striking ''and networks'' and inserting '', personal networks, and personal accounts''; and

(3) by striking subsections (d) and (e) and inserting the following new subsection (d):

''(d) DEFINITIONS.—In this section:

''(1) The term 'personal accounts' means accounts for online and telecommunications services, including telephone, residential internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by Department of Defense personnel outside of the scope of their employment with the Department.

''(2) The term 'personal technology devices ' means technology devices used by Department of Defense personnel outside of the scope of their employment with the Department and includes networks to which such devices connect.''.

SEC. 1728. COMPTROLLER GENERAL REPORT ON EFFORTS TO PROTECT PERSONAL INFORMATION OF DEPARTMENT OF DEFENSE PERSONNEL FROM EXPLOITATION BY FOREIGN ADVERSARIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall brief the appropriate congressional committees on Department of Defense efforts to protect personal information of its personnel from exploitation by foreign adversaries.

(b) ELEMENTS.—The briefing required under subsection (a) shall include any observations on the following elements:

(1) An assessment of efforts by the Department of Defense to protect the personal information, including location data generated by smart phones, of members of the Armed Forces, civilian employees of the Department of Defense, veterans, and their families from exploitation by foreign adversaries.

(2) Recommendations to improve Department of Defense policies and programs to meaningfully address this threat.

(c) REPORT.—The Comptroller General shall publish on its website an unclassified report, which may contain a classified annex submitted to the congressional defense and intelligence committees, on the elements described in subsection (b) at a time mutually agreed upon.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Select Committee on Intelligence of the Senate; and

(3) the Permanent Select Committee on Intelligence of the House of Representatives.

TITLE XVIII—SPACE FORCE PERSONNEL MANAGEMENT

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Space Force Personnel Management Act''.

SEC. 1802. SPACE FORCE PERSONNEL MANAGEMENT ACT TRANSITION PLAN.

(a) CONDITIONS REQUIRED FOR ENACTMENT.—

(1) IN GENERAL.—None of the authorities provide by this title shall take effect until the later of—

(A) the Secretary of the Air Force—

(i) certifies to the congressional defense committees that any State National Guard affected by the transfer of units, personnel billets, equipment, and resources into the Space Force will be made whole by the transfer of additional assets under the control of the Secretary of the Air Force into the affected State National Guard; and

(ii) submits to the congressional defense committees a report that includes a transition plan to move all units, personnel billets, equipment, and resources performing core Space Force functions, under the operational control of the Space Force, or otherwise integral to the Space Force mission that may exist in the reserve components of the Department of the Air Force into the Space Force; and

(B) one year after the Secretary of Defense provides the briefing on the study required under section 1703(c).

(2) ELEMENTS.—The transition plan required under paragraph (1)(B) shall include the following elements:

(A) An identification of any units, personnel billets, equipment, and resources currently residing in the Air Force Reserve and Air National Guard that will be transferred into the Space Force, including, for items currently in the Air National Guard, a breakdown of assets by State.

(B) A timeline for the implementation of the authorities provided by this title.

(C) An explanation of any units personnel billets, equipment, and resources transferred

between the Regular Air Force, Air Force Reserve, Air National Guard, and Space Force, including, for any assets transferred into or out of the Air National Guard, a breakdown of transfers by State.

(b) PERSONNEL PROTECTIONS.—

(1) IN GENERAL.—In enacting the authorities provided by this title, the Secretary of the Air Force shall not require any currently serving member of the Air National Guard to enlist or commission into the Space Force.

(2) JOB PLACEMENT.—The Secretary of the Air Force shall provide employment opportunities within the Air National Guard to any currently serving member of the Air National Guard who, as a direct result of the enactment of this title, declines to affiliate with the Space Force.

(3) SPACE FORCE AFFILIATION.—The Secretary of the Air Force shall guarantee in writing that any member of the Air National Guard who joins the Space Force as a result of the enactment of this title will not lose rank or pay upon transferring to the Space Force.

(c) NATIONAL GUARD PROTECTIONS.—The Secretary of the Air Force shall ensure that no State National Guard loses Federal resources, including net personnel billets and Federal funding, as a result of the enactment of the authorities provided by this title.

SEC. 1803. COMPREHENSIVE ASSESSMENT OF SPACE FORCE EQUITIES IN THE NATIONAL GUARD.

(a) STUDY REQUIRED.—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 under which such center will conduct an independent study to assess the feasibility and advisability of moving all units, personnel billets, equipment, and resources performing core space functions, under the operational control of the Space Force, or otherwise integral to the Space Force mission that may exist in the National Guard and into a single-component Space Force and provide to the Secretary a report on the findings of the study. The conduct of such study shall include the following elements:

(1) An analysis and recommendations associated with at least the three following possible courses of action:

(A) Maintaining the current model in which the Air National Guard has units and personnel performing core space functions.

(B) Transitioning such units and personnel to the Space Force.

(C) The creation of a new National Guard component of the Space Force.

(2) A cost-benefit analysis for each of the analyzed courses of action.

(3) With respect to the course of action described in paragraph (1)(B), an analysis of the ideal personnel, units, and resources that could be transitioned to the respective Air National Guards of States that may lose space-related personnel, units, and resources as a result of the consolidation of space-related personnel, units, and resources into the Space Force component.

(b) 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, 2025.

(c) BRIEFING AND REPORT.—

(1) IN GENERAL.—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 and report on the findings of the study, including a description of any proposed personnel, unit, or resource realignments related to the creation of the Space Force single component or recommended by such study.

(2) CLASSIFICATION OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form but may include classified appendices as required.

Subtitle A—Space Force Military Personnel System Without Component

SEC. 1811. ESTABLISHMENT OF MILITARY PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

Title 10, United States Code, is amended by adding at the end the following new subtitle:

"Subtitle F—Alternative Military Personnel Systems

"PART I—SPACE FORCE

''Chap.
''2001. Space Force Personnel System 20001
''2003. Status and Participation 20101
''2005. Officers 20201
''2007. Enlisted Members 20301
''2009. Retention and Separation Generally 20401
''2011. Separation of Officers for Substandard Performance of Duty or for Certain Other Reasons 20501
''2013. Retirement 20601

"CHAPTER 2001—SPACE FORCE PERSONNEL SYSTEM

''Sec.
''20001. Single military personnel management system.
''20002. Members: duty status.
''20003. Members: minimum service requirement as applied to Space Force.

"§ 20001. Single military personnel management system

''Members of the Space Force shall be managed through a single military personnel management system, without component.''.

SEC. 1812. COMPOSITION OF THE SPACE FORCE WITHOUT COMPONENT.

(a) COMPOSITION OF THE SPACE FORCE.—Section 9081(b) of title 10, United States Code, is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (1), as so redesignated, by striking '', including'' and all that follows through ''emergency''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the certification by the Secretary of the Air Force under section 1745.

SEC. 1813. DEFINITIONS FOR SINGLE PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

(a) SPACE FORCE DEFINITIONS.—Section 101 of title 10, United States Code, is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

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

''(e) SPACE FORCE.—The following definitions relating to members of the Space Force apply in this title:

''(1) The term 'Space Force active status' means the status of a member of the Space Force who is not in a Space Force inactive status and is not retired.

''(2) The term 'Space Force inactive status' means the status of a member of the Space Force who is designated by the Secretary of the Air Force, under regulations prescribed by the Secretary, as being in a Space Force inactive status.

''(3) The term 'Space Force retired status' means the status of a member of the Space Force who—

''(A) is receiving retired pay; or

''(B) but for being under the eligibility age applicable under section 12731 of this title, would be eligible for retired pay under chapter 1223 of this title.

''(4) The term 'sustained duty' means full-time duty by a member of the Space Force ordered to such duty by an authority designated by the Secretary of the Air Force—

''(A) in the case of an officer—

''(i) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law; or

''(ii) with the consent of the officer; and

''(B) in the case of an enlisted member, with the consent of the enlisted member as specified in the terms of the member's enlistment or reenlistment agreement.''.

(b) AMENDMENTS TO EXISTING DUTY STATUS DEFINITIONS.—Subsection (d) of such section is amended—

(1) in paragraph (1), by inserting '', including sustained duty in the Space Force'' after ''United States''; and

(2) in paragraph (7), by inserting '', or a member of the Space Force,'' after ''Reserves'' both places it appears.

SEC. 1814. BASIC POLICIES RELATING TO SERVICE IN THE SPACE FORCE.

Chapter 2001 of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new sections:

"§ 20002. Members: duty status

''Under regulations prescribed by the Secretary of the Air Force, each member of the Space Force shall be placed in one of the following duty statuses:

''(1) Space Force active status.

''(2) Space Force inactive status.

''(3) Space Force retired status.

"§ 20003. Members: minimum service requirement as applied to Space Force

''(a) INAPPLICABILITY OF ACTIVE/RESERVE SERVICE DISTINCTION.—In applying section 651 of this title to a person who becomes a member of the Space Force, the provisions of the second sentence of subsection (a) and of subsection (b) of that section (relating to service in a reserve component) are inapplicable.

''(b) TREATMENT UPON TRANSFER OUT OF SPACE FORCE.—A member of the Space Force who transfers to one of the other armed forces before completing the service required by subsection (a) of section 651 of this title shall upon such transfer be subject to section 651 of this title in the same manner as if such member had initially entered the armed force to which the member transfers.''.

SEC. 1815. STATUS AND PARTICIPATION.

Subtitle F of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new chapter:

"CHAPTER 2003—STATUS AND PARTICIPATION

''Sec.
''20101. Members in Space Force active status: amount of annual training or active duty service required.
''20102. Individual ready guardians: designation; mobilization category.
''20103. Members not on sustained duty: agreements concerning conditions of service.
''20104. Orders to active duty: with consent of member.
''20105. Sustained duty.
''20106. Orders to active duty: without consent of member.
''20107. Transfer to inactive status: initial service obligation not complete.
''20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors.
''20109. Policy for order to active duty based upon determination by Congress.

"§ 20101. Members in Space Force active status: amount of annual training or active duty service required

''Except as specifically provided in regulations prescribed by the Secretary of Defense, a member of the Space Force in a Space Force active status who is not serving on sustained duty shall be required to—

''(1) participate in at least 48 scheduled drills or training periods during each year and serve on active duty for not less than 14 days (exclusive of travel time) during each year; or

''(2) serve on active duty for not more than 30 days during each year.

"§ 20102. Individual ready guardians: designation; mobilization category

''(a) IN GENERAL.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may designate a member of the Space Force in a Space Force active status as an Individual Ready Guardian.

''(b) MOBILIZATION CATEGORY.—

''(1) IN GENERAL.—Among members of the Space Force designated as Individual Ready Guardians, there is a category of members (referred to as a 'mobilization category') who, as designated by the Secretary of the Air Force, are subject to being ordered to active duty without their consent in accordance with section 20106(a) of this title.

''(2) LIMITATIONS ON PLACEMENT IN MOBILIZATION CATEGORY.—A member designated as an Individual Ready Guardian may not be placed in the mobilization category referred to in paragraph (1) unless—

''(A) the member volunteers to be placed in that mobilization category; and

''(B) the member is selected by the Secretary of the Air Force, based upon the needs of the Space Force and the grade and military skills of that member.

''(3) LIMITATION ON TIME IN MOBILIZATION CATEGORY.—A member of the Space Force in a Space Force active status may not remain designated an Individual Ready Guardian in such mobilization category after the end of the 24-month period beginning on the date of the separation of the member from active service.

''(4) DESIGNATION OF GRADES AND MILITARY SKILLS OR SPECIALTIES.—The Secretary of the Air Force shall designate the grades and military skills or specialties of members to be eligible for placement in such mobilization category.

''(5) BENEFITS.—A member in such mobilization category shall be eligible for benefits (other than pay and training) on the same basis as are available to members of the Individual Ready Reserve who are in the special mobilization category under section 10144(b) of this title, as determined by the Secretary of Defense.

"§ 20103. Members not on sustained duty: agreements concerning conditions of service

''(a) AGREEMENTS.—The Secretary of the Air Force may enter into a written agreement with a member of the Space Force not on sustained duty—

''(1) requiring the member to serve on active duty for a definite period of time;

''(2) specifying the conditions of the member's service on active duty; and

''(3) for a member serving in a Space Force inactive status, specifying the conditions for the member's continued service as well as order to active duty with and without the consent of the member.

''(b) CONDITIONS OF SERVICE.—An agreement under subsection (a) shall specify the conditions of service. The Secretary of the Air Force shall prescribe regulations establishing—

''(1) what conditions of service may be specified in the agreement;

''(2) the obligations of the parties; and

''(3) the consequences of failure to comply with the terms of the agreement.

''(c) AUTHORITY FOR RETENTION ON ACTIVE DUTY DURING WAR OR NATIONAL EMERGENCY.—If the period of service on active duty of a member under an agreement under subsection (a) expires during a war or during a national emergency declared by Congress or the President, the member concerned may be kept on active duty, without the consent of the member, as otherwise prescribed by law.

"§ 20104. Orders to active duty: with consent of member

''(a) AUTHORITY.—A member of the Space Force who is serving in a Space Force active status and is not on sustained duty, or who is serving in a Space Force inactive status, may, with the consent of the member, be ordered to active duty, or retained on active duty, under the following sections of chapter 1209 of this title in the same manner as applies to a member of a reserve component ordered to active duty, or retained on active duty, under that section with the consent of the member:

''(1) Section 12301(d), relating to orders to active duty at any time with the consent of the member.

''(2) Section 12301(h), relating to orders to active duty in connection with medical or health care matters.

''(3) Section 12322, relating to active duty for health care.

''(4) Section 12323, relating to active duty pending line of duty determination required for response to sexual assault.

''(b) APPLICABLE PROVISIONS OF LAW.—The following sections of chapter 1209 of this title pertaining to a member of a reserve component ordered to active duty with the consent of the member apply to a member of the Space Force who is ordered to active duty under this section in the same manner as to such a reserve component member:

''(1) Section 12308, relating to retention after becoming qualified for retired pay.

''(2) Section 12309, relating to use of Reserve officers in expansion of armed forces.

''(3) Section 12313, relating to release of reserve members from active duty.

''(4) Section 12314, relating to kinds of duty.

''(5) Section 12315, relating to duty with or without pay.

''(6) Section 12316, relating to payment of certain Reserves while on duty.

''(7) Section 12318, relating to duties and funding of reserve members on active duty.

''(8) Section 12320, relating to grade in which ordered to active duty.

''(9) Section 12321, relating to a limitation on number of reserve members assigned to Reserve Officer Training Corps units.

"§ 20105. Sustained duty

''(a) ENLISTED MEMBERS.—An authority designated by the Secretary of the Air Force may order an enlisted member of the Space Force in a Space Force active status to sustained duty, or retain an enlisted member on sustained duty, with the consent of that member, as specified in the terms of the member's enlistment or reenlistment agreement.

''(b) OFFICERS.—(1) An authority designated by the Secretary of the Air Force may order a Space Force officer in a Space Force active status to sustained duty—

''(A) with the consent of the officer; or

''(B) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law.

''(2) An officer ordered to sustained duty under paragraph (1) may not be released from sustained duty without the officer's consent except as provided in chapter 2009 or 2011 of this title.

"§ 20106. Orders to active duty: without consent of member

''(a) MEMBERS IN A SPACE FORCE ACTIVE STATUS.—(1) A member of the Space Force in a Space Force active status who is not on sustained duty, may, without the consent of the member, be ordered to active duty or inactive duty in the same manner as a member of a reserve component ordered to active duty or inactive duty under the provisions of chapter 1209 of this title and any other provision of law authorizing the order to active duty of a member of a reserve component in an active status without the consent of the member.

''(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to a member of the Ready Reserve when ordered to active duty shall apply to a member of the Space Force who is in a Space Force active status when ordered to active duty under paragraph (1).

''(3) The provisions of section 12304 of this title pertaining to members in the Individual Ready Reserve mobilization category shall apply to a member of the Space Force who is designated an Individual Ready Guardian when ordered to active duty who meets the provisions of section 20102(b) of this title.

''(b) MEMBERS IN A SPACE FORCE INACTIVE STATUS.—(1) A member of the Space Force in a Space Force inactive status may be ordered to active duty under—

''(A) the provisions of chapter 1209 of this title;

''(B) any other provision of law authorizing the order to active duty of a member of a reserve component in an inactive status; and

''(C) the terms of any agreement entered into by the member under section 20103 of this title.

''(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to the Standby Reserve shall apply to a member of the Space Force who is in a Space Force inactive service when ordered to active duty.

''(c) MEMBERS IN A SPACE FORCE RETIRED STATUS.—(1) Chapters 39 and 1209 of this title include provisions authorizing the order to active duty of a member of the Space Force in a Space Force retired status.

''(2) The provisions of sections 688, 688a, and 12407 of this title pertaining to a retired member or a member of the Retired Reserve shall apply to a member of the Space Force in a Space Force retired status when ordered to active duty.

''(3) The provisions of section 689 of this title pertaining to a retired member ordered to active duty shall apply to a member of the Space Force in a Space Force retired status who is ordered to active duty.

''(d) OTHER APPLICABLE PROVISIONS.—The following provisions of chapter 1209 of this title pertaining shall apply to a member of the Space Force ordered to active duty in the same manner as to a Reserve or member of the Retired Reserve ordered to active duty:

''(1) Section 12305, relating to the authority of the President to suspend certain laws relating to promotion, retirement, and separation.

''(2) Section 12308, relating to retention after becoming qualified for retired pay.

''(3) Section 12313, relating to release from active duty.

''(4) Section 12314, relating to kinds of duty.

''(5) Section 12315, relating to duty with or without pay.

''(6) Section 12316, relating to payment of certain Reserves while on duty.

''(7) Section 12317, relating to theological students; limitations.

''(8) Section 12320, relating to grade in which ordered to active duty.

''§ 20107. Transfer to inactive status: initial service obligation not complete

''(a) GENERAL RULE.—A member of the Space Force who has not completed the required minimum service obligation referred to in section 20003 of this title shall, if terminating Space Force active status, be transferred to a Space Force inactive status and, unless otherwise designated an Individual Ready Guardian under section 20102 of this title, shall remain subject to order to active duty without the member's consent under section 20106 of this title.

''(b) EXCEPTION.—Subsection (a) does not apply to a member who is separated from the Space Force by the Secretary of the Air Force under section 20503 of this title.

''§ 20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors

''For the purposes of laws providing pay and benefits for members of the Armed Forces and their dependents and beneficiaries:

''(1) Military training, duty, or other service performed by a member of the Space Force in a Space Force active status not on sustained duty shall be considered military training, duty, or other service, as the case may be, as a member of a reserve component.

''(2) Sustained duty performed by a member of the Space Force under section 20105 of this title shall be considered active duty as a member of a regular component.

''(3) Active duty performed by a member of the Space Force in a Space Force active status not on sustained duty shall be considered active duty as a member of a reserve component.

''(4) Inactive-duty training performed by a member of the Space Force shall be considered inactive-duty training as a member of a reserve component.

''§ 20109. Policy for order to active duty based upon determination by Congress

''Whenever Congress determines that more units and organizations capable of conducting space operations are needed for the national security than are available among those units comprised of members of the Space Force serving on active duty, members of the Space Force not serving on active duty shall be ordered to active duty and retained as long as so needed.''.

SEC. 1816. OFFICERS.

(a) ORIGINAL APPOINTMENTS.—Subtitle F of title 10, United States Code, as amended by section 1715, is further amended by adding at the end the following new chapter:

''CHAPTER 2005—OFFICERS

''Subchapter	Sec.
''I. Original appointments	20201
''II. Selection boards	20211
''III. Promotions	20231
''IV. Persons not considered for promotion and other promotion-related provisions	20241
''V. Applicability of other laws	20251

''SUBCHAPTER I—ORIGINAL APPOINTMENTS

''Sec.
''20201. Original appointments: how made.
''20202. Original appointments: qualifications.
''20203. Original appointments: service credit.

''§ 20201. Original appointments: how made

''The provisions of section 531 of this title shall apply to original appointments of commissioned officers in the Space Force.

''§ 20202. Original appointments: qualifications

''(a) IN GENERAL.—An original appointment as a commissioned officer in the Space Force may be given only to a person who—

''(1) is a citizen of the United States;

''(2) is at least 18 years of age; and

''(3) has such other physical, mental, moral, professional, and age qualifications as the Secretary of the Air Force may prescribe by regulation.

''(b) EXCEPTION.—A person who is otherwise qualified, but who has a physical condition that the Secretary of the Air Force determines will not interfere with the performance of the duties to which that person may be assigned, may be appointed as an officer in the Space Force.

''§ 20203. Original appointments: service credit

''The provisions of section 533 of this title shall apply to the crediting of prior active commissioned service for original appointments of commissioned officers.''.

(b) CONFORMING AMENDMENTS RELATING TO ORIGINAL APPOINTMENTS.—

(1) DEFINITIONS.—Section 101 of title 10, United States Code, is amended in subsection (b)(10) by inserting before the period at the end the following: ''and, with respect to the appointment of a member of the armed forces in the Space Force, refers to that member's most recent appointment in the Space Force that is neither a promotion nor a demotion''.

(2) ORIGINAL APPOINTMENTS OF COMMISSIONED OFFICERS.—Section 531 of such title is amended by striking ''Regular'' before ''Space Force'' each place it appears.

(3) QUALIFICATIONS FOR ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 532(a) of such title is amended by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''.

(4) SERVICE CREDIT UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 533 of such title is amended by striking ''Regular'' before ''Space Force'' each place it appears.

(c) SELECTION BOARDS AND PROMOTIONS.—Chapter 205 of title 10, United States Code, as added by subsection (a), is amended by adding at the end the following new subchapters:

''SUBCHAPTER II—SELECTION BOARDS

''Sec.
''20211. Convening of selection boards.
''20212. Composition of selection boards.
''20213. Notice of convening of selection boards.
''20214. Information furnished to selection boards.
''20215. Recommendations for promotion by selection boards.
''20216. Reports of selection boards.
''20217. Action on reports of selection boards for promotion to brigadier general or major general.

''§ 20211. Convening of selection boards

''(a) IN GENERAL.—Whenever the needs of the service require, the Secretary of the Air Force shall convene selection boards to recommend for promotion to the next higher permanent grade officers of the Space Force in each permanent grade from first lieutenant through brigadier general.

''(b) EXCEPTION FOR OFFICERS IN GRADE OF FIRST LIEUTENANT.—Subsection (a) does not require the convening of a selection board in the case of Space Force officers in the permanent grade of first lieutenant when the Secretary of the Air Force recommends for promotion to the grade of captain under section 20238(a)(4)(A) of this title all such officers whom the Secretary finds to be fully qualified for promotion.

''(c) SECTION 20404 SELECTION BOARDS.—The Secretary of the Air Force may convene selection boards to recommend officers for early retirement under section 20404(a) of this title or for discharge under section 20404(b) of this title.

''(d) REGULATIONS.—The convening of selection boards under subsection (a) shall be under regulations prescribed by the Secretary of the Defense.

''§ 20212. Composition of selection boards —

''(a) APPOINTMENT AND COMPOSITION OF BOARDS.—

''(1) IN GENERAL.—Members of a selection board shall be appointed by the Secretary of Air Force in accordance with this section. A selection board shall consist of five or more officers of the Space Force. Each member of a selection board must be serving in a grade higher than the grade of the officers under consideration by the board, except that no member of a board may be serving in a grade below major. The members of a selection board shall include at least one member serving on sustained duty and at least one member in a Space Force active status who is not serving on sustained duty. The ratio of the members of a selection board serving on sustained duty to members serving in a Space Force active status not on sustained duty shall, to the extent practicable, reflect the ratio of officers serving in each of those statuses who are being considered for promotion by the board. The members of a selection board shall represent the diverse population of the Space Force to the extent practicable.

''(2) REPRESENTATION FROM COMPETITIVE CATEGORIES.—(A) Except as provided in subparagraph (B), a selection board shall include at least one officer from each competitive category of officers to be considered by the board.

''(B) A selection board need not include an officer from a competitive category when there are no officers of that competitive category on the Space Force officer list in a grade higher than the grade of the officers to be considered by the board and eligible to serve on the board.

''(3) RETIRED OFFICERS.—If qualified officers on the Space Force officer list are not available in sufficient number to comprise a selection board, the Secretary of the Air Force shall complete the membership of the board by appointing as members of the board—

''(A) Space Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers; and

''(B) if sufficient Space Force officers are not available pursuant to subparagraph (A), Air Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers, but only if the Air Force officer to be appointed to the board has served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.

''(4) EXCLUSION OF RETIRED GENERAL OFFICERS ON ACTIVE DUTY TO SERVE ON A BOARD FROM NUMERIC GENERAL OFFICER ACTIVE-DUTY LIMITATIONS.—A retired general officer who is on active duty for the purpose of serving on a selection board shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

''(b) LIMITATION ON MEMBERSHIP ON CONSECUTIVE BOARDS.—

''(1) GENERAL RULE.—Except as provided in paragraph (2), no officer may be a member of

two successive selection boards convened under section 20211 of this title for the consideration of officers of the same grade.

''(2) EXCEPTION FOR GENERAL OFFICER BOARDS.—Paragraph (1) does not apply with respect to selection boards convened under section 20211 of this title for the consideration of officers in the grade of colonel or brigadier general.

''(c) JOINT QUALIFIED OFFICERS.—(1) Each selection board convened under section 20211 of this title that will consider an officer described in paragraph (2) shall include at least one officer designated by the Chairman of the Joint Chiefs of Staff who is a joint qualified officer.

''(2) Paragraph (1) applies with respect to an officer who—

''(A) is serving on, or has served on, the Joint Staff; or

''(B) is a joint qualified officer.

''(3) The Secretary of Defense may waive the requirement in paragraph (1) for any selection board of the Space Force.

''§ 20213. Notice of convening of selection boards

''(a) NOTICE TO ELIGIBLE OFFICERS.—At least 30 days before a selection board is convened under section 20211 of this title to recommend officers in a grade for promotion to the next higher grade, the Secretary of the Air Force shall—

''(1) notify in writing the officers eligible for consideration for promotion of the date on which the board is to convene and the name and date of rank of the junior officer, and of the senior officer, in the promotion zone as of the date of the notification; or

''(2) issue a general written notice to the Space Force regarding the convening of the board which shall include the convening date of the board and the name and date of rank of the junior officer, and of the senior officer, in the promotion zone as of the date of the notification.

''(b) COMMUNICATION FROM OFFICERS.—An officer eligible for consideration by a selection board convened under section 20211 of this title (other than an officer who has been excluded under section 20231(d) of this title from consideration by the board) may send a written communication to the board, to arrive not later than 10 calendar days before the date on which the board convenes, calling attention to any matter concerning the officer that the officer considers important to the officer's case. The selection board shall give consideration to any timely communication under this subsection.

''(c) NOTICE OF INTENT OF CERTAIN OFFICERS TO SERVE ON OR OFF ACTIVE DUTY.—An officer on the Space Force officer list in the grade of colonel or brigadier general who receives a notice under subsection (a) shall inform the Secretary of the officer's preference to serve either on or off active duty if promoted to the grade of brigadier general or major general, respectively.

''§ 20214. Information furnished to selection boards

''The provisions of section 615 of this title shall apply to information furnished to selection boards.

''§ 20215. Recommendations for promotion by selection boards

''The provisions of section 616 of this title shall apply to recommendations for promotion by selection boards.

''§ 20216. Reports of selection boards

''The provisions of section 617 of this title shall apply to reports of selection boards.

''§ 20217. Action on reports of selection boards for promotion to brigadier general or major general

''The provisions of section 618 of this title shall apply to action on reports of selection boards.

''SUBCHAPTER III—PROMOTIONS

''Sec.
''20231. Eligibility for consideration for promotion: time-in-grade and other requirements.
''20232. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions.
''20233. Opportunities for consideration for promotion.
''20234. Space Force officer list.
''20235. Competitive categories.
''20236. Numbers to be recommended for promotion.
''20237. Establishment of promotion zones.
''20238. Promotions: how made; authorized delay of promotions.

''§ 20231. Eligibility for consideration for promotion: time-in-grade and other requirements

''(a) TIME-IN-GRADE REQUIREMENTS.—(1) An officer who is in a Space Force active status on the Space Force officer list and holds a permanent appointment in the grade of second lieutenant or first lieutenant may not be promoted to the next higher permanent grade until the officer has completed the following period of service in the grade in which the officer holds a permanent appointment:

''(A) Eighteen months, in the case of an officer holding a permanent appointment in the grade of second lieutenant.

''(B) Two years, in the case of an officer holding a permanent appointment in the grade of first lieutenant.

''(2) Subject to paragraph (5), an officer who is in a Space Force active status on the Space Force officer list and holds a permanent appointment in a grade above first lieutenant may not be considered for selection for promotion to the next higher permanent grade until the officer has completed the following period of service in the grade in which the officer holds a permanent appointment:

''(A) Three years, in the case of an officer holding a permanent appointment in the grade of captain, major, or lieutenant colonel.

''(B) One year, in the case of an officer holding a permanent appointment in the grade of colonel or brigadier general.

''(3) When the needs of the service require, the Secretary of the Air Force may prescribe a longer period of service in grade for eligibility for promotion, in the case of officers to whom paragraph (1) applies, or for eligibility for consideration for promotion, in the case of officers to whom paragraph (2) applies.

''(4) When the needs of the service require, the Secretary of the Air Force may prescribe a shorter period of service in grade, but not less than two years, for eligibility for consideration for promotion, in the case of officers designated for limited duty to whom paragraph (2) applies.

''(5) The Secretary of the Air Force may waive paragraph (2) to the extent necessary to assure that officers described in subparagraph (A) of such paragraph have at least two opportunities for consideration for promotion to the next higher grade as officers below the promotion zone.

''(6) In computing service in grade for purposes of this section, service in a grade held as a result of assignment to a position is counted as service in the grade in which the officer would have served except for such assignment or appointment.

''(b) CONTINUED ELIGIBILITY FOR CONSIDERATION FOR PROMOTION OF OFFICERS WHO HAVE PREVIOUSLY FAILED OF SELECTION.—(1) Except as provided in paragraph (2), an officer who has failed of selection for promotion to the next higher grade remains eligible for consideration for promotion to that grade as long as the officer continues on active duty in other than a retired status and is not promoted.

''(2) Paragraph (1) does not apply to an officer on active status who is ineligible for consideration for promotion under section 631(c) of this title for the second time.

''(c) OFFICERS TO BE CONSIDERED BY PROMOTION BOARDS.—(1) Each time a selection board is convened under section 20211 of this title for consideration of officers in a competitive category for promotion to the next higher grade, each officer in the promotion zone (except as provided under paragraph (2)), and each officer above the promotion zone, for the grade and competitive category under consideration shall be considered for promotion.

''(2) The Secretary of the Air Force—

''(A) may, in accordance with standards and procedures prescribed by the Secretary of Defense in regulations which shall apply uniformly among the military departments, limit the officers to be considered by a selection board from below the promotion zone to those officers who are determined to be exceptionally well qualified for promotion;

''(B) may, by regulation, prescribe a period of time, not to exceed one year, from the time an officer on the Space Force officer list transfers on or off of sustained duty during which the officer shall be ineligible for consideration for promotion; and

''(C) may, by regulation, preclude from consideration by a selection board by which the officer would otherwise be eligible to be considered, an officer who has an established separation date that is within 90 days after the date on which the board is to be convened.

''(3)(A) The Secretary of Defense may authorize the Secretary of the Air Force to preclude from consideration by selection boards for promotion to the grade of brigadier general, officers in the grade of colonel who—

''(i) have been considered and not selected for promotion to the grade of brigadier general or by at least two selection boards; and

''(ii) are determined, in accordance with standards and procedures prescribed pursuant to subparagraph (B), as not being exceptionally well qualified for promotion.

''(B) If the Secretary of Defense authorizes the Secretary of the Air Force to have the authority described in subparagraph (A), the Secretary shall prescribe by regulation the standards and procedures for the exercise of such authority. Those regulations shall apply uniformly among the military departments and shall include the following provisions:

''(i) A requirement that the Secretary of the Air Force may exercise such authority in the case of a particular selection board only if the Secretary of Defense approves the exercise of that authority for that board.

''(ii) A requirement that an officer may be precluded from consideration by a selection board under this paragraph only upon the recommendation of a preselection board of officers convened by the Secretary of the military department concerned and composed of at least three officers all of whom are serving in a grade higher than the grade of such officer.

''(iii) A requirement that such a preselection board may not recommend that an officer be precluded from such consideration unless the Secretary of the Air Force has given the officer advance written notice of the convening of such board and of the military records that will be considered by the board and has given the officer a reasonable period before the convening of the board in which to submit comments to the board.

''(iv) A requirement that the Secretary of the Air Force shall provide general guidance to the board in accordance with standards and procedures prescribed by the Secretary of Defense in those regulations.

''(v) A requirement that the preselection board may recommend that an officer be precluded from consideration by a selection board only on the basis of the general guidance provided by the Secretary Air Force, information in the officer's official military personnel records that has been described in the notice provided the officer as required pursuant to clause (iii), and any communication to the board received from that officer before the board convenes.

''(d) CERTAIN OFFICERS NOT TO BE CONSIDERED.—A selection board convened under section 20211 of this title may not consider for promotion to the next higher grade any of the following officers:

''(1) An officer whose name is on a promotion list for that grade as a result of the officer's selection for promotion to that grade by an earlier selection board convened under that section.

''(2) An officer who is recommended for promotion to that grade in the report of an earlier selection board convened under that section, in the case of such a report that has not yet been approved by the President.

''(3) An officer in the grade of first lieutenant who is on an approved all-fully-qualified-officers list under section 20238(a)(4) of this title.

''(4) An officer in the grade of captain who is not a citizen of the United States.

''(5) An officer excluded under subsection (e).

''(e) AUTHORITY TO ALLOW OFFICERS TO OPT OUT OF SELECTION BOARD CONSIDERATION.—(1) The Secretary of the Air Force may provide that an officer on the Space Force officer list may, upon the officer's request and with the approval of the Secretary, be excluded from consideration by a selection board convened under section 20211 of this title to consider officers for promotion to the next higher grade.

''(2) The Secretary of the Air Force may only approve a request under paragraph (1) if—

''(A)(i) the basis for the request is to allow an officer to complete a broadening assignment, advanced education, another assignment of significant value to the Department, a career progression requirement delayed by the assignment or education;

''(ii) the Secretary determines the exclusion from consideration is in the best interest of the Space Force; and

''(iii) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration; or

''(B)(i) the officer is serving in a critical skill position that cannot be filled by another Space Force officer serving in the same grade;

''(ii) the Secretary determines that it is in the best interests of the Space Force for the officer to continue to serve in their current position and grade; and

''(iii) the officer has not previously opted out of a promotion board under this authority.

''§ 20232. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions

''The provisions of section 619a of this title shall apply to officers of the Space Force.

''§ 20233. Opportunities for consideration for promotion

''(a) SPECIFICATION OF NUMBER OF OPPORTUNITIES FOR CONSIDERATION FOR PROMOTION.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force shall specify the number of opportunities for consideration for promotion to be afforded to Space Force officers for promotion to each grade above the grade of captain.

''(b) LIMITATION ON NUMBER OF OPPORTUNITIES THAT MAY BE SPECIFIED.—The number of opportunities for consideration for promotion to be afforded officers of the Space Force for promotion to a particular grade may not exceed five.

''(c) LIMITED AUTHORITY OF SECRETARY OF THE AIR FORCE TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of the Air Force may change the number of opportunities for consideration for promotion to a particular grade not more frequently than once every five years.

''(d) AUTHORITY OF SECRETARY OF DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of Defense may modify the number of opportunities for consideration for promotion to be afforded officers of the Space Force for promotion to a particular grade.

''§ 20234. Space Force officer list

''(a) SINGLE LIST.—The Secretary of the Air Force shall maintain a single list of all Space Force officers serving in a Space Force active status. The list shall be known as the Space Force officer list.

''(b) ORDER OF OFFICERS ON LIST.—Officers shall be carried on the Space Force officer list in the order of seniority of the grade in which they are serving. Officers serving in the same grade shall be carried in the order of their rank in that grade.

''(c) EFFECT OF SERVICE IN A TEMPORARY APPOINTMENT.—An officer whose position on the Space Force officer list results from service under a temporary appointment or in a grade held by reason of assignment to a position has, when that appointment or assignment ends, the grade and position on the Space Force officer list that the officer would have held if the officer had not received that appointment or assignment.

''§ 20235. Competitive categories

''(a) REQUIREMENT TO ESTABLISH COMPETITIVE CATEGORIES FOR PROMOTION.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force shall establish at least one competitive category for promotion for officers on the Space Force officer list. Each officer whose name appears on the Space Force officer list shall be carried in a competitive category of officers. Officers in the same competitive category shall compete among themselves for promotion.

''(b) SINGLE COMPETITIVE CATEGORY FOR PROMOTION TO GENERAL OFFICER GRADES.—The Secretary of the Air Force shall establish a single competitive category for all officers on the Space Force officer list who will be considered by a selection board convened under section 20211 of this title for promotion to the grade of brigadier general or major general.

''§ 20236. Numbers to be recommended for promotion

''(a) PROMOTION TO GRADES BELOW BRIGADIER GENERAL.—(1) Before convening a selection board under section 20211 of this title to consider officers for recommendation for promotion to a grade below brigadier general and in any competitive category, the Secretary of the Air Force shall determine—

''(A) the number of positions needed to accomplish mission objectives which require officers of that competitive category in the grade to which the board will recommend officers for promotion;

''(B) the estimated number of officers needed to fill vacancies in those positions during the period in which it is anticipated that officers selected for promotion will be promoted; and

''(C) the number of officers in a Space Force active status authorized by the Secretary of the Air Force to serve both on sustained duty and not on sustained duty in the grade and competitive category under consideration.

''(2) Based on the determinations under paragraph (1), the Secretary of the Air Force shall determine the maximum number of officers in that competitive category which the selection board may recommend for promotion.

''(b) PROMOTION TO BRIGADIER GENERAL AND MAJOR GENERAL.—(1) Before convening a selection board under section 20211 of this title to consider officers for recommendation for promotion to the grade of brigadier general or major general, the Secretary of the Air Force shall determine—

''(A) the number of positions needed to accomplish mission objectives which require officers serving in a Space Force active status on sustained duty, and in a Space Force active status not on sustained duty, in the grade to which the board will recommend officers for promotion; and

''(B) the estimated number of officers on sustained duty and not on sustained duty needed to fill vacancies in those positions over the 24-month period beginning on the date on which the selection board convenes.

''(2) Based on the determinations under paragraph (1), the Secretary of the Air Force shall determine the maximum number of officers serving in a Space Force active status on sustained duty, and the maximum number of officers serving in a Space Force active status not on sustained duty, which the selection board may recommend for promotion.

''§ 20237. Establishment of promotion zones

''(a) IN GENERAL.—Before convening a selection board under section 20211 of this title to consider officers for promotion to any grade above first lieutenant or lieutenant (junior grade), the Secretary of the Air Force shall establish a promotion zone for officers serving in each grade and competitive category to be considered by the board.

''(b) DETERMINATION OF NUMBER.—The Secretary of the Air Force shall determine the number of officers in the promotion zone for officers serving in any grade and competitive category from among officers who are eligible for promotion in that grade and competitive category. Such determination shall be made on the basis of an estimate of—

''(1) the number of officers needed in that competitive category in the next higher grade in each of the next five years;

''(2) the number of officers to be serving in that competitive category in the next higher grade in each of the next five years;

''(3) in the case of a promotion zone for officers to be promoted to a grade to which section 523 of this title is applicable, the number of officers authorized for such grade under such section to be on active duty on the last day of each of the next five fiscal years; and

''(4) the number of officers that should be placed in that promotion zone in each of the next five years to provide to officers in those years relatively similar opportunity for promotion.

''§ 20238. Promotions: how made; authorized delay of promotions

''(a) PROCEDURE FOR PROMOTION OF OFFICERS ON AN APPROVED PROMOTION LIST.—

''(1) PLACEMENT OF NAMES ON PROMOTION LIST.—When the report of a selection board convened under section 20211 of this title is approved by the President, the Secretary of the Air Force shall place the names of all officers approved for promotion within a competitive category on a single list for that competitive category, to be known as a promotion list, in the order of the seniority of

such officers on the list or based on particular merit, as determined by the promotion board. A promotion list is considered to be established under this section as of the date of the approval of the report of the selection board under the preceding sentence.

''(2) ORDER AND TIMING OF PROMOTIONS.—Except as provided in subsection (d), officers on a promotion list for a competitive category shall be promoted to the next higher grade when additional officers in that grade and competitive category are needed. Promotions shall be made in the order in which the names of officers appear on the promotion list and after officers previously selected for promotion in that competitive category have been promoted. Officers to be promoted to the grade of first lieutenant shall be promoted in accordance with regulations prescribed by the Secretary of the Air Force.

''(3) LIMITATION ON PROMOTIONS TO GENERAL OFFICER GRADES TO COMPLY WITH STRENGTH LIMITATIONS.—Under regulations prescribed by the Secretary of Defense, the promotion of an officer on the Space Force officer list to a general officer grade shall be delayed if that promotion would cause any strength limitation of section 526 of this title to be exceeded. The delay shall expire when the Secretary of the Air Force determines that the delay is no longer required to ensure compliance with the strength limitation.

''(4) PROMOTION OF FIRST LIEUTENANTS ON AN ALL-FULLY-QUALIFIED OFFICERS LIST.—(A) Except as provided in subsection (d), officers on the Space Force officer list in the grade of first lieutenant who are on an approved all-fully-qualified-officers list shall be promoted to the grade of captain in accordance with regulations prescribed by the Secretary of the Air Force.

''(B) An all-fully-qualified-officers list shall be considered to be approved for purposes of subparagraph (A) when the list is approved by the President. When so approved, such a list shall be treated in the same manner as a promotion list under this chapter.

''(C) The Secretary of the Air Force may make a recommendation to the President for approval of an all-fully-qualified-officers list only when the Secretary determines that all officers on the list are needed in the next higher grade to accomplish mission objectives.

''(D) For purposes of this paragraph, an all-fully-qualified-officers list is a list of all officers on the Space Force officers list in a grade who the Secretary of the Air Force determines—

''(i) are fully qualified for promotion to the next higher grade; and

''(ii) would be eligible for consideration for promotion to the next higher grade by a selection board convened under section 20211 of this title upon the convening of such a board.

''(E) If the Secretary of the Air Force determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.

''(b) DATE OF RANK.—The date of rank of an officer appointed to a higher grade under this section is determined under section 741(d) of this title.

''(c) APPOINTMENT AUTHORITY.—Appointments under this section shall be made by the President, by and with the advice and consent of the Senate, except that appointments under this section in the grade of first lieutenant or captain shall be made by the President alone.

''(d) AUTHORITY TO DELAY APPOINTMENTS FOR SPECIFIED REASONS.—The provisions of subsection (d) of section 624 of this title shall apply to the appointment of an officer under this section in the same manner as they apply to an appointment of an officer under that section, and any reference in that subsection to an active-duty list shall be treated for purposes of applicability to an officer of the Space Force as referring to the Space Force officer list.

''SUBCHAPTER IV—PERSONS NOT CONSIDERED FOR PROMOTION AND OTHER PROMOTION-RELATED PROVISIONS

''Sec.
''20241. Persons not considered for promotion and other promotion-related provisions.

''§ 20241. Persons not considered for promotion and other promotion-related provisions

''Subchapter III of chapter 36 of this title shall apply to officers of the Space Force.

''SUBCHAPTER V—APPLICABILITY OF OTHER LAWS

''Sec.
''20251. Applicability of certain DOPMA officer personnel policy provisions.

''§ 20251. Applicability of certain DOPMA officer personnel policy provisions

''Except as otherwise modified or provided for in this chapter, the following provisions of chapter 36 of this title (relating to promotion, separation, and involuntary retirement of officers on the active-duty list) shall apply to Space Force officers and officer promotions:

''(1) Subchapter I (relating to selection boards).

''(2) Subchapter II (relating to promotions).

''(3) Subchapter III (relating to failure of selection for promotion and retirement for years of service).

''(4) Subchapter IV (relating to continuation on active duty and selective early retirement).

''(5) Subchapter V (additional provisions relating to promotion, separation, and retirement).

''(6) Subchapter VI (relating to alternative promotion authority for officers in designated competitive categories).''.

(d) TEMPORARY (''BREVET'') PROMOTIONS FOR OFFICERS WITH CRITICAL SKILLS.—Section 605 of title 10, United States Code, is amended as follows:

(1) COVERAGE OF SPACE FORCE OFFICERS.—Subsections (a), (b)(2)(A), (f)(1), and (f)(2) are amended by striking ''or Marine Corps,'' each place it appears and inserting ''Marine Corps, or Space Force,''.

(2) DISAGGREGATION OF AIR FORCE MAXIMUM NUMBERS.—Subsection (g) is amended—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by striking paragraph (2) and inserting the following new paragraphs (2) and (3):

''(2) In the case of the Air Force—
''(A) as captain, 95;
''(B) as major, 305;
''(C) as lieutenant colonel, 165; and
''(D) as colonel, 75.
''(3) In the case of the Space Force—
''(A) as captain, 5;
''(B) as major, 20;
''(C) as lieutenant colonel, 10; and
''(D) as colonel, 5.''.

SEC. 1817. ENLISTED MEMBERS.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1716, is further amended by adding at the end the following new chapter:

''CHAPTER 2007—ENLISTED MEMBERS

''Sec.
''20301. Original enlistments: qualifications; grade.
''20302. Enlisted members: term of enlistment.
''20303. Reference to chapter 31.

''§ 20301. Original enlistments: qualifications; grade

''(a) ORIGINAL ENLISTMENTS.—

''(1) AUTHORITY TO ACCEPT.—The Secretary of the Air Force may accept original enlistments in the Space Force of qualified, effective, and able-bodied persons.

''(2) AGE.—A person accepted for original enlistment shall be not less than seventeen years of age. However, no person under eighteen years of age may be originally enlisted without the written consent of the person's parent or guardian, if the person has a parent or guardian entitled to the person's custody and control.

''(b) GRADE.—A person is enlisted in the Space Force in the grade prescribed by the Secretary of the Air Force.

''§ 20302. Enlisted members: term of enlistment

''(a) TERM OF ORIGINAL ENLISTMENTS.—The Secretary of the Air Force may accept original enlistments of persons for the duration of their minority or for a period of at least two but not more than eight years in the Space Force.

''(b) TERM OF REENLISTMENTS.—The Secretary of the Air Force may accept a reenlistment in the Space Force for a period determined in accordance with paragraphs (2), (3), and (4) of section 505(d) of this title.

''§ 20303. Reference to chapter 31

''For other provisions of this title applicable to enlistments in the Space Force, see chapter 31 of this title.''.

(b) AMENDMENTS TO TITLE 10 CHAPTER RELATING TO ENLISTMENTS.—Chapter 31 of such title is amended as follows:

(1) RECRUITING CAMPAIGNS.—Section 503(a) is amended by striking ''and Regular Coast Guard'' and inserting ''Regular Coast Guard, and the Space Force''.

(2) QUALIFICATIONS, TERM, GRADE.—Section 505 is amended—

(A) by striking ''Regular Space Force,'' each place it appears; and

(B) by adding at the end the following new subsection:

''(e) For enlistments in the Space Force, see sections 20301 and 20302 of this title.''.

(3) EXTENSION OF ENLISTMENTS DURING WAR.—Section 506 is amended by striking ''Regular'' before ''Space Force''.

(4) REENLISTMENT.—Section 508 is amended striking ''Regular'' before ''Space Force'' both places it appears.

(5) ENLISTMENT INCENTIVES FOR PURSUIT OF SKILLS TO FACILITATE NATIONAL SERVICE.—Section 510(c) is amended—

(A) in paragraph (2), by inserting ''or the Space Force'' after ''Selected Reserve''; and

(B) in paragraph (3)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively;

(ii) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) in the Space Force;''; and

(iii) in subparagraph (F), as so redesignated, by striking ''subparagraphs (A) through (D)'' and inserting ''subparagraphs (A) through (E)''.

(6) COLLEGE FIRST PROGRAM.—Section 511(b)(1)(A) is amended by inserting ''or as a member of the Space Force,'' after ''reserve component,''.

(7) DELAYED ENTRY PROGRAM.—Section 513(a) is amended—

(A) by inserting, '', or who is qualified under section 20301 of this title and applicable regulations for enlistment in the Space Force,'' after ''armed force''; and

(B) by inserting '', or be enlisted as a member of the Space Force,'' after ''Coast Guard Reserve''.

(8) EFFECT UPON ENLISTED STATUS OF ACCEPTANCE OF APPOINTMENT AS CADET OR MIDSHIPMAN.—Section 516(b) is amended by inserting ''or in the Space Force,'' after ''armed force''.

SEC. 1818. RETENTION AND SEPARATION GENERALLY.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1717, is further amended by adding at the end the following new chapter:

''CHAPTER 2009—RETENTION AND SEPARATION GENERALLY

''Sec.
''20401. Applicability of certain provisions of law related to separation.
''20402. Enlisted members: standards and qualifications for retention.
''20403. Officers: standards and qualifications for retention.
''20404. Selection of officers for early retirement or discharge.
''20405. Force shaping authority.

''§ 20401. Applicability of certain provisions of law related to separation

''(a) OFFICER SEPARATION.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to officers of a regular component shall apply to officers of the Space Force.

''(b) ENLISTED MEMBER SEPARATION.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to enlisted members of a regular component shall apply to enlisted members of the Space Force.

''(c) SEPARATION PAY UPON INVOLUNTARY DISCHARGE OR RELEASE FROM ACTIVE DUTY.—The provisions of section 1174 of this title—

''(1) pertaining to a regular officer shall apply to a Space Force officer serving on sustained duty;

''(2) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

''(3) pertaining to other members shall apply to members of the Space Force not serving on sustained duty.

''(d) VOLUNTARY SEPARATION INCENTIVE.—The provisions of section 1175 of this title pertaining to a voluntary appointment, enlistment, or transfer to a reserve component shall apply to the voluntary release from active duty of a member of the Space Force on sustained duty.

''(e) VOLUNTARY SEPARATION PAY AND BENEFITS.—The provisions of section 1176 of this title—

''(1) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

''(2) pertaining to a reserve enlisted member serving in an active status shall apply to an enlisted member of the Space Force serving in a Space Force active status or on sustained duty.

''§ 20402. Enlisted members: standards and qualifications for retention

''(a) STANDARDS AND QUALIFICATIONS FOR RETENTION.—Subject to such limitations as the Secretary of Defense may prescribe, the Secretary of the Air Force shall, by regulation, prescribe—

''(1) standards and qualifications for the retention of enlisted members of the Space Force; and

''(2) equitable procedures for the periodic determination of the compliance of each such member with those standards and qualifications.

''(b) EFFECT OF FAILURE TO COMPLY WITH STANDARDS AND QUALIFICATIONS.—If an enlisted member serving in Space Force active status fails to comply with the standards and qualifications prescribed under subsection (a), the member shall—

''(1) if qualified, be transferred to Space Force inactive status;

''(2) if qualified, be retired in accordance with section 20603 of this title; or

''(3) have the member's enlistment terminated.

''§ 20403. Officers: standards and qualifications for retention

''(a) STANDARDS AND QUALIFICATIONS.—To be retained in an active status, a Space Force officer must—

''(1) in any applicable yearly period, attain the number of points specified under section 12732(a)(2) of this title; and

''(2) conform to such other standards and qualifications as the Secretary may prescribe for officers of the Space Force.

''(b) RESULT OF FAILURE TO COMPLY.—A Space Force officer who fails to attain the number of points prescribed under subsection (a)(1), or to conform to the standards and qualifications prescribed under subsection (a)(2), may be referred to a board convened under section 20501(a) of this title.

''§ 20404. Selection of officers for early retirement or discharge

''(a) CONSIDERATION FOR EARLY RETIREMENT.—The Secretary of the Air Force may convene selection boards under section 20211(b) of this title to consider for early retirement officers on the Space Force officer list as follows:

''(1) Officers in the grade of lieutenant colonel who have failed of selection for promotion at least one time and whose names are not on a list of officers recommended for promotion.

''(2) Officers in the grade of colonel who have served in that grade for at least two years and whose names are not on a list of officers recommended for promotion.

''(3) Officers, other than those described in paragraphs (1) and (2), holding a grade below the grade of colonel—

''(A) who are eligible for retirement under section 20601 of this title or who after two additional years or less of active service would be eligible for retirement under that section; and

''(B) whose names are not on a list of officers recommended for promotion.

''(b) CONSIDERATION FOR DISCHARGE.—

''(1) Subject to such limitations as the Secretary of Defense may prescribe, the Secretary of the Air Force may convene selection boards under section 20211 of this title to consider for discharge officers on the Space Force officer list—

''(A) who have served at least one year of active status in the grade currently held;

''(B) whose names are not on a list of officers recommended for promotion; and

''(C) who are not eligible to be retired under any provision of law (other than by reason of eligibility pursuant to section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484)) and are not within two years of becoming so eligible.

''(2) An officer who is recommended for discharge by a selection board convened pursuant to the authority of paragraph (1) and whose discharge is approved by the Secretary of the Air Force shall be discharged on a date specified by the Secretary.

''(3) Selection of officers for discharge under paragraph (1) shall be based on the needs of the service.

''(c) DISCHARGES AND RETIREMENTS CONSIDERED TO BE INVOLUNTARY.—The discharge or retirement of an officer pursuant to this section shall be considered to be involuntary for purposes of any other provision of law.

''§ 20405. Force shaping authority

''(a) AUTHORITY.—The Secretary of the Air Force may, solely for the purpose of restructuring the Space Force—

''(1) discharge an officer described in subsection (b); or

''(2) involuntarily release such an officer from sustained duty.

''(b) COVERED OFFICERS.—(1) The authority under this section may be exercised in the case of an officer of the Space Force serving on sustained duty who—

''(A) has completed not more than six years of service as a commissioned officer in the armed forces; or

''(B) has completed more than six years of service as a commissioned officer in the armed forces, but has not completed the minimum service obligation applicable to that officer.

''(2) In this subsection, the term 'minimum service obligation', with respect to a member of the Space Force, means the initial period of required active duty service applicable to the member, together with any additional period of required active duty service incurred by that member during the member's initial period of required active duty service.

''(c) REGULATIONS.—The Secretary of the Air Force shall prescribe regulations for the exercise of the Secretary's authority under this section.''.

(b) CONFORMING AMENDMENTS.—Section 647 of title 10, United States Code, is amended—

(1) in subsection (b)(1), by inserting ''(other than an officer of the Space Force)'' after ''in the case of an officer'';

(2) in subsection (c), by striking ''Regular Marine Corps, of Regular Space Force'' and inserting ''or Regular Marine Corps''; and

(3) by adding at the end the following new subsection:

''(e) SPACE FORCE.—For a similar provision with respect to officers of the Space Force, see section 20405 of this title.''.

SEC. 1819. SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS.

Subtitle F of title 10, United States Code, as amended by section 1718, is further amended by adding at the end the following new chapter:

''CHAPTER 2011—SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS

''Sec.
''20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons.
''20502. Retention boards.
''20503. Removal of officer: action by secretary upon recommendation of retention board.
''20504. Rights and procedures.
''20505. Officer considered for removal: voluntary retirement or discharge.
''20506. Officers eligible to serve on retention boards.

''§ 20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons

''(a) PROCEDURES FOR REVIEW OF RECORD OF OFFICERS RELATING TO STANDARDS OF PERFORMANCE OF DUTY.—(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer (other than a retired officer) of the Space Force in a Space Force active status to determine whether the officer shall be required, because of a reason stated in paragraph (2), to show cause for the officer's retention in a Space Force active status.

''(2) The reasons referred to in paragraph (1) are the following:

''(A) The officer's performance of duty has fallen below standards prescribed by the Secretary of Defense.

''(B) The officer has failed to satisfy the standards and qualifications established under section 20403 of this title by the Secretary of the Air Force.

''(b) PROCEDURES FOR REVIEW OF RECORD OF OFFICERS RELATING TO CERTAIN OTHER REASONS.—(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer (other than a retired officer) of the Space Force in a Space Force active status to determine whether the officer should be required, because of a reason stated in paragraph (2), to show cause for the officer's retention in a Space Force active status.

''(2) The reasons referred to in paragraph (1) are the following:

''(A) Misconduct.

''(B) Moral or professional dereliction.

''(C) The officer's retention is not clearly consistent with the interests of national security.

''(c) SECRETARY OF DEFENSE LIMITATIONS.—Regulations prescribed by the Secretary of the Air Force under this section are subject to such limitations as the Secretary of Defense may prescribe.

''§ 20502. Retention boards

''(a) CONVENING OF BOARDS TO CONSIDER OFFICERS REQUIRED TO SHOW CAUSE.—The Secretary of the Air Force shall convene retention boards at such times and places as the Secretary may prescribe to receive evidence and make findings and recommendations as to whether an officer who is required under section 20501 of this title to show cause for retention in a Space Force active status should be retained in a Space Force active status. Each retention board shall be composed of not less than three officers having the qualifications prescribed by section 20506 of this title.

''(b) FAIR AND IMPARTIAL HEARING.—A retention board shall give a fair and impartial hearing to each officer required under section 20501 of this title to show cause for retention in a Space Force active status.

''(c) EFFECT OF BOARD DETERMINATION THAT AN OFFICER HAS FAILED TO ESTABLISH THAT THE OFFICER SHOULD BE RETAINED.—(1) If a retention board determines that the officer has failed to establish that the officer should be retained in a Space Force active status, the board shall recommend to the Secretary of the Air Force one of the following:

''(A) That the officer be transferred to an inactive status.

''(B) That the officer, if qualified under any provision of law, be retired.

''(C) That the officer be discharged from the Space Force.

''(2) Under regulations prescribed by the Secretary of the Air Force, an officer as to whom a retention board makes a recommendation under paragraph (1) that the officer not be retained in a Space Force active status may be required to take leave pending the completion of the officer's case under this chapter. The officer may be required to begin such leave at any time following the officer's receipt of the report of the retention board, including the board's recommendation for removal from a Space Force active status, and the expiration of any period allowed for submission by the officer of a rebuttal to that report. The leave may be continued until the date on which action by the Secretary of the Air Force on the officer's case is completed or may be terminated at any earlier time.

''(d) EFFECT OF BOARD DETERMINATION THAT AN OFFICER HAS ESTABLISHED THAT THE OFFICER SHOULD BE RETAINED.—(1) If a retention board determines that the officer has established that the officer should be retained in a Space Force active status, the officer's case is closed.

''(2) An officer who is required to show cause for retention in a Space Force active status under subsection (a) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a Space Force active status may not again be required to show cause for retention in a Space Force active status under such subsection within the one-year period beginning on the date of that determination.

''(3)(A) Subject to subparagraph (B), an officer who is required to show cause for retention in a Space Force active status under subsection (b) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a Space Force active status may again be required to show cause for retention at any time.

''(B) An officer who has been required to show cause for retention in a Space Force active status under subsection (b) of section 20501 of this title and who is thereafter retained in an active status may not again be required to show cause for retention in a Space Force active status under such subsection solely because of conduct which was the subject of the previous proceedings, unless the findings or recommendations of the retention board that considered the officer's previous case are determined to have been obtained by fraud or collusion.

''(4) In the case of an officer described in paragraph (2) or paragraph (3)(A), the retention board may recommend that the officer be required to complete additional training, professional education, or such other developmental programs as may be available to correct any identified deficiencies and improve the officer's performance within the Space Force.

''§ 20503. Removal of officer: action by Secretary upon recommendation of retention board

''The Secretary of the Air Force may remove an officer from Space Force active status if the removal of such officer from Space Force active status is recommended by a retention board convened under section 20502 of this title.

''§ 20504. Rights and procedures

''(a) IN GENERAL.—Under regulations prescribed by the Secretary of the Air Force, each officer required under section 20501 of this title to show cause for retention in a Space Force active status—

''(1) shall be notified in writing, at least 30 days before the hearing of the officer's case by a retention board, of the reasons for which the officer is being required to show cause for retention in a Space Force active status;

''(2) shall be allowed a reasonable time, as determined by the board, to prepare the officer's showing of cause for retention in a Space Force active status;

''(3) shall be allowed to appear either in person or through electronic means and to be represented by counsel at proceedings before the board; and

''(4) shall be allowed full access to, and shall be furnished copies of, records relevant to the officer's case, except that the board shall withhold any record that the Secretary determines should be withheld in the interest of national security.

''(b) SUMMARY OF RECORDS WITHHELD IN INTEREST OF NATIONAL SECURITY.—When a record is withheld under subsection (a)(4), the officer whose case is under consideration shall, to the extent that the interest of national security permits, be furnished a summary of the record so withheld.

''§ 20505. Officer considered for removal: voluntary retirement or discharge

''(a) IN GENERAL.—At any time during proceedings under this chapter with respect to the removal of an officer from a Space Force active status, the Secretary of the Air Force may grant a request by the officer—

''(1) for voluntary retirement, if the officer is qualified for retirement; or

''(2) for discharge in accordance with subsection (b)(2).

''(b) RETIREMENT OR DISCHARGE.—An officer removed from a Space Force active status under section 20503 of this title shall—

''(1) if eligible for voluntary retirement under any provision of law on the date of such removal, be retired in the grade and with the retired pay for which the officer would be eligible if retired under such provision; and

''(2) if ineligible for voluntary retirement under any provision of law on the date of such removal—

''(A) be honorably discharged in the grade then held, in the case of an officer whose case was brought under subsection (a) of section 20501 of this title; or

''(B) be discharged in the grade then held, in the case of an officer whose case was brought under subsection (b) of section 20501 of this title.

''(c) SEPARATION PAY FOR DISCHARGED OFFICER.—An officer who is discharged under subsection (b)(2) is entitled, if eligible therefor, to separation pay under section 1174(a)(2) of this title.

''§ 20506. Officers eligible to serve on retention boards

''(a) IN GENERAL.—The provisions of section 1187 of this title apply to the membership of boards convened under this chapter in the same manner as to the membership of boards convened under chapter 60 of this title.

''(b) RETIRED AIR FORCE OFFICERS.—

''(1) AUTHORITY.—In applying subsection (b) of section 1187 of this title to a board convened under this chapter, the Secretary of the Air Force may appoint retired officers of the Air Force, in addition to retired officers of the Space Force, to complete the membership of the board.

''(2) LIMITATION.—A retired officer of the Air Force may be appointed to a board under paragraph (1) only if the officer served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.''.

SEC. 1820. RETIREMENT.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1719, is further amended by adding at the end the following new chapter:

''CHAPTER 2013—VOLUNTARY RETIREMENT FOR LENGTH OF SERVICE

''Sec.
''20601. Officers: voluntary retirement for length of service.
''20602. Officers: computation of years of service for voluntary retirement.
''20603. Enlisted members: voluntary retirement for length of service.
''20604. Enlisted members: computation of years of service for voluntary retirement.
''20605. Applicability of other provisions of law relating to retirement.

"§ 20601. Officers: voluntary retirement for length of service

''(a) TWENTY YEARS OR MORE.—The Secretary of the Air Force may, upon the officer's request, retire a commissioned officer of the Space Force who has at least 20 years of service computed under section 20602 of this title, at least 10 years of which have been active service as a commissioned officer.

''(b) THIRTY YEARS OR MORE.—A commissioned officer of the Space Force who has at least 30 years of service computed under section 20602 of this title may be retired upon the officer's request, in the discretion of the President.

''(c) FORTY YEARS OR MORE.—Except as provided in section 20503 of this title, a commissioned officer of the Space Force who has at least 40 years of service computed under section 20602 of this title shall be retired upon the officer's request.

"§ 20602. Officers: computation of years of service for voluntary retirement

''(a) YEARS OF ACTIVE SERVICE.—For the purpose of determining whether an officer of the Space Force may be retired under section 20601 of this title, the officer's years of service are computed by adding all active service in the armed forces.

''(b) REFERENCE TO SECTION EXCLUDING SERVICE DURING CERTAIN PERIODS.—Section 972(b) of this title excludes from computation of an officer's years of service for purposes of this section any time identified with respect to that officer under that section.

"§ 20603. Enlisted members: voluntary retirement for length of service

''(a) TWENTY TO THIRTY YEARS.—Under regulations to be prescribed by the Secretary of the Air Force, an enlisted member of the Space Force who has at least 20, but less than 30, years of service computed under section 20604 of this title may, upon the member's request, be retired.

''(b) THIRTY YEARS OR MORE.—An enlisted member of the Space Force who has at least 30 years of service computed under section 20604 of this title shall be retired upon the member's request.

"§ 20604. Enlisted members: computation of years of service for voluntary retirement

''(a) YEARS OF ACTIVE SERVICE.—For the purpose of determining whether an enlisted member of the Space Force may be retired under section 20603 of this title, the member's years of service are computed by adding all active service in the armed forces.

''(b) REFERENCE TO SECTION EXCLUDING COUNTING OF CERTAIN SERVICE REQUIRED TO BE MADE UP.—Time required to be made up under section 972(a) of this title may not be counted in computing years of service under subsection (a).

"§ 20605. Applicability of other provisions of law relating to retirement

''(a) APPLICABILITY TO MEMBERS OF THE SPACE FORCE.—Except as specifically provided for by this chapter, the provisions of this title specified in subsection (b) apply to members of the Space Force as follows:

''(1) Provisions pertaining to an officer of the Air Force shall apply to an officer of the Space Force.

''(2) Provisions pertaining to an enlisted member of the Air Force shall apply to an enlisted member of the Space Force.

''(3) Provisions pertaining to a regular officer shall apply to an officer who is on sustained duty in the Space Force.

''(4) Provisions pertaining to a regular enlisted member shall apply to an enlisted member who is on sustained duty in the Space Force.

''(5) Provisions pertaining to a reserve officer shall apply to an officer who is in a Space Force active status but not on sustained duty.

''(6) Provisions pertaining to a reserve enlisted member shall apply to an enlisted member who is in a Space Force active status but not on sustained duty.

''(7) Provisions pertaining to service in a regular component shall apply to service on sustained duty.

''(8) Provisions pertaining to service in a reserve component shall apply to service in a Space Force active status not on sustained duty.

''(9) Provisions pertaining to a member of the Ready Reserve shall apply to a member of the Space Force who is in a Space Force active status prior to being ordered to active duty.

''(10) Provisions pertaining to a member of the Retired Reserve shall apply to a member of the Space Force who has retired under chapter 1223 of this title.

''(b) PROVISIONS OF LAW.—The provisions of this title referred to in subsection (a) are the following:

''(1) Chapter 61, relating to retirement or separation for physical disability.

''(2) Chapter 63, relating to retirement for age.

''(3) Chapter 69, relating to retired grade.

''(4) Chapter 71, relating to computation of retired pay.

''(5) Chapter 941, relating to retirement from the Air Force for length of service.

''(6) Chapter 945, relating to computation of retired pay.

''(7) Chapter 1223, relating to retired pay for non-regular service.

''(8) Chapter 1225, relating to retired grade.''.

(b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) RETIRED MEMBERS ORDERED TO ACTIVE DUTY.—Section 688(b) is amended—

(A) in paragraph (1), by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

(B) by adding at the end the following new paragraph:

''(4) A retired member of the Space Force.''.

(2) RETIRED GRADE.—Section 9341 is amended—

(A) in subsection (a), by striking ''or the Space Force'' both places it appears;

(B) in subsection (b), by striking ''or a Regular or Reserve of the Space Force''; and

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

''(c) SPACE FORCE.—(1) The retired grade of a commissioned officer of the Space Force who retires other than for physical disability is determined under section 1370 or 1370a of this title, as applicable to the officer.

''(2) Unless entitled to a higher retired grade under some other provision of law, a member of the Space Force not covered by paragraph (1) who retires other than for physical disability retires in the grade that the member holds on the date of the member's retirement.''.

(3) RETIRED GRADE OF ENLISTED MEMBERS AFTER 30 YEARS OF SERVICE.—Section 9344(b)(2) is amended by striking ''Regular'' before ''Space Force''.

(4) RETIRED LISTS.—Section 9346 is amended—

(A) in subsection (a), by striking ''or the Regular Space Force'' and inserting ''and a separate retired list containing the name of each retired commissioned officer of the Space Force (other than an officer whose name is on the list maintained under subsection (b)(2))'';

(B) in subsection (b)—

(i) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(ii) by inserting ''(1)'' after ''(b)'';

(iii) in subparagraph (A), as redesignated by clause (i), by striking '', or for commissioned officers of the Space Force other than of the Regular Space Force'';

(iv) in subparagraph (B), as so redesignated, by striking ''or the Space Force''; and

(v) by adding at the end the following new paragraph:

''(2) The Secretary shall maintain a retired list containing the name of—

''(A) each person entitled to retired pay who as a member of the Space Force qualified for retirement under section 20601 of this title; and

''(B) each retired warrant officer or enlisted member of the Space Force who is advanced to a commissioned grade.'';

(C) in subsection (c), by striking ''or the Space Force'' and inserting ''and a separate retired list containing the name of each retired warrant officer of the Space Force''; and

(D) in subsection (d), by striking ''or the Regular Space Force'' and inserting ''and a separate retired list containing the name of each retired enlisted member of the Space Force''.

Subtitle B—Conforming Amendments Related to Space Force Military Personnel System

SEC. 1831. AMENDMENTS TO DEPARTMENT OF THE AIR FORCE PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) PROVISIONS RELATING TO PERSONNEL.—Part II of subtitle D of title 10, United States Code, is amended as follows:

(1) GENDER-FREE BASIS FOR ACCEPTANCE OF ORIGINAL ENLISTMENTS.—

(A) Section 9132 is amended by striking ''Regular'' before ''Space Force''.

(B) The heading of such section is amended by striking ''**REGULAR SPACE FORCE**'' and inserting ''**SPACE FORCE**''.

(2) REENLISTMENT AFTER SERVICE AS AN OFFICER.—

(A) Section 9138(a) is amended by striking ''Regular'' before ''Space Force'' both places it appears.

(B) The heading of section 9138 is amended by striking ''**REGULAR SPACE FORCE**'' and inserting ''**SPACE FORCE**''.

(3) WARRANT OFFICERS: ORIGINAL APPOINTMENT; QUALIFICATIONS.—Section 9160 is amended by striking ''Regular'' before Space Force''.

(4) SERVICE AS AN OFFICER TO BE COUNTED AS ENLISTED SERVICE.—Section 9252 is amended by striking ''Regular'' before ''Space Force''.

(5) CHAPTER HEADING.—

(A) The heading of chapter 915 is amended to read as follows:

"CHAPTER 915—APPOINTMENTS IN THE REGULAR AIR FORCE AND IN THE SPACE FORCE".

(B) The tables of chapters at the beginning of subtitle D, and at the beginning of part II of subtitle D of such title, are each amended by striking the item relating to chapter 915 and inserting the following new item:

''915. Appointments in the Regular Air Force and in the Space Force 9151.''.

(b) PROVISIONS RELATING TO TRAINING GENERALLY.—Section 9401 of such title is amended—

(1) in subsection (b)—

(A) by striking ''or the Regular Space Force'' after ''Regular Air Force''; and

(B) by inserting ''or one of the Space Force in a Space Force active status not on sustained duty,'' after ''on the active-duty list,'';

(2) in subsection (c)—

(A) by striking ''or Reserve of the Space Force'' and inserting ''or member of the Space Force in a Space Force active status not on sustained duty''; and

(B) by striking ''the Reserve's consent'' and inserting ''the member's consent''; and

(3) in subsection (f)—

(A) by striking ''the Regular Space Force'' and inserting ''of Space Force members on sustained duty''; and

(B) by striking ''the Space Force Reserve'' and inserting ''of Space Force members in an active status not on sustained duty''.

(c) PROVISIONS RELATING TO THE AIR FORCE ACADEMY.—Chapter 953 of such title is amended as follows:

(1) PERMANENT PROFESSORS; DIRECTOR OF ADMISSIONS.—Section 9436 is amended—

(A) in subsection (a)—

(i) by striking ''the equivalent grade in'' both places it appears;

(ii) by inserting ''or the Space Force'' after ''Regular Air Force'' the first place it appears;

(iii) by striking ''and a permanent'' and all that follows through ''in the Regular Air Force''; and

(B) in subsection (b)—

(i) by striking ''the equivalent grade in'' both places it appears and inserting ''the grade of lieutenant colonel in''; and

(ii) by striking ''Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force'' and inserting ''Space Force has the grade of colonel in the Space Force''.

(2) APPOINTMENT OF CADETS.—Section 9442(b) is amended—

(A) in paragraph (1)(C), by inserting '', or the Space Force,'' after ''members of reserve components''; and

(B) in paragraph (2), by striking ''Regular'' before ''Space Force''.

(3) AGREEMENT OF CADETS TO SERVE AS OFFICERS.—Section 9448(a) is amended—

(A) in paragraph (2)(A), by striking ''Regular'' before ''Space Force''; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting '', or to terminate the officer's order to sustained duty in the Space Force'' after ''resign as a regular officer'';

(ii) in subparagraph (A), by striking ''or as a Reserve in the Space Force for service in the Space Force Reserve'' and inserting ''or will accept further assignment in a Space Force active status''; and

(iii) in subparagraph (B), by inserting '', or the Space Force,'' after ''that reserve component''.

(4) HAZING.—Section 9452(c) is amended by striking ''Marine Corps, or Space Force,'' and inserting, ''or Marine Corps, or in the Space Force,''.

(5) COMMISSION UPON GRADUATION.—Section 9453(b) is amended—

(A) by striking ''or in the equivalent grade in the Regular Space Force''; and

(B) by inserting before the period the following: ''or a second lieutenant in the Space Force under section 531 or 20201 of this title''.

(d) PROVISIONS RELATING TO SCHOOLS AND CAMPS.—Chapter 957 of such title is amended as follows:

(1) PURPOSE.—Section 9481 is amended—

(A) by striking ''to qualify them for appointment'' and inserting ''to qualify them for—

''(1) appointment'';

(B) by striking ''or the Space Force Reserve.'' and inserting ''; or''; and

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

''(2) appointment as officers, or enlistment as noncommissioned officers, for service in the Space Force in a Space Force active status.''.

(2) OPERATION.—Section 9482(4) is amended by striking ''or the Regular Space Force'' and inserting ''or members of the Space Force in an active status''.

SEC. 1832. AMENDMENTS TO SUBTITLE A OF TITLE 10, UNITED STATES CODE.

(a) PROVISIONS RELATING TO ORGANIZATION AND GENERAL MILITARY POWERS.—Part I of subtitle A of title 10, Untied States Code, is amended as follows:

(1) ANNUAL DEFENSE MANPOWER REPORT.—Section 115a(d)(3)(F) is amended by inserting before the period the following: ''or, in the case of the Space Force, officers ordered to active duty other than under section 20105(b) of this title''.

(2) SUSPENSION OF END-STRENGTH AND OTHER STRENGTH LIMITATIONS IN TIME OF WAR OR NATIONAL EMERGENCY.—Section 123a(a)(2) is amended by inserting ''or the Space Force'' after ''a reserve component''.

(3) DEPUTY COMMANDER OF USNORTHCOM.—Section 164(e)(4) is amended—

(A) by inserting ''(A)'' after ''(4)'';

(B) by striking ''shall be a'' and all that follows through the period at the end and inserting ''shall be—

''(i) a qualified officer of a reserve component who is eligible for promotion to the grade of lieutenant general or, in the case of the Navy, vice admiral; or

''(ii) a qualified officer of the Space Force whose prior service includes service in a Space Force active status other than sustained duty and who is eligible for promotion to the grade of lieutenant general.''; and

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

''(B) The requirement in subparagraph (A) does not apply when the officer serving as commander of the combatant command described in that subparagraph is—

''(i) a reserve component officer; or

''(ii) an officer of the Space Force whose prior service includes service in a Space Force active status other than sustained duty.''.

(4) READINESS REPORTS.—Section 482(a) is amended by inserting ''and the Space Force'' after ''active and reserve components'' both places it appears.

(b) DOPMA OFFICER PERSONNEL PROVISIONS.—Chapter 36 of such title is amended as follows:

(1) NONDISCLOSURE OF BOARD PROCEEDINGS.—Section 613a is amended by striking ''573, 611, or 628'' both places it appears and inserting ''573, 611, 628, or 20211''.

(2) INFORMATION FURNISHED TO SELECTION BOARDS.—Section 615(a) is amended—

(A) in paragraph (1), by inserting ''or 20211'' after ''section 611(a)''; and

(B) in paragraph (3)—

(i) in subparagraph (B)(i), by striking ''regular officer'' and all that follows through the period at the end and inserting ''regular officer or an officer in the Space Force, a grade above captain or, in the case of the Navy, lieutenant.''; and

(ii) in subparagraph (D)—

(I) by striking ''major general,'' and inserting ''major general or''; and

(II) by striking ''or, in the case of the Space Force, the equivalent grade,''.

(3) ELIGIBILITY FOR CONSIDERATION FOR PROMOTION: TIME-IN-GRADE AND OTHER REQUIREMENTS.—Section 619(a) is amended by striking ''Marine Corps, or Space Force'' each place it appears and inserting ''or Marine Corps''.

(4) AUTHORITY TO VACATE PROMOTIONS TO GRADES OF BRIGADIER GENERAL AND REAR ADMIRAL (LOWER HALF).—Section 625(b) is amended—

(A) by striking ''Marine Corps, or Space Force'' and inserting ''or Marine Corps''; and

(B) by adding at the end the following new sentence: ''An officer of the Space Force whose promotion is vacated under this section holds the grade of colonel.''.

(5) ACCEPTANCE OF PROMOTIONS; OATH OF OFFICE.—Section 626 is amended by striking ''section 624'' both places it appears and inserting ''section 624 or 20241''.

(6) SPECIAL SELECTION REVIEW BOARD.—Section 628a is amended—

(A) in subsection (a)(1)(A)—

(i) by striking ''major general,'' and inserting ''major general or''; and

(ii) by striking '', or an equivalent grade in the Space Force'';

(B) in subsection (e)(2), by adding at the end the following new sentence: ''However, in the case of an officer on the Space Force officer list, the provisions of section 618 of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to report and proceedings of a promotion board convened under section 20211 of this title.''; and

(C) in subsection (f)(1), by adding at the end the following new sentence: ''However, if the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of an officer on the Space Force officer list who was referred to it for review under this section, and the President approves the report, the officer shall, as soon as practicable, be appointed to the grade in accordance with subsections (b) and (c) of section 20241 of this title.''.

(7) REMOVAL FROM LIST OF OFFICERS RECOMMENDED FOR PROMOTION.—Section 629 is amended—

(A) in subsection (b), by inserting ''or 20241(c)'' after ''section 624(c)''; and

(B) in subsection (c)—

(i) by inserting ''or 20241(a)'' after ''section 624(a)'' both places it appears; and

(ii) by inserting ''or 20241(c)'' after ''section 624(c)'' both places it appears.

(8) RETIREMENT FOR YEARS OF SERVICE.—

(A) LIEUTENANT COLONELS.—Section 633(a) is amended—

(i) by inserting ''(1)'' before ''Except as'';

(ii) by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

(iii) by adding at the end the following new paragraph:

''(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of lieutenant colonel who is not on a list of officers recommended for promotion to the grade of colonel shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 28 years of active commissioned service.''.

(B) COLONELS.—Section 634(a) is amended—

(i) by inserting ''(1)'' before ''Except as'';

(ii) by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

(iii) by adding at the end the following new paragraph:

''(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of colonel who is not on a list of officers recommended for promotion to the grade of brigadier general shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 30 years of active commissioned service.''.

(C) BRIGADIER GENERALS.—Section 635 is amended—

(i) by inserting ''(a) ARMY, NAVY, AIR FORCE, AND MARINE CORPS'' before ''Except as'';

(ii) by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

(iii) by adding at the end the following new subsection:

''(b) SPACE FORCE.—Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the

grade of brigadier general who is not on a list of officers recommended for promotion to the grade of major general shall, if not earlier retired, be retired as specified in subsection (a).''.

(D) OFFICERS IN GRADES ABOVE BRIGADIER GENERAL.—Section 636(a) is amended—

(i) by inserting ''(1)'' before ''Except as'';

(ii) by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

(iii) by adding at the end the following new paragraph:

''(2) Except as provided in subsection (b) or (c) and under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of major general shall, if not earlier retired, be retired as specified in paragraph (1).''.

(E) SECTION HEADINGS.—

(i) The heading of section 633 is amended by striking ''**LIEUTENANT COLONELS AND**'' and inserting ''**AND SPACE FORCE LIEUTENANT COLONELS; REGULAR NAVY**''.

(ii) The heading of section 634 is amended by striking ''**COLONELS AND**'' and inserting ''**AND SPACE FORCE COLONELS; REGULAR**''.

(iii) The heading of section 635 is amended by striking ''**BRIGADIER GENERALS AND**'' and inserting ''**AND SPACE FORCE BRIGADIER GENERALS; REGULAR NAVY**''.

(iv) The heading of section 636 is amended by striking ''**OFFICERS IN GRADES ABOVE BRIGADIER GENERAL AND**'' and inserting ''**AND SPACE FORCE OFFICERS IN GRADES ABOVE BRIGADIER GENERAL; REGULAR NAVY OFFICERS IN GRADES ABOVE**''.

(c) MANAGEMENT POLICIES FOR JOINT QUALIFIED OFFICERS.—Section 661(a) of such title is amended—

(1) by striking ''Marine Corps, and Space Force'' and inserting ''and Marine Corps''; and

(2) by inserting '', and officers of the Space Force on the Space Force officer list,'' after ''active-duty list''.

(d) LEAVE.—Chapter 40 of such title is amended as follows:

(1) ENTITLEMENT AND ACCUMULATION.—Section 701 is amended—

(A) in subsection (h)—

(i) by inserting at the end of paragraph (2) the following new subparagraph:

''(D) A member of the Space Force in a Space Force active status on sustained duty or subject to a call or order to active duty for a period in excess of 12 months.''; and

(ii) in paragraphs (5)(B) and (6), by inserting '', or of the Space Force,'' after ''member of a reserve component''; and

(B) in subsection (i), by inserting '', or of the Space Force,'' after ''member of a reserve component''.

(2) PAYMENT UPON DISAPPROVAL OF CERTAIN BOARD OF INQUIRY RECOMMENDATIONS FOR EXCESS LEAVE REQUIRED TO BE TAKEN.—Section 707a(a)(1) is amended by inserting ''or 20503'' after ''section 1182(c)(2)''.

(3) CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS.—Section 710 is amended—

(A) in subsection (a), by inserting ''or of the Space Force'' after ''regular components'';

(B) in subsection (b)(2), by inserting '', or a Space Force officer in a Space Force active status not on active duty under section 20105(b) of this title,'' after ''officer'';

(C) in subsection (c)(1), by inserting before the period at the end the following: ''or, in the case of a member of the Space Force on sustained duty, to accept release from sustained duty orders and to serve in a Space Force active status''; and

(D) in subsection (g)(1)(A), by striking ''chapter 36 or 1405'' and inserting ''chapter 36, 1405, or 2005''.

(e) LIMITATION ON NUMBER OF OFFICERS WHO MAY BE FROCKED TO A HIGHER GRADE.—Section 777(d)(2) of such title is amended by inserting '', or for the Space Force, the Space Force officer list,'' after ''active-duty list''.

(f) UNIFORM CODE OF MILITARY JUSTICE.—Chapter 47 of such title (the Uniform Code of Military Justice), is amended as follows:

(1) PERSONS SUBJECT TO UCMJ.—Section 802 (article 2) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting ''and members of the Space Force on active duty under section 20105 of this title,'' after ''regular component of the armed forces,'';

(ii) in paragraph (3)(A)(i), by inserting ''or the Space Force'' after ''reserve component'';

(iii) in paragraph (5), by inserting '', or retired members of the Space Force who qualified for a non-regular retirement and are receiving retired pay,'' after ''a reserve component''; and

(iv) by adding at the end the following new paragraph:

''(14) Retired members of the Space Force who qualified for a regular retirement under section 20603 of this title and are receiving retired pay.''; and

(B) in subsection (d)—

(i) in paragraph (1), by inserting ''or the Space Force'' after ''reserve component'';

(ii) in paragraph (2), by inserting ''or the Space Force'' after ''a reserve component''; and

(iii) in paragraph (4), by inserting ''or the Space Force'' after ''in a regular component of the armed forces''.

(2) JURISDICTION TO TRY CERTAIN PERSONNEL.—Subsection (d) of section 803 (article 3) is amended by inserting, ''or the Space Force'' after ''reserve component''.

(3) ARTICLES TO BE EXPLAINED.—Section 937 (article 137) is amended—

(A) in subsection (a)(1)—

(i) by striking ''or'' at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

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

''(C) the member's initial entrance on active duty or into a Space Force active status.'';

(B) in subsection (a)(2)—

(i) by striking ''and'' at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

''(B) after a member of Space Force has completed six months of sustained duty or in the case of a member not on sustained duty, after the member has completed basic or recruit training; and'';

(C) in subsection (b)(1)(B), by inserting ''or the Space Force'' after ''in a reserve component''; and

(D) in subsection (d)(1), by striking ''or to a member of a reserve component,'' and inserting '', to a member of a reserve component, or to a member of the Space Force,''.

(g) RESTRICTION ON PERFORMANCE OF CIVIL FUNCTIONS BY OFFICERS ON ACTIVE DUTY.—Section 973(b)(1) of such title 10 is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

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

''(D) to an officer on the Space Force officer list serving on active duty under section 20105(b) of this title or under a call or order to active duty for a period in excess of 270 days.''.

(h) USE OF COMMISSARY STORES AND MWR RETAIL FACILITIES.—Section 1063 of such title is amended—

(1) in subsection (c)—

(A) in the heading, by inserting ''AND SPACE FORCE'' after ''RESERVE''; and

(B) by inserting ''or the Space Force'' after ''reserve component'';

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(3) by inserting after subsection (c) the following new subsection (d):

''(d) MEMBERS OF THE SPACE FORCE.—A member of the Space Force in a Space Force active status who is not on sustained duty shall be permitted to use commissary stores and MWR retail facilities under the same conditions as specified in subsection (a) for a member of the Selected Reserve.''; and

(4) in subsection (e), as redesignated by paragraph (2), by striking ''subsection (a) or (b)'' in paragraph (1) and inserting ''subsection (a), (b), or (d)''.

(i) MEMBERS INVOLUNTARY SEPARATED.—

(1) ELIGIBILITY FOR CERTAIN BENEFITS AND SERVICES.—Section 1141 of such title is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting a semicolon; and

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

''(5) in the case of an officer of the Space Force (other than a retired officer), the officer is involuntarily discharged or released from active duty under other than adverse conditions, as characterized by the Secretary of the Air Force; and

''(6) in the case of an enlisted member of the Space Force, the member is—

''(A) denied reenlistment; or

''(B) involuntarily discharged or released from active duty under other than adverse conditions, as characterized by the Secretary of the Air Force.''.

(2) SEPARATION PAY.—Section 1174(a)(2) of such title is amended by striking '', Marine Corps, or Space Force'' both places it appears and inserting ''or Marine Corps''.

(j) BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Chapter 79 of such title is amended as follows:

(1) REVIEW OF ACTIONS OF SELECTION BOARDS AND CORRECTION OF MILITARY RECORDS.—Section 1558 is amended—

(A) inserting '', or the Space Force,'' after ''reserve component'' each place it appears; and

(B) in subsection (b)—

(i) in paragraph (1)(C), by striking ''section 628 or 14502'' and inserting ''section 628, 14502, or 20252'';

(ii) in paragraph (2)(A), by striking ''or 14705'' and inserting ''14507, or 20403''; and

(iii) in paragraph (2)(B)(i), by striking ''or 14101(a)'' and inserting ''14101(a), or 20211''.

(2) TITLE OF AIR FORCE SERVICE REVIEW AGENCY.—

(A) Sections 1555(c)(3) and 1557(f)(3) are amended by inserting ''the Department of'' after ''Air Force,''.

(B) Section 1556(a) is amended by inserting ''the Department of'' after ''the Army Review Boards Agency,''.

(C) Section 1559(c)(3) is amended by inserting ''the Department of'' after ''Air Force,''.

(k) MILITARY FAMILY PROGRAMS.—Chapter 88 of such title is amended as follows:

(1) MEMBERS OF DEPARTMENT OF DEFENSE MILITARY READINESS COUNCIL.—Section 1781a(b)(1)(B)(iii) is amended—

(A) by striking ''member and'' and inserting ''member,''; and

(B) by inserting '', and one of whom shall be the spouse or parent of a member of the Space Force'' after ''parent of a reserve component member''.

(2) DEPARTMENT OF DEFENSE POLICY AND PLANS FOR MILITARY FAMILY READINESS.—Section 1781b is amended—

(A) in subsection (b)(3), by striking ''military families of members of the regular components and military families of members of the reserve components'' and inserting ''military families of members of the regular components, the reserve components, and the Space Force''; and

(B) in subsection (c)(2)—

(i) by striking ''both''; and

(ii) by striking ''military families of members of the regular components and military families of members of the reserve components'' and inserting ''military families of members of the regular components, members of the reserve components, and members of the Space Force''.

(l) TRAINING AND EDUCATION PROGRAMS.—

(1) PAYMENT OF TUITION FOR OFF-DUTY TRAINING OR EDUCATION.—Section 2007 of such title is amended by adding at the end the following new subsection:

''(g) The provisions of this section pertaining to members of the Ready Reserve, the Selected Reserve, or the Individual Ready Reserve also apply to members of the Space Force in a Space Force active status who are not on active duty.''.

(2) ROTC FINANCIAL ASSISTANT PROGRAM FOR SPECIALLY SELECTED MEMBERS.—Section 2107 of such title is amended—

(A) in subsection (a)—

(i) by striking ''Navy,'' and inserting ''Navy or''; and

(ii) by striking ''Marine Corps, or as an officer in the equivalent grade in the Space Force'' and inserting ''or Marine Corps''; and

(B) by adding at the end the following new subsection:

''(k) APPLICABILITY TO SPACE FORCE.—(1) Provisions of this section referring to a regular commission, regular officer, or a commission in a regular component shall be treated as also referring to the commission of an officer, or an officer, who is a commissioned officer in the Space Force serving on active duty pursuant to section 20105(b) of this title.

''(2) Provisions of this section referring to a reserve commission, reserve officer, or a commission in a reserve component shall be treated as also referring to the commission of an officer, or an officer, who is a commissioned officer in the Space Force not serving on active duty pursuant to section 20105(b) of this title.''.

(3) DUTY AS ROTC ADMINISTRATORS AND INSTRUCTORS.—Section 2111 of such title is amended by adding at the end the following new sentence: ''The Secretary of the Air Force may detail members of the Space Force in the same manner as regular and reserve members of the Air Force.''.

SEC. 1833. TITLE 38, UNITED STATES CODE (VETERANS' BENEFITS).

(a) DEFINITIONS.—

(1) GENERAL DEFINITIONS.—Section 101 of title 38, United States Code, is amended—

(A) in paragraph (23), by inserting '', or for members of the Space Force in a Space Force active status (as defined in section 101(e)(1) of title 10),'' after ''(including commissioned officers of the Reserve Corps of the Public Health Service)'' both places it appears; and

(B) in paragraph (27)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (E), (F), and (G), respectively.

(2) DEFINITIONS FOR PURPOSES OF SGLI.—Section 1965 of such title is amended—

(A) in paragraph (2)(A), by inserting '', or by members of the Space Force in a Space Force active status (as defined in section 101(e)(1) of title 10) but not on sustained duty under section 20105 of title 10,'' after ''for Reserves''; and

(B) in paragraph (3)(A), by inserting '', or for members of the Space Force in a Space Force active status (as defined in section 101(e)(1) of title 10),'' after ''(including commissioned officers of the Reserve Corps of the Public Health Service)''.

(b) PERSONS ELIGIBLE FOR INTERMENT IN NATIONAL CEMETERIES.—Section 2402(a) of such title is amended in paragraph (2), by inserting ''any member of the Space Force,'' after ''a Reserve component of the Armed Forces,''.

(c) EDUCATIONAL ASSISTANCE.—

(1) MONTGOMERY GI BILL.—Section 3011(a)(3)(D) of such title is amended by inserting ''or for further service in the Space Force in a Space Force active status not on sustained duty under section 20105 of title 10'' after ''of the Armed Forces,''.

(2) POST 9–11 GI BILL.—Section 3311(c)(3) of such title is amended by inserting '', or for further service in the Space Force in a Space Force active status not on sustained duty under section 20105 of title 10,'' after ''of the Armed Forces'' the second place it appears.

Subtitle C—Transition Provisions

SEC. 1841. TRANSITION PERIOD.

In this subtitle, the term ''transition period'' means the period beginning on the date of the enactment of this Act and ending on the last day of the fourth fiscal year beginning after the date of the enactment of this Act.

SEC. 1842. CHANGE OF DUTY STATUS OF MEMBERS OF THE SPACE FORCE.

(a) CHANGE OF DUTY STATUS.—

(1) CONVERSION OF STATUS AND ORDER TO SUSTAINED DUTY.—During the transition period, the Secretary of the Air Force shall change the duty status of each member of the Regular Space Force to Space Force active status and shall, at the same time, order the member to sustained duty under section 20105 of title 10, United States Code, as added by section 1715 of this Act. Any such order may be made without regard to any otherwise applicable requirement that such an order be made only with the consent of the member or as specified in an enlistment agreement or active-duty service commitment.

(2) DEFINITIONS.—For purposes of this section, the terms ''Space Force active status'' and ''sustained duty'' have the meanings given those terms by subsection (e) of section 101 of title 10, United States Code, as added by section 1713(a).

(b) EFFECTIVE DATE OF CHANGE OF DUTY STATUS.—The change of a member's duty status and order to sustained duty in accordance with subsection (a) shall be effective on the date specified by the Secretary of the Air Force, but not later than the last day of the transition period.

SEC. 1843. TRANSFER TO THE SPACE FORCE OF MEMBERS OF THE AIR FORCE RESERVE AND THE AIR NATIONAL GUARD.

(a) TRANSFER OF MEMBERS OF THE AIR FORCE RESERVE.—

(1) OFFICERS.—During the transition period, the Secretary of Defense may, with the officer's consent, transfer a covered officer of the Air Force Reserve or the Air National Guard to, and appoint the officer in, the Space Force.

(2) ENLISTED MEMBERS.—During the transition period, the Secretary of the Air Force may transfer each covered enlisted member of the Air Force Reserve or the Air National Guard to the Space Force, other than those members who do not consent to the transfer.

(3) EFFECTIVE DATE OF TRANSFERS.—Each transfer under this subsection shall be effective on the date specified by the Secretary of Defense, in the case of an officer, or the Secretary of the Air Force, in the case of an enlisted member, but not later than the last day of the transition period.

(b) REGULATIONS.—Transfers under subsection (a) shall be carried out under regulations prescribed by the Secretary of Defense. In the case of an officer, applicable regulations shall include those prescribed pursuant to section 716 of title 10, United States Code.

(c) TERM OF INITIAL ENLISTMENT IN SPACE FORCE.—In the case of a covered enlisted member who is transferred to the Space Force in accordance with subsection (a), the Secretary of the Air Force may accept the initial enlistment of the member in the Space Force for a period of less than 2 years, but only if the period of enlistment in the Space Force is not less than the period remaining, as of the date of the transfer, in the member's term of enlistment in the Air Force Reserve.

(d) END STRENGTH ADJUSTMENTS UPON TRANSFERS FROM AIR FORCE RESERVE OR AIR NATIONAL GUARD TO SPACE FORCE.—During the transition period, upon the transfer of a mission of the Air Force Reserve or the Air National Guard to the Space Force—

(1) the end strength authorized for the Space Force pursuant to section 115(a)(1)(A) of title 10, United States Code, for the fiscal year during which the transfer occurs shall be increased by the number of billets associated with that mission; and

(2) the end strength authorized for the Air Force Reserve and the Air National Guard pursuant to section 115(a)(2) of such title for such fiscal year shall be decreased by the same number.

(e) ADMINISTRATIVE PROVISIONS.—For purposes of the transfer of covered members of the Air Force Reserve in accordance with subsection (a)—

(1) the Air Force Reserve, the Air National Guard, and the Space Force shall be considered to be components of the same Armed Force; and

(2) the Space Force officer list shall be considered to be an active-duty list of an Armed Force.

(f) RETRAINING AND REASSIGNMENT FOR MEMBERS NOT TRANSFERRING.—If a covered member of the Air Force Reserve or the Air National Guard does not consent to transfer to the Space Force in accordance with subsection (a), the Secretary of the Air Force may, as determined appropriate by the Secretary in the case of the individual member, provide the member retraining and reassignment within the Air Force Reserve.

(g) COVERED MEMBERS.—For purposes of this section, the term ''covered'', with respect to a member of the Air Force Reserve or the Air National Guard, means—

(1) a member who as of the date of the enactment of this Act holds an Air Force specialty code for a specialty held by members of the Space Force; and

(2) any other member designated by the Secretary of the Air Force for the purposes of this section.

SEC. 1844. PLACEMENT OF OFFICERS ON THE SPACE FORCE OFFICER LIST.

(a) PLACEMENT ON LIST.—Officers of the Space Force whose duty status is changed in accordance with section 1742, and officers of the Air Force Reserve or the Air National Guard who transfer to the Space Force in accordance with section 1743, shall be placed on the Space Force officer list in an order determined by their respective grades and dates of rank.

(b) OFFICERS OF SAME GRADE AND DATE OF RANK.—Among officers of the same grade and date of rank, placement on the Space Force officer list shall be in the order of their rank as determined in accordance with section 741(c) of title 10, United States Code.

SEC. 1845. DISESTABLISHMENT OF REGULAR SPACE FORCE.

(a) DISESTABLISHMENT.—The Secretary of the Air Force shall disestablish the Regular

Space Force not later than the end of the transition period, once there are no longer any members remaining in the Regular Space Force. The Regular Space Force shall be disestablished upon the completion of the change of duty status of all members of the Space Force pursuant to section 1742 and certification by the Secretary of the Air Force to the congressional defense committees that there are no longer any members of the Regular Space Force.

(b) PUBLICATION OF NOTICE IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice of the disestablishment of the Regular Space Force, including the date thereof, together with any certification submitted pursuant to subsection (a).

(c) CONFORMING REPEAL.—

(1) REPEAL.—Section 9085 of title 10, United States Code, relating to the composition of the Regular Space Force, is repealed.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the date on which the certification is submitted under subsection (a).

SEC. 1846. END STRENGTH FLEXIBILITY.

(a) ADDITIONAL AUTHORITY TO VARY END STRENGTHS.—

(1) AUTHORITY.—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 a fiscal year as follows:

(A) 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.

(B) 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.

(2) TERMINATION.—The authority provided under paragraph (1) shall terminate on the last day of the transition period.

(b) TEMPORARY EXEMPTION FOR THE SPACE FORCE FROM END STRENGTH GRADE RESTRICTIONS.—Sections 517 and 523 of title 10, United States Code, shall not apply to the Space Force during the transition period.

SEC. 1847. PROMOTION AUTHORITY FLEXIBILITY.

(a) PROMOTION AUTHORITY FLEXIBILITY.—During the transition period, the Secretary of the Air Force may convene selection boards to consider officers on the Space Force officer list for promotion, and may promote Space Force officers selected by such boards, in accordance with any of the following provisions of title 10, United States Code:

(1) Chapter 36.

(2) Part III of subtitle E.

(3) Chapter 2005, as added by section 1716.

(b) COORDINATION OF PROVISIONS.—(1) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with chapter 36 of such title—

(A) provisions that apply to an officer of a regular component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the Space Force officer list shall be considered to be an active-duty list.

(2) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with part III of subtitle E of such title—

(A) provisions that apply to an officer of a reserve component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the Space Force officer list shall be considered to be a reserve active-status list.

(3) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with either chapter 36 or part III of subtitle E of such title—

(A) section 20213 of such title, as added by section 1716 if this Act, shall apply to the composition of the selection board;

(B) the provisions of chapter 2005 of such title, as added by such section 1716, regarding officers on the Space Force officer list eligible to be considered for promotion to the grade of brigadier general or major general shall apply;

(C) section 20216 of such title, as so added, shall apply; and

(D) the provisions of chapter 36 or part III of subtitle E of such title, as the case may be, regarding failure of selection for promotion shall apply.

(c) EFFECT OF USING NEW CHAPTER 2005 AUTHORITIES.—If the Secretary of the Air Force convenes a selection board under chapter 2005 of title 10, United States Code, as added by section 1716, to consider officers on the Space Force officer list in a particular grade and competitive category for selection for promotion to the next higher grade, the Secretary may not convene a future selection board pursuant to subsection (a) to consider officers of the same grade and competitive category under chapter 36 or part III of subtitle E of such title.

Subtitle D—Other Amendments Related to the Space Force

SEC. 1851. TITLE 10, UNITED STATES CODE.

(a) AMENDMENTS RELATING TO THE DESIGNATION OF GRADES FOR SPACE FORCE OFFICERS.—Title 10, United States Code, is amended as follows:

(1) COMMISSIONED OFFICER GRADES.—Section 9151 is amended by inserting ''and in the Space Force'' after ''in the Regular Air Force''.

(2) RANK.—Section 741(a) is amended in the table by striking ''and Marine Corps'' and inserting ''Marine Corps, and Space Force''.

(3) DEFINITION OF GENERAL OFFICER.—Section 101(b)(4) is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(4) TEMPORARY APPOINTMENTS TO POSITIONS DESIGNATED TO CARRY THE GRADE OF GENERAL OR LIEUTENANT GENERAL.—Section 601(e) is amended—

(A) by striking ''or Marine Corps,'' and inserting ''Marine Corps, or Space Force or''; and

(B) by striking ''or the commensurate grades in the Space Force,''.

(5) RETIRED GRADE OF OFFICERS.—Section 1370 is amended as follows:

(A) Subsection (a)(2) is amended by striking ''rear admiral in the Navy, or the equivalent grade in the Space Force'' both places it appears and inserting ''or rear admiral in the Navy''.

(B) Subsection (b) is amended—

(i) in paragraph (1)—

(I) by striking ''or Marine Corps'' and all that follows through ''the Space Force,'' and inserting ''Marine Corps, or Space Force or lieutenant in the Navy,''; and

(II) in subparagraph (B), by striking ''major general'' and all that follows through ''Space Force'' and inserting ''major general or rear admiral'';

(ii) in paragraph (4), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or captain in the Navy,'';

(iii) in paragraph (5)—

(I) in subparagraph (A), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or lieutenant commander in the Navy,'';

(II) in subparagraph (B), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or commander or captain in the Navy,''; and

(III) in subparagraph (C), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or rear admiral (lower half) or rear admiral in the Navy,''; and

(iv) in paragraph (6), by striking '', or an equivalent grade in the Space Force,''.

(C) Subsection (c)(1) is amended by striking ''or Marine Corps'' and all that follows through ''Space Force'' and inserting ''Marine Corps, or Space Force or vice admiral or admiral in the Navy''.

(D) Subsection (d) is amended—

(i) in paragraph (1), by striking ''or Marine Corps'' and all that follows through ''Space Force'' and inserting ''Marine Corps, or Space Force or rear admiral in the Navy''; and

(ii) in paragraph (3), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or captain in the Navy,''.

(E) Subsection (e)(2) is amended by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or vice admiral or admiral in the Navy,''.

(F) Subsection (f) is amended—

(i) in paragraph (3)—

(I) in subparagraph (A), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or rear admiral in the Navy''; and

(II) in subparagraph (B), by striking ''or Marine Corps'' and all that follows through ''Space Force'' and inserting ''Marine Corps, or Space Force or vice admiral or admiral in the Navy''; and

(ii) in paragraph (6)—

(I) in subparagraph (A), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or rear admiral in the Navy''; and

(II) in subparagraph (B), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or vice admiral or admiral in the Navy''.

(6) HONORARY PROMOTIONS.—Sections 1563(c)(1) and 1563a(a)(1) are each amended—

(A) by striking ''general,'' and inserting ''general or''; and

(B) by striking '', or an equivalent grade in the Space Force''.

(7) AIR FORCE INSPECTOR GENERAL.—Section 9020(a) is amended by striking ''the general, flag, or equivalent officers of''.

(b) OTHER TITLE 10 AMENDMENTS.—Such title is further amended as follows:

(1) LIMITATION ON NUMBER OF RETIRED MEMBERS ORDERED TO ACTIVE DUTY.—Section 690(a) is amended by striking ''or Marine Corps,'' and inserting ''Marine Corps, or Space Force,''.

(2) THE UNIFORM.—Section 772(i) is amended—

(A) by striking ''an Air Force School'' and inserting ''an Air Force or Space Force school''; and

(B) by striking ''aviation badges of the Air Force'' and inserting ''aviation or space badges of the Air Force or Space Force''.

(3) MEMBERSHIP IN MILITARY UNIONS, ORGANIZING OF MILITARY UNIONS, AND RECOGNITION OF MILITARY UNIONS PROHIBITED.—Section 976(a)(1)(C) is amended by inserting ''or the Space Force'' after ''member of a Reserve component''.

(4) LIMITATION ON ENLISTED AIDES.—Section 981 is amended—

(A) in subsection (a), by striking ''Marine Corps, Air Force,'' and inserting ''Air Force, Marine Corps, Space Force,'';

(B) in subsection (b), by striking ''and Marine Corps'' and inserting ''Marine Corps, and Space Force''; and

(C) in subsection (c)(1), by inserting ''Space Force,'' after ''Marine Corps,''.

(5) DEFINITION OF VETERAN FOR PURPOSES OF FUNERAL HONORS.—Section 1491(h)(1) is amended by striking ''or air service'' and inserting ''air, or space service''.

(6) HOUSING FOR RECRUITS.—Section 9419(d) is amended by inserting ''or the Space Force'' after ''training program of the Air Force''.

(7) CHARTER OF CHIEF OF SPACE OPERATIONS.—Section 9082 is amended as follows:

(A) CROSS-REFERENCE CORRECTION.—Subsection (d)(5) is amended by striking ''sections'' and all that follows through ''of law'' and inserting ''sections 171 and 3104 of this title and other provisions of law''.

(B) ELAPSED-TIME PROVISION.—Subsection (e)(1) is amended by striking ''Commencing'' and all that follows through ''the Chief'' and inserting ''The Chief''.

SEC. 1852. OTHER PROVISIONS OF LAW.

(a) TRADE ACT OF 1974.—Section 233(i)(1) of the Trade Act of 1974 (19 U.S.C. 2293(i)(1)) is amended by inserting '', or a member of the Space Force,'' after ''a member of a reserve component of the Armed Forces''.

(b) TITLE 28, UNITED STATES CODE (JUDICIARY AND JUDICIAL PROCEDURE).—Section 631(c) of title 28, United States Code is amended by inserting '', members of the Space Force'' before '', and members of the Army National Guard''.

(c) SERVICEMEMBERS CIVIL RELIEF ACT.—The Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) is amended as follows:

(1) DEFINITION OF MILITARY SERVICE.—Section 101(2)(A) (50 U.S.C. 3911(2)(A)) is amended by inserting ''Space Force,'' after ''Marine Corps,''.

(2) SAME RIGHTS AND PROTECTIONS AS RESERVES ORDERED TO REPORT FOR MILITARY SERVICE.—Section 106 (50 U.S.C. 3917) is amended by adding at the end the following new subsection:

''(c) TREATMENT OF MEMBERS OF SPACE FORCE.—The provisions of subsection (a) apply to a member of the Space Force who is ordered to report for military service in the same manner as to a member of a reserve component who is ordered to report for military service.''.

(3) EXERCISE OF RIGHTS UNDER SCRA.—Section 108(5) (50 U.S.C. 3919(5)) is amended by inserting ''or as a member of the Space Force'' before the period at the end.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2024''.

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, 2026; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2027.

(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, 2026; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2027 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2023; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

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	$50,000,000
Georgia	Fort Eisenhower	$163,000,000
Hawaii	Aliamanu Military Reservation	$20,000,000
	Fort Shafter	$23,000,000
	Helemano Military Reservation	$33,000,000
	Schofield Barracks	$37,000,000
Kansas	Fort Riley	$105,000,000
Kentucky	Fort Campbell	$38,000,000
Louisiana	Fort Johnson	$13,400,000
Massachusetts	Soldier Systems Center Natick	$18,500,000
Michigan	Detroit Arsenal	$72,000,000
North Carolina	Fort Liberty	$154,500,000
Pennsylvania	Letterkenny Army Depot	$89,000,000
Texas	Fort Bliss	$74,000,000
	Red River Army Depot	$113,000,000
Washington	Joint Base Lewis-McChord	$100,000,000

(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 or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Germany	Grafenwoehr	$10,400,000
	Hohenfels	$56,000,000

(c) PROTOTYPE PROJECT.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Army may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

Army Prototype Project

State	Installation	Amount
North Carolina	Fort Liberty	$85,000,000

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 installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Baumholder	Family Housing New Construction	$78,746,000
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction	$98,600,000

(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 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $100,000,000.

(c) 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 $27,549,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, 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. EXTENSION OF AUTHORITY TO USE CASH PAYMENTS IN SPECIAL ACCOUNT FROM LAND CONVEYANCE, NATICK SOLDIER SYSTEMS CENTER, MASSACHUSETTS.

Section 2844(c)(2)(C) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1865) is amended by striking ''October 1, 2025'' and inserting ''October 1, 2027''.

SEC. 2105. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT KUNSAN AIR BASE, KOREA.

(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 2101(b) of that Act (131 Stat. 1819) and extended and modified by subsections (a) and (b) of section 2106 of the Military Construction Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (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

SEC. 2106. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) ARMY CONSTRUCTION AND LAND ACQUISITION.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2101 of that Act (132 Stat. 2241), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Army: Extension of 2019 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Korea	Camp Tango	Command and Control Facility	$17,500,000
Maryland	Fort Meade	Cantonment Area Roads	$16,500,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2901 of that Act (132 Stat. 2286), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Army: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Bulgaria	Nevo Selo FOS	EDI: Ammunition Holding Area	$5,200,000
Romania	Mihail Kogalniceanu FOS	EDI: Explosives & Ammo Load/Unload Apron.	$21,651,000

SEC. 2107. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) ARMY CONSTRUCTION AND LAND ACQUISITION.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2101(a) of that Act (134 Stat. 4295), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Army: Extension of 2021 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Arizona	Yuma Proving Ground	Ready Building	$14,000,000
Georgia	Fort Gillem	Forensic Lab	$71,000,000
Louisiana	Fort Johnson	Information Systems Facility	$25,000,000

(b) CHILD DEVELOPMENT CENTER, GEORGIA.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization under section 2865 of that Act (10 U.S.C. 2802 note) for the project described in paragraph (2) in Fort Eisenhower, Georgia, shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) PROJECT DESCRIBED.—The project described in this paragraph is the following:

Army: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Georgia	Fort Eisenhower	Child Development Center	$21,000,000

TITLE XXII—NAVY MILITARY CONSTRUCTION

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	Installation or Location	Amount
California	Marine Corps Air Ground Combat Center Twentynine Palms	$42,100,000
	Port Hueneme	$110,000,000
Connecticut	Naval Submarine Base New London	$331,718,000
District of Columbia	Marine Barracks Washington	$131,800,000
Florida	Naval Air Station Whiting Field	$141,500,000
Guam	Andersen Air Force Base	$497,620,000
	Joint Region Marianas	$174,540,000
	Naval Base Guam	$946,500,000
Hawaii	Marine Corps Base Kaneohe Bay	$227,350,000
Maryland	Fort Meade	$186,480,000
	Naval Air Station Patuxent River	$141,700,000
North Carolina	Marine Corps Air Station Cherry Point	$270,150,000
	Marine Corps Base Camp Lejeune	$183,780,000
Pennsylvania	Naval Surface Warfare Center Philadelphia	$88,200,000
Virginia	Dam Neck Annex	$109,680,000
	Joint Expeditionary Base Little Creek - Fort Story	$35,000,000
	Marine Corps Base Quantico	$127,120,000
	Naval Station Norfolk	$158,095,000
	Naval Weapons Station Yorktown	$221,920,000
Washington	Naval Base Kitsap	$245,000,000

(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
Djibouti	Camp Lemonnier	$106,600,000
Italy	Naval Air Station Sigonella	$77,072,000

(c) PROTOTYPE PROJECT.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Navy may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

Navy Prototype Project

State	Installation	Amount
Virginia	Joint Expeditionary Base Little Creek - Fort Story	$35,000,000

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, and in the amounts set forth in the following table:

Navy: Family Housing

Country	Installation or Location	Units	Amount
Guam	Joint Region Marianas	Replace Andersen Housing Ph 8	$121,906,000
	Mariana Islands	Replace Andersen Housing (AF) PH7	$83,126,000

(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 $57,740,000.

(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 $14,370,000.

SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, 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 2019 PROJECTS.

(a) NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2201 of that Act (132 Stat. 2243), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Navy: Extension of 2019 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Bahrain	SW Asia	Fleet Maintenance Facility & TOC	$26,340,000
North Carolina	Marine Corps Base Camp Lejeune.	2nd Radio BN Complex, Phase 2	$51,300,000
South Carolina	Marine Corps Air Station Beaufort.	Recycling/Hazardous Waste Facility	$9,517,000
Washington	Bangor	Pier and Maintenance Facility	$88,960,000

(b) LAUREL BAY FIRE STATION, SOUTH CAROLINA.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization under section 2810 of that Act (132 Stat. 2266) for the project described in paragraph (2) shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) PROJECT DESCRIBED.—The project described in this paragraph is the following::

Navy: Extension of 2019 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
South Carolina	Marine Corps Air Station Beaufort.	Laurel Bay Fire Station	$10,750,000

(c) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (132 Stat. 2286), shall remain in effect

until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Navy: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Greece	Naval Support Activity Souda Bay.	EDI: Joint Mobility Processing Center	$41,650,000

SEC. 2205. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (134 Stat. 4297), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2021 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
California	Twentynine Palms	Wastewater Treatment Plant	$76,500,000
Guam	Joint Region Marianas	Joint Communication Upgrade	$166,000,000
Maine	NCTAMS LANT Detachment Cutler.	Perimeter Security	$26,100,000
Nevada	Fallon	Range Training Complex, Phase I	$29,040,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

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
Florida	MacDill Air Force Base	$131,000,000
	Patrick Space Force Base	$27,000,000
	Tyndall Air Force Base	$252,000,000
Georgia	Robins Air Force Base	$115,000,000
Guam	Joint Region Marianas	$411,000,000
Massachusetts	Hanscom Air Force Base	$37,000,000
Mississippi	Columbus Air Force Base	$39,500,000
South Dakota	Ellsworth Air Force Base	$235,000,000
Texas	Joint Base San Antonio-Lackland	$20,000,000
Utah	Hill Air Force Base	$82,000,000
Wyoming	F.E. Warren Air Force Base	$85,000,000

(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
Australia	Royal Australian Air Force Base Darwin	$26,000,000
	Royal Australian Air Force Base Tindal	$130,500,000
Norway	Rygge Air Station	$119,000,000
Philippines	Cesar Basa Air Base	$35,000,000
Spain	Morón Air Base	$26,000,000
United Kingdom	Royal Air Force Fairford	$47,000,000
	Royal Air Force Lakenheath	$78,000,000

(c) PROTOTYPE PROJECT.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Air Force may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

Air Force Prototype Project

State	Installation	Amount
Massachusetts	Hanscom Air Force Base	$37,000,000

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 $229,282,000.

(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 $7,815,000.

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, 2023, 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 2017 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorizations set forth in the table in paragraph (2), as provided in section 2301(b) of that Act (130 Stat. 2697) and extended by section 2304 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–181; 135 Stat. 2169), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	37 AS Squadron Operations/Aircraft Maintenance Unit	$13,437,000
	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A–22	$2,700,000
Japan	Yokota Air Force Base	C–130J Corrosion Control Hangar	$23,777,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (130 Stat. 2743) and extended by section 2304 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–181; 135 Stat. 2169), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Spangdahlem Air Base	F/A–22 Low Observable/Composite Repair Facility	$12,000,000

SEC. 2305. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.—

(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 authorization set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825) and extended by section 2304(a) of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, 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

(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) and extended by section 2304(b) of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, 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

SEC. 2306. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2301 of that Act (132 Stat. 2246), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Mariana Islands	Tinian	APR-Cargo Pad with Taxiway Extension.	$46,000,000
	Tinian	APR-Maintenance Support Facility	$4,700,000
Maryland	Joint Base Andrews	Child Development Center	$13,000,000
	Joint Base Andrews	PAR Relocate Haz Cargo Pad and EOD Range.	$37,000,000
New Mexico	Holloman Air Force Base	MQ–9 FTU Ops Facility	$85,000,000
	Kirtland Air Force Base	Wyoming Gate Upgrade for Anti-Terrorism Compliance	$7,000,000
United Kingdom	Royal Air Force Lakenheath	F–35 ADAL Conventional Munitions MX	$9,204,000
Utah	Hill Air Force Base	Composite Aircraft Antenna Calibration Fac.	$26,000,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2903 of that Act (132 Stat. 2287), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Slovakia	Malacky	EDI: Regional Munitions Storage Area	$59,000,000
United Kingdom	RAF Fairford	EDI: Construct DABS–FEV Storage	$87,000,000
	RAF Fairford	EDI: Munitions Holding Area	$19,000,000

SEC. 2307. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECT.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization set forth in the table in paragraph (2), as provided in section 2301 of that Act (134 Stat. 4299), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Virginia	Joint Base Langley-Eustis	Access Control Point Main Gate with Lang Acq.	$19,500,00

(b) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2902 of that Act (134 Stat. 4373), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2021 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein	EDI: Rapid Airfield Damage Repair Storage	$36,345,000
	Spangdahlem Air Base	EDI: Rapid Airfield Damage Repair Storage	$25,824,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

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	$147,975,000
California	Marine Corps Air Station Miramar	$103,000,000
	Naval Base Coronado	$51,000,000
	Naval Base San Diego	$101,644,000
Delaware	Dover Air Force Base	$30,500,000
Maryland	Fort Meade	$885,000,000
	Joint Base Andrews	$38,300,000
Montana	Great Falls International Airport	$30,000,000
North Carolina	Marine Corps Base Camp Lejeune	$70,000,000
Utah	Hill Air Force Base	$14,200,000
Virginia	Fort Belvoir	$185,000,000
	Joint Expeditionary Base Little Creek – Fort Story	$61,000,000
	Pentagon	$30,600,000
Washington	Joint Base Lewis – McChord	$62,000,000
	Manchester	$71,000,000
	Naval Undersea Warfare Center Keyport	$37,000,000

(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
Cuba	Guantanamo Bay Naval Station	$257,000,000
Germany	Baumholder	$57,700,000
	Ramstein Air Base	$181,764,000
Honduras	Soto Cano Air Base	$41,300,000
Japan	Kadena Air Base	$100,300,000
Spain	Naval Station Rota	$80,000,000

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	Installation or Location	Amount
California	Marine Corps Air Station Miramar	$30,550,000
	Naval Base San Diego	$6,300,000
	Vandenberg Space Force Base	$57,000,000
Colorado	Buckley Space Force Base	$14,700,000
Georgia	Naval Submarine Base Kings Bay	$49,500,000
Kansas	Forbes Field	$5,850,000
Missouri	Lake City Army Ammunition Plant	$80,100,000
Nebraska	Offutt Air Force Base	$41,000,000
North Carolina	Fort Liberty (Camp Mackall)	$10,500,000
Oklahoma	Fort Sill	$76,650,000
Puerto Rico	Fort Buchanan	$56,000,000
Texas	Fort Cavazos	$18,250,000
Virginia	Pentagon	$2,250,000
Washington	Joint Base Lewis – McChord	$49,850,000
Wyoming	F.E. Warren Air Force Base	$25,000,000

(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
Korea	K–16 Air Base	$5,650,000
Kuwait	Camp Buehring	$18,850,000

(c) IMPROVEMENT OF CONVEYED UTILITY SYSTEMS.—In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Nebraska	Offutt Air Force Base	Microgrid and Backup Power
North Carolina	Fort Liberty (Camp Mackall)	Microgrid and Backup Power
Texas	Fort Cavazos	Microgrid and Backup Power
Washington	Joint Base Lewis – McChord	Power Generation and Microgrid

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, 2023, 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 authorizations set forth in the table in subsection (b), as provided in section 2401(b) of that Act (131 Stat. 1829) and extended by section 2404 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, 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	Punta Borinquen	Ramey Unit School Replacement	$61,071,000

SEC. 2405. EXTENSION AND MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) EXTENSION.—

(1) IN GENERAL.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2401(b) of that Act (132 Stat. 2249), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Defense Agencies: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Baumholder	SOF Joint Parachute Rigging Facility	$11,504,000
Japan	Camp McTureous	Betchel Elementary School	$94,851,000
	Iwakuni	Fuel Pier	$33,200,000

(b) MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT IN BAUMHOLDER, GERMANY.—

(1) MODIFICATION OF PROJECT AUTHORITY.—In the case of the authorization contained in the table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2249) for Baumholder, Germany, for construction of a SOF Joint Parachute Rigging Facility, the Secretary of Defense may construct a 3,200 square meter facility.

(2) MODIFICATION OF PROJECT AMOUNTS.—

(A) DIVISION B TABLE.—The authorization table in section 2401(b) of the Military Construction Defense Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2249), as extended pursuant to subsection (a), is amended in the item relating to Baumholder, Germany, by striking ''$11,504,000'' and inserting ''$23,000,000'' to reflect the project modification made by paragraph (1).

(B) DIVISION D TABLE.—The funding table in section 4601 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2406) is

amended in the item relating to Defense-wide, Baumholder, Germany, SOF Joint Parachute Rigging Facility, by striking ''$11,504'' in the Conference Authorized column and inserting ''$23,000'' to reflect the project modification made by paragraph (1).

SEC. 2406. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECT.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization set forth in the table in paragraph (2), as provided in section 2401(b) of that Act (134 Stat. 4305), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Defense Agencies: Extension of 2021 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Japan	Def Fuel Support Point Tsurumi	Fuel Wharf	$49,500,000

(b) ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2402 of that Act (134 Stat. 4306), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in subsection (a) is as follows:

ERCIP Projects: Extension of 2021 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Arkansas	Ebbing Air National Guard Base	PV Arrays and Battery Storage	$2,600,000
California	Marine Corps Air Ground Combat Center Twentynine Palms	Install 10 Mw Battery Energy Storage for Various Buildings	$11,646,000
	Military Ocean Terminal Concord	Military Ocean Terminal Concord Microgrid	$29,000,000
	Naval Support Activity Monterey	Cogeneration Plant at B236	$10,540,000
Italy	Naval Support Activity Naples	Smart Grid	$3,490,000
Nevada	Creech Air Force Base	Central Standby Generators	$32,000,000
Virginia	Naval Medical Center Portsmouth	Retro Air Handling Units From Constant Volume; Reheat to Variable Air Volume	$611,000

SEC. 2407. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2022 PROJECTS.

In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Alabama	Fort Novosel	Construct a 10 MW RICE Generator Plant and Micro-Grid Controls
Georgia	Fort Moore	Construct 4.8MW Generation and Microgrid
	Fort Stewart	Construct a 10 MW Generation Plant, with Microgrid Controls
New York	Fort Drum	Well Field Expansion Project
North Carolina	Fort Liberty	Construct 10 MW Microgrid Utilizing Existing and New Generators
	Fort Liberty	Fort Liberty Emergency Water System

SEC. 2408. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2023 PROJECTS.

In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Georgia	Fort Stewart – Hunter Army Airfield	Power Generation and Microgrid
Kansas	Fort Riley	Power Generation and Microgrid
Texas	Fort Cavazos	Power Generation and Microgrid

TITLE XXV—INTERNATIONAL PROGRAMS

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, 2023, 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 Bonifas	Vehicle Maintenance Shop	$7,700,000
Army	Camp Carroll	Humidity-Controlled Warehouse	$189,000,000
Army	Camp Humphreys	Airfield Services Storage Warehouse	$7,100,000
Army	Camp Walker	Consolidated Fire and Military Police Station.	$48,000,000
Army	Pusan	Warehouse Facility	$40,000,000
Navy	Chinhae	Electrical Switchgear Building	$6,000,000
Air Force	Osan Air Base	Consolidated Operations Group and Maintenance Group Headquarters.	$46,000,000
Air Force	Osan Air Base	Flight Line Dining Facility	$6,800,000
Air Force	Osan Air Base	Reconnaissance Squadron Operations and Avionics Facility.	$30,000,000
Air Force	Osan Air Base	Repair Aircraft Maintenance Hangar B1732	$8,000,000
Air Force	Osan Air Base	Upgrade Electrical Distribution East, Phase 2	$46,000,000
Air Force	Osan Air Base	Water Supply Treatment Facility	$22,000,000

SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Poland for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Poland, and in the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

Country	Installation or Location	Project	Amount
Army	Powidz	Barracks and Dining Facility	$93,000,000
Army	Powidz	Rotary Wing Aircraft Apron	$35,000,000
Army	Swietoszow	Bulk Fuel Storage	$35,000,000
Army	Swietoszow	Rail Extension and Railhead	$7,300,000
Air Force	Wroclaw	Aerial Port of Debarkation Ramp	$59,000,000
Air Force	Wroclaw	Taxiways to Aerial Port of Debarkation Ramp.	$39,000,000
Defense-wide	Lubliniec	Special Operations Forces Company Operations Facility.	$16,200,000

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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	Location	Amount
Arizona	Surprise Readiness Center	$15,000,000
Florida	Camp Blanding	$11,000,000
Idaho	Jerome County Regional Site	$17,000,000
Illinois	North Riverside Armory	$24,000,000
Kentucky	Burlington	$16,400,000
Mississippi	Southaven	$22,000,000
Missouri	Belle Fontaine	$28,000,000
New Hampshire	Littleton	$23,000,000
New Mexico	Rio Rancho Training Site	$11,000,000
New York	Lexington Avenue Armory	$90,000,000
Ohio	Camp Perry Joint Training Center	$19,200,000
Oregon	Washington County Readiness Center	$26,000,000
Pennsylvania	Hermitage Readiness Center	$13,600,000
Rhode Island	North Kingstown	$30,000,000
South Carolina	Aiken County Readiness Center	$20,000,000
	McCrady Training Center	$7,900,000
Virginia	Sandston RC & FMS 1	$20,000,000
Wisconsin	Viroqua	$18,200,000

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	Location	Amount
Alabama	Birmingham	$57,000,000
Arizona	Queen Creek	$12,000,000
California	Fort Hunter Liggett	$40,000,000

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
Michigan	Battle Creek	$24,549,000
Virginia	Marine Forces Reserve Dam Neck Virginia Beach	$12,400,000

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	$7,000,000
Alaska	Joint Base Elmendorf – Richardson	$7,000,000
Arizona	Tucson International Airport	$11,600,000
Arkansas	Ebbing Air National Guard Base	$76,000,000
Colorado	Buckley Space Force Base	$12,000,000
Indiana	Fort Wayne International Airport	$8,900,000
Oregon	Portland International Airport	$71,500,000
Pennsylvania	Harrisburg International Airport	$8,000,000
Wisconsin	Truax Field	$5,200,000

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	$8,500,000
California	March Air Reserve Base	$226,500,000

Air Force Reserve—Continued

State	Location	Amount
Guam	Joint Region Marianas	$27,000,000
Louisiana	Barksdale Air Force Base	$7,000,000
Texas	Naval Air Station Joint Reserve Base Fort Worth	$16,000,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, 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. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT HULMAN REGIONAL AIRPORT, INDIANA.

(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 2604 of that Act (131 Stat. 1836) and extended by section 2608 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2018 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Indiana	Hulman Regional Airport	Construct Small Arms Range	$8,000,000

SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT FRANCIS S. GABRESKI AIRPORT, NEW YORK.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in subsection (b), as provided in section 2604 of that Act (132 Stat. 2255), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2019 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
New York	Francis S. Gabreski Airport	Security Forces/Comm. Training Facility	$20,000,000

SEC. 2609. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2604 of that Act (134 Stat. 4312, 4313, 4314), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2021 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Arkansas	Fort Chaffee	National Guard Readiness Center	$15,000,000
California	Bakersfield	National Guard Vehicle Maintenance Shop	$9,300,000
Colorado	Peterson Space Force Base	National Guard Readiness Center	$15,000,000
Guam	Joint Region Marianas	Space Control Facility #5	$20,000,000
Ohio	Columbus	National Guard Readiness Center	$15,000,000
Massachusetts	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	$8,700,000
North Carolina	Asheville	Army Reserve Center/Land	$24,000,000
Puerto Rico	Fort Allen	National Guard Readiness Center	$37,000,000
South Carolina	Joint Base Charleston	National Guard Readiness Center	$15,000,000
Texas	Fort Worth	Aircraft Maintenance Hangar Addition/Alt.	$6,000,000
	Joint Base San Antonio	F–16 Mission Training Center	$10,800,000
Virgin Islands	St. Croix	Army Aviation Support Facility (AASF)	$28,000,000
		CST Ready Building	$11,400,000

SEC. 2610. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2022 PROJECT AT NICKELL MEMORIAL ARMORY, KANSAS.

(a) TRANSFER AUTHORITY.—From amounts appropriated for ''Military Construction, Army National Guard'' pursuant to the authorization of appropriations in section 2606 and available as specified in the funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81, 135 Stat. 2315), the Secretary of Defense may transfer not more than $420,000 to an appropriation for ''Military Construction, Air National Guard'' for use for studying, planning, designing, and architect and engineer services for a sensitive compartmented information facility project at Nickell Memorial Armory, Kansas.

(b) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred under subsection (a) shall be merged with and available for the same purposes, and for the same time period, as the ''Military Construction, Air National Guard'' appropriation to which transferred.

(c) AUTHORITY.—Using amounts transferred pursuant to subsection (a), the Secretary of the Air Force may carry out study, planning, design, and architect and engineer services activities for a sensitive compartmented information facility project at Nickell Memorial Armory, Kansas.

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2023 PROJECT AT CAMP PENDLETON, CALIFORNIA.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263) and specified in the funding table in section 4601 of the James M. Inhofe National Defense

Authorization Act for Fiscal Year 2023 (Public Law 117–263) for Camp Pendleton, California, for construction of an Area Maintenance Support Activity, the Secretary of the Army may construct a 15,000 square foot facility.

SEC. 2612. AUTHORITY TO CONDUCT RESTORATION AND MODERNIZATION PROJECTS AT THE FIRST CITY TROOP READINESS CENTER IN PHILADELPHIA, PENNSYLVANIA.

The Chief of the National Guard Bureau may expend amounts available to the Army National Guard for facilities sustainment, restoration, and modernization to conduct restoration and modernization projects at the First City Troop Readiness Center in Philadelphia, Pennsylvania, if—

(1) the Commonwealth of Pennsylvania has a sufficient remaining lease term for such center to realize the full lifecycle benefit of such a project;

(2) the Federal contribution for such a project does not exceed 50 percent of the cost of the project (inclusive of all project costs); and

(3) the Chief of the National Guard Bureau notifies the Committees on Armed Services of the Senate and the House of Representatives not less than 15 days before awarding a contract for such a project, which shall include an explanation of the sufficiency of remaining lease term to justify the investment.

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.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, 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 specified in the funding table in section 4601.

SEC. 2702. 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.

SEC. 2703. CLOSURE AND DISPOSAL OF THE PUEBLO CHEMICAL DEPOT, PUEBLO COUNTY, COLORADO.

(a) IN GENERAL.—The Secretary of the Army shall close the Pueblo Chemical Depot in Pueblo County, Colorado (in this section referred to as the ''Depot''), not later than one year after the completion of the chemical demilitarization mission at such location in accordance with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at Geneva September 3, 1992, and entered into force April 29, 1997 (commonly referred to as the ''Chemical Weapons Convention'').

(b) PROCEDURES.—The Secretary of the Army shall carry out the closure and subsequent related property management and disposal of the Depot, including the land, buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal property that comprise the Chemical Agent–Destruction Pilot Plant, in accordance with the procedures and authorities for the closure, management, and disposal of property under 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).

(c) OFFICE OF LOCAL DEFENSE COMMUNITY COOPERATION ACTIVITIES.—The Office of Local Defense Community Cooperation of the Department of Defense may make grants and supplement other Federal funds pursuant to section 2391 of title 10, United States Code, to support closure and reuse activities of the Depot.

(d) TREATMENT OF EXISTING PERMITS.—Nothing in this section shall be construed to prevent the removal or demolition by the Program Executive Office, Assembled Chemical Weapons Alternatives of the Department of the Army of existing buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal property of the Chemical Agent–Destruction Pilot Plant at the Depot in accordance with Hazardous Waste Permit Number CO–20–09–02–01 under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) (commonly known as the ''Resource Conservation and Recovery Act of 1976'') issued by the State of Colorado, or any associated or follow-on permits under such Act.

(e) HOMELESS USE.—Given the nature of activities undertaken at the Chemical Agent–Destruction Pilot Plant at the Depot, such land, buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal property comprising the Chemical Agent–Destruction Pilot Plant is deemed unsuitable for homeless use and, in carrying out any closure, management, or disposal of property under this section, need not be screened for homeless use purposes pursuant to section 2905(b)(7) of 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).

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. AUTHORITY FOR INDO-PACIFIC POSTURE MILITARY CONSTRUCTION PROJECTS.

(a) AUTHORITY.—The Commander of the United States Indo-Pacific Command (in this section referred to as the ''Commander'') may carry out an unspecified military construction project not otherwise authorized by law or may authorize the Secretary of a military department to carry out such a project.

(b) SCOPE OF PROJECT AUTHORITY.—A project carried out under this section may include any planning, designing, construction, development, conversion, extension, renovation, or repair, whether to satisfy temporary or permanent requirements, and, to the extent necessary, any acquisition of land.

(c) PURPOSES.—A project carried out under this section shall be for the purpose of—

(1) supporting the rotational deployments of the Armed Forces;

(2) enhancing facility preparedness and military installation resilience (as defined in section 101(e)(8) of title 10, United States Code) in support of potential, planned, or anticipated national defense activities; or

(3) providing for prepositioning and storage of equipment and supplies.

(d) LOCATION OF PROJECTS.—A project carried out under this section—

(1) may be located—

(A) at a cooperative security location, forward operating site, or contingency location for use by the Armed Forces; or

(B) at a location used by the Armed Forces that is owned or operated by Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands; and

(2) may be carried out without regard to whether the real property or facilities at the location are under the jurisdiction of the Department of Defense if the Commander determines that the United States has a sufficient interest in the property or facility to support the project.

(e) MAXIMUM AMOUNT.—The cost of any project carried out under this section may not exceed $15,000,000.

(f) AVAILABLE AMOUNTS.—In carrying out a project under this section, the Commander, or the Secretary of a military department when authorized by the Commander, may use amounts authorized for—

(1) the INDOPACOM Military Construction Pilot Program fund; and

(2) operation and maintenance that are made available to the Commander, not to exceed 200 percent of the amount specified in section 2805(c) of title 10, United States Code.

(g) NOTICE TO CONGRESS.—

(1) IN GENERAL.—If the Commander decides to carry out a project under this section with a cost exceeding $2,000,000, the Commander shall notify the congressional defense committees of that determination in an electronic medium pursuant to section 480 of title 10, United States Code.

(2) RELEVANT DETAILS.—Notice under paragraph (1) with respect to a project shall include relevant details of the project, including the estimated cost, and may include a classified annex.

(3) TIMING.—A project under this section covered by paragraph (1) may not be carried out until the end of the 14-day period beginning on the date the notification under such paragraph is received by the congressional defense committees.

(h) ANNUAL REPORT.—Not later than December 31 of each year, the Commander shall submit to the congressional defense committees a report containing a list of projects funded, lessons learned, and, subject to the concurrence of the President, recommended adjustments to the authority under this section for the most recently ended fiscal year.

(i) PROJECT EXECUTION.—

(1) PROJECT SUPERVISION.—Subsections (a) and (b) of section 2851 of title 10, United States Code, shall not apply to projects carried out under this section.

(2) APPLICATION OF CHAPTER 169 OF TITLE 10, UNITED STATES CODE.—When exercising the authority under subsection (a), the Commander shall, for purposes of chapter 169 of title 10, United States Code, be considered the Secretary concerned.

(j) SUNSET.—The authority to carry out a project under this section expires on March 31, 2029.

SEC. 2802. ORDERING AUTHORITY FOR MAINTENANCE, REPAIR, AND CONSTRUCTION OF FACILITIES OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2817. Ordering authority

''(a) IN GENERAL.—The head of a department or organization within the Department of Defense may place an order, on a reimbursable basis, with any other such department or organization for a project for the maintenance and repair of a facility of the Department of Defense or for a minor military construction project.

''(b) OBLIGATIONS.—An order placed by the head of a department or organization under subsection (a) is deemed to be an obligation of such department or organization in the same manner as a similar order or contract placed with a private contractor.

''(c) CONTINGENCY EXPENSES.—An order placed under subsection (a) for a project may include an amount for contingency expenses that shall not exceed 10 percent of the cost of the project.

''(d) AVAILABILITY OF AMOUNTS.—Amounts appropriated or otherwise made available to

a department or organization of the Department of Defense shall be available to pay an obligation of such department or organization under this section in the same manner and to the same extent as those amounts are available to pay an obligation to a private contractor.''.

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

''2817. Ordering authority.''.

SEC. 2803. APPLICATION OF AREA CONSTRUCTION COST INDICES OUTSIDE THE UNITED STATES.

Section 2805(f) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''inside the United States'';

(2) by striking paragraph (2); and

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

SEC. 2804. AUTHORIZATION OF COST-PLUS INCENTIVE-FEE CONTRACTING FOR MILITARY CONSTRUCTION PROJECTS TO MITIGATE RISK TO THE SENTINEL PROGRAM SCHEDULE AND COST.

(a) IN GENERAL.—Notwithstanding section 3323(a) of title 10, United States Code, the Secretary of Defense may authorize the use of contracts using cost-plus incentive-fee contracting for military construction projects associated with launch facilities, launch centers, and related infrastructure of the Sentinel Program of the Department of Defense for not more than one low-rate initial production lot at each of the following locations:

(1) F.E. Warren Air Force Base.

(2) Malmstrom Air Force Base.

(3) Minot Air Force Base.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than quarterly thereafter, the Secretary of Defense shall brief the congressional defense committees on the following:

(1) Uncertainties with site conditions at locations specified under subsection (a).

(2) The plan of the Department of Defense to transition to firm, fixed price contracts for military construction following any military construction projects carried out under subsection (a).

(3) The acquisition process for military construction projects carried out under subsection (a).

(4) Updates on the execution of military construction projects carried out under subsection (a).

SEC. 2805. EXTENSIONS TO THE MILITARY LANDS WITHDRAWAL ACT RELATING TO BARRY M. GOLDWATER RANGE.

(a) RENEWAL OF CURRENT WITHDRAWAL AND RESERVATION.—Section 3031(d)(1) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 907) is amended by striking ''25 years after the date of the enactment of this Act'' and inserting ''on October 5, 2049''.

(b) EXTENSION.—Section 3031(e) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 908) is amended—

(1) in the subsection heading, by striking ''INITIAL''; and

(2) in paragraph (1), by striking ''initial''.

SEC. 2806. AUTHORITY TO LEASE LAND PARCEL FOR HOSPITAL AND MEDICAL CAMPUS, BARRIGADA TRANSMITTER SITE, GUAM.

(a) NO-COST LEASE AUTHORIZED.—The Secretary of the Navy (in this section referred to as the ''Secretary'') may lease to the Government of Guam parcels of real property, including any improvements thereon, consisting of approximately 102 acres of undeveloped land and approximately 10.877 acres of utility easements in the municipality of Barrigada and Mangilao, Guam, known as the Barrigada Transmitter Site, for construction of a public hospital and medical campus, without fair market consideration.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be leased under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(c) APPRAISAL NOT REQUIRED.—The lease under subsection (a) shall not require an appraisal.

(d) CONDITIONS OF LEASE.—

(1) SUBJECT TO CERTAIN EXISTING ENCUMBRANCES.—A lease of property under subsection (a) shall be subject to all existing easements, restrictions, and covenants of record, including restrictive covenants, that the Secretary determines are necessary to ensure that—

(A) the use of the property is compatible with continued military activities by the Armed Forces of the United States in Guam;

(B) the environmental condition of the property is compatible with the use of the property as a public hospital and medical campus;

(C) access is available to the United States to conduct environmental remediation or monitoring as required under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h));

(D) the property is used only for a public hospital and medical campus, which may include ancillary facilities to support the hospital and campus, or as set forth in subsection (e); and

(E) the public hospital and medical campus to be constructed on the property shall—

(i) include—

(I) an MV–22-capable helipad;

(II) recompression chamber capability; and

(III) perimeter fencing; and

(ii) allow for the relocation of weather radar equipment owned by the United States at the hospital or campus.

(2) FUNDING.—The Secretary is not required to fund the construction or operation of a hospital or medical campus on the property leased under subsection (a).

(3) PAYMENT OF ADMINISTRATIVE COSTS.—All direct and indirect administrative costs, including for surveys, title work, document drafting, closing, and labor, incurred by the Secretary related to any lease of the property under subsection (a) shall be borne by the Government of Guam.

(e) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) NOT TO BE CONSIDERED EXCESS, TRANSFERRED, OR DISPOSED OF.—The property subject to any lease under subsection (a) may not be declared to be excess real property to the needs of the Navy or transferred or otherwise disposed of by the Navy or any Federal agency.

SEC. 2807. REVISION TO ACCESS AND MANAGEMENT OF AIR FORCE MEMORIAL.

Section 2863(e) of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1332), is amended by striking ''the Foundation'' and inserting ''non-Federal Government entities, the Secretary of the Air Force, or both''.

SEC. 2808. DEVELOPMENT AND OPERATION OF THE MARINE CORPS HERITAGE CENTER AND THE NATIONAL MUSEUM OF THE MARINE CORPS.

(a) IN GENERAL.—Chapter 861 of title 10, United States Code, is amended by inserting after section 8617 the following new section:

''§ 8618. Marine Corps Heritage Center and the National Museum of the Marine Corps

''(a) JOINT VENTURE FOR DEVELOPMENT AND CONTINUED MAINTENANCE AND OPERATION.—The Secretary of the Navy (in this section referred to as the 'Secretary') may enter into a joint venture with the Marine Corps Heritage Foundation (in this section referred to as the 'Foundation'), a nonprofit entity, for the design, construction, maintenance, and operation of a multipurpose facility to be used for historical displays for public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities consistent with the mission of the Marine Corps University. The facility shall be known as the Marine Corps Heritage Center and the National Museum of the Marine Corps (in this section referred to as the 'Facility').

''(b) DESIGN AND CONSTRUCTION.—For each phase of development of the Facility, the Secretary may—

''(1) permit the Foundation to contract for the design, construction, or both of such phase of development; or

''(2) accept funds from the Foundation for the design, construction, or both of such phase of development.

''(c) ACCEPTANCE AUTHORITY.—Upon completion of construction of any phase of development of the Facility by the Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Foundation, the Facility shall become the real property of the Department of the Navy with all right, title, and interest in and to the Facility belonging to the United States.

''(d) MAINTENANCE, OPERATION, AND SUPPORT.—

''(1) IN GENERAL.—The Secretary may, for the purpose of maintenance and operation of the Facility—

''(A) enter into contracts or cooperative agreements, on a sole-source basis, with the Foundation for the procurement of property or services for the direct benefit or use of the Facility; and

''(B) notwithstanding the requirements of subsection (h) of section 2667 of this title and under such terms and conditions as the Secretary considers appropriate for the joint venture authorized under subsection (a), lease in accordance with such section 2667 portions of the Facility to the Foundation for use in generating revenue for activities of the Facility and for such administrative purposes as may be necessary for support of the Facility.

''(2) CONSIDERATION FOR LEASE.—In making a determination of fair market value under section 2667(b)(4) of this title for payment of consideration pursuant to a lease described in paragraph (1)(B), the Secretary may consider the entirety of the educational efforts of the Foundation, support by the Foundation to the history division of the Marine Corps Heritage Center, funding of museum programs and exhibits by the Foundation, or other support related to the Facility, in addition to the types of in-kind consideration provided under section 2667(c) of this title.

''(3) USE FOR REVENUE-GENERATING ACTIVITIES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may authorize the Foundation to use real or personal property within the Facility to conduct revenue-generating activities in addition to those authorized under paragraph (1)(B), as the Secretary considers appropriate considering the work of the Foundation and the needs of the Facility.

''(B) LIMITATION.—The Secretary may only authorize the use of the Facility for a revenue-generating activity if the Secretary determines the activity will not interfere with

activities and personnel of the armed forces or the activities of the Facility.

''(4) RETENTION OF LEASE PAYMENTS.—The Secretary shall retain lease payments received under paragraph (1)(B), other than in-kind consideration authorized under paragraph (2) or section 2667(c) of this title, solely for use in support of the Facility, and funds received as lease payments shall remain available until expended.

''(e) USE OF CERTAIN GIFTS.—

''(1) IN GENERAL.—Under regulations prescribed by the Secretary, the Commandant of the Marine Corps may, without regard to section 2601 of this title, accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property of a value of $250,000 or less made to the United States if such gift, devise, or bequest is for the benefit of the Facility.

''(2) EXPENSES.—The Secretary may pay or authorize the payment of any reasonable and necessary expense in connection with the conveyance or transfer of a gift, devise, or bequest under paragraph (1).

''(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the joint venture authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 861 of such title is amended by inserting after the item relating to section 8617 the following new item:

''8618. Marine Corps Heritage Center and the National Museum of the Marine Corps.''.

(c) CONFORMING REPEAL.—Section 2884 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 114 Stat. 1654A–440) is repealed.

SEC. 2809. AUTHORITY FOR ACQUISITION OF REAL PROPERTY INTEREST IN PARK LAND OWNED BY THE COMMONWEALTH OF VIRGINIA.

(a) AUTHORITY.—The Secretary of the Navy (in this section referred to as the ''Secretary'') may acquire by purchase or lease approximately 225 square feet of land, including ingress and egress, at Westmoreland State Park, Virginia, for the purpose of installing, operating, maintaining, and protecting equipment to support research and development activities by the Department of the Navy in support of national security.

(b) TERMS AND CONDITIONS.—The acquisition of property under subsection (a) shall be subject to the following terms and conditions:

(1) The Secretary shall pay the Commonwealth of Virginia fair market value for the property to be acquired, as determined by the Secretary.

(2) Such other terms and conditions as considered appropriate by the Secretary.

(c) DESCRIPTION OF PROPERTY.—The legal description of the property to be acquired under subsection (a) shall be determined by a survey that is satisfactory to the Secretary and the Commonwealth of Virginia.

(d) APPLICABILITY OF THE LAND AND WATER CONSERVATION FUND ACT.—The provisions of chapter 2003 of title 54, United States Code, shall not apply to the acquisition of property under subsection (a).

(e) REIMBURSEMENT.—The Secretary shall reimburse the Commonwealth of Virginia for the reasonable and documented administrative costs incurred by the Commonwealth of Virginia to execute the acquisition by the Secretary of property under subsection (a).

(f) TERMINATION OF REAL PROPERTY INTEREST.—The real property interest acquired by the Secretary under subsection (a) shall terminate, and be released without cost to the Commonwealth of Virginia, when the Secretary determines such real property interest is no longer required for national security purposes.

SEC. 2810. MOVEMENT OR CONSOLIDATION OF JOINT SPECTRUM CENTER TO FORT MEADE, MARYLAND, OR ANOTHER APPROPRIATE LOCATION.

(a) LEAVING CURRENT LOCATION.—Not later than September 30, 2026, the Secretary of Defense shall completely vacate the offices of the Joint Spectrum Center of the Department of Defense in Annapolis, Maryland.

(b) MOVEMENT OR CONSOLIDATION.—The Secretary shall take appropriate action to move, consolidate, or both, the offices of the Joint Spectrum Center to the headquarters building of the Defense Information Systems Agency at Fort Meade, Maryland, or another appropriate location chosen by the Secretary for national security purposes to ensure the physical and cybersecurity protection of personnel and missions of the Department of Defense.

(c) STATUS UPDATE.—Not later than January 31 and July 31 of each year until the Secretary has completed the requirements under subsections (a) and (b), the Commander of the Defense Information Systems Agency shall provide an in-person and written update on the status of the completion of those requirements to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of Maryland.

(d) TERMINATION OF EXISTING LEASE.—Upon vacating the offices of the Joint Spectrum Center in Annapolis, Maryland, pursuant to subsection (a), all right, title, and interest of the United States in and to the existing lease for the Joint Spectrum Center in such location shall be terminated.

(e) REPEAL OF OBSOLETE AUTHORITY.—Section 2887 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 569) is repealed.

SEC. 2811. TEMPORARY EXPANSION OF AUTHORITY FOR USE OF ONE-STEP TURN-KEY SELECTION PROCEDURES FOR REPAIR PROJECTS.

During the five-year period beginning on the date of the enactment of this Act, section 2862(a)(2) of title 10, United States Code, shall be applied and administered by substituting ''$12,000,000'' for ''$4,000,000''.

SEC. 2812. MODIFICATION OF TEMPORARY INCREASE OF AMOUNTS IN CONNECTION WITH AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION.

(a) IN GENERAL.—Section 2801 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) in subsection (b)(2), by substituting '$4,000,000' for '$2,000,000';''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply as if included in the enactment of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263).

SEC. 2813. PILOT PROGRAM ON REPLACEMENT OF SUBSTANDARD ENLISTED BARRACKS.

(a) IN GENERAL.—The Secretary concerned may, in accordance with this section, carry out a pilot program under which the Secretary concerned may replace an existing enlisted barracks with a new enlisted barracks not otherwise authorized by law.

(b) FACILITY REQUIREMENTS.—A new facility for an enlisted barracks replaced under subsection (a)—

(1) may not have a greater personnel capacity than the facility being replaced but may be physically larger than the facility being replaced;

(2) must be replacing a facility that is in a substandard condition, as determined by the Secretary concerned, and which determination may not be delegated, in advance of project approval;

(3) must be designed and utilized for the same purpose as the facility being replaced;

(4) must be located on the same installation as the facility being replaced; and

(5) must be designed to meet, at a minimum, current standards for construction, utilization, and force protection.

(c) SOURCE OF FUNDS.—The Secretary concerned, in using the authority under this section, may spend amounts available to the Secretary concerned for operation and maintenance or unspecified military construction.

(d) CONGRESSIONAL NOTIFICATION.—When a decision is made to carry out a replacement project under this section with an estimated cost in excess of $10,000,000, the Secretary concerned shall submit, in an electronic medium pursuant to section 480 of title 10, United States Code, to the appropriate committees of Congress a report containing—

(1) the justification for the replacement project and the current estimate of the cost of the project; and

(2) a description of the elements of military construction, including the elements specified in section 2802(b) of such title, incorporated into the project.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS; FACILITY; SECRETARY CONCERNED.—The terms ''appropriate committees of Congress'', ''facility'', and ''Secretary concerned'' have the meanings given those terms in section 2801 of title 10, United States Code.

(2) ENLISTED BARRACKS.—The term ''enlisted barracks'' means barracks designed and utilized for housing enlisted personnel of the Armed Forces.

(3) PERSONNEL CAPACITY.—The term ''personnel capacity'', with respect to an enlisted barracks, means the design capacity for the number of enlisted personnel housed in the enlisted barracks.

(4) SUBSTANDARD CONDITION.—The term ''substandard condition'', with respect to a facility, means the facility can no longer meet the requirements of current standards without repair that would cost more than 75 percent of the replacement cost.

(f) SUNSET.—The authority under this section shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. 2814. EXPANSION OF DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM TO INCLUDE INSTALLATIONS OF THE COAST GUARD.

Section 2391 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1)(B), in the matter preceding clause (i), by inserting '', in consultation with the Commandant of the Coast Guard,'' after ''The Secretary''; and

(B) by adding at the end the following new paragraph:

''(5) In considering grants, agreements, or other funding under paragraph (1)(A) with respect to community infrastructure supportive of a military installation of the Coast Guard, the Secretary of Defense shall consult with the Commandant of the Coast Guard to assess the selection and prioritization of the project concerned.''; and

(2) in subsection (e)(1), by adding at the end the following new sentence: ''For purposes of subsection (d), the term 'military installation' includes an installation of the

Coast Guard under the jurisdiction of the Department of Homeland Security.''.

SEC. 2815. MODIFICATION OF PILOT PROGRAM ON INCREASED USE OF SUSTAINABLE BUILDING MATERIALS IN MILITARY CONSTRUCTION.

Section 2861 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2802 note) is amended—

(1) in subsection (b)(1), by striking the period at the end and inserting ''to include, under the pilot program as a whole, at a minimum—

''(A) one project for mass timber; and

''(B) one project for low carbon concrete.'';

(2) in subsection (d), by striking ''September 30, 2024'' and inserting ''September 30, 2025'';

(3) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

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

''(e) COMMENCEMENT OF CONSTRUCTION.—Each military construction project carried out under the pilot program must commence construction by not later than January 1, 2025.''; and

(5) in subsection (f)(1), as redesignated by paragraph (3), by striking ''December 31, 2024'' and inserting ''December 31, 2025''.

Subtitle B—Military Housing

PART I—MILITARY UNACCOMPANIED HOUSING

SEC. 2821. UNIFORM CONDITION INDEX FOR MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations requiring the Assistant Secretary of Defense for Energy, Installations, and Environment to complete and issue a uniform facility condition index for military unaccompanied housing, including such housing that is existing as of the date of the enactment of this Act and any such housing constructed or used on or after such date of enactment.

(b) COMPLETION OF INDEX.—The uniform facility condition index required under subsection (a) shall be completed and issued by not later than October 1, 2024.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2822. CERTIFICATION OF HABITABILITY OF MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—The Secretary of Defense shall include with the submission to Congress by the President of the annual budget of the Department of Defense under section 1105(a) of title 31, United States Code, a certification from the Secretary of each military department to the congressional defense committees that the cost for all needed repairs and improvements for each occupied military unaccompanied housing facility under the jurisdiction of such Secretary does not exceed 20 percent of the replacement cost of such facility, as mandated by Department of Defense Manual 4165.63, ''DoD Housing Management'', or successor issuance.

(b) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2823. MAINTENANCE WORK ORDER MANAGEMENT PROCESS FOR MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to establish for each military department a process associated with maintenance work order management for military unaccompanied housing under the jurisdiction of such military department, including such housing that is existing as of the date of the enactment of this Act and any such housing constructed or used on or after such date of enactment.

(b) USE OF PROCESS.—The processes required under subsection (a) shall clearly define requirements for effective and timely maintenance work order management, including requirements with respect to—

(1) quality assurance for maintenance completed;

(2) communication of maintenance progress and resolution with management of military unaccompanied housing, barracks managers, and residents; and

(3) standardized performance metrics, such as the timeliness of completion of work orders.

(c) ADMINISTRATION.—The Secretary of each military department shall administer the work order process required under subsection (a) for such military department and shall issue or update relevant guidance as necessary.

(d) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2824. EXPANSION OF UNIFORM CODE OF BASIC STANDARDS FOR MILITARY HOUSING TO INCLUDE MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Section 2818 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2871 note) is amended—

(1) in the section heading, by striking ''**FAMILY**''; and

(2) in subsection (a)—

(A) by striking ''family''; and

(B) by inserting '', including military unaccompanied housing (as defined in section 2871 of title 10, United States Code)'' before the period at the end.

(b) IMPLEMENTATION.—

(1) IN GENERAL.—In implementing the amendments made by subsection (a), the Secretary of Defense shall ensure that the standards required under section 2818 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2871 note), as modified pursuant to those amendments, apply to military unaccompanied housing that is existing as of the date of the enactment of this Act and any such housing constructed or used on or after such date of enactment.

(2) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this subsection, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(A) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(B) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2825. OVERSIGHT OF MILITARY UNACCOMPANIED HOUSING.

(a) CIVILIAN OVERSIGHT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to require that the Secretary of each military department establish a civilian employee of the Department of Defense, or of the military department concerned, at the housing office for each installation of the Department under the jurisdiction of such Secretary to oversee military unaccompanied housing at that installation.

(2) SUPERVISORY CHAIN.—For any installation of the Department for which the unaccompanied housing manager is a member of the Armed Forces, the civilian employee established under paragraph (1) at such installation shall report to a civilian employee at the housing office for such installation.

(b) BARRACKS OR DORMITORY MANAGER REQUIREMENTS.—

(1) LIMITATION ON ROLE BY MEMBERS OF THE ARMED FORCES.—No enlisted member of the Armed Forces or commissioned officer may be designated as a barracks manager or supervisor in charge of overseeing, managing, accepting, or compiling maintenance records for any military unaccompanied housing as a collateral duty.

(2) POSITION DESIGNATION.—The function of a barracks manager or supervisor described in paragraph (1) for an installation of the Department shall be completed by a civilian employee or contractor of the Department who shall report to the government housing office of the installation.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2826. ELIMINATION OF FLEXIBILITIES FOR ADEQUACY OR CONSTRUCTION STANDARDS FOR MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall modify all directives, instructions, manuals, regulations, policies, and other guidance and issuances of the Department of Defense to eliminate the grant of any flexibilities to—

(1) minimum adequacy standards for configuration, privacy, condition, health, and safety for existing permanent party military unaccompanied housing to be considered suitable for assignment or occupancy; and

(2) standards for the construction of new military unaccompanied housing.

(b) MATTERS INCLUDED.—The requirement under subsection (a) shall include modifications that remove the flexibility provided to the military departments with respect to standards for adequacy for assignment and new construction standards for military unaccompanied housing, including modification of the Housing Management Manual of the Department of Defense and Department of Defense Manual 4165.63, ''DoD Housing Management''.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military

unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2827. DESIGN STANDARDS FOR MILITARY UNACCOMPANIED HOUSING.

(a) UNIFORM STANDARDS FOR FLOOR SPACE, NUMBER OF MEMBERS ALLOWED, AND HABITABILITY.—

(1) IN GENERAL.—Section 2856 of title 10, United States Code, is amended—

(A) in the section heading, by striking ''**local comparability of floor areas**'' and inserting ''**standards**'';

(B) by striking ''In'' and inserting ''(a) LOCAL COMPARABILITY IN FLOOR AREAS.—In'';

(C) in subsection (a), as designated by subparagraph (B), by inserting '', except for purposes of meeting minimum area requirements under subsection (b)(1)(A),'' after ''exceed''; and

(D) by adding at the end the following new subsection:

''(b) FLOOR SPACE, NUMBER OF MEMBERS ALLOWED, AND HABITABILITY.—

''(1) IN GENERAL.—In the design, assignment, and use of military unaccompanied housing, the Secretary of Defense shall establish uniform standards that—

''(A) provide a minimum area of floor space, not including bathrooms or closets, per individual occupying a unit of military unaccompanied housing;

''(B) ensure that not more than two individuals may occupy such a unit; and

''(C) provide definitions and measures for habitability, specifying criteria of design and materiel quality to be applied and levels of maintenance to be required.

''(2) WAIVER.—Standards established under paragraph (1) may be waived for specific units of military unaccompanied housing by the Secretary concerned (who may not delegate such waiver) for a period not longer than one year and may not be renewed.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of title 10, United States Code, is amended by striking the item relating to section 2856 and inserting the following new item:

''2856. Military unaccompanied housing: standards.''.

(b) COMPLETION AND ISSUANCE OF UNIFORM STANDARDS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1)(A) ensure that the uniform standards required under section 2856(b)(1) of title 10, United States Code, as added by subsection (a)(1)(D), are completed and issued; and

(B) submit to the congressional defense committees a copy of those standards; or

(2) submit to the congressional defense committees a report, under the Secretary's signature—

(A) explaining in detail why those standards are not completed and issued;

(B) indicating when those standards are expected to be completed and issued; and

(C) specifying the names of the personnel responsible for the failure of the Department of Defense to comply with paragraph (1).

(c) COMPLIANCE WITH UNIFORM STANDARDS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of each military department shall ensure that all military unaccompanied housing, including privatized military housing under subchapter IV of chapter 169 of title 10, United States Code, located on an installation under the jurisdiction of such Secretary complies with the uniform standards established under section 2856(b)(1) of title 10, United States Code, as added by subsection (a)(1)(D).

(2) NO WAIVER.—The requirement under paragraph (1) may not be waived.

(3) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this subsection, the term ''military unaccompanied housing'' has the meaning given that term in section 2871 of title 10, United States Code.

(d) CERTIFICATION OF BUDGET REQUIREMENTS.—The Under Secretary of Defense (Comptroller) shall include with the submission to Congress by the President of the annual budget of the Department of Defense for each of fiscal years 2025 through 2029 under section 1105(a) of title 31, United States Code, a signed certification that the Department of Defense and each of the military departments has requested sufficient funds to comply with this section and the amendments made by this section.

SEC. 2828. TERMINATION OF HABITABILITY STANDARD WAIVERS AND ASSESSMENT AND PLAN WITH RESPECT TO MILITARY UNACCOMPANIED HOUSING.

(a) TERMINATION OF HABITABILITY STANDARD WAIVERS.—On and after February 1, 2025, any waiver by the Department of Defense of habitability standards for military unaccompanied housing in effect as of such date shall terminate.

(b) ASSESSMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of each military department, shall submit to the congressional defense committees an assessment on the following:

(1) The number of waivers currently in place for any standards for military unaccompanied housing as it relates to occupancy and habitability, disaggregated by Armed Force, location, and facility.

(2) A list of each such waiver, disaggregated by Armed Force, with a notation of which official appointed by the President and confirmed by the Senate approved the waiver.

(3) The number of members of the Armed Forces impacted by each such waiver, disaggregated by location.

(c) PLAN.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of each military department, shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the Comptroller General of the United States a plan on addressing the deficiencies of military unaccompanied housing, including barracks and dormitories, that led to the use of waivers described in subsection (b)(1).

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

(A) a timeline for repairs, renovations, or minor or major military construction;

(B) the cost of any such repair, renovation, or construction; and

(C) an installation-by-installation get-well plan.

(3) IMPLEMENTATION.—Not later than 60 days after receiving the plan required under paragraph (1), the Comptroller General shall brief the Committees on Armed Services of the Senate and the House of Representatives on—

(A) the ability of the Department of Defense to execute the plan; and

(B) any recommendations of the Comptroller General for modifying the plan.

(d) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2829. REQUIREMENT FOR SECURITY CAMERAS IN COMMON AREAS AND ENTRY POINTS OF MILITARY UNACCOMPANIED HOUSING.

(a) NEW HOUSING.—The Secretary of Defense shall ensure that all renovations of military unaccompanied housing authorized on or after the date of the enactment of this Act that exceed 20 percent of the replacement cost of such facility and all construction of new military unaccompanied housing authorized on or after such date are designed and executed with security cameras in all common areas and entry points as part of a closed circuit television system.

(b) RETROFITTING.—Not later than three years after the date of the enactment of this Act, the Secretary shall ensure that all military unaccompanied housing facilities are retrofitted with security cameras in all common areas and entry points as part of a closed circuit television system.

(c) DEFINITIONS.—In this section:

(1) COMMON AREA.—The term ''common area'' has the meaning given that term by the Secretary of Defense and shall balance the need to increase security in appropriate areas with the privacy expectations of members of the Armed Forces in military unaccompanied housing.

(2) MILITARY UNACCOMPANIED HOUSING.—The term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(A) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(B) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2830. ANNUAL REPORT ON MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the following four years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on military unaccompanied housing, excluding privatized military housing under subchapter IV of chapter 169 of title 10, United States Code.

(b) ELEMENTS.—Each report required under subsection (a) shall contain a section provided by each Secretary of a military department that—

(1) is certified by the Secretary concerned;

(2) includes a list of all military unaccompanied housing facilities located on each installation under the jurisdiction of the Secretary concerned;

(3) identifies the replacement cost for each such facility;

(4) identifies the percentage of repair costs as it compares to the total replacement cost for each such facility; and

(5) specifies the funding required to conduct all needed repairs and improvements at each such facility.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' has the meaning given that term in section 2871 of title 10, United States Code.

PART II—PRIVATIZED MILITARY HOUSING

SEC. 2841. IMPROVEMENTS TO PRIVATIZED MILITARY HOUSING.

(a) LIMITATION ON HOUSING ENHANCEMENT PAYMENTS.—Section 606(a)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232;10 U.S.C. 2871 note) is amended—

(1) in subparagraph (A)—

(A) by striking ''Each month'' and inserting ''Except as provided in subparagraph (D), each month''; and

(B) by striking ''one of more'' and inserting ''one or more''; and

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

''(D) LIMITATION ON PAYMENT.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of a military department may not make a payment under subparagraph (A) to a lessor unless the Assistant Secretary of Defense for Energy, Installations, and Environment determines the lessor is in compliance with the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of title 10, United States Code.

''(ii) APPLICATION.—The limitation under clause (i) shall apply to any payment under a housing agreement entered into on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 by the Secretary of a military department with a lessor.''.

(b) INCLUSION OF INFORMATION ON COMPLIANCE WITH TENANT BILL OF RIGHTS IN NOTICE OF LEASE EXTENSION.—Section 2878(f)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) An assessment of compliance by the lessor with the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of this title.''.

(c) MODIFICATION OF AUTHORITY TO INVESTIGATE REPRISALS.—Subsection (e) of section 2890 of such title is amended—

(1) in paragraph (1)—

(A) by striking ''Assistant Secretary of Defense for Sustainment'' and inserting ''Inspector General of the Department of Defense''; and

(B) by striking ''member of the armed forces'' and inserting ''tenant'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''Assistant Secretary of Defense for Sustainment'' and inserting ''Inspector General'';

(ii) by striking ''member of the armed forces'' and inserting ''tenant''; and

(iii) by striking ''Assistant Secretary'' and inserting ''Inspector General''; and

(B) in subparagraph (B), by striking ''Assistant Secretary'' and inserting ''Inspector General''; and

(3) in paragraph (3)—

(A) by striking ''Assistant Secretary of Defense for Sustainment'' and inserting ''Inspector General of the Department of Defense''; and

(B) by striking ''Secretary of the military department concerned'' and inserting ''Inspector General of the military department concerned''.

SEC. 2842. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS RELATING TO STRENGTHENING OVERSIGHT OF PRIVATIZED MILITARY HOUSING.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) implement the recommendations of the Comptroller General of the United States contained in the report published by the Comptroller General on April 6, 2023, reissued with revisions on April 20, 2023, and titled ''DOD Can Further Strengthen Oversight of Its Privatized Housing Program'' (GAO–23–105377); or

(2) if the Secretary does not implement any such recommendation, submit to the Committees on Armed Services of the Senate and the House of Representatives a report explaining why the Secretary has not implemented those recommendations.

SEC. 2843. TREATMENT OF NONDISCLOSURE AGREEMENTS WITH RESPECT TO PRIVATIZED MILITARY HOUSING.

Section 2890(f)(1) of title 10, United States Code, is amended—

(1) by striking ''A tenant or prospective tenant of a housing unit may not be required to sign'' and inserting ''A landlord may not request that a tenant or prospective tenant of a housing unit sign''; and

(2) by inserting at the end the following: ''The military services should seek to inform members of the armed forces of the possible consequences of entering into a nondisclosure agreement and encourage members to seek legal counsel before entering into such an agreement if they have questions about specific contractual terms.''.

PART III—OTHER HOUSING MATTERS

SEC. 2851. DEPARTMENT OF DEFENSE MILITARY HOUSING READINESS COUNCIL.

(a) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1781c the following new section:

''§ 1781d. Department of Defense Military Housing Readiness Council

''(a) IN GENERAL.—There is in the Department of Defense the Department of Defense Military Housing Readiness Council (in this section referred to as the 'Council').

''(b) MEMBERS.—

''(1) IN GENERAL.—The Council shall be composed of the following members:

''(A) The Assistant Secretary of Defense for Energy, Installations, and Environment, who shall serve as chair of the Council and who may designate a representative to chair the Council in the absence of the Assistant Secretary.

''(B) One representative of each of the Army, Navy, Air Force, Marine Corps, and Space Force, each of whom shall be a member of the armed force to be represented and not fewer than two of which shall be from an enlisted component.

''(C) One spouse of a member of each of the Army, Navy, Air Force, Marine Corps, and Space Force on active duty, not fewer than two of which shall be the spouse of an enlisted member.

''(D) One professional from each of the following fields, each of whom shall possess expertise in State and Federal housing standards in their respective field:

''(i) Plumbing.

''(ii) Electrical.

''(iii) Heating, ventilation, and air conditioning (HVAC).

''(iv) Certified home inspection.

''(v) Roofing.

''(vi) Structural engineering.

''(vii) Window fall prevention and safety.

''(E) Two representatives of organizations that advocate on behalf of military families with respect to military housing.

''(F) One individual appointed by the Secretary of Defense among representatives of the International Code Council.

''(G) One individual appointed by the Secretary of Defense among representatives of the Institute of Inspection Cleaning and Restoration Certification.

''(H) One individual appointed by the Secretary of Defense among representatives of a voluntary consensus standards body that develops construction standards (such as building, plumbing, mechanical, or electrical).

''(I) One individual appointed by the Secretary of Defense among representatives of a voluntary consensus standards body that develops personnel certification standards for building maintenance or restoration.

''(2) TERMS.—The term on the Council of the members specified under subparagraphs (B) through (M) of paragraph (1) shall be two years and may be renewed by the Secretary of Defense.

''(3) ATTENDANCE BY LANDLORDS.—The chair of the Council shall extend an invitation to each landlord for one representative of each landlord to attend such meetings of the Council as the chair considers appropriate.

''(4) ADDITIONAL REQUIREMENTS FOR CERTAIN MEMBERS.—Each member appointed under paragraph (1)(D) may not be affiliated with—

''(A) any organization that provides privatized military housing; or

''(B) the Department of Defense.

''(c) MEETINGS.—The Council shall meet two times each year.

''(d) DUTIES.—The duties of the Council shall include the following:

''(1) To review and make recommendations to the Secretary of Defense regarding policies for privatized military housing, including inspections practices, resident surveys, landlord payment of medical bills for residents of housing units that have not maintained minimum standards of habitability, and access to maintenance work order systems.

''(2) To monitor compliance by the Department of Defense with and effective implementation by the Department of statutory and regulatory improvements to policies for privatized military housing, including the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of this title and the complaint database established under section 2894a of this title.

''(3) To make recommendations to the Secretary of Defense to improve collaboration, awareness, and promotion of accurate and timely information about privatized military housing, accommodations available through the Exceptional Family Member Program of the Department, and other support services among policymakers, providers of such accommodations and other support services, and targeted beneficiaries of such accommodations and other support services.

''(e) PUBLIC REPORTING.—

''(1) AVAILABILITY OF DOCUMENTS.—Subject to section 552 of title 5 (commonly known as the 'Freedom of Information Act'), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, and other documents made available to or prepared for or by the Council shall be available for public inspection and copying at a single location in a publicly accessible format on a website of the Department of Defense until the Council ceases to exist.

''(2) MINUTES.—

''(A) IN GENERAL.—Detailed minutes of each meeting of the Council shall be kept and shall contain—

''(i) a record of the individuals present;

''(ii) a complete and accurate description of matters discussed and conclusions reached; and

''(iii) copies of all reports received, issued, or approved by the Council.

''(B) CERTIFICATION.—The chair of the Council shall certify the accuracy of the minutes of each meeting of the Council.

''(f) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than March 1 each year, the Council shall submit to the Secretary of Defense and the congressional defense committees a report on privatized military housing readiness.

''(2) ELEMENTS.—Each report under this subsection shall include the following:

''(A) An assessment of the adequacy and effectiveness of the provision of privatized military housing and the activities of the Department of Defense in meeting the needs of military families relating to housing during the preceding fiscal year.

''(B) A description of activities of the Council during the preceding fiscal year, including—

''(i) analyses of complaints of tenants of housing units;

''(ii) data received by the Council on maintenance response time and completion of maintenance requests relating to housing units;

''(iii) assessments of dispute resolution processes;

''(iv) assessments of overall customer service for tenants;

''(v) assessments of results of housing inspections conducted with and without notice; and

''(vi) any survey results conducted on behalf of or received by the Council.

''(C) Recommendations on actions to be taken to improve the capability of the provision of privatized military housing and the activities of the Department of Defense to meet the needs and requirements of military families relating to housing, including actions relating to the allocation of funding and other resources.

''(3) PUBLIC AVAILABILITY.—Each report under this subsection shall be made available in a publicly accessible format on a website of the Department of Defense.

''(g) DEFINITIONS.—In this section:

''(1) LANDLORD.—The term 'landlord' has the meaning given that term in section 2871 of this title.

''(2) PRIVATIZED MILITARY HOUSING.—The term 'privatized military housing' means housing provided under subchapter IV of chapter 169 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 section 1781c the following new item:

''1781d. Department of Defense Military Housing Readiness Council.''.

SEC. 2852. INCLUSION IN ANNUAL STATUS OF FORCES SURVEY OF QUESTIONS REGARDING LIVING CONDITIONS OF MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall include in each status of forces survey of the Department of Defense conducted on or after the date of the enactment of this Act questions specifically targeting the following areas:

(1) Overall satisfaction of members of the Armed Forces with their current living accommodation.

(2) Satisfaction of such members with the physical condition of their current living accommodation.

(3) Satisfaction of such members with the affordability of their current living accommodation.

(4) Whether the current living accommodation of such members has impacted any decision related to reenlistment in the Armed Forces.

Subtitle C—Land Conveyances

SEC. 2861. LAND CONVEYANCE, BG J SUMNER JONES ARMY RESERVE CENTER, WHEELING, WEST VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey to the City of Wheeling, West Virginia (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 3.33 acres, known as the former BG J Sumner Jones Army Reserve Center, located within the City, for the purpose of providing emergency management response or law enforcement services.

(2) CONTINUATION OF EXISTING EASEMENTS, RESTRICTIONS, AND COVENANTS.—The conveyance of the property under paragraph (1) shall be subject to any easement, restriction, or covenant of record applicable to the property and in existence on the date of the enactment of this Act.

(b) REVISIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property, including any improvements thereto, may, at the option of the Secretary, revert to and become the property of the United States, and the United States may have the right of immediate entry onto such property.

(2) DETERMINATION.—A determination by the Secretary under paragraph (1) may be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) 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 costs for environmental and real estate due diligence and any other administrative costs related to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If amounts are collected from the City under paragraph (1) 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.

(d) LIMITATION ON SOURCE OF FUNDS.—The City may not use Federal funds to cover any portion of the costs required to be paid by the City under this section.

(e) 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.

(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.

SEC. 2862. LAND CONVEYANCE, WETZEL COUNTY MEMORIAL ARMY RESERVE CENTER, NEW MARTINSVILLE, WEST VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey to the City of New Martinsville, West Virginia (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 2.96 acres, known as the former Wetzel County Memorial Army Reserve Center, located within the City, for the purpose of providing emergency management response or law enforcement services.

(2) CONTINUATION OF EXISTING EASEMENTS, RESTRICTIONS, AND COVENANTS.—The conveyance of the property under paragraph (1) shall be subject to any easement, restriction, or covenant of record applicable to the property and in existence on the date of the enactment of this Act.

(b) REVISIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property, including any improvements thereto, may, at the option of the Secretary, revert to and become the property of the United States, and the United States may have the right of immediate entry onto such property.

(2) DETERMINATION.—A determination by the Secretary under paragraph (1) may be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) 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 costs for environmental and real estate due diligence and any other administrative costs related to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If amounts are collected from the City under paragraph (1) 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.

(d) LIMITATION ON SOURCE OF FUNDS.—The City may not use Federal funds to cover any portion of the costs required to be paid by the City under this section.

(e) 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.

(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.

Subtitle D—Other Matters

SEC. 2871. AUTHORITY TO CONDUCT ENERGY RESILIENCE AND CONSERVATION PROJECTS AT INSTALLATIONS WHERE NON-DEPARTMENT OF DEFENSE FUNDED ENERGY PROJECTS HAVE OCCURRED.

Subsection (k) of section 2688 of title 10, United States Codes, is amended to read as follows:

''(k) IMPROVEMENT OF CONVEYED UTILITY SYSTEM.—(1) In the case of a utility system that has been conveyed under this section and that only provides utility services to a military installation, the Secretary of Defense or the Secretary of a military department may authorize a contract on a sole source basis with the conveyee of the utility system to carry out a military construction project as authorized and appropriated for by law for an infrastructure improvement that enhances the reliability, resilience, efficiency, physical security, or cybersecurity of the utility system.

''(2) The Secretary of Defense or the Secretary of a military Department may convey under subsection (j) any infrastructure constructed under paragraph (1) that is in addition to the utility system conveyed under such paragraph.''.

SEC. 2872. LIMITATION ON AUTHORITY TO MODIFY OR RESTRICT PUBLIC ACCESS TO GREENBURY POINT CONSERVATION AREA AT NAVAL SUPPORT ACTIVITY ANNAPOLIS, MARYLAND.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of the Navy may not modify or restrict public access to the Greenbury Point Conservation Area at

Naval Support Activity Annapolis, Maryland, until—

(1) the Secretary submits to Congress a report describing the manner in which such access will be modified or restricted; and

(2) a law is enacted permitting such modifications or restrictions.

(b) EXCEPTIONS.—Subsection (a) shall not apply to—

(1) temporary restrictions to protect public safety that are necessitated by emergent situations, hazardous conditions, maintenance of existing facilities, or live fire exercises; or

(2) the lease or transfer of the Greenbury Point Conservation Area to another public entity.

SEC. 2873. AUTHORIZATION FOR THE SECRETARY OF THE NAVY TO RESOLVE THE ELECTRICAL UTILITY OPERATIONS AT FORMER NAVAL AIR STATION BARBERS POINT (CURRENTLY KNOWN AS "KALAELOA"), HAWAII.

(a) IN GENERAL.—The Secretary of the Navy (in this section referred to as the ''Secretary'') may enter into an agreement with the State of Hawaii for the purpose of resolving the electrical utility operations at Former Naval Air Station Barbers Point, also known as ''Kalaeloa'', Hawaii.

(b) ELEMENTS OF AGREEMENT.—An agreement entered into under subsection (a) shall include a requirement that the Secretary—

(1) assist with—

(A) the transfer of customers of the Navy off of the electrical utility system of the Navy in the location specified in such subsection; and

(B) the enhancement of the new surrounding electrical system to accept any additional load from such transfer, with a priority in the downtown area, which is home to nine large customers, including the Hawaii Army National Guard;

(2) provide the instantaneous peak demand analysis and design necessary to conduct such transfer;

(3) provide rights of way and easements necessary to support the construction of replacement electrical infrastructure; and

(4) be responsible for all environmental assessments and remediation and costs related to the removal and disposal of the electrical utility system of the Navy once it is no longer in use.

(c) LIMITATION ON EXPENDITURE OF AMOUNTS.—The Secretary may expend not more than $48,000,000 during any fiscal year to provide support for an agreement entered into under subsection (a).

(d) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the Secretary shall submit to the congressional defense committees a report on progress made in initiating and executing an agreement under subsection (a).

SEC. 2874. CLARIFICATION OF OTHER TRANSACTION AUTHORITY FOR INSTALLATION OR FACILITY PROTOTYPING.

Section 4022(i) of title 10, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''; and'' and inserting a period;

(B) by striking subparagraph (B); and

(C) by striking ''paragraph (1)'' and all that follows through ''not more'' and inserting ''paragraph (1), except for projects carried out for the purpose of repairing a facility, not more'';

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3) USE OF AMOUNTS.—The Secretary of Defense or the Secretary of a military department may carry out prototype projects under the pilot program established under paragraph (1) using amounts available for military construction, notwithstanding—

''(A) subchapters I and III of chapter 169 of this title; and

''(B) chapters 221 and 223 of this title.''.

SEC. 2875. REQUIREMENT THAT DEPARTMENT OF DEFENSE INCLUDE MILITARY INSTALLATION RESILIENCE IN REAL PROPERTY MANAGEMENT AND INSTALLATION MASTER PLANNING OF DEPARTMENT.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) update Department of Defense Instruction 4165.70 (relating to real property management) and Unified Facilities Criteria 2–100–01 (relating to installation master planning) to—

(A) include a requirement to incorporate the impact of military installation resilience in all installation master plans;

(B) include a list of all sources of information approved by the Department of Defense;

(C) define the 17 military installation resilience hazards to ensure that the impacts from such hazards are reported consistently across the Department;

(D) require military installations to address the rationale for determining that any such hazard is not applicable to the installation;

(E) standardize reporting formats for military installation resilience plans;

(F) establish and define standardized risk rating categories for the use by all military departments; and

(G) define criteria for determining the level of risk to an installation to compare hazards between military departments; and

(2) require the Secretary of each military department to update the handbook for the military department concerned to incorporate the requirements under paragraph (1).

SEC. 2876. INCREASE OF LIMITATION ON FEE FOR ARCHITECTURAL AND ENGINEERING SERVICES PROCURED BY MILITARY DEPARTMENTS.

(a) ARMY.—Section 7540(b) of title 10, United States Code, is amended by striking ''6 percent'' and inserting ''10 percent''.

(b) NAVY.—Section 8612(b) of such title is amended by striking ''6 percent'' and inserting ''10 percent''.

(c) AIR FORCE.—Section 9540(b) of such title is amended by striking ''6 percent'' and inserting ''10 percent''.

SEC. 2877. REQUIREMENT THAT ALL MATERIAL TYPES BE CONSIDERED FOR DESIGN-BID-BUILD MILITARY CONSTRUCTION PROJECTS.

(a) IN GENERAL.—The Secretary concerned may not proceed from the design phase of a design-bid-build military construction project or solicit bids for the construction phase of a design-bid-build military construction project until the Secretary of Defense certifies that all materials included in the Unified Facilities Criteria of the Department of Defense have been equally considered for such project.

(b) ANNUAL REPORT.—Not later than January 1 of each year, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report—

(1) detailing the primary construction material for each design-bid-build military construction project for which a contract was awarded during the previous fiscal year in an amount that exceeds $6,000,000; and

(2) identifying whether each such project was designed or constructed based off a shelf design used at another installation of the Department of Defense.

(c) 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. 2878. CONTINUING EDUCATION CURRICULUM FOR MEMBERS OF THE MILITARY CONSTRUCTION PLANNING AND DESIGN WORKFORCE AND ACQUISITION WORKFORCE OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall establish a continuing education curriculum for members of the military construction planning and design workforce of the Department of Defense and the acquisition workforce of the Department responsible for military construction projects.

(b) CURRICULUM.—The continuing education curriculum required under subsection (a)—

(1) shall be focused on improving the understanding, awareness, and utilization of innovative products for construction systems with increased benefits relating to—

(A) construction speed;

(B) anti-terrorism force protection;

(C) lateral wind, seismic activity, and fire performance standards;

(D) designs that factor in military installation resilience and protection against extreme weather events;

(E) life-cycle cost effectiveness and sustainability;

(F) renewability; and

(G) carbon sequestration; and

(2) shall include instruction relating to—

(A) all sustainable building materials, such as innovative wood products and mass timber systems; and

(B) designs to improve military installation resilience using projection data against extreme weather events.

(c) AVAILABILITY AND UPDATE.—The Secretary shall ensure that—

(1) the continuing education curriculum required under subsection (a) is made available to each element of the military construction community not later than 60 days after completion of the curriculum; and

(2) such curriculum is updated whenever a new construction material is approved by the Unified Facilities Criteria of the Department.

(d) ACADEMIA INPUT.—In developing the continuing education curriculum required under subsection (a), the Secretary shall consult with academic institutions.

(e) TIMING.—Not later than January 1, 2025, the Secretary shall ensure that—

(1) not less than 75 percent of the workforce described in subsection (a) has completed the first iteration of the continuing education curriculum required under such subsection; and

(2) such workforce receives updated information on innovative construction techniques on a continuing basis.

(f) REPORT.—Not later than June 1, 2024, the Secretary shall submit to appropriate committees of Congress a report containing an update on the status of the continuing education curriculum required under subsection (a).

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the House of Representatives.

(2) MILITARY INSTALLATION RESILIENCE.—The term ''military installation resilience'' has the meaning given that term in section 101(e)(8) of title 10, United States Code.

SEC. 2879. GUIDANCE ON DEPARTMENT OF DEFENSE-WIDE STANDARDS FOR ACCESS TO INSTALLATIONS OF THE DEPARTMENT.

(a) INTERIM GUIDANCE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate interim guidance to the appropriate official or officials within the Department of Defense for purposes of establishing final standards of the Department for fitness of individuals for access to installations of the Department, which shall include modifying Department of Defense Manual 5200.08, ''Physical Security Program: Access to DoD Installations'', or any comparable or successor policy guidance document.

(b) FINAL GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate final guidance described in subsection (a).

(c) BRIEFING.—Not later than 60 days after promulgating interim guidance required under subsection (a), the Secretary of Defense shall brief the Committees on Armed Services of the Senate the House of Representatives on such guidance, which shall include a timeline for promulgation of final guidance as required under subsection (b).

SEC. 2880. DEPLOYMENT OF EXISTING CONSTRUCTION MATERIALS.

(a) PLAN.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a plan to utilize, transfer, or donate to States on the southern border of the United States all existing excess border wall construction materials, including bollards, for constructing a permanent physical barrier to stop illicit human and vehicle traffic along the border of the United States with Mexico.

(b) EXECUTION OF PLAN.—Not later than 15 days after submitting to Congress the plan required under subsection (a), taking into account ongoing audits being conducted by the Defense Contract Audit Agency and ongoing construction contract negotiations by the Army Corps of Engineers, so long as any ongoing audits or construction contract negotiations are not a cause for delay, the Secretary shall work with the Defense Logistics Agency to execute that plan until the Department of Defense is no longer incurring any costs to maintain, store, or protect the materials specified under such subsection.

(c) REQUIREMENTS OF REQUESTING STATES.—Any State requesting border wall construction materials made available under this section must certify, in writing, that the materials it accepts will be exclusively used for the construction of a permanent physical barrier along the border of the United States with Mexico.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the following:

(1) A detailed description of the decision process of the Secretary to forgo the excess property disposal process of the Department of Defense and instead pay to store border wall panels.

(2) A list of entities the Department is paying for use of their privately owned land to store unused border wall construction materials, with appropriate action taken to protect personally identifiable information, such as by making the list of entities available in an annex that is labeled as controlled unclassified information.

(3) An explanation of the process through which the Department contracted with private landowners to store unused border wall construction materials, including whether there was a competitive contracting process and whether the landowners have instituted an inventory review system.

(4) A description of any investigations by the Inspector General of the Department that have been opened related to storing border wall construction materials.

SEC. 2881. TECHNICAL CORRECTIONS.

(a) NUMU NEWE SPECIAL MANAGEMENT AREA.—Section 2902(c) of the Military Construction Authorization Act for Fiscal Year 2023 (16 U.S.C. 460gggg(c)) is amended by striking ''217,845'' and inserting ''209,181''.

(b) REDUCTION OF IMPACT OF FALLON RANGE TRAINING COMPLEX MODERNIZATION.—Section 2995(a)(3)(A) of the Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66), as added by section 2901 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263; 136 Stat. 3016) is amended by inserting ''Gas'' after ''Basin''.

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.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 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 24–D–513, Z-Pinch Experimental Underground System Test Bed Facilities Improvement, Nevada National Security Site, Nye County, Nevada, $80,000,000.

Project 24–D–512, TA–46 Protective Force Facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 24–D–511, Plutonium Production Building, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 24–D–510, Analytic Gas Laboratory, Pantex Plant, Panhandle, Texas, $35,000,000.

Project 24–D–530, Naval Reactors Facility Medical Science Complex, Idaho Falls, Idaho, $36,584,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 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 24–D–401, Environmental Restoration Disposal Facility Super Cell 11 Expansion Project, Hanford Site, Richland, Washington, $1,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 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 2024 for nuclear energy as specified in the funding table in section 4701.

Subtitle B— Program Authorizations, Restrictions, and Limitations

SEC. 3111. LIMITATION ON USE OF FUNDS FOR NAVAL NUCLEAR FUEL SYSTEMS BASED ON LOW-ENRICHED URANIUM.

None of the funds authorized to be appropriated by this Act for fiscal year 2024 for the National Nuclear Security Administration for the purpose of conducting research and development of an advanced naval nuclear fuel system based on low-enriched uranium may be obligated or expended until the following determinations are submitted to the congressional defense committees:

(1) A determination made jointly by the Secretary of Energy and the Secretary of Defense with respect to whether the determination made jointly by the Secretary of Energy and the Secretary of the Navy pursuant to section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium, remains valid.

(2) A determination by the Secretary of the Navy with respect to whether an advanced naval nuclear fuel system based on low-enriched uranium can be produced that would not reduce vessel capability, increase expense, or reduce operational availability as a result of refueling requirements.

SEC. 3112. PROHIBITION ON ARIES EXPANSION BEFORE REALIZATION OF 30 PIT PER YEAR BASE CAPABILITY.

Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is amended by—

(a) redesignating subsection (f) as subsection (g); and

(b) inserting after subsection (e) the following new subsection (f):

''(f) PROHIBITION ON ARIES EXPANSION BEFORE REALIZATION OF 30 PIT PER YEAR BASE CAPABILITY.—

''(1) IN GENERAL.—Unless the Administrator certifies to the congressional defense committees that the base capability to produce 30 plutonium pits per year has been established at Los Alamos National Laboratory, the Advanced Recovery and Integrated Extraction System (commonly known as 'ARIES') spaces at the Plutonium Facility at Technical Area 55 (commonly known as 'PF–4') may not be modified, including by installing additional equipment.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply with respect to—

''(A) the planning and design of an additional ARIES capability; or

''(B) the transfer of the ARIES capability to a location other than PF–4.''.

SEC. 3113. PLUTONIUM MODERNIZATION PROGRAM MANAGEMENT.

Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is amended by adding at the end the following new subsection:

''(h) Not later than 570 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall ensure that the plutonium modernization program established by the Office of Defense Programs of the National Nuclear Security Administration, or any subsequently developed program designed to meet the requirements under subsection (a), is managed in accordance with the requirements of the Enhanced Management A program management category described in the execution instruction of the Office of Defense Programs entitled 'DP Program Execution Instruction: NA–10 Program Management Tools and Processes' and issued on January 14, 2016, or any subsequent directive.''.

SEC. 3114. PANTEX EXPLOSIVES MANUFACTURING CAPABILITY.

Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

''SEC. 4225. PANTEX EXPLOSIVES MANUFACTURING CAPABILITY.

''(a) IN GENERAL.—Not later than the date on which the W87–1 modification program enters into phase 6.5 of the joint nuclear weapons life cycle process (as defined in section 4220), the Administrator shall establish at the Pantex Plant a conventional high explosives production capability with sufficient capacity to support full rate production of the main explosives used for the W87–1 warhead.

''(b) BRIEFING.—On the day after the date that the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2025 and each fiscal year thereafter, the Administrator shall brief the congressional defense committees on the progress of the Administration in achieving the capability described in subsection (a).

''(c) TERMINATION.—Subsection (b) shall terminate upon the date that the Administrator certifies to the congressional defense committees that the capability described in subsection (a) has been achieved.''.

SEC. 3115. LIMITATION ON ESTABLISHING AN ENDURING BIOASSURANCE PROGRAM WITHIN THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Subtitle B of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is amended by adding at the end the following section:

''SEC. 4815. LIMITATION ON ESTABLISHING AN ENDURING BIOASSURANCE PROGRAM WITHIN THE ADMINISTRATION.

''(a) IN GENERAL.—The Administrator may not establish a program within the Administration for the purposes of executing an enduring national security research and development effort to broaden the role of the Department of Energy in national biodefense.

''(b) RULE OF CONSTRUCTION.—The limitation described in subsection (a) shall not be interpreted—

''(1) to prohibit the establishment of a bioassurance program for the purpose of executing enduring national security research and development in any component of the Department of Energy other than the Administration or in any other Federal agency; or

''(2) to impede the use of resources of the Administration, including resources provided by a national security laboratory or a nuclear weapons production facility site, to support the execution of a bioassurance program, if such support is provided—

''(A) on a cost-reimbursable basis to an entity that is not a component of the Department of Energy; and

''(B) in a manner that does not interfere with mission of such laboratory or facility.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4814 the following new item:

''Sec. 4815. Limitation on establishing an enduring bioassurance program within the Administration.''.

SEC. 3116. EXTENSION OF AUTHORITY ON ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OR REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.

Section 4306B(f)(6) of the Atomic Energy Defense Act (50 U.S.C. 2569(f)(6)) is amended by striking ''2028'' and inserting ''2033''.

SEC. 3117. MODIFICATION OF REPORTING REQUIREMENTS FOR PROGRAM ON VULNERABLE SITES.

(a) IN GENERAL.—Section 4306B of the Atomic Energy Defense Act (50 U.S.C. 2569) is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively; and

(3) in paragraph (6) of subsection (e), as so redesignated, by striking ''2028'' and inserting ''2030''.

(b) CONFORMING AMENDMENT.—Section 4309(c)(7) of the Atomic Energy Defense Act (50 U.S.C. 2575(c)(7)) is amended by striking ''section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f))'' and inserting ''section 4306B(e)''.

SEC. 3118. IMPLEMENTATION OF ENHANCED MISSION DELIVERY INITIATIVE.

(a) IN GENERAL.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31, United States Code, for each of fiscal years 2025 through 2029, the Administrator for Nuclear Security, acting through the Director for Cost Estimating and Program Evaluation, shall brief the congressional defense committees on the status of implementing the 18 principal recommendations and associated subelements of the report entitled ''Evolving the Nuclear Security Enterprise: A Report of the Enhanced Mission Delivery Initiative'', published by the National Nuclear Security Administration in September 2022.

(b) ELEMENTS OF BRIEFINGS.—Each briefing required by subsection (a) shall address—

(1) the status of implementing each recommendation described in subsection (a);

(2) with respect to each recommendation that has been implemented, whether the outcome of such implementation is achieving the desired result;

(3) with respect to each recommendation that has not been implemented, the reason for not implementing such recommendation;

(4) whether additional legislation is required in order to implement a recommendation; and

(5) such other matters as the Administrator considers necessary.

SEC. 3119. LIMITATION ON USE OF FUNDS UNTIL PROVISION OF SPEND PLAN FOR W80–4 ALT WEAPON DEVELOPMENT.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operations of the Office of the Administrator for Nuclear Security, not more than 50 percent may be obligated or expended until the date on which the Administrator for Nuclear Security submits to the congressional defense committees the spend plan for the warhead associated with the sea-launched cruise missile required by section 1642(d) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

SEC. 3120. ANALYSES OF NUCLEAR PROGRAMS OF FOREIGN COUNTRIES.

(a) CAPABILITY TO CONDUCT ANALYSES OF NUCLEAR PROGRAMS.—The Secretary of Energy shall, using existing authorities of the Secretary, take such actions as are necessary to improve the ability of the Department of Energy to conduct comprehensive, integrated analyses of the nuclear programs of foreign countries.

(b) ADDITIONAL ANALYSES REQUIRED.—The Secretary shall conduct analyses of—

(1) countries that may pursue nuclear weapons programs in the future;

(2) developing technologies that make it easier for the governments of countries or for non-state actors to acquire nuclear weapons; and

(3) entities that may be developing the ability to supply sensitive nuclear technologies but may not yet have effective programs in place to ensure compliance with export controls.

SEC. 3121. ENHANCING NATIONAL NUCLEAR SECURITY ADMINISTRATION SUPPLY CHAIN RELIABILITY.

(a) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:

''SEC. 4808. SUPPLY CHAIN RELIABILITY ASSURANCE PROGRAM.

''The Administrator shall establish a supply chain reliability assurance program—

''(1) to facilitate collaboration with the Department of Defense and industrial partners to maintain a reliable domestic supplier base for critical materials to meet engineering and performance requirements of the Administration and the Department of Defense; and

''(2) to improve coordination with the Infrastructure and Operations Program and the Programmatic Recapitalization Working Group to improve planning for material requirements and potential disruptions to commercial or contractor supply chains, including with respect to—

''(A) assisting in coordination for forecasting future needs in both legacy inventories and new procurements;

''(B) establishing clear requirements for nuclear security enterprise assurance and, when cost-effective, to use capabilities of the Administration to restore mission schedules at risk; and

''(C) collaborating with the Department of Defense and industrial partners to establish processes to mitigate manufacturing challenges and to develop strategies to lower long-term costs, while identifying and preserving production of materials and components by the Administration.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4807 the following new item:

''Sec. 4808. Supply chain reliability assurance program.''.

SEC. 3122. TRANSFER OF CYBERSECURITY RESPONSIBILITIES TO ADMINISTRATOR FOR NUCLEAR SECURITY.

The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended—

(1) in section 3212(b) (50 U.S.C. 2402(b)), by adding at the end the following new paragraph:

''(20) Information resources management, including cybersecurity.''; and

(2) in section 3232(b)(3)(50 U.S.C. 2422(b)(3)), by striking ''and cyber''.

SEC. 3123. REDESIGNATING DUTIES RELATED TO DEPARTMENTAL RADIOLOGICAL AND NUCLEAR INCIDENT RESPONSES.

(a) DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS.—Section 3214(b) of the National Nuclear Security Administration Act (50 U.S.C. 2404 (b)) is amended by striking paragraph (3).

(b) ADMINISTRATOR FOR NUCLEAR SECURITY.—Section 3212(b)(7) of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)(7)) is amended by inserting ''and Nuclear Emergency Support Team capabilities, including all field-deployed and remote technical support to public health and safety missions, countering weapons of mass destruction operations, technical and operational nuclear forensics, and responses to United States nuclear weapon accidents'' after ''management''.

SEC. 3124. MODIFICATION OF AUTHORITY TO ESTABLISH CERTAIN CONTRACTING, PROGRAM MANAGEMENT, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.

Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking ''800'' and inserting ''1,200''.

SEC. 3125. TECHNICAL AMENDMENTS TO THE ATOMIC ENERGY DEFENSE ACT.

The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended—

(1) in section 4306(d)—

(A) in paragraph (1), by striking ''Not later than March 15, 2005, the'' and inserting ''The''; and

(B) in paragraph (2), by striking ''Not later than January 1, 2006, the'' and inserting ''The''; and

(2) in section 4807(f)(1), by striking ''2022'' and inserting ''2030''.

SEC. 3126. AMENDMENT TO PERIOD FOR BRIEFING REQUIREMENTS.

Section 4807(f)(1) of the Atomic Energy Defense Act (50 U.S.C. 2787(f)(1)) is amended by striking ''2022'' and inserting ''2032''.

SEC. 3127. REPEAL OF REPORTING REQUIREMENTS FOR URANIUM CAPABILITIES REPLACEMENT PROJECT.

Section 3123(g) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2178) is repealed.

Subtitle C—Budget and Financial Management Matters

SEC. 3131. UPDATED FINANCIAL INTEGRATION POLICY.

Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall issue an updated financial integration policy, which shall include the following:

(1) Updated responsibilities for offices of the National Nuclear Security Administration and requirements for management and operating contractors, including contractors at sites that are not sites of the Administration.

(2) Guidance for how offices of the Administration should use common financial data, including guidance requiring that such data be used as the primary source of financial data by program offices, to the extent practicable.

(3) Processes recommended by the Government Accountability Office to improve financial integration efforts of the Administration, including an internal process to verify how management and operating contractors crosswalk data from their systems to the appropriate work breakdown structure of the Administration and apply common cost element definitions.

(4) Any other matters the Administrator considers appropriate.

Subtitle D—Other Matters

SEC. 3141. INTEGRATION OF TECHNICAL EXPERTISE OF DEPARTMENT OF ENERGY INTO POLICYMAKING.

The Secretary of Energy shall take such measures as are necessary to improve the integration of the scientific and technical expertise of the Department of Energy, especially the expertise of the national laboratories, into policymaking, including by—

(1) ensuring that such expertise is involved during interagency discussions, regardless of the topic of such discussions;

(2) decreasing restrictions on personnel of laboratories and other facilities of the Department working in the Department headquarters for 2- to 3-year rotations;

(3) increasing collaboration among program managers and personnel of laboratories and other facilities of the Department during policy deliberations; and

(4) creating mechanisms for providing technical advice to officials of the Department responsible for nonproliferation policy.

SEC. 3142. AMENDMENTS TO THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000.

(a) SHORT TITLE.—This section may be cited as the ''Beryllium Testing Fairness Act''.

(b) MODIFICATION OF DEMONSTRATION OF BERYLLIUM SENSITIVITY.—Section 3621(8)(A) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(8)(A)) is amended—

(1) by striking ''established by an abnormal'' and inserting the following: ''established by—

''(i) an abnormal'';

(2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(ii) three borderline beryllium lymphocyte proliferation tests performed on blood cells over a period of 3 years.''.

(c) EXTENSION OF ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.—Section 3687(j) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16(j)) is amended by striking ''10 years'' and inserting ''15 years''.

SEC. 3143. PROHIBITION ON SALES OF PETROLEUM PRODUCTS FROM THE STRATEGIC PETROLEUM RESERVE TO CERTAIN COUNTRIES.

(a) PROHIBITIONS.—Notwithstanding any other provision of law, unless a waiver has been issued under subsection (b), the Secretary of Energy shall not draw down and sell petroleum products from the Strategic Petroleum Reserve—

(1) to any entity that is under the ownership or control of the Chinese Communist Party, the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran; or

(2) except on the condition that such petroleum products will not be exported to the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran.

(b) WAIVER.—

(1) IN GENERAL.—On application by a bidder, the Secretary of Energy may waive, prior to the date of the applicable auction, the prohibitions described in subsection (a) with respect to the sale of crude oil to that bidder at that auction.

(2) REQUIREMENT.—The Secretary of Energy may issue a waiver under this subsection only if the Secretary determines that the waiver is in the interest of the national security of the United States.

(3) APPLICATIONS.—A bidder seeking a waiver under this subsection shall submit to the Secretary of Energy an application by such date, in such form, and containing such information as the Secretary of Energy may require.

(4) NOTICE TO CONGRESS.—Not later than 15 days after issuing a waiver under this subsection, the Secretary of Energy shall provide a copy of the waiver to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SEC. 3144. U.S. NUCLEAR FUEL SECURITY INITIATIVE.

(a) SHORT TITLE.—This section may be cited as the ''Nuclear Fuel Security Act of 2023''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department should—

(A) prioritize activities to increase domestic production of low-enriched uranium; and

(B) accelerate efforts to establish a domestic high-assay, low-enriched uranium enrichment capability; and

(2) if domestic enrichment of high-assay, low-enriched uranium will not be commercially available at the scale needed in time to meet the needs of the advanced nuclear reactor demonstration projects of the Department, the Secretary shall consider and implement, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, without impacting existing Department missions, until such time that commercial enrichment and deconversion capability for high-assay, low-enriched uranium exists at a scale sufficient to meet future needs; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(c) OBJECTIVES.—The objectives of this section are—

(1) to expeditiously increase domestic production of low-enriched uranium;

(2) to expeditiously increase domestic production of high-assay, low-enriched uranium by an annual quantity, and in such form, determined by the Secretary to be sufficient to meet the needs of—

(A) advanced nuclear reactor developers; and

(B) the consortium;

(3) to ensure the availability of domestically produced, converted, enriched, deconverted, and reduced uranium in a quantity determined by the Secretary, in consultation with U.S. nuclear energy companies, to be sufficient to address a reasonably anticipated supply disruption;

(4) to address gaps and deficiencies in the domestic production, conversion, enrichment, deconversion, and reduction of uranium by partnering with countries that are allies or partners of the United States if domestic options are not practicable;

(5) to ensure that, in the event of a supply disruption in the nuclear fuel market, a reserve of nuclear fuels is available to serve as a backup supply to support the nuclear nonproliferation and civil nuclear energy objectives of the Department;

(6) to support enrichment, deconversion, and reduction technology deployed in the United States; and

(7) to ensure that, until such time that domestic enrichment and deconversion of high-assay, low-enriched uranium is commercially available at the scale needed to meet the needs of advanced nuclear reactor developers, the Secretary considers and implements, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules.

(d) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) ASSOCIATED ENTITY.—The term ''associated entity'' means an entity that—

(A) is owned, controlled, or dominated by—

(i) the government of a country that is an ally or partner of the United States; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country that is an ally or partner of the United

States, including a corporation that is incorporated in such a country.

(3) ASSOCIATED INDIVIDUAL.—The term ''associated individual'' means an alien who is a national of a country that is an ally or partner of the United States.

(4) CONSORTIUM.—The term ''consortium'' means the consortium established under section 2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C. 16281(a)(2)(F)).

(5) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(6) HIGH-ASSAY, LOW-ENRICHED URANIUM; HALEU.—The term ''high-assay, low-enriched uranium'' or ''HALEU'' means high-assay low-enriched uranium (as defined in section 2001(d) of the Energy Act of 2020 (42 U.S.C. 16281(d))).

(7) LOW-ENRICHED URANIUM; LEU.—The term ''low-enriched uranium'' or ''LEU'' means each of—

(A) low-enriched uranium (as defined in section 3102 of the USEC Privatization Act (42 U.S.C. 2297h)); and

(B) low-enriched uranium (as defined in section 3112A(a) of that Act (42 U.S.C. 2297h–10a(a))).

(8) PROGRAMS.—The term ''Programs'' means—

(A) the Nuclear Fuel Security Program established under subsection (e)(1);

(B) the American Assured Fuel Supply Program of the Department; and

(C) the HALEU for Advanced Nuclear Reactor Demonstration Projects Program established under subsection (e)(3).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(10) U.S. NUCLEAR ENERGY COMPANY.—The term ''U.S. nuclear energy company'' means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(e) ESTABLISHMENT AND EXPANSION OF PROGRAMS.—The Secretary, consistent with the objectives described in subsection (c), shall—

(1) establish a program, to be known as the ''Nuclear Fuel Security Program'', to increase the quantity of LEU and HALEU produced by U.S. nuclear energy companies;

(2) expand the American Assured Fuel Supply Program of the Department to ensure the availability of domestically produced, converted, enriched, deconverted, and reduced uranium in the event of a supply disruption; and

(3) establish a program, to be known as the ''HALEU for Advanced Nuclear Reactor Demonstration Projects Program''—

(A) to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers until such time that commercial enrichment and deconversion capability for HALEU exists in the United States at a scale sufficient to meet future needs; and

(B) where practicable, to partner with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(f) NUCLEAR FUEL SECURITY PROGRAM.—

(1) IN GENERAL.—In carrying out the Nuclear Fuel Security Program, the Secretary—

(A) shall—

(i) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts to begin acquiring not less than 100 metric tons per year of LEU by December 31, 2026 (or the earliest operationally feasible date thereafter), to ensure diversity of supply in domestic uranium mining, conversion, enrichment, and deconversion capacity and technologies, including new capacity, among U.S. nuclear energy companies;

(ii) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts with members of the consortium to begin acquiring not less than 20 metric tons per year of HALEU by December 31, 2027 (or the earliest operationally feasible date thereafter), from U.S. nuclear energy companies;

(iii) utilize only uranium produced, converted, enriched, deconverted, and reduced in—

(I) the United States; or

(II) if domestic options are not practicable, a country that is an ally or partner of the United States; and

(iv) to the maximum extent practicable, ensure that the use of domestic uranium utilized as a result of that program does not negatively affect the economic operation of nuclear reactors in the United States; and

(B)(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (j)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(2) CONSIDERATIONS.—In carrying out paragraph (1)(A)(ii), the Secretary shall consider and, if appropriate, implement—

(A) options to ensure the quickest availability of commercially enriched HALEU, including—

(i) partnerships between 2 or more commercial enrichers; and

(ii) utilization of up to 10-percent enriched uranium as feedstock in demonstration-scale or commercial HALEU enrichment facilities;

(B) options to partner with countries that are allies or partners of the United States to provide LEU and HALEU for commercial purposes;

(C) options that provide for an array of HALEU—

(i) enrichment levels;

(ii) output levels to meet demand; and

(iii) fuel forms, including uranium metal and oxide; and

(D) options—

(i) to replenish, as necessary, Department stockpiles of uranium that were intended to be downblended for other purposes, but were instead used in carrying out activities under the HALEU for Advanced Nuclear Reactor Demonstration Projects Program;

(ii) to continue supplying HALEU to meet the needs of the recipients of an award made pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations; and

(iii) to make HALEU available to other advanced nuclear reactor developers and other end-users.

(3) AVOIDANCE OF MARKET DISRUPTIONS.—In carrying out the Nuclear Fuel Security Program, the Secretary, to the extent practicable and consistent with the purposes of that program, shall not disrupt or replace market mechanisms by competing with U.S. nuclear energy companies.

(g) EXPANSION OF THE AMERICAN ASSURED FUEL SUPPLY PROGRAM.—The Secretary, in consultation with U.S. nuclear energy companies, shall—

(1) expand the American Assured Fuel Supply Program of the Department by merging the operations of the Uranium Reserve Program of the Department with the American Assured Fuel Supply Program; and

(2) in carrying out the American Assured Fuel Supply Program of the Department, as expanded under paragraph (1)—

(A) maintain, replenish, diversify, or increase the quantity of uranium made available by that program in a manner determined by the Secretary to be consistent with the purposes of that program and the objectives described in subsection (c);

(B) utilize only uranium produced, converted, enriched, deconverted, and reduced in—

(i) the United States; or

(ii) if domestic options are not practicable, a country that is an ally or partner of the United States;

(C) make uranium available from the American Assured Fuel Supply, subject to terms and conditions determined by the Secretary to be reasonable and appropriate;

(D) refill and expand the supply of uranium in the American Assured Fuel Supply, including by maintaining a limited reserve of uranium to address a potential event in which a domestic or foreign recipient of uranium experiences a supply disruption for which uranium cannot be obtained through normal market mechanisms or under normal market conditions; and

(E) take other actions that the Secretary determines to be necessary or appropriate to address the purposes of that program and the objectives described in subsection (c).

(h) HALEU FOR ADVANCED NUCLEAR REACTOR DEMONSTRATION PROJECTS PROGRAM.—

(1) ACTIVITIES.—On enactment of this Act, the Secretary shall immediately accelerate and, as necessary, initiate activities to make available from inventories or stockpiles owned by the Department and made available to the consortium, HALEU for use in advanced nuclear reactors that cannot operate on uranium with lower enrichment levels or on alternate fuels, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE–FOA–0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional HALEU to be made available to other advanced nuclear reactor developers, as the Secretary determines to be appropriate.

(2) QUANTITY.—In carrying out activities under this subsection, the Secretary shall consider and implement, as necessary, all viable options to make HALEU available in quantities and forms sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(A) by September 30, 2024, not less than 3 metric tons of HALEU;

(B) by December 31, 2025, not less than an additional 8 metric tons of HALEU; and

(C) by June 30, 2026, not less than an additional 10 metric tons of HALEU.

(3) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

(A) options for providing HALEU from a stockpile of uranium owned by the Department, including—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2023;

(ii) uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after removing radioactive or other contaminants that resulted from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department, including activities that reduce the environmental liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile (excluding stockpiles intended for national security needs), which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles intended for national security needs), but for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department;

(B) options for expanding, or establishing new, capabilities or infrastructure to support the processing of uranium from Department inventories;

(C) options for accelerating the availability of HALEU from HALEU enrichment demonstration projects of the Department;

(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (e)(1);

(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to subparagraph (A) with domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (e)(1); and

(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).

(4) LIMITATIONS.—

(A) CERTAIN SERVICES.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to—

(i) the final disposition of radioactive waste from uranium that is the subject of a contract for sale, resale, transfer, or lease under this subsection; or

(ii) environmental cleanup activities.

(B) CERTAIN COMMITMENTS.—In carrying out activities under this subsection, the Secretary—

(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (j)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(5) SUNSET.—The authority of the Secretary to carry out activities under this subsection shall terminate on the date on which the Secretary notifies Congress that the HALEU needs of advanced nuclear reactor developers can be fully met by commercial HALEU suppliers in the United States, as determined by the Secretary, in consultation with U.S. nuclear energy companies.

(i) DOMESTIC SOURCING CONSIDERATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may only carry out an activity in connection with 1 or more of the Programs if—

(A) the activity promotes manufacturing in the United States associated with uranium supply chains; or

(B) the activity relies on resources, materials, or equipment developed or produced—

(i) in the United States; or

(ii) in a country that is an ally or partner of the United States by—

(I) the government of that country;

(II) an associated entity; or

(III) a U.S. nuclear energy company.

(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) with respect to an activity if the Secretary determines a waiver to be necessary to achieve 1 or more of the objectives described in subsection (c).

(j) REASONABLE COMPENSATION.—

(1) IN GENERAL.—In carrying out activities under this section, the Secretary shall ensure that any LEU and HALEU made available by the Secretary under 1 or more of the Programs is subject to reasonable compensation, taking into account the fair market value of the LEU or HALEU and the purposes of this section.

(2) AVAILABILITY OF CERTAIN FUNDS.—

(A) IN GENERAL.—Notwithstanding section 3302(b) of title 31, United States Code, revenues received by the Secretary from the sale or transfer of fuel feed material acquired by the Secretary pursuant to a contract entered into under clause (i) or (ii) of subsection (f)(1)(A) shall—

(i) be deposited in the account described in subparagraph (B);

(ii) be available to the Secretary for carrying out the purposes of this section, to reduce the need for further appropriations for those purposes; and

(iii) remain available until expended.

(B) REVOLVING FUND.—There is established in the Treasury an account into which the revenues described in subparagraph (A) shall be—

(i) deposited in accordance with clause (i) of that subparagraph; and

(ii) made available in accordance with clauses (ii) and (iii) of that subparagraph.

(k) NUCLEAR REGULATORY COMMISSION.—The Nuclear Regulatory Commission shall prioritize and expedite consideration of any action related to the Programs to the extent permitted under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and related statutes.

(l) USEC PRIVATIZATION ACT.—The requirements of section 3112(d)(2) of the USEC Privatization Act (42 U.S.C. 2297h–10(d)(2)) shall not apply to activities related to the Programs.

(m) NATIONAL SECURITY NEEDS.—The Secretary shall only make available to a member of the consortium under this section for commercial use or use in a demonstration project material that the President has determined is not necessary for national security needs during or prior to fiscal year 2023, subject to the condition that the material made available shall not include any material that the Secretary determines to be necessary for the National Nuclear Security Administration or any critical mission of the Department.

(n) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(o) REPORT ON CIVIL NUCLEAR CREDIT PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that identifies the anticipated funding requirements for the civil nuclear credit program described in section 40323 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18753), taking into account—

(1) the zero-emission nuclear power production credit authorized by section 45U of the Internal Revenue Code of 1986; and

(2) any increased fuel costs associated with the use of domestic fuel that may arise from the implementation of that program.

(p) SUPPLY CHAIN INFRASTRUCTURE AND WORKFORCE CAPACITY BUILDING.—

(1) SUPPLY CHAIN INFRASTRUCTURE.—Section 10781(b)(1) of Public Law 117–167 (commonly known as the ''CHIPS and Science Act of 2022'') (42 U.S.C. 19351(b)(1)) is amended by striking ''and demonstration of advanced nuclear reactors'' and inserting ''demonstration, and deployment of advanced nuclear reactors and associated supply chain infrastructure''.

(2) WORKFORCE CAPACITY BUILDING.—Section 954(b) of the Energy Policy Act of 2005 (42 U.S.C. 16274(b)) is amended—

(A) in the subsection heading, by striking ''Graduate'';

(B) by striking ''graduate'' each place it appears;

(C) in paragraph (2)(A), by inserting ''community colleges, trade schools, registered apprenticeship programs, pre-apprenticeship programs,'' after ''universities,'';

(D) in paragraph (3), by striking ''2021 through 2025'' and inserting ''2023 through 2027'';

(E) by redesignating paragraph (3) as paragraph (4); and

(F) by inserting after paragraph (2) the following:

''(A) FOCUS AREAS.—In carrying out the subprogram under this subsection, the Secretary may implement traineeships in focus areas that, in the determination of the Secretary, are necessary to support the nuclear energy sector in the United States, including—

''(i) research and development;

''(ii) construction and operation;

''(iii) associated supply chains; and

''(iv) workforce training and retraining to support transitioning workforces.''.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2024, $47,230,000 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.).

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

''§ 109. Maritime Administration

''(a) ORGANIZATION AND MISSION.—The Maritime Administration is an administration in the Department of Transportation. The mission of the Maritime Administration is to foster, promote, and develop the merchant maritime industry of the United States.

''(b) MARITIME ADMINISTRATOR.—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

''(c) DEPUTY MARITIME ADMINISTRATOR.—The Maritime Administration shall have a

Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

''(d) DUTIES AND POWERS VESTED IN SECRETARY.—All duties and powers of the Maritime Administration are vested in the Secretary.

''(e) REGIONAL OFFICES.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

''(f) INTERAGENCY AND INDUSTRY RELATIONS.—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

''(g) DETAILING OFFICERS FROM ARMED FORCES.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer's pay and allowances as an officer in the Armed Forces, makes the officer's total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

''(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—

''(A) carry out the Secretary's duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

''(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

''(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

''(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

''(j) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.

''(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

''(A) acquisition, construction, or reconstruction of vessels;

''(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

''(C) costs of national defense features;

''(D) payments of obligations incurred for operating-differential subsidies;

''(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

''(F) the Vessel Operations Revolving Fund;

''(G) National Defense Reserve Fleet expenses;

''(H) expenses necessary to carry out part B of subtitle V of title 46; and

''(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.''.

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.—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—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 3201 and 4024 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(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 OR 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 2024 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
3	FUTURE UAS FAMILY	53,453	53,453
5	SMALL UNMANNED AIRCRAFT SYSTEMS	20,769	20,769
	ROTARY		
6	AH–64 APACHE BLOCK IIIA REMAN	718,578	718,578
7	AH–64 APACHE BLOCK IIIA REMAN	110,360	110,360
8	UH–60 BLACKHAWK M MODEL (MYP)	668,258	668,258
9	UH–60 BLACKHAWK M MODEL (MYP)	92,494	92,494
10	UH–60 BLACK HAWK L AND V MODELS	153,196	153,196
11	CH–47 HELICOPTER	202,487	202,487
12	CH–47 HELICOPTER	18,936	18,936
	MODIFICATION OF AIRCRAFT		
13	MQ–1 PAYLOAD	13,650	13,650
14	GRAY EAGLE MODS2	14,959	14,959
16	AH–64 MODS	113,127	113,127
17	CH–47 CARGO HELICOPTER MODS (MYP)	20,689	20,689
22	UTILITY HELICOPTER MODS	35,879	35,879
23	NETWORK AND MISSION PLAN	32,418	32,418
24	COMMS, NAV SURVEILLANCE	74,912	74,912
25	DEGRADED VISUAL ENVIRONMENT	16,838	16,838
26	AVIATION ASSURED PNT	67,383	67,383
27	GATM ROLLUP	8,924	8,924
29	UAS MODS	2,258	2,258
	GROUND SUPPORT AVIONICS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
30	AIRCRAFT SURVIVABILITY EQUIPMENT	161,731	161,731
31	SURVIVABILITY CM	6,526	6,526
32	CMWS	72,041	72,041
33	COMMON INFRARED COUNTERMEASURES (CIRCM)	261,384	261,384
	OTHER SUPPORT		
34	COMMON GROUND EQUIPMENT	25,752	25,752
35	AIRCREW INTEGRATED SYSTEMS	22,097	22,097
36	AIR TRAFFIC CONTROL	21,216	21,216
37	LAUNCHER, 2.75 ROCKET	2,125	2,125
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**3,012,440**	**3,012,440**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	6,625	6,625
3	M-SHORAD—PROCUREMENT	400,697	400,697
4	MSE MISSILE	1,212,832	1,212,832
6	PRECISION STRIKE MISSILE (PRSM)	384,071	384,071
7	INDIRECT FIRE PROTECTION CAPABILITY INC 2–I	313,189	313,189
8	MID-RANGE CAPABILITY (MRC)	169,519	169,519
	AIR-TO-SURFACE MISSILE SYSTEM		
9	HELLFIRE SYS SUMMARY	21,976	21,976
10	JOINT AIR-TO-GROUND MSLS (JAGM)	303,409	303,409
12	LONG-RANGE HYPERSONIC WEAPON	156,821	156,821
	ANTI-TANK/ASSAULT MISSILE SYS		
13	JAVELIN (AAWS-M) SYSTEM SUMMARY	199,509	199,509
14	TOW 2 SYSTEM SUMMARY	120,475	120,475
15	GUIDED MLRS ROCKET (GMLRS)	886,367	886,367
16	GUIDED MLRS ROCKET (GMLRS)	55,913	55,913
17	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	10,334	10,334
18	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS	179,230	179,230
19	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	7,307	7,307
	MODIFICATIONS		
21	PATRIOT MODS	212,247	212,247
22	STINGER MODS	36,484	36,484
23	AVENGER MODS	22,274	22,274
25	MLRS MODS	168,198	168,198
26	HIMARS MODIFICATIONS	76,266	76,266
	SPARES AND REPAIR PARTS		
27	SPARES AND REPAIR PARTS	6,573	6,573
	SUPPORT EQUIPMENT & FACILITIES		
28	AIR DEFENSE TARGETS	11,701	11,701
	TOTAL MISSILE PROCUREMENT, ARMY	**4,962,017**	**4,962,017**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	ARMORED MULTI PURPOSE VEHICLE (AMPV)	554,777	554,777
3	MOBILE PROTECTED FIREPOWER	394,635	394,635
	MODIFICATION OF TRACKED COMBAT VEHICLES		
4	STRYKER UPGRADE	614,282	614,282
5	BRADLEY FIRE SUPPORT TEAM (BFIST) VEHICLE	5,232	5,232
6	BRADLEY PROGRAM (MOD)	158,274	158,274
7	M109 FOV MODIFICATIONS	90,986	90,986
8	PALADIN INTEGRATED MANAGEMENT (PIM)	469,152	469,152
9	IMPROVED RECOVERY VEHICLE (M88 HERCULES)	41,058	41,058
12	JOINT ASSAULT BRIDGE	159,804	159,804
13	ABRAMS UPGRADE PROGRAM	697,883	697,883
14	ABRAMS UPGRADE PROGRAM	102,440	102,440
	WEAPONS & OTHER COMBAT VEHICLES		
16	PERSONAL DEFENSE WEAPON (ROLL)	510	510
17	M240 MEDIUM MACHINE GUN (7.62MM)	425	425
19	MACHINE GUN, CAL .50 M2 ROLL	3,420	3,420
20	MORTAR SYSTEMS	8,013	8,013
21	LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS	3,174	3,174
22	XM320 GRENADE LAUNCHER MODULE (GLM)	14,143	14,143
23	PRECISION SNIPER RIFLE	5,248	5,248
24	CARBINE	571	571
25	NEXT GENERATION SQUAD WEAPON	292,850	292,850
26	HANDGUN	32	32
	MOD OF WEAPONS AND OTHER COMBAT VEH		
28	M777 MODS	18,920	18,920
31	M119 MODIFICATIONS	13,097	13,097
32	MORTAR MODIFICATION	423	423
	SUPPORT EQUIPMENT & FACILITIES		
33	ITEMS LESS THAN $5.0M (WOCV-WTCV)	1,148	1,148
34	PRODUCTION BASE SUPPORT (WOCV-WTCV)	115,024	115,024
	TOTAL PROCUREMENT OF W&TCV, ARMY	**3,765,521**	**3,765,521**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	90,853	90,853
2	CTG, 7.62MM, ALL TYPES	65,370	65,370
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	191,244	191,244

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
4	CTG, HANDGUN, ALL TYPES	6,597	6,597
5	CTG, .50 CAL, ALL TYPES	41,534	41,534
6	CTG, 20MM, ALL TYPES	7,925	7,925
7	CTG, 25MM, ALL TYPES	38,760	38,760
8	CTG, 30MM, ALL TYPES	107,805	107,805
9	CTG, 40MM, ALL TYPES	148,970	148,970
10	CTG, 50MM, ALL TYPES	28,000	28,000
	MORTAR AMMUNITION		
11	60MM MORTAR, ALL TYPES	35,160	35,160
12	81MM MORTAR, ALL TYPES	40,562	40,562
13	120MM MORTAR, ALL TYPES	106,784	106,784
	TANK AMMUNITION		
14	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	300,368	300,368
	ARTILLERY AMMUNITION		
15	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	21,298	21,298
16	ARTILLERY PROJECTILE, 155MM, ALL TYPES	150,839	150,839
18	PRECISION ARTILLERY MUNITIONS	96,406	96,406
19	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	172,947	172,947
	MINES		
20	MINES & CLEARING CHARGES, ALL TYPES	71,182	71,182
21	CLOSE TERRAIN SHAPING OBSTACLE	55,374	55,374
	ROCKETS		
22	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	18,630	18,630
23	ROCKET, HYDRA 70, ALL TYPES	87,293	87,293
	OTHER AMMUNITION		
24	CAD/PAD, ALL TYPES	6,564	6,564
25	DEMOLITION MUNITIONS, ALL TYPES	24,238	24,238
26	GRENADES, ALL TYPES	48,374	48,374
27	SIGNALS, ALL TYPES	23,252	23,252
28	SIMULATORS, ALL TYPES	11,309	11,309
	MISCELLANEOUS		
30	AMMO COMPONENTS, ALL TYPES	3,976	3,976
31	NON-LETHAL AMMUNITION, ALL TYPES	3,281	3,281
32	ITEMS LESS THAN $5 MILLION (AMMO)	17,436	17,436
33	AMMUNITION PECULIAR EQUIPMENT	13,133	13,133
34	FIRST DESTINATION TRANSPORTATION (AMMO)	18,068	18,068
35	CLOSEOUT LIABILITIES	102	102
	PRODUCTION BASE SUPPORT		
36	INDUSTRIAL FACILITIES	726,135	726,135
37	CONVENTIONAL MUNITIONS DEMILITARIZATION	183,752	183,752
38	ARMS INITIATIVE	4,057	4,057
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**2,967,578**	**2,967,578**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
1	SEMITRAILERS, FLATBED:	22,751	22,751
2	SEMITRAILERS, TANKERS	40,359	40,359
3	HI MOB MULTI-PURP WHLD VEH (HMMWV)	25,904	25,904
4	GROUND MOBILITY VEHICLES (GMV)	36,223	36,223
6	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	839,413	839,413
7	TRUCK, DUMP, 20T (CCE)	20,075	20,075
8	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	110,734	110,734
9	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	28,745	28,745
10	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	55,340	55,340
11	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	66,428	66,428
12	PLS ESP	51,868	51,868
14	TACTICAL WHEELED VEHICLE PROTECTION KITS	3,792	3,792
15	MODIFICATION OF IN SVC EQUIP	80,326	80,326
	NON-TACTICAL VEHICLES		
16	PASSENGER CARRYING VEHICLES	2,203	2,203
17	NONTACTICAL VEHICLES, OTHER	8,246	8,246
	COMM—JOINT COMMUNICATIONS		
18	SIGNAL MODERNIZATION PROGRAM	161,585	161,585
19	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	358,646	358,646
20	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	254	254
21	JCSE EQUIPMENT (USRDECOM)	5,097	5,097
	COMM—SATELLITE COMMUNICATIONS		
24	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,181	101,181
25	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	54,849	54,849
26	SHF TERM	41,634	41,634
27	ASSURED POSITIONING, NAVIGATION AND TIMING	202,370	202,370
28	EHF SATELLITE COMMUNICATION	19,122	19,122
30	GLOBAL BRDCST SVC—GBS	531	531
	COMM—C3 SYSTEM		
31	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	77,999	77,999
	COMM—COMBAT COMMUNICATIONS		
32	HANDHELD MANPACK SMALL FORM FIT (HMS)	765,109	765,109
33	ARMY LINK 16 SYSTEMS	60,767	60,767
35	UNIFIED COMMAND SUITE	18,999	18,999
36	COTS COMMUNICATIONS EQUIPMENT	492,001	492,001
37	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,374	1,374
38	ARMY COMMUNICATIONS & ELECTRONICS	52,485	52,485

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	COMM—INTELLIGENCE COMM		
39	CI AUTOMATION ARCHITECTURE-INTEL	16,767	16,767
41	MULTI-DOMAIN INTELLIGENCE	119,989	119,989
	INFORMATION SECURITY		
42	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	701	701
43	COMMUNICATIONS SECURITY (COMSEC)	159,712	159,712
44	DEFENSIVE CYBER OPERATIONS	13,848	13,848
45	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,502	1,502
47	BIOMETRIC ENABLING CAPABILITY (BEC)	453	453
	COMM—LONG HAUL COMMUNICATIONS		
49	BASE SUPPORT COMMUNICATIONS	23,278	23,278
	COMM—BASE COMMUNICATIONS		
50	INFORMATION SYSTEMS	32,608	32,608
51	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,949	4,949
52	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	243,011	243,011
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
55	JTT/CIBS-M	8,543	8,543
56	TERRESTRIAL LAYER SYSTEMS (TLS)	85,486	85,486
58	DCGS-A-INTEL	2,980	2,980
60	TROJAN	30,649	30,649
61	MOD OF IN-SVC EQUIP (INTEL SPT)	4,169	4,169
62	BIOMETRIC TACTICAL COLLECTION DEVICES	932	932
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
63	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	21,278	21,278
64	AIR VIGILANCE (AV)	6,641	6,641
65	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	15,941	15,941
67	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	22,833	22,833
68	CI MODERNIZATION	434	434
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
69	SENTINEL MODS	161,886	161,886
70	NIGHT VISION DEVICES	141,143	141,143
71	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	15,484	15,484
73	FAMILY OF WEAPON SIGHTS (FWS)	185,634	185,634
74	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	3,652	3,652
75	FORWARD LOOKING INFRARED (IFLIR)	20,438	20,438
76	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	365,376	365,376
77	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	215,290	215,290
78	JOINT EFFECTS TARGETING SYSTEM (JETS)	8,932	8,932
79	COMPUTER BALLISTICS: LHMBC XM32	2,965	2,965
80	MORTAR FIRE CONTROL SYSTEM	8,024	8,024
81	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,399	7,399
82	COUNTERFIRE RADARS	99,782	99,782
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
83	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (	78,512	78,512
84	FIRE SUPPORT C2 FAMILY	10,052	10,052
85	AIR & MSL DEFENSE PLANNING & CONTROL SYS	68,892	68,892
86	IAMD BATTLE COMMAND SYSTEM	412,556	412,556
87	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,270	4,270
88	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	37,194	37,194
89	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	1,987	1,987
90	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	5,318	5,318
91	MOD OF IN-SVC EQUIPMENT (ENFIRE)	4,997	4,997
	ELECT EQUIP—AUTOMATION		
92	ARMY TRAINING MODERNIZATION	10,130	10,130
93	AUTOMATED DATA PROCESSING EQUIP	61,489	61,489
94	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	4,198	4,198
96	HIGH PERF COMPUTING MOD PGM (HPCMP)	76,053	76,053
97	CONTRACT WRITING SYSTEM	6,061	6,061
98	CSS COMMUNICATIONS	56,804	56,804
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	1,781	1,781
	CHEMICAL DEFENSIVE EQUIPMENT		
102	BASE DEFENSE SYSTEMS (BDS)	70,781	70,781
103	CBRN DEFENSE	63,198	63,198
	BRIDGING EQUIPMENT		
104	TACTICAL BRIDGING	1,157	1,157
105	TACTICAL BRIDGE, FLOAT-RIBBON	82,228	82,228
106	BRIDGE SUPPLEMENTAL SET	4,414	4,414
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
110	ROBOTICS AND APPLIQUE SYSTEMS	68,893	68,893
112	FAMILY OF BOATS AND MOTORS	4,785	4,785
	COMBAT SERVICE SUPPORT EQUIPMENT		
113	HEATERS AND ECU'S	7,617	7,617
115	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	5,356	5,356
116	GROUND SOLDIER SYSTEM	167,129	167,129
117	MOBILE SOLDIER POWER	15,967	15,967
118	FORCE PROVIDER	34,200	34,200
120	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	45,792	45,792
121	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	12,118	12,118
	PETROLEUM EQUIPMENT		
123	QUALITY SURVEILLANCE EQUIPMENT	2,507	2,507
124	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	40,989	40,989

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	MEDICAL EQUIPMENT		
125	COMBAT SUPPORT MEDICAL	86,829	86,829
	MAINTENANCE EQUIPMENT		
126	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	17,287	17,287
	CONSTRUCTION EQUIPMENT		
128	TRACTOR, FULL TRACKED	29,878	29,878
129	ALL TERRAIN CRANES	27,725	27,725
131	FAMILY OF DIVER SUPPORT EQUIPMENT	1,811	1,811
132	CONST EQUIP ESP	8,898	8,898
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
133	ARMY WATERCRAFT ESP	30,592	30,592
134	MANEUVER SUPPORT VESSEL (MSV)	149,449	149,449
	GENERATORS		
136	GENERATORS AND ASSOCIATED EQUIP	78,364	78,364
137	TACTICAL ELECTRIC POWER RECAPITALIZATION	11,088	11,088
	MATERIAL HANDLING EQUIPMENT		
138	FAMILY OF FORKLIFTS	12,982	12,982
	TRAINING EQUIPMENT		
139	COMBAT TRAINING CENTERS SUPPORT	56,619	56,619
140	TRAINING DEVICES, NONSYSTEM	226,379	226,379
141	SYNTHETIC TRAINING ENVIRONMENT (STE)	234,965	234,965
142	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,698	9,698
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
143	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,149	36,149
144	TEST EQUIPMENT MODERNIZATION (TEMOD)	32,623	32,623
	OTHER SUPPORT EQUIPMENT		
145	PHYSICAL SECURITY SYSTEMS (OPA3)	132,739	132,739
146	BASE LEVEL COMMON EQUIPMENT	34,460	34,460
147	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	35,239	35,239
148	BUILDING, PRE-FAB, RELOCATABLE	31,011	31,011
149	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	52,481	52,481
	OPA2		
151	INITIAL SPARES—C&E	9,169	9,169
	TOTAL OTHER PROCUREMENT, ARMY	**8,672,979**	**8,672,979**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	F/A–18E/F (FIGHTER) HORNET	41,329	41,329
2	JOINT STRIKE FIGHTER CV	2,410,569	2,410,569
3	JOINT STRIKE FIGHTER CV	189,425	189,425
4	JSF STOVL	2,126,317	2,126,317
5	JSF STOVL	193,125	193,125
6	CH–53K (HEAVY LIFT)	1,698,050	1,698,050
7	CH–53K (HEAVY LIFT)	456,567	456,567
8	V–22 (MEDIUM LIFT)	27,216	27,216
9	H–1 UPGRADES (UH–1Y/AH–1Z)	4,292	4,292
10	P–8A POSEIDON	31,257	31,257
11	E–2D ADV HAWKEYE	182,817	182,817
	TRAINER AIRCRAFT		
13	MULTI-ENGINE TRAINING SYSTEM (METS)	289,141	289,141
	OTHER AIRCRAFT		
15	KC–130J	241,291	241,291
17	MQ–4 TRITON	416,010	416,010
19	MQ–8 UAV	1,546	1,546
21	MQ–25	545,697	545,697
22	MQ–25	50,576	50,576
23	MARINE GROUP 5 UAS	89,563	89,563
	MODIFICATION OF AIRCRAFT		
24	F–18 A-D UNIQUE	116,551	116,551
25	F–18E/F AND EA–18G MODERNIZATION AND SUSTAINM	605,416	605,416
26	MARINE GROUP 5 UAS SERIES	98,063	98,063
27	AEA SYSTEMS	24,110	24,110
28	AV–8 SERIES	22,829	22,829
29	INFRARED SEARCH AND TRACK (IRST)	179,193	179,193
30	ADVERSARY	69,336	69,336
31	F–18 SERIES	640,236	640,236
32	H–53 SERIES	41,414	41,414
33	MH–60 SERIES	106,495	106,495
34	H–1 SERIES	114,284	114,284
35	EP–3 SERIES	8,548	8,548
36	E–2 SERIES	183,246	183,246
37	TRAINER A/C SERIES	16,376	16,376
39	C–130 SERIES	198,220	198,220
40	FEWSG	651	651
41	CARGO/TRANSPORT A/C SERIES	13,930	13,930
42	E–6 SERIES	164,571	164,571
43	EXECUTIVE HELICOPTERS SERIES	60,498	60,498
44	T–45 SERIES	170,357	170,357
45	POWER PLANT CHANGES	21,079	21,079
46	JPATS SERIES	28,005	28,005
48	COMMON ECM EQUIPMENT	53,614	53,614
49	COMMON AVIONICS CHANGES	136,199	136,199

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
50	COMMON DEFENSIVE WEAPON SYSTEM	6,585	6,585
51	ID SYSTEMS	13,085	13,085
52	P–8 SERIES	316,168	316,168
53	MAGTF EW FOR AVIATION	24,901	24,901
54	MQ–8 SERIES	14,700	14,700
55	V–22 (TILT/ROTOR ACFT) OSPREY	215,997	215,997
56	NEXT GENERATION JAMMER (NGJ)	426,396	426,396
57	F–35 STOVL SERIES	311,921	311,921
58	F–35 CV SERIES	166,909	166,909
59	QRC	28,206	28,206
60	MQ–4 SERIES	93,951	93,951
	AIRCRAFT SPARES AND REPAIR PARTS		
62	SPARES AND REPAIR PARTS	2,451,244	2,451,244
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
63	COMMON GROUND EQUIPMENT	566,156	566,156
64	AIRCRAFT INDUSTRIAL FACILITIES	133,815	133,815
65	WAR CONSUMABLES	44,632	44,632
66	OTHER PRODUCTION CHARGES	49,907	49,907
67	SPECIAL SUPPORT EQUIPMENT	404,178	404,178
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**17,336,760**	**17,336,760**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	CONVENTIONAL PROMPT STRIKE	341,434	341,434
2	TRIDENT II MODS	1,284,705	1,284,705
	SUPPORT EQUIPMENT & FACILITIES		
3	MISSILE INDUSTRIAL FACILITIES	7,954	7,954
	STRATEGIC MISSILES		
4	TOMAHAWK	72,908	72,908
	TACTICAL MISSILES		
5	AMRAAM	439,153	439,153
6	SIDEWINDER	78,165	78,165
7	STANDARD MISSILE	969,525	969,525
8	STANDARD MISSILE	227,320	227,320
9	SMALL DIAMETER BOMB II	65,863	65,863
10	RAM	114,896	114,896
11	JOINT AIR GROUND MISSILE (JAGM)	79,292	79,292
12	HELLFIRE	6,923	6,923
13	AERIAL TARGETS	176,588	176,588
14	OTHER MISSILE SUPPORT	3,687	3,687
15	LRASM	639,636	639,636
16	NAVAL STRIKE MISSILE (NSM)	29,925	29,925
17	NAVAL STRIKE MISSILE (NSM)	5,755	5,755
	MODIFICATION OF MISSILES		
18	TOMAHAWK MODS	540,944	540,944
19	ESSM	290,129	290,129
20	AARGM-ER	162,429	162,429
21	AARGM-ER	33,273	33,273
22	STANDARD MISSILES MODS	89,255	89,255
	SUPPORT EQUIPMENT & FACILITIES		
23	WEAPONS INDUSTRIAL FACILITIES	2,037	2,037
	ORDNANCE SUPPORT EQUIPMENT		
25	ORDNANCE SUPPORT EQUIPMENT	208,154	208,154
	TORPEDOES AND RELATED EQUIP		
26	SSTD	4,830	4,830
27	MK–48 TORPEDO	308,497	308,497
28	ASW TARGETS	14,817	14,817
	MOD OF TORPEDOES AND RELATED EQUIP		
29	MK–54 TORPEDO MODS	104,086	104,086
30	MK–48 TORPEDO ADCAP MODS	20,714	20,714
31	MARITIME MINES	58,800	58,800
	SUPPORT EQUIPMENT		
32	TORPEDO SUPPORT EQUIPMENT	133,187	133,187
33	ASW RANGE SUPPORT	4,146	4,146
	DESTINATION TRANSPORTATION		
34	FIRST DESTINATION TRANSPORTATION	5,811	5,811
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	14,165	14,165
	MODIFICATION OF GUNS AND GUN MOUNTS		
36	CIWS MODS	4,088	4,088
37	COAST GUARD WEAPONS	55,172	55,172
38	GUN MOUNT MODS	82,682	82,682
39	LCS MODULE WEAPONS	3,264	3,264
40	AIRBORNE MINE NEUTRALIZATION SYSTEMS	14,357	14,357
	SPARES AND REPAIR PARTS		
42	SPARES AND REPAIR PARTS	177,819	177,819
	TOTAL WEAPONS PROCUREMENT, NAVY	**6,876,385**	**6,876,385**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	43,519	43,519
2	JDAM	73,689	73,689

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
3	AIRBORNE ROCKETS, ALL TYPES	67,423	67,423
4	MACHINE GUN AMMUNITION	11,862	11,862
5	PRACTICE BOMBS	52,481	52,481
6	CARTRIDGES & CART ACTUATED DEVICES	72,426	72,426
7	AIR EXPENDABLE COUNTERMEASURES	104,529	104,529
8	JATOS	7,433	7,433
9	5 INCH/54 GUN AMMUNITION	30,871	30,871
10	INTERMEDIATE CALIBER GUN AMMUNITION	41,261	41,261
11	OTHER SHIP GUN AMMUNITION	44,044	44,044
12	SMALL ARMS & LANDING PARTY AMMO	48,478	48,478
13	PYROTECHNIC AND DEMOLITION	9,521	9,521
14	AMMUNITION LESS THAN $5 MILLION	1,679	1,679
15	EXPEDITIONARY LOITERING MUNITIONS	249,575	249,575
	MARINE CORPS AMMUNITION		
16	MORTARS	61,274	61,274
17	DIRECT SUPPORT MUNITIONS	73,338	73,338
18	INFANTRY WEAPONS AMMUNITION	178,240	178,240
19	COMBAT SUPPORT MUNITIONS	15,897	15,897
20	AMMO MODERNIZATION	17,941	17,941
21	ARTILLERY MUNITIONS	82,452	82,452
22	ITEMS LESS THAN $5 MILLION	5,340	5,340
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**1,293,273**	**1,293,273**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	2,443,598	2,443,598
2	OHIO REPLACEMENT SUBMARINE	3,390,734	3,390,734
	OTHER WARSHIPS		
3	CARRIER REPLACEMENT PROGRAM	1,115,296	1,115,296
4	CVN–81	800,492	800,492
5	VIRGINIA CLASS SUBMARINE	7,129,965	7,129,965
6	VIRGINIA CLASS SUBMARINE	3,215,539	3,215,539
8	CVN REFUELING OVERHAULS	817,646	817,646
9	DDG 1000	410,400	410,400
10	DDG–51	4,199,179	4,199,179
11	DDG–51	284,035	284,035
13	FFG-FRIGATE	2,173,698	2,173,698
	AMPHIBIOUS SHIPS		
14	LPD FLIGHT II	0	1,863,000
	Program increase for LPD–33—USMC UFR		[1,863,000]
18	LHA REPLACEMENT	1,830,149	1,830,149
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
21	AS SUBMARINE TENDER	1,733,234	1,733,234
22	TAO FLEET OILER	815,420	815,420
25	LCU 1700	62,532	62,532
26	OUTFITTING	557,365	557,365
28	SERVICE CRAFT	63,815	63,815
29	AUXILIARY PERSONNEL LIGHTER	0	72,000
	Additional APL–67 class berthing barge		[72,000]
30	LCAC SLEP	15,286	15,286
31	AUXILIARY VESSELS (USED SEALIFT)	142,008	142,008
32	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,648,559	1,648,559
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**32,848,950**	**34,783,950**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	SURFACE POWER EQUIPMENT	14,003	14,003
	GENERATORS		
2	SURFACE COMBATANT HM&E	105,441	105,441
	NAVIGATION EQUIPMENT		
3	OTHER NAVIGATION EQUIPMENT	110,286	110,286
	OTHER SHIPBOARD EQUIPMENT		
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	262,951	262,951
5	DDG MOD	628,532	628,532
6	FIREFIGHTING EQUIPMENT	34,782	34,782
7	COMMAND AND CONTROL SWITCHBOARD	2,458	2,458
8	LHA/LHD MIDLIFE	104,369	104,369
9	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	10,529	10,529
10	POLLUTION CONTROL EQUIPMENT	23,272	23,272
11	SUBMARINE SUPPORT EQUIPMENT	112,526	112,526
12	VIRGINIA CLASS SUPPORT EQUIPMENT	32,076	32,076
13	LCS CLASS SUPPORT EQUIPMENT	18,832	18,832
14	SUBMARINE BATTERIES	28,221	28,221
15	LPD CLASS SUPPORT EQUIPMENT	91,890	91,890
16	DDG 1000 CLASS SUPPORT EQUIPMENT	232,124	232,124
17	STRATEGIC PLATFORM SUPPORT EQUIP	25,058	25,058
18	DSSP EQUIPMENT	4,623	4,623
20	LCAC	10,794	10,794
21	UNDERWATER EOD EQUIPMENT	19,549	19,549
22	ITEMS LESS THAN $5 MILLION	86,001	86,001
23	CHEMICAL WARFARE DETECTORS	3,288	3,288
	REACTOR PLANT EQUIPMENT		

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Line	Item	FY 2024 Request	Senate Authorized
24	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	2,746,313	2,746,313
25	REACTOR POWER UNITS	2,016	2,016
26	REACTOR COMPONENTS	390,148	390,148
	OCEAN ENGINEERING		
27	DIVING AND SALVAGE EQUIPMENT	18,086	18,086
	SMALL BOATS		
28	STANDARD BOATS	74,963	74,963
	PRODUCTION FACILITIES EQUIPMENT		
29	OPERATING FORCES IPE	187,495	187,495
	OTHER SHIP SUPPORT		
30	LCS COMMON MISSION MODULES EQUIPMENT	49,060	49,060
31	LCS MCM MISSION MODULES	93,961	93,961
33	LCS SUW MISSION MODULES	12,102	12,102
34	LCS IN-SERVICE MODERNIZATION	171,704	171,704
35	SMALL & MEDIUM UUV	61,951	61,951
	LOGISTIC SUPPORT		
36	LSD MIDLIFE & MODERNIZATION	7,594	7,594
	SHIP SONARS		
37	SPQ–9B RADAR	7,267	7,267
38	AN/SQQ–89 SURF ASW COMBAT SYSTEM	138,065	138,065
39	SSN ACOUSTIC EQUIPMENT	463,577	463,577
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	23,452	23,452
	ASW ELECTRONIC EQUIPMENT		
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	46,726	46,726
42	SSTD	14,560	14,560
43	FIXED SURVEILLANCE SYSTEM	420,069	420,069
44	SURTASS	33,910	33,910
	ELECTRONIC WARFARE EQUIPMENT		
45	AN/SLQ–32	329,513	329,513
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT	379,230	379,230
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	4,082	4,082
	OTHER SHIP ELECTRONIC EQUIPMENT		
48	COOPERATIVE ENGAGEMENT CAPABILITY	37,677	37,677
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,374	15,374
50	ATDLS	50,148	50,148
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,918	3,918
52	MINESWEEPING SYSTEM REPLACEMENT	16,814	16,814
54	NAVSTAR GPS RECEIVERS (SPACE)	37,319	37,319
55	AMERICAN FORCES RADIO AND TV SERVICE	2,750	2,750
56	STRATEGIC PLATFORM SUPPORT EQUIP	6,437	6,437
	AVIATION ELECTRONIC EQUIPMENT		
57	ASHORE ATC EQUIPMENT	89,237	89,237
58	AFLOAT ATC EQUIPMENT	90,487	90,487
59	ID SYSTEMS	59,234	59,234
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (	3,343	3,343
61	NAVAL MISSION PLANNING SYSTEMS	39,180	39,180
	OTHER SHORE ELECTRONIC EQUIPMENT		
62	MARITIME INTEGRATED BROADCAST SYSTEM	6,994	6,994
63	TACTICAL/MOBILE C4I SYSTEMS	52,026	52,026
64	DCGS-N	16,579	16,579
65	CANES	467,587	467,587
66	RADIAC	16,475	16,475
67	CANES-INTELL	48,207	48,207
68	GPETE	25,761	25,761
69	MASF	16,475	16,475
70	INTEG COMBAT SYSTEM TEST FACILITY	6,345	6,345
71	EMI CONTROL INSTRUMENTATION	4,282	4,282
73	IN-SERVICE RADARS AND SENSORS	255,256	255,256
	SHIPBOARD COMMUNICATIONS		
74	BATTLE FORCE TACTICAL NETWORK	74,180	74,180
75	SHIPBOARD TACTICAL COMMUNICATIONS	29,776	29,776
76	SHIP COMMUNICATIONS AUTOMATION	96,916	96,916
77	COMMUNICATIONS ITEMS UNDER $5M	14,107	14,107
	SUBMARINE COMMUNICATIONS		
78	SUBMARINE BROADCAST SUPPORT	73,791	73,791
79	SUBMARINE COMMUNICATION EQUIPMENT	83,178	83,178
	SATELLITE COMMUNICATIONS		
80	SATELLITE COMMUNICATIONS SYSTEMS	72,871	72,871
81	NAVY MULTIBAND TERMINAL (NMT)	37,921	37,921
	SHORE COMMUNICATIONS		
82	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,065	5,065
	CRYPTOGRAPHIC EQUIPMENT		
83	INFO SYSTEMS SECURITY PROGRAM (ISSP)	154,890	154,890
84	MIO INTEL EXPLOITATION TEAM	1,079	1,079
	CRYPTOLOGIC EQUIPMENT		
85	CRYPTOLOGIC COMMUNICATIONS EQUIP	17,483	17,483
	OTHER ELECTRONIC SUPPORT		
86	COAST GUARD EQUIPMENT	77,458	77,458
	SONOBUOYS		
88	SONOBUOYS—ALL TYPES	311,177	311,177
	AIRCRAFT SUPPORT EQUIPMENT		

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Line	Item	FY 2024 Request	Senate Authorized
89	MINOTAUR	5,396	5,396
90	WEAPONS RANGE SUPPORT EQUIPMENT	147,556	147,556
91	AIRCRAFT SUPPORT EQUIPMENT	162,273	162,273
92	ADVANCED ARRESTING GEAR (AAG)	11,930	11,930
93	ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM (EMALS	17,836	17,836
94	METEOROLOGICAL EQUIPMENT	19,703	19,703
95	LEGACY AIRBORNE MCM	12,202	12,202
97	AVIATION SUPPORT EQUIPMENT	82,115	82,115
98	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	152,687	152,687
99	ARCHITECT & CAP FOR AUTONOMY IN NAV ENTER (AR	1,612	1,612
	SHIP GUN SYSTEM EQUIPMENT		
100	SHIP GUN SYSTEMS EQUIPMENT	6,404	6,404
	SHIP MISSILE SYSTEMS EQUIPMENT		
101	HARPOON SUPPORT EQUIPMENT	227	227
102	SHIP MISSILE SUPPORT EQUIPMENT	294,511	294,511
103	TOMAHAWK SUPPORT EQUIPMENT	92,432	92,432
	FBM SUPPORT EQUIPMENT		
104	STRATEGIC MISSILE SYSTEMS EQUIP	325,318	325,318
	ASW SUPPORT EQUIPMENT		
105	SSN COMBAT CONTROL SYSTEMS	133,063	133,063
106	ASW SUPPORT EQUIPMENT	27,469	27,469
	OTHER ORDNANCE SUPPORT EQUIPMENT		
107	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	27,864	27,864
108	ITEMS LESS THAN $5 MILLION	6,171	6,171
	OTHER EXPENDABLE ORDNANCE		
109	ANTI-SHIP MISSILE DECOY SYSTEM	56,630	56,630
110	SUBMARINE TRAINING DEVICE MODS	76,954	76,954
111	SURFACE TRAINING EQUIPMENT	209,487	209,487
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
112	PASSENGER CARRYING VEHICLES	3,827	3,827
113	GENERAL PURPOSE TRUCKS	4,570	4,570
114	CONSTRUCTION & MAINTENANCE EQUIP	56,829	56,829
115	FIRE FIGHTING EQUIPMENT	16,583	16,583
116	TACTICAL VEHICLES	24,236	24,236
117	AMPHIBIOUS EQUIPMENT	4,504	4,504
118	POLLUTION CONTROL EQUIPMENT	3,898	3,898
119	ITEMS LESS THAN $5 MILLION	67,286	67,286
120	PHYSICAL SECURITY VEHICLES	1,286	1,286
	SUPPLY SUPPORT EQUIPMENT		
121	SUPPLY EQUIPMENT	33,258	33,258
122	FIRST DESTINATION TRANSPORTATION	6,977	6,977
123	SPECIAL PURPOSE SUPPLY SYSTEMS	659,529	659,529
	TRAINING DEVICES		
124	TRAINING SUPPORT EQUIPMENT	2,083	2,083
125	TRAINING AND EDUCATION EQUIPMENT	106,542	106,542
	COMMAND SUPPORT EQUIPMENT		
126	COMMAND SUPPORT EQUIPMENT	44,448	44,448
127	MEDICAL SUPPORT EQUIPMENT	12,529	12,529
129	NAVAL MIP SUPPORT EQUIPMENT	5,408	5,408
130	OPERATING FORCES SUPPORT EQUIPMENT	12,105	12,105
131	C4ISR EQUIPMENT	7,670	7,670
132	ENVIRONMENTAL SUPPORT EQUIPMENT	52,597	52,597
133	PHYSICAL SECURITY EQUIPMENT	108,901	108,901
134	ENTERPRISE INFORMATION TECHNOLOGY	42,154	42,154
	OTHER		
139	NEXT GENERATION ENTERPRISE SERVICE	177,585	177,585
140	CYBERSPACE ACTIVITIES	23,176	23,176
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	16,290	16,290
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	645,900	645,900
143	VIRGINIA CLASS (VACL) SPARES AND REPAIR PARTS	470,000	470,000
	TOTAL OTHER PROCUREMENT, NAVY	**14,535,257**	**14,535,257**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	3,353	3,353
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	557,564	557,564
3	LAV PIP	42,052	42,052
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	489	489
5	ARTILLERY WEAPONS SYSTEM	165,268	165,268
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	14,004	14,004
	GUIDED MISSILES		
7	TOMAHAWK	105,192	105,192
8	NAVAL STRIKE MISSILE (NSM)	169,726	169,726
9	NAVAL STRIKE MISSILE (NSM)	39,244	39,244
10	GROUND BASED AIR DEFENSE	249,103	253,603
	Program increase		[4,500]
11	ANTI-ARMOR MISSILE-JAVELIN	54,883	54,883
12	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	23,627	23,627
13	ANTI-ARMOR MISSILE-TOW	2,007	2,007

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Line	Item	FY 2024 Request	Senate Authorized
14	GUIDED MLRS ROCKET (GMLRS)	8,867	8,867
	COMMAND AND CONTROL SYSTEMS		
15	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	75,382	75,382
	REPAIR AND TEST EQUIPMENT		
16	REPAIR AND TEST EQUIPMENT	53,590	53,590
	OTHER SUPPORT (TEL)		
17	MODIFICATION KITS	1,782	1,782
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
18	ITEMS UNDER $5 MILLION (COMM & ELEC)	122,917	122,917
19	AIR OPERATIONS C2 SYSTEMS	23,744	23,744
	RADAR + EQUIPMENT (NON-TEL)		
20	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	66,291	66,291
	INTELL/COMM EQUIPMENT (NON-TEL)		
21	ELECTRO MAGNETIC SPECTRUM OPERATIONS (EMSO)	177,270	177,270
22	GCSS-MC	4,144	4,144
23	FIRE SUPPORT SYSTEM	58,483	58,483
24	INTELLIGENCE SUPPORT EQUIPMENT	148,062	148,062
26	UNMANNED AIR SYSTEMS (INTEL)	52,273	52,273
27	DCGS-MC	68,289	68,289
28	UAS PAYLOADS	19,088	19,088
	OTHER SUPPORT (NON-TEL)		
31	EXPEDITIONARY SUPPORT EQUIPMENT	2,010	2,010
32	MARINE CORPS ENTERPRISE NETWORK (MCEN)	259,044	259,044
33	COMMON COMPUTER RESOURCES	27,966	27,966
34	COMMAND POST SYSTEMS	71,109	71,109
35	RADIO SYSTEMS	544,059	544,059
36	COMM SWITCHING & CONTROL SYSTEMS	46,276	46,276
37	COMM & ELEC INFRASTRUCTURE SUPPORT	27,111	27,111
38	CYBERSPACE ACTIVITIES	27,583	27,583
40	UNMANNED EXPEDITIONARY SYSTEMS	13,564	13,564
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	2,799	2,799
	ADMINISTRATIVE VEHICLES		
43	COMMERCIAL CARGO VEHICLES	34,169	34,169
	TACTICAL VEHICLES		
44	MOTOR TRANSPORT MODIFICATIONS	17,299	17,299
45	JOINT LIGHT TACTICAL VEHICLE	232,501	232,501
46	TRAILERS	2,034	2,034
	ENGINEER AND OTHER EQUIPMENT		
47	TACTICAL FUEL SYSTEMS	12,956	12,956
48	POWER EQUIPMENT ASSORTED	28,899	28,899
49	AMPHIBIOUS SUPPORT EQUIPMENT	15,691	15,691
50	EOD SYSTEMS	41,200	41,200
	MATERIALS HANDLING EQUIPMENT		
51	PHYSICAL SECURITY EQUIPMENT	53,949	53,949
	GENERAL PROPERTY		
52	FIELD MEDICAL EQUIPMENT	5,457	5,457
53	TRAINING DEVICES	96,577	96,577
54	FAMILY OF CONSTRUCTION EQUIPMENT	29,883	29,883
55	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	17,034	17,034
	OTHER SUPPORT		
56	ITEMS LESS THAN $5 MILLION	27,691	27,691
	SPARES AND REPAIR PARTS		
57	SPARES AND REPAIR PARTS	35,657	35,657
	TOTAL PROCUREMENT, MARINE CORPS	**3,979,212**	**3,983,712**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
1	B–21 RAIDER	1,617,093	1,617,093
2	B–21 RAIDER	708,000	708,000
	TACTICAL FORCES		
3	F–35	4,877,121	4,877,121
4	F–35	402,000	402,000
5	F–15EX	2,670,039	2,469,591
	DAF requested realignment of funds		[–200,448]
6	F–15EX	228,000	228,000
	TACTICAL AIRLIFT		
7	KC–46A MDAP	2,882,590	2,882,590
	OTHER AIRLIFT		
8	C–130J	34,921	34,921
	HELICOPTERS		
11	MH–139A	228,807	228,807
12	COMBAT RESCUE HELICOPTER	282,533	282,533
	MISSION SUPPORT AIRCRAFT		
13	CIVIL AIR PATROL A/C	3,013	3,013
	OTHER AIRCRAFT		
15	TARGET DRONES	42,226	42,226
17	E–11 BACN/HAG	67,367	67,367
	STRATEGIC AIRCRAFT		
19	B–2A	107,980	107,980
20	B–1B	12,757	9,782
	DAF requested realignment of funds		[–2,975]

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Line	Item	FY 2024 Request	Senate Authorized
21	B–52	65,815	51,798
	DAF requested realignment of funds		[–14,017]
22	LARGE AIRCRAFT INFRARED COUNTERMEASURES	21,723	21,723
	TACTICAL AIRCRAFT		
24	E–11 BACN/HAG	58,923	58,923
25	F–15	34,830	155,278
	DAF requested realignment of funds		[120,448]
26	F–16	297,342	297,342
27	F–22A	794,676	794,676
28	F–35 MODIFICATIONS	451,798	451,798
29	F–15 EPAW	280,658	280,658
	AIRLIFT AIRCRAFT		
31	C–5	24,377	24,377
32	C–17A	140,560	140,560
33	C–32A	19,060	19,060
34	C–37A	13,454	13,454
	TRAINER AIRCRAFT		
35	GLIDER MODS	5,270	5,270
36	T–6	2,942	2,942
37	T–1	10,950	10,950
38	T–38	125,340	125,340
	OTHER AIRCRAFT		
40	U–2 MODS	54,727	54,727
42	C–12	446	446
44	VC–25A MOD	29,707	29,707
45	C–40	8,921	8,921
46	C–130	71,177	71,177
47	C–130J MODS	121,258	121,258
48	C–135	153,595	153,595
49	COMPASS CALL	144,686	144,686
50	COMBAT FLIGHT INSPECTION—CFIN	446	446
51	RC–135	220,138	240,138
	RC–135 alternate PNT upgrades		[20,000]
52	E–3	1,350	1,350
53	E–4	13,055	13,055
56	H–1	816	816
57	H–60	4,207	4,207
60	HC/MC–130 MODIFICATIONS	101,055	101,055
61	OTHER AIRCRAFT	54,134	73,403
	DAF requested realignment of funds		[11,619]
	DAF requested realignment of funds for SLPA-A		[7,650]
62	MQ–9 MODS	98,063	98,063
64	SENIOR LEADER C3 SYSTEM—AIRCRAFT	24,847	24,847
65	CV–22 MODS	153,006	153,006
	AIRCRAFT SPARES AND REPAIR PARTS		
66	INITIAL SPARES/REPAIR PARTS	781,521	772,877
	DAF requested realignment of funds		[–8,644]
	COMMON SUPPORT EQUIPMENT		
67	AIRCRAFT REPLACEMENT SUPPORT EQUIP	157,664	157,664
	POST PRODUCTION SUPPORT		
68	B–2A	1,838	1,838
69	B–2B	15,207	15,207
72	MC–130J	10,117	10,117
74	F–16	1,075	1,075
75	F–22A	38,418	38,418
	INDUSTRIAL PREPAREDNESS		
79	INDUSTRIAL RESPONSIVENESS	18,874	18,874
	WAR CONSUMABLES		
80	WAR CONSUMABLES	27,482	27,482
	OTHER PRODUCTION CHARGES		
81	OTHER PRODUCTION CHARGES	1,478,044	1,558,044
	DAF requested realignment of funds		[80,000]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	17,165	17,165
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**20,315,204**	**20,328,837**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	69,319	69,319
	BALLISTIC MISSILES		
3	GROUND BASED STRATEGIC DETERRENT	539,300	539,300
	STRATEGIC		
	TACTICAL		
4	LONG RANGE STAND-OFF WEAPON	66,816	66,816
5	REPLAC EQUIP & WAR CONSUMABLES	37,318	37,318
6	JOINT AIR-SURFACE STANDOFF MISSILE	915,996	915,996
7	JOINT AIR-SURFACE STANDOFF MISSILE	769,672	769,672
8	JOINT STRIKE MISSILE	161,011	161,011
9	LRASM0	87,796	87,796
10	LRASM0	99,871	99,871
11	SIDEWINDER (AIM–9X)	95,643	95,643
12	AMRAAM	489,049	489,049

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Line	Item	FY 2024 Request	Senate Authorized
13	AMRAAM	212,410	212,410
14	PREDATOR HELLFIRE MISSILE	1,049	1,049
15	SMALL DIAMETER BOMB	48,734	48,734
16	SMALL DIAMETER BOMB II	291,553	291,553
17	STAND-IN ATTACK WEAPON (SIAW)	41,947	41,947
	INDUSTRIAL FACILITIES		
18	INDUSTRIAL PREPAREDNESS/POL PREVENTION	793	793
	CLASS IV		
19	ICBM FUZE MOD	115,745	115,745
20	ICBM FUZE MOD	43,044	43,044
21	MM III MODIFICATIONS	48,639	48,639
22	AIR LAUNCH CRUISE MISSILE (ALCM)	41,494	41,494
	MISSILE SPARES AND REPAIR PARTS		
23	MSL SPRS/REPAIR PARTS (INITIAL)	6,840	6,840
24	MSL SPRS/REPAIR PARTS (REPLEN)	75,191	75,191
	SPECIAL PROGRAMS		
29	SPECIAL UPDATE PROGRAMS	419,498	419,498
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	851,718	851,718
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**5,530,446**	**5,530,446**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	18,483	18,483
	CARTRIDGES		
2	CARTRIDGES	101,104	101,104
	BOMBS		
4	GENERAL PURPOSE BOMBS	142,118	142,118
5	MASSIVE ORDNANCE PENETRATOR (MOP)	14,074	14,074
6	JOINT DIRECT ATTACK MUNITION	132,364	132,364
7	B–61	68	68
8	B61–12 TRAINER	10,100	10,100
	OTHER ITEMS		
9	CAD/PAD	51,487	51,487
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,707	6,707
11	SPARES AND REPAIR PARTS	585	585
13	FIRST DESTINATION TRANSPORTATION	2,299	2,299
14	ITEMS LESS THAN $5,000,000	5,115	5,115
	FLARES		
15	EXPENDABLE COUNTERMEASURES	79,786	79,786
	FUZES		
16	FUZES	109,562	109,562
	SMALL ARMS		
17	SMALL ARMS	29,306	29,306
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**703,158**	**703,158**
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
1	AF SATELLITE COMM SYSTEM	64,345	64,345
3	COUNTERSPACE SYSTEMS	52,665	52,665
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	25,057	25,057
5	FABT FORCE ELEMENT TERMINAL	121,634	121,634
7	GENERAL INFORMATION TECH—SPACE	3,451	3,451
8	GPSIII FOLLOW ON	119,700	119,700
9	GPS III SPACE SEGMENT	121,770	121,770
10	GLOBAL POSTIONING (SPACE)	893	893
11	HERITAGE TRANSITION	6,110	6,110
12	JOINT TACTICAL GROUND STATIONS	580	580
13	SPACEBORNE EQUIP (COMSEC)	83,168	83,168
14	MILSATCOM	44,672	44,672
15	SBIR HIGH (SPACE)	39,438	39,438
16	SPECIAL SPACE ACTIVITIES	840,913	380,213
	Space Force realignment of funds		[–497,000]
	Space Force Unfunded Priorities List Classified Program A		[36,300]
17	MOBILE USER OBJECTIVE SYSTEM	101,147	101,147
18	NATIONAL SECURITY SPACE LAUNCH	2,142,846	2,142,846
20	PTES HUB	56,482	56,482
21	ROCKET SYSTEMS LAUNCH PROGRAM	74,848	74,848
22	SPACE DEVELOPMENT AGENCY LAUNCH	529,468	529,468
23	SPACE MODS	166,596	166,596
24	SPACELIFT RANGE SYSTEM SPACE	114,505	114,505
	SPARES		
25	SPARES AND REPAIR PARTS	906	906
	SUPPORT EQUIPMENT		
26	POWER CONDITIONING EQUIPMENT	3,100	3,100
	TOTAL PROCUREMENT, SPACE FORCE	**4,714,294**	**4,253,594**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	6,123	6,123
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	3,961	3,961

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Line	Item	FY 2024 Request	Senate Authorized
3	CAP VEHICLES	1,027	1,027
4	CARGO AND UTILITY VEHICLES	45,036	47,338
	DAF requested realignment of funds		[328]
	DAF requested realignment of funds from OMAF SAG 11R		[1,974]
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	57,780	57,780
6	SECURITY AND TACTICAL VEHICLES	390	390
7	SPECIAL PURPOSE VEHICLES	79,023	82,803
	DAF requested realignment of funds		[340]
	DAF requested realignment of funds from OMAF SAG 11R		[3,440]
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	70,252	70,252
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	73,805	75,895
	DAF requested realignment of funds from OMAF SAG 11R		[1,805]
	DAF requested realignment of funds from OPAF line 11		[285]
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	22,030	22,030
11	BASE MAINTENANCE SUPPORT VEHICLES	223,354	240,634
	DAF requested realignment of funds		[–953]
	DAF requested realignment of funds from OMAF SAG 11R		[18,233]
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	98,600	98,600
	INTELLIGENCE PROGRAMS		
15	INTERNATIONAL INTEL TFECH & ARCHITECTURES	5,393	5,393
16	INTELLIGENCE TRAINING EQUIPMENT	5,012	5,012
17	INTELLIGENCE COMM EQUIPMENT	40,042	40,042
	ELECTRONICS PROGRAMS		
18	AIR TRAFFIC CONTROL & LANDING SYS	67,581	67,581
19	NATIONAL AIRSPACE SYSTEM	3,841	3,841
20	BATTLE CONTROL SYSTEM—FIXED	1,867	1,867
22	3D EXPEDITIONARY LONG-RANGE RADAR	83,735	83,735
23	WEATHER OBSERVATION FORECAST	28,530	28,530
24	STRATEGIC COMMAND AND CONTROL	73,593	73,593
25	CHEYENNE MOUNTAIN COMPLEX	8,221	8,221
26	MISSION PLANNING SYSTEMS	17,078	17,078
29	STRATEGIC MISSION PLANNING & EXECUTION SYSTEM	3,861	3,861
	SPCL COMM-ELECTRONICS PROJECTS		
30	GENERAL INFORMATION TECHNOLOGY	206,142	237,093
	DAF requested realignment of funds		[30,951]
31	AF GLOBAL COMMAND & CONTROL SYS	2,582	2,582
32	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	30	30
33	MOBILITY COMMAND AND CONTROL	3,768	3,768
34	AIR FORCE PHYSICAL SECURITY SYSTEM	208,704	208,704
35	COMBAT TRAINING RANGES	346,340	346,340
36	MINIMUM ESSENTIAL EMERGENCY COMM N	84,102	84,102
37	WIDE AREA SURVEILLANCE (WAS)	11,594	11,594
38	C3 COUNTERMEASURES	148,818	148,818
44	AIR & SPACE OPERATIONS CENTER (AOC)	5,032	5,032
	AIR FORCE COMMUNICATIONS		
46	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	108,532	322,704
	DAF requested realignment of funds		[214,172]
47	AFNET	154,911	154,911
48	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,381	5,381
49	USCENTCOM	18,025	18,025
50	USSTRATCOM	4,436	4,436
51	USSPACECOM	27,073	27,073
	ORGANIZATION AND BASE		
52	TACTICAL C-E EQUIPMENT	226,819	226,819
53	RADIO EQUIPMENT	30,407	30,407
54	BASE COMM INFRASTRUCTURE	113,563	113,563
	MODIFICATIONS		
55	COMM ELECT MODS	98,224	98,224
	PERSONAL SAFETY & RESCUE EQUIP		
56	PERSONAL SAFETY AND RESCUE EQUIPMENT	60,473	60,473
	DEPOT PLANT+MTRLS HANDLING EQ		
57	POWER CONDITIONING EQUIPMENT	9,235	9,235
58	MECHANIZED MATERIAL HANDLING EQUIP	15,662	15,662
	BASE SUPPORT EQUIPMENT		
59	BASE PROCURED EQUIPMENT	77,875	77,875
60	ENGINEERING AND EOD EQUIPMENT	280,734	288,968
	DAF requested realignment of funds		[2,284]
	DAF requested realignment of funds from OMAF SAG 11R		[5,950]
61	MOBILITY EQUIPMENT	207,071	232,271
	DAF requested realignment of funds from OMAF SAG 11R		[25,200]
62	FUELS SUPPORT EQUIPMENT (FSE)	218,790	218,790
63	BASE MAINTENANCE AND SUPPORT EQUIPMENT	51,914	51,914
	SPECIAL SUPPORT PROJECTS		
65	DARP RC135	28,882	28,882
66	DCGS-AF	129,655	129,655
70	SPECIAL UPDATE PROGRAM	1,042,833	1,042,833
	CLASSIFIED PROGRAMS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
9999	CLASSIFIED PROGRAMS	25,456,490	25,456,490
	SPARES AND REPAIR PARTS		
71	SPARES AND REPAIR PARTS (CYBER)	1,032	1,032
72	SPARES AND REPAIR PARTS	12,628	12,628
	TOTAL OTHER PROCUREMENT, AIR FORCE	**30,417,892**	**30,721,901**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCSA		
29	MAJOR EQUIPMENT	2,135	2,135
	MAJOR EQUIPMENT, DHRA		
43	PERSONNEL ADMINISTRATION	3,704	3,704
	MAJOR EQUIPMENT, DISA		
11	INFORMATION SYSTEMS SECURITY	12,275	12,275
12	TELEPORT PROGRAM	42,399	42,399
14	ITEMS LESS THAN $5 MILLION	47,538	47,538
15	DEFENSE INFORMATION SYSTEM NETWORK	39,472	39,472
16	WHITE HOUSE COMMUNICATION AGENCY	118,523	118,523
17	SENIOR LEADERSHIP ENTERPRISE	94,591	94,591
18	JOINT REGIONAL SECURITY STACKS (JRSS)	22,714	15,714
	Program reduction		[–7,000]
19	JOINT SERVICE PROVIDER	107,637	107,637
20	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	33,047	33,047
	MAJOR EQUIPMENT, DLA		
28	MAJOR EQUIPMENT	30,355	30,355
	MAJOR EQUIPMENT, DMACT		
50	MAJOR EQUIPMENT	13,012	13,012
	MAJOR EQUIPMENT, DODEA		
49	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,358	1,358
	MAJOR EQUIPMENT, DPAA		
1	MAJOR EQUIPMENT, DPAA	516	516
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
46	VEHICLES	366	366
47	OTHER MAJOR EQUIPMENT	12,787	12,787
48	DTRA CYBER ACTIVITIES	21,413	21,413
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
31	THAAD	216,782	216,782
33	AEGIS BMD	374,756	374,756
35	BMDS AN/TPY–2 RADARS	29,108	29,108
36	SM–3 IIAS	432,824	432,824
37	ARROW 3 UPPER TIER SYSTEMS	80,000	80,000
38	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	40,000	40,000
39	DEFENSE OF GUAM PROCUREMENT	169,627	169,627
40	AEGIS ASHORE PHASE III	2,390	2,390
41	IRON DOME	80,000	80,000
42	AEGIS BMD HARDWARE AND SOFTWARE	27,825	27,825
	MAJOR EQUIPMENT, OSD		
2	MAJOR EQUIPMENT, OSD	186,006	186,006
	MAJOR EQUIPMENT, TJS		
30	MAJOR EQUIPMENT, TJS	3,747	3,747
	MAJOR EQUIPMENT, USCYBERCOM		
51	CYBERSPACE OPERATIONS	129,082	160,082
	Modernization of Department of Defense Internet Gateway Cyber Defense		[31,000]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	658,529	658,529
	AVIATION PROGRAMS		
53	ARMED OVERWATCH/TARGETING	266,846	266,846
54	MANNED ISR	7,000	7,000
55	MC–12	600	600
57	ROTARY WING UPGRADES AND SUSTAINMENT	261,012	261,012
58	UNMANNED ISR	26,997	26,997
59	NON-STANDARD AVIATION	25,782	25,782
60	U–28	7,198	7,198
61	MH–47 CHINOOK	149,883	149,883
62	CV–22 MODIFICATION	75,981	75,981
63	MQ–9 UNMANNED AERIAL VEHICLE	17,684	17,684
64	PRECISION STRIKE PACKAGE	108,497	108,497
65	AC/MC–130J	319,754	319,754
66	C–130 MODIFICATIONS	18,796	18,796
	SHIPBUILDING		
67	UNDERWATER SYSTEMS	66,111	78,171
	Seal Delivery Vehicle (SDV) Sonar Payload for Subsea Seabed Acceleration		[12,060]
	AMMUNITION PROGRAMS		
68	ORDNANCE ITEMS <$5M	147,831	147,831
	OTHER PROCUREMENT PROGRAMS		
69	INTELLIGENCE SYSTEMS	203,400	203,400
70	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,718	5,718
71	OTHER ITEMS <$5M	108,816	108,816
72	COMBATANT CRAFT SYSTEMS	55,064	55,064
73	SPECIAL PROGRAMS	20,412	20,412
74	TACTICAL VEHICLES	56,561	56,561
75	WARRIOR SYSTEMS <$5M	329,837	344,637
	Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat Acceleration		[14,800]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
76	COMBAT MISSION REQUIREMENTS	4,987	4,987
77	OPERATIONAL ENHANCEMENTS INTELLIGENCE	23,639	23,639
78	OPERATIONAL ENHANCEMENTS	322,341	322,341
	CBDP		
79	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	159,884	159,884
80	CB PROTECTION & HAZARD MITIGATION	231,826	236,826
	Chemical nerve agent countermeasures		[5,000]
	TOTAL PROCUREMENT, DEFENSE-WIDE	**6,056,975**	**6,112,835**
	TOTAL PROCUREMENT	**167,988,341**	**169,840,643**

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 2024 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601102A	DEFENSE RESEARCH SCIENCES	296,670	296,670
2	0601103A	UNIVERSITY RESEARCH INITIATIVES	75,672	75,672
3	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	108,946	108,946
4	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,459	5,459
5	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH	10,708	10,708
		SUBTOTAL BASIC RESEARCH	**497,455**	**497,455**
		APPLIED RESEARCH		
6	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RESEARCH	5,613	5,613
8	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	6,242	6,242
9	0602141A	LETHALITY TECHNOLOGY	85,578	85,578
10	0602142A	ARMY APPLIED RESEARCH	34,572	34,572
11	0602143A	SOLDIER LETHALITY TECHNOLOGY	104,470	114,470
		Airborne Pathfinder		[10,000]
12	0602144A	GROUND TECHNOLOGY	60,005	80,005
		Critical hybrid advanced materials processing		[7,000]
		Engineered repair materials for roadways		[3,000]
		Polar proving ground and training program		[5,000]
		Titanium metal powder production technology		[5,000]
13	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	166,500	181,500
		Fuel cells for next generation combat vehicles		[5,000]
		Hydrogen fuel source research and development		[10,000]
14	0602146A	NETWORK C3I TECHNOLOGY	81,618	81,618
15	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	34,683	34,683
16	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	73,844	73,844
17	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	33,301	38,301
		Counter-Unmanned Aircraft Systems technology		[5,000]
18	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES	24,142	24,142
19	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	14,297	14,297
20	0602182A	C3I APPLIED RESEARCH	30,659	30,659
21	0602183A	AIR PLATFORM APPLIED RESEARCH	48,163	48,163
22	0602184A	SOLDIER APPLIED RESEARCH	18,986	18,986
23	0602213A	C3I APPLIED CYBER	22,714	22,714
24	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	16,736	16,736
25	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	19,969	19,969
26	0602787A	MEDICAL TECHNOLOGY	66,266	71,266
		Preventing trauma-related stress disorder		[5,000]
		SUBTOTAL APPLIED RESEARCH	**948,358**	**1,003,358**
		ADVANCED TECHNOLOGY DEVELOPMENT		
27	0603002A	MEDICAL ADVANCED TECHNOLOGY	4,147	4,147
28	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	16,316	16,316
29	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	23,156	23,156
30	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES	13,187	18,187
		Tactical artificial intelligence and machine learning		[5,000]
31	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	33,332	33,332
32	0603042A	C3I ADVANCED TECHNOLOGY	19,225	19,225
33	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	14,165	14,165
34	0603044A	SOLDIER ADVANCED TECHNOLOGY	1,214	1,214
36	0603116A	LETHALITY ADVANCED TECHNOLOGY	20,582	20,582
37	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	136,280	136,280
38	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	102,778	102,778
39	0603119A	GROUND ADVANCED TECHNOLOGY	40,597	45,597
		Advanced composites and multi-material protective systems		[5,000]
40	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	21,672	21,672
41	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	59,871	59,871
42	0603457A	C3I CYBER ADVANCED DEVELOPMENT	28,847	28,847

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
43	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	255,772	265,772
		High Performance Computing Modernization Program increase		[10,000]
44	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY	217,394	224,394
		Advanced Manufacturing Center of Excellence		[7,000]
45	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	105,549	105,549
46	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	153,024	158,024
		Aluminum-Lithium Alloy Solid Rocket Motor		[5,000]
47	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	158,795	158,795
48	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	21,015	26,015
		Rapid Assurance Modernization Program-Test		[5,000]
49	0603920A	HUMANITARIAN DEMINING	9,068	9,068
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**1,455,986**	**1,492,986**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
51	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	12,904	12,904
52	0603308A	ARMY SPACE SYSTEMS INTEGRATION	19,120	19,120
54	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	47,537	47,537
55	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	91,323	91,323
56	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	43,026	43,026
57	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,550	3,550
58	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	65,567	65,567
59	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	73,675	73,675
60	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	31,720	31,720
61	0603790A	NATO RESEARCH AND DEVELOPMENT	4,143	4,143
62	0603801A	AVIATION—ADV DEV	1,502,160	1,502,160
63	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	7,604	7,604
64	0603807A	MEDICAL SYSTEMS—ADV DEV	1,602	1,602
65	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	27,681	27,681
66	0604017A	ROBOTICS DEVELOPMENT	3,024	3,024
67	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	97,018	97,018
68	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING	117,557	117,557
69	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	38,851	38,851
70	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	191,394	191,394
71	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV	10,626	10,626
72	0604100A	ANALYSIS OF ALTERNATIVES	11,095	11,095
73	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	5,144	5,144
74	0604103A	ELECTRONIC WARFARE PLANNING AND MANAGEMENT TOOL (EWPMT)	2,260	2,260
75	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	53,143	53,143
76	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	816,663	816,663
77	0604115A	TECHNOLOGY MATURATION INITIATIVES	281,314	281,314
78	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	281,239	281,239
79	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	204,914	204,914
80	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	40,930	40,930
81	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	109,714	109,714
82	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	16,426	16,426
83	0604135A	STRATEGIC MID-RANGE FIRES	31,559	31,559
84	0604182A	HYPERSONICS	43,435	43,435
85	0604403A	FUTURE INTERCEPTOR	8,040	8,040
86	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT	64,242	64,242
87	0604541A	UNIFIED NETWORK TRANSPORT	40,915	40,915
9999	9999999999	CLASSIFIED PROGRAMS	19,200	19,200
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,420,315**	**4,420,315**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
91	0604201A	AIRCRAFT AVIONICS	13,673	13,673
92	0604270A	ELECTRONIC WARFARE DEVELOPMENT	12,789	12,789
93	0604601A	INFANTRY SUPPORT WEAPONS	64,076	64,076
94	0604604A	MEDIUM TACTICAL VEHICLES	28,226	28,226
95	0604611A	JAVELIN	7,827	7,827
96	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	44,197	44,197
97	0604633A	AIR TRAFFIC CONTROL	1,134	1,134
98	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	142,125	142,125
99	0604642A	LIGHT TACTICAL WHEELED VEHICLES	53,564	53,564
100	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	102,201	102,201
101	0604710A	NIGHT VISION SYSTEMS—ENG DEV	48,720	56,220
		Enhanced Night Vision Goggle—Binocular capability enhancements		[7,500]
102	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,223	2,223
103	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	21,441	21,441
104	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	74,738	74,738
105	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	30,985	30,985
106	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	13,626	13,626
107	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	8,802	8,802
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	20,828	20,828
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV	243,851	243,851
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	37,420	42,420
		Ultra-Lightweight Camouflage Net System		[5,000]
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	34,214	34,214
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	6,496	6,496
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	13,581	13,581
114	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	168,574	168,574
115	0604820A	RADAR DEVELOPMENT	94,944	94,944

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
116	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	2,965	2,965
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	11,333	11,333
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	79,250	79,250
119	0604854A	ARTILLERY SYSTEMS—EMD	42,490	42,490
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	104,024	104,024
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	102,084	102,084
123	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	18,662	18,662
124	0605031A	JOINT TACTICAL NETWORK (JTN)	30,328	30,328
125	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	11,509	11,509
126	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	1,050	1,050
128	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	27,714	27,714
129	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	4,318	4,318
130	0605047A	CONTRACT WRITING SYSTEM	16,355	16,355
131	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM)	27,571	27,571
132	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	24,900	24,900
133	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	196,248	196,248
134	0605053A	GROUND ROBOTICS	35,319	35,319
135	0605054A	EMERGING TECHNOLOGY INITIATIVES	201,274	201,274
137	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	36,970	36,970
139	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	132,136	132,136
140	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	81,657	81,657
141	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	31,284	31,284
142	0605206A	CI AND HUMINT EQUIPMENT PROGRAM-ARMY (CIHEP-A)	2,170	2,170
143	0605216A	JOINT TARGETING INTEGRATED COMMAND AND COORDINATION SUITE (JTIC2S)	9,290	9,290
144	0605224A	MULTI-DOMAIN INTELLIGENCE	41,003	41,003
146	0605231A	PRECISION STRIKE MISSILE (PRSM)	272,786	272,786
147	0605232A	HYPERSONICS EMD	900,920	900,920
148	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	27,361	27,361
149	0605235A	STRATEGIC MID-RANGE CAPABILITY	348,855	348,855
150	0605236A	INTEGRATED TACTICAL COMMUNICATIONS	22,901	22,901
151	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	3,014	3,014
152	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	284,095	284,095
153	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION	36,016	36,016
154	0605625A	MANNED GROUND VEHICLE	996,653	996,653
155	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	15,129	15,129
156	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	27,243	27,243
157	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,167	1,167
158	0303032A	TROJAN—RH12	3,879	3,879
159	0304270A	ELECTRONIC WARFARE DEVELOPMENT	137,186	137,186
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**5,639,364**	**5,651,864**
		MANAGEMENT SUPPORT		
160	0604256A	THREAT SIMULATOR DEVELOPMENT	38,492	38,492
161	0604258A	TARGET SYSTEMS DEVELOPMENT	11,873	11,873
162	0604759A	MAJOR T&E INVESTMENT	76,167	76,167
163	0605103A	RAND ARROYO CENTER	37,078	37,078
164	0605301A	ARMY KWAJALEIN ATOLL	314,872	314,872
165	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	95,551	95,551
167	0605601A	ARMY TEST RANGES AND FACILITIES	439,118	449,118
		Radar Range Replacement Program		[10,000]
168	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	42,220	42,220
169	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	37,518	37,518
170	0605606A	AIRCRAFT CERTIFICATION	2,718	2,718
172	0605706A	MATERIEL SYSTEMS ANALYSIS	26,902	26,902
173	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,805	7,805
174	0605712A	SUPPORT OF OPERATIONAL TESTING	75,133	75,133
175	0605716A	ARMY EVALUATION CENTER	71,118	71,118
176	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	11,204	11,204
177	0605801A	PROGRAMWIDE ACTIVITIES	93,895	93,895
178	0605803A	TECHNICAL INFORMATION ACTIVITIES	31,327	31,327
179	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	50,409	50,409
180	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,629	1,629
181	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,843	55,843
182	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	91,340	91,340
183	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	6,348	6,348
185	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	6,025	6,025
		SUBTOTAL MANAGEMENT SUPPORT	**1,624,585**	**1,634,585**
		OPERATIONAL SYSTEMS DEVELOPMENT		
187	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	14,465	14,465
188	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	7,472	7,472
189	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	8,425	8,425
190	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	1,507	11,507
		Program increase		[10,000]
191	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	9,265	19,265
		Program increase		[10,000]
192	0607139A	IMPROVED TURBINE ENGINE PROGRAM	201,247	201,247
193	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT	3,014	3,014
194	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	25,393	25,393
195	0607145A	APACHE FUTURE DEVELOPMENT	10,547	20,547
		Apache future development program increase		[10,000]

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196	0607148A	AN/TPQ–53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM	54,167	54,167
197	0607150A	INTEL CYBER DEVELOPMENT	4,345	4,345
198	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	19,000	19,000
199	0607313A	ELECTRONIC WARFARE DEVELOPMENT	6,389	6,389
200	0607315A	ENDURING TURBINE ENGINES AND POWER SYSTEMS	2,411	2,411
201	0607665A	FAMILY OF BIOMETRICS	797	797
202	0607865A	PATRIOT PRODUCT IMPROVEMENT	177,197	177,197
203	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	42,177	42,177
204	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	146,635	146,635
205	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	122,902	122,902
207	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	146	146
208	0203758A	DIGITIZATION	1,515	1,515
209	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	4,520	4,520
210	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	10,044	10,044
211	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV	281	281
212	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,952	75,952
213	0208053A	JOINT TACTICAL GROUND SYSTEM	203	203
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	301	301
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,323	15,323
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	13,082	13,082
219	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	26,838	26,838
222	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	9,456	9,456
225	0305219A	MQ–1C GRAY EAGLE UAS	6,629	6,629
227	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	75,317	75,317
9999	9999999999	CLASSIFIED PROGRAMS	8,786	8,786
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,105,748**	**1,135,748**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT	83,570	83,570
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**83,570**	**83,570**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**15,775,381**	**15,919,881**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	96,355	96,355
2	0601153N	DEFENSE RESEARCH SCIENCES	540,908	540,908
		SUBTOTAL BASIC RESEARCH	**637,263**	**637,263**
		APPLIED RESEARCH		
3	0602114N	POWER PROJECTION APPLIED RESEARCH	23,982	23,982
4	0602123N	FORCE PROTECTION APPLIED RESEARCH	142,148	142,148
5	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	59,208	59,208
6	0602235N	COMMON PICTURE APPLIED RESEARCH	52,090	52,090
7	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	74,722	82,722
		Research on foreign malign influence operations		[8,000]
8	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	92,473	92,473
9	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	80,806	87,806
		Intelligent Autonomous Systems for Seabed Warfare		[7,000]
10	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	7,419	7,419
11	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	61,503	61,503
12	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	182,662	182,662
13	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	30,435	30,435
14	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	133,828	133,828
15	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES	85,063	85,063
		SUBTOTAL APPLIED RESEARCH	**1,026,339**	**1,041,339**
		ADVANCED TECHNOLOGY DEVELOPMENT		
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	29,512	29,512
17	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,418	8,418
18	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS	112,329	112,329
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	308,217	323,217
		Adaptive Future Force		[5,000]
		Hardware In the Loop capabilities		[5,000]
		Next generation unmanned aerial system distribution platform		[5,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	15,556	15,556
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	264,700	264,700
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	61,843	61,843
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	5,100	9,100
		Balloon catheter hemorrhage control device		[4,000]
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	75,898	75,898
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	2,048	2,048
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT	132,931	132,931
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**1,016,552**	**1,035,552**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
27	0603128N	UNMANNED AERIAL SYSTEM	108,225	108,225
28	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV)	117,400	117,400
29	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	40,653	40,653
30	0603216N	AVIATION SURVIVABILITY	20,874	20,874
31	0603239N	NAVAL CONSTRUCTION FORCES	7,821	7,821
32	0603254N	ASW SYSTEMS DEVELOPMENT	17,090	17,090

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33	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,721	3,721
34	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	6,216	6,216
35	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	34,690	34,690
36	0603506N	SURFACE SHIP TORPEDO DEFENSE	730	730
37	0603512N	CARRIER SYSTEMS DEVELOPMENT	6,095	6,095
38	0603525N	PILOT FISH	916,208	916,208
39	0603527N	RETRACT LARCH	7,545	7,545
40	0603536N	RETRACT JUNIPER	271,109	271,109
41	0603542N	RADIOLOGICAL CONTROL	811	811
42	0603553N	SURFACE ASW	1,189	1,189
43	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	88,415	88,415
44	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	15,119	15,119
45	0603563N	SHIP CONCEPT ADVANCED DESIGN	89,939	89,939
46	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	121,402	121,402
47	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	319,656	319,656
48	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	133,911	133,911
49	0603576N	CHALK EAGLE	116,078	116,078
50	0603581N	LITTORAL COMBAT SHIP (LCS)	32,615	32,615
51	0603582N	COMBAT SYSTEM INTEGRATION	18,610	18,610
52	0603595N	OHIO REPLACEMENT	257,076	262,076
		Advanced composites for wet submarine applications		[5,000]
53	0603596N	LCS MISSION MODULES	31,464	31,464
54	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	10,809	10,809
55	0603599N	FRIGATE DEVELOPMENT	112,972	112,972
56	0603609N	CONVENTIONAL MUNITIONS	9,030	9,030
57	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	128,782	128,782
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	44,766	44,766
59	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	10,751	10,751
60	0603721N	ENVIRONMENTAL PROTECTION	24,457	24,457
61	0603724N	NAVY ENERGY PROGRAM	72,214	72,214
62	0603725N	FACILITIES IMPROVEMENT	10,149	10,149
63	0603734N	CHALK CORAL	687,841	687,841
64	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,712	4,712
65	0603746N	RETRACT MAPLE	420,455	420,455
66	0603748N	LINK PLUMERIA	2,100,474	2,100,474
67	0603751N	RETRACT ELM	88,036	88,036
68	0603764M	LINK EVERGREEN	547,005	547,005
69	0603790N	NATO RESEARCH AND DEVELOPMENT	6,265	6,265
70	0603795N	LAND ATTACK TECHNOLOGY	1,624	1,624
71	0603851M	JOINT NON-LETHAL WEAPONS TESTING	31,058	31,058
72	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	22,590	22,590
73	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	52,129	52,129
74	0604014N	F/A –18 INFRARED SEARCH AND TRACK (IRST)	32,127	32,127
75	0604027N	DIGITAL WARFARE OFFICE	181,001	181,001
76	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	110,506	110,506
77	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	71,156	71,156
78	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION.	214,100	214,100
79	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	6,900	6,900
80	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	118,182	118,182
82	0604127N	SURFACE MINE COUNTERMEASURES	16,127	16,127
83	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	34,684	34,684
84	0604289M	NEXT GENERATION LOGISTICS	5,991	5,991
85	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	2,100	2,100
86	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	131,763	131,763
87	0604454N	LX (R)	21,319	21,319
88	0604536N	ADVANCED UNDERSEA PROTOTYPING	104,328	104,328
89	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	11,567	11,567
90	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,976	195,976
		Nuclear-armed sea-launched cruise missile		[190,000]
91	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	9,993	9,993
92	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	237,655	237,655
93	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS))	85,800	85,800
94	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES	176,261	176,261
95	0605514M	GROUND BASED ANTI-SHIP MISSILE	36,383	36,383
96	0605516M	LONG RANGE FIRES	36,763	36,763
97	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	901,064	901,064
98	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	10,167	10,167
99	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	539	539
100	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	1,250	1,250
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**9,734,483**	**9,929,483**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
101	0603208N	TRAINING SYSTEM AIRCRAFT	44,120	44,120
102	0604038N	MARITIME TARGETING CELL	30,922	30,922
103	0604212M	OTHER HELO DEVELOPMENT	101,209	101,209
104	0604212N	OTHER HELO DEVELOPMENT	2,604	2,604
105	0604214M	AV–8B AIRCRAFT—ENG DEV	8,263	8,263
106	0604215N	STANDARDS DEVELOPMENT	4,039	4,039
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	62,350	62,350
108	0604221N	P–3 MODERNIZATION PROGRAM	771	771
109	0604230N	WARFARE SUPPORT SYSTEM	109,485	109,485
110	0604231N	COMMAND AND CONTROL SYSTEMS	87,457	87,457

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111	0604234N	ADVANCED HAWKEYE	399,919	399,919
112	0604245M	H–1 UPGRADES	29,766	29,766
113	0604261N	ACOUSTIC SEARCH SENSORS	51,531	51,531
114	0604262N	V–22A	137,597	137,597
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	42,155	42,155
116	0604269N	EA–18	172,507	172,507
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	171,384	171,384
118	0604273M	EXECUTIVE HELO DEVELOPMENT	35,376	35,376
119	0604274N	NEXT GENERATION JAMMER (NGJ)	40,477	40,477
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	451,397	451,397
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	250,577	250,577
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	453,311	453,311
124	0604329N	SMALL DIAMETER BOMB (SDB)	52,211	52,211
125	0604366N	STANDARD MISSILE IMPROVEMENTS	418,187	418,187
126	0604373N	AIRBORNE MCM	11,368	11,368
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	66,445	66,445
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	0	13,000
		Program increase		[13,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS	115,396	115,396
130	0604503N	SSN–688 AND TRIDENT MODERNIZATION	93,435	93,435
131	0604504N	AIR CONTROL	42,656	42,656
132	0604512N	SHIPBOARD AVIATION SYSTEMS	10,442	10,442
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,359	11,359
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	90,307	90,307
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	10,658	10,658
136	0604558N	NEW DESIGN SSN	234,356	234,356
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	71,516	71,516
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	22,462	22,462
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,279	4,279
140	0604601N	MINE DEVELOPMENT	104,731	104,731
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	229,668	229,668
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	9,064	9,064
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV	62,329	62,329
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	9,319	9,319
145	0604727N	JOINT STANDOFF WEAPON SYSTEMS	1,964	1,964
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	158,426	158,426
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	47,492	47,492
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	125,206	125,206
149	0604761N	INTELLIGENCE ENGINEERING	19,969	19,969
150	0604771N	MEDICAL DEVELOPMENT	6,061	6,061
151	0604777N	NAVIGATION/ID SYSTEM	45,262	45,262
154	0604850N	SSN(X)	361,582	361,582
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	22,663	22,663
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	282,138	282,138
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	8,340	8,340
158	0605180N	TACAMO MODERNIZATION	213,743	213,743
159	0605212M	CH–53K RDTE	222,288	222,288
160	0605215N	MISSION PLANNING	86,448	86,448
161	0605217N	COMMON AVIONICS	81,076	81,076
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	1,343	1,343
163	0605327N	T-AO 205 CLASS	71	71
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	220,404	220,404
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	384	384
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	36,027	36,027
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	132,449	132,449
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION	103,236	103,236
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,609	2,609
170	0204202N	DDG–1000	231,778	231,778
171	0301377N	COUNTERING ADVANCED CONVENTIONAL WEAPONS (CACW)	17,531	17,531
172	0304785N	ISR & INFO OPERATIONS	174,271	174,271
173	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	2,068	2,068
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,962,234**	**6,975,234**
		MANAGEMENT SUPPORT		
174	0604256N	THREAT SIMULATOR DEVELOPMENT	22,918	22,918
175	0604258N	TARGET SYSTEMS DEVELOPMENT	18,623	18,623
176	0604759N	MAJOR T&E INVESTMENT	74,221	74,221
177	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,229	3,229
178	0605154N	CENTER FOR NAVAL ANALYSES	45,672	45,672
180	0605804N	TECHNICAL INFORMATION SERVICES	1,000	1,000
181	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	124,328	124,328
182	0605856N	STRATEGIC TECHNICAL SUPPORT	4,053	4,053
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	203,447	203,447
184	0605864N	TEST AND EVALUATION SUPPORT	481,975	484,975
		Atlantic Undersea Test and Evaluation Center improvements		[3,000]
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	29,399	29,399
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	27,504	27,504
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	9,183	9,183
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	34,976	34,976
189	0605898N	MANAGEMENT HQ—R&D	41,331	41,331
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,340	37,340

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
191	0305327N	INSIDER THREAT	2,246	2,246
192	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES)	2,168	2,168
		SUBTOTAL MANAGEMENT SUPPORT	**1,163,613**	**1,166,613**
		OPERATIONAL SYSTEMS DEVELOPMENT		
196	0604840M	F–35 C2D2	544,625	544,625
197	0604840N	F–35 C2D2	543,834	543,834
198	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS	99,860	99,860
199	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	153,440	153,440
200	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	321,648	331,648
		Fleet Ballistic Missile Strategic Weapon System		[10,000]
201	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	62,694	62,694
202	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	92,869	92,869
203	0101402N	NAVY STRATEGIC COMMUNICATIONS	51,919	51,919
204	0204136N	F/A–18 SQUADRONS	333,783	333,783
205	0204228N	SURFACE SUPPORT	8,619	8,619
206	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	122,834	122,834
207	0204311N	INTEGRATED SURVEILLANCE SYSTEM	76,279	76,279
208	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	1,103	1,103
209	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	1,991	1,991
210	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	92,674	92,674
211	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	115,894	115,894
212	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	61,677	61,677
213	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	59,555	59,555
214	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,973	29,973
215	0205632N	MK–48 ADCAP	213,165	213,165
216	0205633N	AVIATION IMPROVEMENTS	143,277	143,277
217	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	152,546	152,546
218	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	192,625	192,625
219	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	12,565	12,565
220	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	83,900	83,900
221	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	27,794	27,794
222	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	47,762	47,762
223	0206629M	AMPHIBIOUS ASSAULT VEHICLE	373	373
224	0207161N	TACTICAL AIM MISSILES	36,439	36,439
225	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	29,198	29,198
226	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,565	3,565
230	0303138N	AFLOAT NETWORKS	49,995	49,995
231	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,390	33,390
232	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	7,304	7,304
233	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	11,235	11,235
234	0305205N	UAS INTEGRATION AND INTEROPERABILITY	16,409	16,409
235	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	51,192	51,192
236	0305220N	MQ–4C TRITON	12,094	12,094
237	0305231N	MQ–8 UAV	29,700	29,700
238	0305232M	RQ–11 UAV	2,107	2,107
239	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	2,999	2,999
240	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,460	49,460
241	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	13,005	13,005
242	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,000	2,000
243	0305421N	RQ–4 MODERNIZATION	300,378	300,378
244	0307577N	INTELLIGENCE MISSION DATA (IMD)	788	788
245	0308601N	MODELING AND SIMULATION SUPPORT	10,994	10,994
246	0702207N	DEPOT MAINTENANCE (NON-IF)	23,248	23,248
247	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,284	3,284
9999	9999999999	CLASSIFIED PROGRAMS	2,021,376	2,021,376
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**6,359,438**	**6,369,438**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
249	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM	11,748	11,748
250	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM	10,555	10,555
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**22,303**	**22,303**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**26,922,225**	**27,177,225**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	401,486	401,486
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	182,372	182,372
		SUBTOTAL BASIC RESEARCH	**583,858**	**583,858**
		APPLIED RESEARCH		
3	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	90,713	90,713
4	0602022F	UNIVERSITY AFFILIATED RESEARCH CENTER (UARC)—TACTICAL AUTONOMY	8,018	8,018
5	0602102F	MATERIALS	142,325	151,325
		Advanced materials science for manufacturing research		[9,000]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	161,268	161,268
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	146,921	146,921
8	0602203F	AEROSPACE PROPULSION	184,867	184,867
9	0602204F	AEROSPACE SENSORS	216,269	216,269
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES	10,303	10,303
12	0602602F	CONVENTIONAL MUNITIONS	160,599	160,599

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13	0602605F	DIRECTED ENERGY TECHNOLOGY	129,961	118,452
		DAF requested realignment of funds to 6601SF		[–11,509]
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	182,076	220,076
		Distributed quantum information sciences networking testbed		[5,000]
		Future Flag experimentation testbed		[15,000]
		Ion trapped quantum information sciences computer		[8,000]
		Multi-domain radio frequency spectrum testing environment		[5,000]
		Secure interference-avoiding connectivity of autonomous artificially intelligent machines		[5,000]
		SUBTOTAL APPLIED RESEARCH	**1,433,320**	**1,468,811**
		ADVANCED TECHNOLOGY DEVELOPMENT		
15	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	255,855	213,655
		Program reduction		[–42,200]
16	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	30,372	30,372
17	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	10,478	10,478
18	0603203F	ADVANCED AEROSPACE SENSORS	48,046	48,046
19	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	51,896	61,896
		Semiautonomous adversary air platform		[10,000]
20	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	56,789	56,789
21	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,510	32,510
22	0603273F	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS	70,321	70,321
23	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	2	2
24	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	15,593	15,593
25	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	132,311	132,311
26	0603605F	ADVANCED WEAPONS TECHNOLOGY	102,997	102,997
27	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	44,422	49,422
		Additive manufacturing for aerospace parts		[5,000]
28	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	37,779	37,779
29	0207412F	CONTROL AND REPORTING CENTER (CRC)	2,005	2,005
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**891,376**	**864,176**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
30	0603036F	MODULAR ADVANCED MISSILE	105,238	105,238
31	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	6,237	6,237
32	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,298	21,298
33	0603790F	NATO RESEARCH AND DEVELOPMENT	2,208	2,208
34	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	45,319	75,319
		Enhanced ICBM guidance capability and testing		[30,000]
35	0604001F	NC3 ADVANCED CONCEPTS	10,011	10,011
37	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	500,575	500,575
38	0604004F	ADVANCED ENGINE DEVELOPMENT	595,352	595,352
39	0604005F	NC3 COMMERCIAL DEVELOPMENT & PROTOTYPING	78,799	78,799
40	0604006F	DEPT OF THE AIR FORCE TECH ARCHITECTURE	2,620	0
		DAF requested realignment of funds to 64858F		[–2,620]
41	0604007F	E–7	681,039	681,039
42	0604009F	AFWERX PRIME	83,336	83,336
43	0604015F	LONG RANGE STRIKE—BOMBER	2,984,143	2,984,143
44	0604025F	RAPID DEFENSE EXPERIMENTATION RESERVE (RDER)	154,300	154,300
45	0604032F	DIRECTED ENERGY PROTOTYPING	1,246	1,246
46	0604033F	HYPERSONICS PROTOTYPING	150,340	0
		Air-Launched Rapid Response Weapon reduction		[–150,340]
47	0604183F	HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM)	381,528	381,528
48	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	18,041	18,041
49	0604257F	ADVANCED TECHNOLOGY AND SENSORS	27,650	27,650
50	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER (SAOC)	888,829	888,829
51	0604317F	TECHNOLOGY TRANSFER	26,638	26,638
52	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	19,266	19,266
53	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	37,121	37,121
55	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS)	37,026	37,026
56	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	31,833	31,833
57	0604858F	TECH TRANSITION PROGRAM	210,806	235,476
		DAF requested realignment of funds from OMAF SAG 11R		[17,550]
		DAF requested realignment of funds from OMAF SAG 11Z		[4,500]
		DAF requested realignment of funds from RDAF 64006F		[2,620]
58	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE	46,305	46,305
59	0605164F	AIR REFUELING CAPABILITY MODERNIZATION	19,400	19,400
61	0207110F	NEXT GENERATION AIR DOMINANCE	2,326,128	2,326,128
62	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS	118,826	101,013
		DAF requested realignment of funds		[–17,813]
63	0207420F	COMBAT IDENTIFICATION	1,902	1,902
64	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,763	19,763
65	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	78,867	78,867
66	0208030F	WAR RESERVE MATERIEL—AMMUNITION	8,175	8,175
68	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	25,157	25,157
69	0305601F	MISSION PARTNER ENVIRONMENTS	17,727	17,727
72	0708051F	RAPID SUSTAINMENT MODERNIZATION (RSM)	43,431	43,431
73	0808737F	INTEGRATED PRIMARY PREVENTION	9,364	9,364
74	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	28,294	28,294
75	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT	14,892	14,892
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**9,859,030**	**9,742,927**
		SYSTEM DEVELOPMENT & DEMONSTRATION		

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76	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	9,757	9,757
77	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	163,156	163,156
78	0604222F	NUCLEAR WEAPONS SUPPORT	45,884	45,884
79	0604270F	ELECTRONIC WARFARE DEVELOPMENT	13,804	13,804
80	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	74,023	79,023
		DAF requested realignment of funds		[5,000]
81	0604287F	PHYSICAL SECURITY EQUIPMENT	10,605	10,605
82	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	5,918	5,918
83	0604604F	SUBMUNITIONS	3,345	3,345
84	0604617F	AGILE COMBAT SUPPORT	21,967	21,967
85	0604706F	LIFE SUPPORT SYSTEMS	39,301	39,301
86	0604735F	COMBAT TRAINING RANGES	152,569	152,569
87	0604932F	LONG RANGE STANDOFF WEAPON	911,406	891,406
		DAF realignment of funds		[–20,000]
88	0604933F	ICBM FUZE MODERNIZATION	71,732	71,732
89	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,256	2,256
90	0605031F	JOINT TACTICAL NETWORK (JTN)	452	452
91	0605056F	OPEN ARCHITECTURE MANAGEMENT	36,582	36,582
92	0605057F	NEXT GENERATION AIR-REFUELING SYSTEM	7,928	7,928
93	0605223F	ADVANCED PILOT TRAINING	77,252	77,252
94	0605229F	HH–60W	48,268	48,268
95	0605238F	GROUND BASED STRATEGIC DETERRENT EMD	3,746,935	3,739,285
		DAF requested realignment of funds		[–7,650]
96	0207171F	F–15 EPAWSS	13,982	13,982
97	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY	56,225	56,225
98	0207328F	STAND IN ATTACK WEAPON	298,585	298,585
99	0207701F	FULL COMBAT MISSION TRAINING	7,597	7,597
100	0208036F	MEDICAL C-CBRNE PROGRAMS	2,006	2,006
102	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	30,000	30,000
103	0401221F	KC–46A TANKER SQUADRONS	124,662	124,662
104	0401319F	VC–25B	490,701	470,701
		5G interference mitigation for critical aircraft navigation and sensor systems on the Presidential Aircraft Fleet.		[30,000]
		Program reduction		[–50,000]
105	0701212F	AUTOMATED TEST SYSTEMS	12,911	12,911
106	0804772F	TRAINING DEVELOPMENTS	1,922	1,922
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,481,731**	**6,439,081**
		MANAGEMENT SUPPORT		
107	0604256F	THREAT SIMULATOR DEVELOPMENT	16,626	16,626
108	0604759F	MAJOR T&E INVESTMENT	31,143	31,143
109	0605101F	RAND PROJECT AIR FORCE	38,398	38,398
110	0605502F	SMALL BUSINESS INNOVATION RESEARCH	1,466	1,466
111	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,736	13,736
112	0605807F	TEST AND EVALUATION SUPPORT	913,213	946,026
		DAF requested realignment of funds		[32,813]
113	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	317,901	317,901
114	0605828F	ACQ WORKFORCE- GLOBAL REACH	541,677	541,677
115	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	551,213	536,513
		DAF requested realignment of funds		[–14,700]
117	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	243,780	273,780
		DAF requested realignment of funds		[30,000]
118	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	109,030	77,030
		DAF requested realignment of funds		[–32,000]
119	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	336,788	336,788
120	0605898F	MANAGEMENT HQ—R&D	5,005	6,705
		DAF requested realignment of funds		[1,700]
121	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	87,889	87,889
122	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	35,065	35,065
123	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	89,956	89,956
124	0606398F	MANAGEMENT HQ—T&E	7,453	7,453
126	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM	20,871	40,871
		NC3 network sensor demonstration		[10,000]
		NC3 Rapid Engineering Architecture Collaboration Hub (REACH)		[10,000]
127	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	100,357	100,357
128	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	20,478	20,478
129	0804731F	GENERAL SKILL TRAINING	796	6,796
		Security Work Readiness for Duty		[6,000]
132	1001004F	INTERNATIONAL ACTIVITIES	3,917	3,917
		SUBTOTAL MANAGEMENT SUPPORT	**3,486,758**	**3,530,571**
		OPERATIONAL SYSTEMS DEVELOPMENT		
134	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	41,464	41,464
135	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	40,000	40,000
136	0604445F	WIDE AREA SURVEILLANCE	8,018	8,018
137	0604617F	AGILE COMBAT SUPPORT	5,645	5,645
139	0604840F	F–35 C2D2	1,275,268	1,270,268
		DAF requested realignment of funds		[–5,000]
140	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	40,203	40,203
141	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	49,613	49,613
142	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	93,881	93,881
143	0605278F	HC/MC–130 RECAP RDT&E	36,536	36,536

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144	0606018F	NC3 INTEGRATION	22,910	22,910
145	0101113F	B–52 SQUADRONS	950,815	964,832
		DAF requested realignment of funds		[14,017]
146	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	290	290
147	0101126F	B–1B SQUADRONS	12,619	12,619
148	0101127F	B–2 SQUADRONS	87,623	87,623
149	0101213F	MINUTEMAN SQUADRONS	33,237	33,237
150	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	24,653	24,653
151	0101318F	SERVICE SUPPORT TO STRATCOM—GLOBAL STRIKE	7,562	7,562
153	0101328F	ICBM REENTRY VEHICLES	475,415	475,415
155	0102110F	MH–139A	25,737	25,737
156	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	831	831
157	0102412F	NORTH WARNING SYSTEM (NWS)	102	102
158	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	428,754	428,754
159	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	15,498	19,498
		DAF requested realignment of funds		[4,000]
160	0205219F	MQ–9 UAV	81,123	81,123
161	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	2,303	2,303
162	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	7,312	7,312
164	0207133F	F–16 SQUADRONS	98,633	98,633
165	0207134F	F–15E SQUADRONS	50,965	50,965
166	0207136F	MANNED DESTRUCTIVE SUPPRESSION	16,543	16,543
167	0207138F	F–22A SQUADRONS	725,889	725,889
168	0207142F	F–35 SQUADRONS	97,231	97,231
169	0207146F	F–15EX	100,006	100,006
170	0207161F	TACTICAL AIM MISSILES	41,958	41,958
171	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	53,679	53,679
172	0207227F	COMBAT RESCUE—PARARESCUE	726	726
173	0207238F	E–11A	64,888	64,888
174	0207247F	AF TENCAP	25,749	25,749
175	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	11,872	11,872
176	0207253F	COMPASS CALL	66,932	66,932
177	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	55,223	55,223
178	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	132,937	132,937
179	0207327F	SMALL DIAMETER BOMB (SDB)	37,518	37,518
180	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	72,059	72,059
181	0207412F	CONTROL AND REPORTING CENTER (CRC)	17,498	17,498
183	0207418F	AFSPECWAR—TACP	2,106	2,106
185	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	72,010	72,010
186	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	6,467	6,467
187	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)	10,388	10,388
188	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,060	10,060
189	0207452F	DCAPES	8,233	8,233
190	0207521F	AIR FORCE CALIBRATION PROGRAMS	2,172	2,172
192	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	2,049	2,049
193	0207590F	SEEK EAGLE	33,478	33,478
195	0207605F	WARGAMING AND SIMULATION CENTERS	11,894	11,894
197	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,811	3,811
198	0208006F	MISSION PLANNING SYSTEMS	96,272	96,272
199	0208007F	TACTICAL DECEPTION	26,533	26,533
201	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	50,122	50,122
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	113,064	113,064
208	0208288F	INTEL DATA APPLICATIONS	967	967
209	0301025F	GEOBASE	1,514	1,514
211	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	8,476	8,476
218	0301401F	AF MULTI-DOMAIN NON-TRADITIONAL ISR BATTLESPACE AWARENESS	2,890	3,390
		Military Cyber Cooperation Activities with the Kingdom of Jordan		[500]
219	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	39,868	39,868
220	0303004F	EIT CONNECT	32,900	32,900
221	0303089F	CYBERSPACE OPERATIONS SYSTEMS	4,881	4,881
222	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	33,567	33,567
223	0303133F	HIGH FREQUENCY RADIO SYSTEMS	40,000	40,000
224	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	95,523	95,523
226	0303248F	ALL DOMAIN COMMON PLATFORM	71,296	71,296
227	0303260F	JOINT MILITARY DECEPTION INITIATIVE	4,682	4,682
228	0304100F	STRATEGIC MISSION PLANNING & EXECUTION SYSTEM (SMPES)	64,944	64,944
230	0304260F	AIRBORNE SIGINT ENTERPRISE	108,947	108,947
231	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,635	4,635
234	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES	13,751	13,751
235	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,660	1,660
236	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	18,680	18,680
237	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	5,031	5,031
238	0305103F	CYBER SECURITY INITIATIVE	301	301
239	0305111F	WEATHER SERVICE	26,329	35,329
		Weather service data migration		[9,000]
240	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	8,751	8,751
241	0305116F	AERIAL TARGETS	6,915	6,915
244	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	352	352
245	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	6,930	6,930
246	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	21,588	21,588
247	0305202F	DRAGON U–2	16,842	16,842
248	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	43,158	43,158

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249	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,330	14,330
250	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	88,854	88,854
251	0305220F	RQ–4 UAV	1,242	1,242
252	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	12,496	12,496
253	0305238F	NATO AGS	2	2
254	0305240F	SUPPORT TO DCGS ENTERPRISE	31,589	31,589
255	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	15,322	15,322
256	0305881F	RAPID CYBER ACQUISITION	8,830	8,830
257	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,764	2,764
258	0307577F	INTELLIGENCE MISSION DATA (IMD)	7,090	7,090
259	0401115F	C–130 AIRLIFT SQUADRON	5,427	5,427
260	0401119F	C–5 AIRLIFT SQUADRONS (IF)	29,502	29,502
261	0401130F	C–17 AIRCRAFT (IF)	2,753	2,753
262	0401132F	C–130J PROGRAM	19,100	19,100
263	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,982	5,982
264	0401218F	KC–135S	51,105	51,105
265	0401318F	CV–22	18,127	18,127
266	0408011F	SPECIAL TACTICS / COMBAT CONTROL	9,198	9,198
268	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	17,520	17,520
269	0801380F	AF LVC OPERATIONAL TRAINING (LVC-OT)	25,144	25,144
270	0804743F	OTHER FLIGHT TRAINING	2,265	2,265
272	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,266	2,266
273	0901218F	CIVILIAN COMPENSATION PROGRAM	4,006	4,006
274	0901220F	PERSONNEL ADMINISTRATION	3,078	3,078
275	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	5,309	5,309
276	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	4,279	4,279
277	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS)	45,925	45,925
278	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	9,778	9,778
9999	9999999999	CLASSIFIED PROGRAMS	16,814,245	16,814,245
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**23,829,283**	**23,851,800**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**46,565,356**	**46,481,224**
		RESEARCH, DEVELOPMENT, TEST & EVAL, SF		
		APPLIED RESEARCH		
4	1206601SF	SPACE TECHNOLOGY	206,196	350,663
		Advanced analog microelectronics		[8,600]
		Advanced isotope power systems		[5,000]
		DAF requested realignment of funds		[84,397]
		Ground-based interferometry		[16,000]
		Lunar surface-based domain awareness		[5,000]
		Solar cruiser		[10,000]
		Space modeling, simulation, and analysis hub		[15,470]
		SUBTOTAL APPLIED RESEARCH	**206,196**	**350,663**
		ADVANCED TECHNOLOGY DEVELOPMENT		
5	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT	472,493	477,493
		Human performance optimization		[5,000]
6	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	110,033	158,033
		DAF requested realignment of funds		[40,000]
		Modular multi-mode propulsion system		[8,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**582,526**	**635,526**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
7	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH	849	849
8	1203010SF	SPACE FORCE IT, DATA ANALYTICS, DIGITAL SOLUTIONS	61,723	61,723
9	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	353,807	353,807
10	1203622SF	SPACE WARFIGHTING ANALYSIS	95,541	95,541
11	1203710SF	EO/IR WEATHER SYSTEMS	95,615	112,115
		Weather satellite risk reduction		[16,500]
13	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	2,081,307	2,081,307
16	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	145,948	105,948
		DAF requested realignment of funds to 6616SF		[–40,000]
17	1206438SF	SPACE CONTROL TECHNOLOGY	58,374	58,374
18	1206458SF	TECH TRANSITION (SPACE)	164,649	179,649
		Encouraging the establishment of the outernet		[15,000]
19	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	59,784	59,784
20	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	76,554	76,554
21	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	360,126	360,126
22	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	632,833	632,833
23	1206857SF	SPACE RAPID CAPABILITIES OFFICE	12,036	12,036
24	1206862SF	TACTICALLY RESPONSE SPACE	30,000	30,000
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,229,146**	**4,220,646**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
25	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	308,999	308,999
27	1206421SF	COUNTERSPACE SYSTEMS	36,537	36,537
28	1206422SF	WEATHER SYSTEM FOLLOW-ON	79,727	79,727
29	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	372,827	372,827
30	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	4,068	4,068
31	1206432SF	POLAR MILSATCOM (SPACE)	73,757	73,757
32	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE)	49,445	49,445

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33	1206440SF	NEXT-GEN OPIR—GROUND	661,367	661,367
34	1206442SF	NEXT GENERATION OPIR	222,178	222,178
35	1206443SF	NEXT-GEN OPIR—GEO	719,731	719,731
36	1206444SF	NEXT-GEN OPIR—POLAR	1,013,478	1,013,478
37	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	73,501	73,501
38	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO)	1,266,437	1,519,222
		DAF requested realignment of funds		[252,785]
39	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO)	538,208	790,992
		DAF requested realignment of funds		[252,784]
40	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT	505,569	0
		DAF requested realignment of funds to 6446SF		[–252,785]
		DAF requested realignment of funds to 6447SF		[–252,784]
41	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	82,188	82,188
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,008,017**	**6,008,017**
		MANAGEMENT SUPPORT		
43	1203622SF	SPACE WARFIGHTING ANALYSIS	3,568	3,568
46	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	258,969	276,500
		DAF requested realignment of funds		[17,531]
47	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	13,694	15,053
		DAF requested realignment of funds		[1,359]
48	1206601SF	SPACE TECHNOLOGY	91,778	0
		DAF requested realignment of funds		[–91,778]
49	1206759SF	MAJOR T&E INVESTMENT—SPACE	146,797	146,797
50	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	18,023	18,023
52	1206864SF	SPACE TEST PROGRAM (STP)	30,192	30,192
		SUBTOTAL MANAGEMENT SUPPORT	**563,021**	**490,133**
		OPERATIONAL SYSTEMS DEVELOPMENT		
55	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	91,369	91,369
56	1203040SF	DCO-SPACE	76,003	76,003
57	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	230,785	230,785
58	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	86,465	86,465
59	1203154SF	LONG RANGE KILL CHAINS	243,036	243,036
61	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	22,039	22,039
62	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	41,483	41,483
63	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,175	11,175
65	1203330SF	SPACE SUPERIORITY ISR	28,730	28,730
67	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	20,752	28,752
		Perimeter Acquisition Radar Attack Characterization System (PARCS) radar		[8,000]
68	1203906SF	NCMC—TW/AA SYSTEM	25,545	25,545
69	1203913SF	NUDET DETECTION SYSTEM (SPACE)	93,391	93,391
70	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	264,966	264,966
71	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	317,309	317,309
75	1206770SF	ENTERPRISE GROUND SERVICES	155,825	155,825
76	1208053SF	JOINT TACTICAL GROUND SYSTEM	14,568	14,568
9999	9999999999	CLASSIFIED PROGRAMS	5,764,667	6,225,367
		Space Force realignment of funds for classified program		[270,000]
		Space Force Unfunded Priorities List Classified Program B		[83,000]
		Space Force Unfunded Priorities List Classified Program C		[53,000]
		Space Force Unfunded Priorities List Classified Program D		[54,700]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**7,488,108**	**7,956,808**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
78	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM	122,326	122,326
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**122,326**	**122,326**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, SF	**19,199,340**	**19,784,119**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	14,761	14,761
2	0601101E	DEFENSE RESEARCH SCIENCES	311,531	311,531
3	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	16,329	16,329
4	0601110D8Z	BASIC RESEARCH INITIATIVES	71,783	96,783
		Defense Established Program to Stimulate Competitive Research (DEPSCoR)		[25,000]
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	50,430	50,430
6	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	159,549	169,549
		Enhanced civics education program		[10,000]
7	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	100,467	100,467
8	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	36,235	36,235
		SUBTOTAL BASIC RESEARCH	**761,085**	**796,085**
		APPLIED RESEARCH		
9	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,157	19,157
10	0602115E	BIOMEDICAL TECHNOLOGY	141,081	141,081
11	0602128D8Z	PROMOTION AND PROTECTION STRATEGIES	3,219	3,219
12	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	55,160	55,160
13	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,858	46,858
14	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	66,866	66,866
15	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	333,029	333,029
17	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	240,610	240,610

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18	0602668D8Z	CYBER SECURITY RESEARCH	17,437	20,437
		Semiconductor industry cybersecurity research		[3,000]
19	0602675D8Z	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY	4,718	4,718
20	0602702E	TACTICAL TECHNOLOGY	234,549	234,549
21	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	344,986	344,986
22	0602716E	ELECTRONICS TECHNOLOGY	572,662	572,662
23	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH	208,870	208,870
24	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	11,168	11,168
25	0602890D8Z	HIGH ENERGY LASER RESEARCH	48,804	48,804
26	0602891D8Z	FSRM MODELLING	2,000	2,000
27	1160401BB	SOF TECHNOLOGY DEVELOPMENT	52,287	52,287
		SUBTOTAL APPLIED RESEARCH	**2,403,461**	**2,406,461**
		ADVANCED TECHNOLOGY DEVELOPMENT		
28	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	37,706	37,706
29	0603021D8Z	NATIONAL SECURITY INNOVATION CAPITAL	15,085	15,085
30	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	30,102	30,102
31	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	75,593	105,593
		Loitering munition development		[5,000]
		U.S.-Israel defense collaboration on emerging technologies		[25,000]
32	0603133D8Z	FOREIGN COMPARATIVE TESTING	27,078	27,078
33	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	400,947	405,947
		Advanced manufacturing of energetic materials		[5,000]
34	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	7,990	7,990
35	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	17,825	17,825
36	0603180C	ADVANCED RESEARCH	21,461	21,461
37	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION	52,292	52,292
38	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,567	19,567
39	0603260BR	INTELLIGENCE ADVANCED DEVELOPMENT	10,000	10,000
40	0603286E	ADVANCED AEROSPACE SYSTEMS	331,753	331,753
41	0603287E	SPACE PROGRAMS AND TECHNOLOGY	134,809	134,809
42	0603288D8Z	ANALYTIC ASSESSMENTS	24,328	24,328
43	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	55,626	55,626
44	0603330D8Z	QUANTUM APPLICATION	75,000	75,000
46	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	104,729	104,729
47	0603375D8Z	TECHNOLOGY INNOVATION	123,837	123,837
48	0603379D8Z	ADVANCED TECHNICAL INTEGRATION	11,000	11,000
49	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	267,073	292,073
		Generative Unconstrained Intelligent Drug Engineering-Enhanced Biodefense		[25,000]
50	0603527D8Z	RETRACT LARCH	57,401	57,401
51	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	19,793	19,793
53	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	11,197	11,197
54	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	252,965	264,965
		Additive manufacturing at scale		[7,000]
		Digital manufacturing modernization		[5,000]
55	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	46,404	46,404
56	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	16,580	16,580
57	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	60,387	60,387
58	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	144,707	144,707
59	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,749	2,749
60	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	254,033	254,033
61	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	321,591	321,591
62	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	885,425	885,425
63	0603767E	SENSOR TECHNOLOGY	358,580	358,580
65	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	16,699	16,699
66	0603838D8Z	DEFENSE INNOVATION ACCELERATION (DIA)	257,110	257,110
67	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	111,799	111,799
68	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	345,384	345,384
69	0603945D8Z	AUKUS INNOVATION INITIATIVES	25,000	25,000
70	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	21,575	28,575
		National Security Innovation Network		[7,000]
71	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	171,668	181,668
		Increase for tristructural-isotrophic fuel		[10,000]
72	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	156,097	156,097
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**5,380,945**	**5,469,945**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
74	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	76,764	76,764
75	0603600D8Z	WALKOFF	143,486	143,486
76	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	117,196	123,196
		Sustainable Technology Evaluation and Demonstration program increase		[6,000]
77	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	220,311	220,311
78	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,633	903,633
79	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	316,853	316,853
80	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	239,159	239,159
81	0603890C	BMD ENABLING PROGRAMS	597,720	597,720
82	0603891C	SPECIAL PROGRAMS—MDA	552,888	552,888
83	0603892C	AEGIS BMD	693,727	693,727
84	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	554,201	554,201
85	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	48,248	48,248

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86	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	50,549	50,549
87	0603906C	REGARDING TRENCH	12,564	27,564
		Program increase—MDA UFR		[15,000]
88	0603907C	SEA BASED X-BAND RADAR (SBX)	177,868	177,868
89	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	325,000
		U.S.-Israel cooperation on directed energy capabilities		[25,000]
90	0603914C	BALLISTIC MISSILE DEFENSE TEST	360,455	360,455
91	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	570,258	580,258
		Hypersonic Targets and Countermeasures Program		[10,000]
92	0603923D8Z	COALITION WARFARE	12,103	12,103
93	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G)	179,278	179,278
94	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,185	3,185
95	0604102C	GUAM DEFENSE DEVELOPMENT	397,578	397,578
97	0604124D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP	34,350	34,350
98	0604181C	HYPERSONIC DEFENSE	208,997	208,997
99	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,085,826	1,085,826
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	810,839	810,839
101	0604331D8Z	RAPID PROTOTYPING PROGRAM	110,291	110,291
102	0604331J	RAPID PROTOTYPING PROGRAM	9,880	9,880
104	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	2,643	2,643
105	0604551BR	CATAPULT INFORMATION SYSTEM	8,328	8,328
106	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T	53,726	53,726
108	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,206	3,206
109	0604790D8Z	RAPID DEFENSE EXPERIMENTATION RESERVE (RDER)	79,773	79,773
110	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	28,517	28,517
111	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	103,517	103,517
112	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	2,130,838	2,130,838
113	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	47,577	47,577
114	0604878C	AEGIS BMD TEST	193,484	193,484
115	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	111,049	111,049
116	0604880C	LAND-BASED SM–3 (LBSM3)	22,163	22,163
117	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	41,824	41,824
118	0202057C	SAFETY PROGRAM MANAGEMENT	2,484	2,484
119	0208059JCY	CYBERCOM ACTIVITIES	65,484	65,484
120	0208085JCY	ROBUST INFRASTRUCTURE AND ACCESS	170,182	170,182
121	0208086JCY	CYBER TRAINING ENVIRONMENT (CTE)	114,980	114,980
122	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,156	2,156
123	0305103C	CYBER SECURITY INITIATIVE	2,760	2,760
124	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS	3,000	3,000
125	0305251JCY	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,669	2,669
126	0901579D8Z	OFFICE OF STRATEGIC CAPITAL (OSC)	99,000	99,000
129	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	109,483	109,483
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**12,187,050**	**12,243,050**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
130	0604123D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—DEM/VAL ACTIVITIES.	615,246	615,246
131	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	6,229	6,229
132	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	382,977	382,977
133	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	9,775	9,775
134	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT	14,414	14,414
135	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	6,953	6,953
136	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	9,292	9,292
137	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	18,981	18,981
138	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	5,456	5,456
140	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	32,629	32,629
141	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS)	9,316	9,316
142	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	6,899	6,899
143	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	297,586	297,586
145	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	4,110	4,110
146	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	8,159	8,159
147	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION	14,471	14,471
148	0505167D8Z	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION	3,770	3,770
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**1,446,263**	**1,446,263**
		MANAGEMENT SUPPORT		
149	0603829J	JOINT CAPABILITY EXPERIMENTATION	12,402	12,402
150	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	12,746	12,746
151	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,426	8,426
152	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	833,792	833,792
153	0604942D8Z	ASSESSMENTS AND EVALUATIONS	5,810	5,810
154	0605001E	MISSION SUPPORT	99,090	99,090
155	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	187,421	187,421
156	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	61,477	61,477
158	0605142D8Z	SYSTEMS ENGINEERING	39,949	39,949
159	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	6,292	6,292
160	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	21,043	21,043
161	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	10,504	10,504
162	0605200D8Z	GENERAL SUPPORT TO OUSD(INTELLIGENCE AND SECURITY)	2,980	2,980
163	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	74,382	74,382
170	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,831	3,831

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
171	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	38,923	38,923
172	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	60,404	60,404
173	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	65,715	60,715
		Information Analysis Centers reduction		[–5,000]
174	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	26,037	26,037
175	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	37,353	37,353
176	0605898E	MANAGEMENT HQ—R&D	14,833	14,833
177	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	3,752	3,752
178	0606005D8Z	SPECIAL ACTIVITIES	18,088	18,088
179	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	14,427	14,427
180	0606114D8Z	ANALYSIS WORKING GROUP (AWG) SUPPORT	4,200	4,200
181	0606135D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO) ACTIVITIES	17,247	17,247
182	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,386	3,386
183	0606300D8Z	DEFENSE SCIENCE BOARD	2,352	2,352
184	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	213	213
186	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY	45,194	45,194
187	0606853BR	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	11,919	11,919
188	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,112	3,112
189	0204571J	JOINT STAFF ANALYTICAL SUPPORT	4,916	4,916
190	0208045K	C4I INTEROPERABILITY	66,152	66,152
195	0305172K	COMBINED ADVANCED APPLICATIONS	5,366	5,366
197	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,069	3,069
199	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	101,319	101,319
200	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI)	740	740
201	0901598C	MANAGEMENT HQ—MDA	28,363	28,363
202	0903235K	JOINT SERVICE PROVIDER (JSP)	5,177	5,177
9999	9999999999	CLASSIFIED PROGRAMS	36,315	63,315
		All Domain Anomaly Resolution Office		[27,000]
		SUBTOTAL MANAGEMENT SUPPORT	**1,998,717**	**2,020,717**
		OPERATIONAL SYSTEMS DEVELOPMENT		
203	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	42,482	42,482
205	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	1,017,141	1,045,141
		Domestic advanced microelectronics packaging		[5,000]
		Rapid Innovation Program		[20,000]
		Shipbuilding and ship repair workforce development		[3,000]
206	0607310D8Z	COUNTERPROLIFERATION SPECIAL PROJECTS: OPERATIONAL SYSTEMS DEVELOPMENT.	12,713	12,713
207	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,503	8,503
208	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	80,495	80,495
209	0208097JCY	CYBER COMMAND AND CONTROL (CYBER C2)	95,733	95,733
210	0208099JCY	DATA AND UNIFIED PLATFORM (D&UP)	138,558	138,558
214	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	19,299	19,299
215	0303126K	LONG-HAUL COMMUNICATIONS—DCS	37,726	37,726
216	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	5,037	5,037
218	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	97,171	97,171
220	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,351	8,351
222	0303153K	DEFENSE SPECTRUM ORGANIZATION	35,995	35,995
223	0303171K	JOINT PLANNING AND EXECUTION SERVICES	5,677	5,677
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	3,196	3,196
228	0305104D8Z	DEFENSE INDUSTRIAL BASE (DIB) CYBER SECURITY INITIATIVE	25,655	25,655
232	0305133V	INDUSTRIAL SECURITY ACTIVITIES	2,134	2,134
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	2,295	2,295
236	0305172D8Z	COMBINED ADVANCED APPLICATIONS	52,736	52,736
239	0305186D8Z	POLICY R&D PROGRAMS	6,263	6,263
240	0305199D8Z	NET CENTRICITY	23,275	23,275
242	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,214	6,214
249	0305327V	INSIDER THREAT	2,971	2,971
250	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	1,879	1,879
257	0306250JCY	CYBER OPERATIONS TECHNOLOGY SUPPORT	469,385	480,385
		Locked Shield Exercise		[4,000]
		Modernization of Department of Defense Internet Gateway Cyber Defense		[7,000]
261	0505167D8Z	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION	1,760	1,760
262	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,420	1,420
263	0708012S	PACIFIC DISASTER CENTERS	1,905	1,905
264	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	3,249	3,249
265	1105219BB	MQ–9 UAV	37,188	37,188
267	1160403BB	AVIATION SYSTEMS	216,174	216,174
268	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	86,737	86,737
269	1160408BB	OPERATIONAL ENHANCEMENTS	216,135	216,135
270	1160431BB	WARRIOR SYSTEMS	263,374	280,514
		Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat Acceleration		[11,250]
		Next-Generation Blue Force Tracker		[5,890]
271	1160432BB	SPECIAL PROGRAMS	529	529
272	1160434BB	UNMANNED ISR	6,727	6,727
273	1160480BB	SOF TACTICAL VEHICLES	9,335	9,335
274	1160483BB	MARITIME SYSTEMS	158,231	158,231
275	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	15,749	15,749
9999	9999999999	CLASSIFIED PROGRAMS	8,463,742	8,463,742
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**11,683,139**	**11,739,279**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
278	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	21,355	21,355
279	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	33,166	33,166
9999	9999999999	CLASSIFIED PROGRAMS	270,653	270,653
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**325,174**	**325,174**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**36,185,834**	**36,446,974**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	169,544	169,544
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	103,252	103,252
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	58,693	58,693
		SUBTOTAL MANAGEMENT SUPPORT	**331,489**	**331,489**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**331,489**	**331,489**
		TOTAL RDT&E	**144,979,625**	**146,140,912**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	3,943,409	3,943,409
020	MODULAR SUPPORT BRIGADES	225,238	225,238
030	ECHELONS ABOVE BRIGADE	947,395	947,395
040	THEATER LEVEL ASSETS	2,449,141	2,449,141
050	LAND FORCES OPERATIONS SUPPORT	1,233,070	1,233,070
060	AVIATION ASSETS	2,046,144	2,046,144
070	FORCE READINESS OPERATIONS SUPPORT	7,149,427	7,149,427
080	LAND FORCES SYSTEMS READINESS	475,435	475,435
090	LAND FORCES DEPOT MAINTENANCE	1,423,560	1,423,560
100	MEDICAL READINESS	951,499	951,499
110	BASE OPERATIONS SUPPORT	9,943,031	9,943,031
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	5,381,757	5,381,757
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	313,612	313,612
140	ADDITIONAL ACTIVITIES	454,565	454,565
150	RESET	447,987	447,987
160	US AFRICA COMMAND	414,680	414,680
170	US EUROPEAN COMMAND	408,529	408,529
180	US SOUTHERN COMMAND	285,692	285,692
190	US FORCES KOREA	88,463	88,463
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	507,845	507,845
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	704,667	704,667
	SUBTOTAL OPERATING FORCES	**39,795,146**	**39,795,146**
	MOBILIZATION		
230	STRATEGIC MOBILITY	470,143	470,143
240	ARMY PREPOSITIONED STOCKS	433,909	433,909
250	INDUSTRIAL PREPAREDNESS	4,244	4,244
	SUBTOTAL MOBILIZATION	**908,296**	**908,296**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	178,428	178,428
270	RECRUIT TRAINING	78,235	78,235
280	ONE STATION UNIT TRAINING	114,777	114,777
290	SENIOR RESERVE OFFICERS TRAINING CORPS	551,462	551,462
300	SPECIALIZED SKILL TRAINING	1,147,431	1,147,431
310	FLIGHT TRAINING	1,398,415	1,398,415
320	PROFESSIONAL DEVELOPMENT EDUCATION	200,779	200,779
330	TRAINING SUPPORT	682,896	682,896
340	RECRUITING AND ADVERTISING	690,280	833,336
	Army Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[138,056]
350	EXAMINING	195,009	195,009
360	OFF-DUTY AND VOLUNTARY EDUCATION	260,235	260,235
370	CIVILIAN EDUCATION AND TRAINING	250,252	250,252
380	JUNIOR RESERVE OFFICER TRAINING CORPS	204,895	204,895
	SUBTOTAL TRAINING AND RECRUITING	**5,953,094**	**6,096,150**
	ADMIN & SRVWIDE ACTIVITIES		
400	SERVICEWIDE TRANSPORTATION	718,323	718,323

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
410	CENTRAL SUPPLY ACTIVITIES	900,624	900,624
420	LOGISTIC SUPPORT ACTIVITIES	828,059	828,059
430	AMMUNITION MANAGEMENT	464,029	464,029
440	ADMINISTRATION	537,837	537,837
450	SERVICEWIDE COMMUNICATIONS	1,962,059	1,962,059
460	MANPOWER MANAGEMENT	361,553	361,553
470	OTHER PERSONNEL SUPPORT	829,248	829,248
480	OTHER SERVICE SUPPORT	2,370,107	2,370,107
490	ARMY CLAIMS ACTIVITIES	203,323	203,323
500	REAL ESTATE MANAGEMENT	286,682	286,682
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	455,928	455,928
520	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	39,867	39,867
530	INTERNATIONAL MILITARY HEADQUARTERS	610,201	610,201
540	MISC. SUPPORT OF OTHER NATIONS	38,948	38,948
999	CLASSIFIED PROGRAMS	2,291,229	2,291,229
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**12,898,017**	**12,898,017**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–337,600
	Foreign currency fluctuations		[–208,000]
	Unobligated balances		[–129,600]
	SUBTOTAL UNDISTRIBUTED	**0**	**–337,600**
	TOTAL OPERATION & MAINTENANCE, ARMY	**59,554,553**	**59,360,009**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	15,208	15,208
020	ECHELONS ABOVE BRIGADE	720,802	720,802
030	THEATER LEVEL ASSETS	143,400	143,400
040	LAND FORCES OPERATIONS SUPPORT	707,654	707,654
050	AVIATION ASSETS	134,346	134,346
060	FORCE READINESS OPERATIONS SUPPORT	451,178	451,178
070	LAND FORCES SYSTEMS READINESS	97,564	97,564
080	LAND FORCES DEPOT MAINTENANCE	45,711	45,711
090	BASE OPERATIONS SUPPORT	608,079	608,079
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	495,435	495,435
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	3,153	3,153
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	19,591	19,591
	SUBTOTAL OPERATING FORCES	**3,470,904**	**3,470,904**
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	19,155	19,155
150	ADMINISTRATION	21,668	21,668
160	SERVICEWIDE COMMUNICATIONS	44,118	44,118
170	MANPOWER MANAGEMENT	7,127	7,127
180	RECRUITING AND ADVERTISING	67,976	74,651
	Recruiting and advertising increase		[6,675]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**160,044**	**166,719**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–14,300
	Foreign currency fluctuations		[–10,900]
	Unobligated balances		[–3,400]
	SUBTOTAL UNDISTRIBUTED	**0**	**–14,300**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**3,630,948**	**3,623,323**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	925,071	925,071
020	MODULAR SUPPORT BRIGADES	201,781	201,781
030	ECHELONS ABOVE BRIGADE	840,373	840,373
040	THEATER LEVEL ASSETS	107,392	107,392
050	LAND FORCES OPERATIONS SUPPORT	62,908	62,908
060	AVIATION ASSETS	1,113,908	1,113,908
070	FORCE READINESS OPERATIONS SUPPORT	832,946	832,946
080	LAND FORCES SYSTEMS READINESS	50,696	50,696
090	LAND FORCES DEPOT MAINTENANCE	231,784	231,784
100	BASE OPERATIONS SUPPORT	1,249,066	1,249,066
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,081,561	1,081,561
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,468,857	1,468,857
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	9,566	9,566
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	15,710	15,710
	SUBTOTAL OPERATING FORCES	**8,191,619**	**8,191,619**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	7,251	7,251
160	ADMINISTRATION	66,025	66,025
170	SERVICEWIDE COMMUNICATIONS	113,366	113,366
180	MANPOWER MANAGEMENT	8,663	8,663

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
190	OTHER PERSONNEL SUPPORT	292,426	343,146
	Recruiting and advertising increase		[50,720]
200	REAL ESTATE MANAGEMENT	3,754	3,754
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**491,485**	**542,205**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–52,400
	Foreign currency fluctuations		[–29,000]
	Unobligated balances		[–23,400]
	SUBTOTAL UNDISTRIBUTED	**0**	**–52,400**
	TOTAL OPERATION & MAINTENANCE, ARNG	**8,683,104**	**8,681,424**
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	241,950	241,950
020	SYRIA	156,000	156,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**397,950**	**397,950**
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**397,950**	**397,950**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	7,882,504	7,882,504
020	FLEET AIR TRAINING	2,773,957	2,773,957
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	73,047	73,047
040	AIR OPERATIONS AND SAFETY SUPPORT	213,862	213,862
050	AIR SYSTEMS SUPPORT	1,155,463	1,158,463
	Advanced nucleated foam engine performance and restoration program		[3,000]
060	AIRCRAFT DEPOT MAINTENANCE	1,857,021	1,857,021
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	66,822	66,822
080	AVIATION LOGISTICS	1,871,670	1,871,670
090	MISSION AND OTHER SHIP OPERATIONS	7,015,796	7,015,796
100	SHIP OPERATIONS SUPPORT & TRAINING	1,301,108	1,301,108
110	SHIP DEPOT MAINTENANCE	11,164,249	11,164,249
120	SHIP DEPOT OPERATIONS SUPPORT	2,728,712	2,728,712
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,776,881	1,776,881
140	SPACE SYSTEMS AND SURVEILLANCE	389,915	389,915
150	WARFARE TACTICS	1,005,998	1,005,998
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	455,330	455,330
170	COMBAT SUPPORT FORCES	2,350,089	2,356,089
	Naval Small Craft Instruction and Technical Training School		[6,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	189,044	189,044
200	COMBATANT COMMANDERS CORE OPERATIONS	92,504	92,504
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	352,980	352,980
230	CYBERSPACE ACTIVITIES	522,180	522,180
240	FLEET BALLISTIC MISSILE	1,763,238	1,763,238
250	WEAPONS MAINTENANCE	1,640,642	1,640,642
260	OTHER WEAPON SYSTEMS SUPPORT	696,653	696,653
270	ENTERPRISE INFORMATION	1,780,645	1,780,645
280	SUSTAINMENT, RESTORATION AND MODERNIZATION	4,406,192	4,406,192
290	BASE OPERATING SUPPORT	6,223,827	6,271,827
	Navy divestment of electrical utility operations at former Naval Air Station Barbers Point		[48,000]
	SUBTOTAL OPERATING FORCES	**61,750,329**	**61,807,329**
	MOBILIZATION		
300	SHIP PREPOSITIONING AND SURGE	475,255	475,255
310	READY RESERVE FORCE	701,060	701,060
320	SHIP ACTIVATIONS/INACTIVATIONS	302,930	302,930
330	EXPEDITIONARY HEALTH SERVICES SYSTEMS	151,966	151,966
340	COAST GUARD SUPPORT	21,464	21,464
	SUBTOTAL MOBILIZATION	**1,652,675**	**1,652,675**
	TRAINING AND RECRUITING		
350	OFFICER ACQUISITION	201,555	201,555
360	RECRUIT TRAINING	16,521	16,521
370	RESERVE OFFICERS TRAINING CORPS	175,171	175,171
380	SPECIALIZED SKILL TRAINING	1,238,894	1,238,894
390	PROFESSIONAL DEVELOPMENT EDUCATION	335,603	335,603
400	TRAINING SUPPORT	390,931	390,931
410	RECRUITING AND ADVERTISING	269,483	355,328
	Navy Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[80,845]
420	OFF-DUTY AND VOLUNTARY EDUCATION	90,452	90,452
430	CIVILIAN EDUCATION AND TRAINING	73,406	73,406
440	JUNIOR ROTC	58,970	58,970
	SUBTOTAL TRAINING AND RECRUITING	**2,850,986**	**2,936,831**
	ADMIN & SRVWD ACTIVITIES		
450	ADMINISTRATION	1,350,449	1,350,449
460	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	242,760	242,760
470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	745,666	745,666

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
490	MEDICAL ACTIVITIES	323,978	323,978
500	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	67,357	67,357
510	SERVICEWIDE TRANSPORTATION	248,822	248,822
530	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	616,816	616,816
540	ACQUISITION, LOGISTICS, AND OVERSIGHT	850,906	850,906
550	INVESTIGATIVE AND SECURITY SERVICES	888,508	888,508
999	CLASSIFIED PROGRAMS	655,281	655,281
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**5,990,543**	**5,990,543**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–498,400
	Foreign currency fluctuations		[–236,300]
	Unobligated balances		[–262,100]
	SUBTOTAL UNDISTRIBUTED	**0**	**–498,400**
	TOTAL OPERATION & MAINTENANCE, NAVY	**72,244,533**	**71,888,978**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,799,964	1,799,964
020	FIELD LOGISTICS	1,878,228	1,878,228
030	DEPOT MAINTENANCE	211,460	211,460
040	MARITIME PREPOSITIONING	137,831	137,831
060	CYBERSPACE ACTIVITIES	205,449	205,449
070	SUSTAINMENT, RESTORATION & MODERNIZATION	1,211,183	1,211,183
080	BASE OPERATING SUPPORT	3,124,551	3,124,551
	SUBTOTAL OPERATING FORCES	**8,568,666**	**8,568,666**
	TRAINING AND RECRUITING		
090	RECRUIT TRAINING	26,284	26,284
100	OFFICER ACQUISITION	1,316	1,316
110	SPECIALIZED SKILL TRAINING	133,176	133,176
120	PROFESSIONAL DEVELOPMENT EDUCATION	66,213	66,213
130	TRAINING SUPPORT	570,152	570,152
140	RECRUITING AND ADVERTISING	246,586	300,903
	Marine Corps Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[49,317]
150	OFF-DUTY AND VOLUNTARY EDUCATION	55,230	55,230
160	JUNIOR ROTC	29,616	29,616
	SUBTOTAL TRAINING AND RECRUITING	**1,128,573**	**1,182,890**
	ADMIN & SRVWD ACTIVITIES		
180	SERVICEWIDE TRANSPORTATION	90,366	90,366
190	ADMINISTRATION	428,650	428,650
999	CLASSIFIED PROGRAMS	65,658	65,658
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**584,674**	**584,674**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–108,900
	Foreign currency fluctuations		[–33,800]
	Unobligated balances		[–75,100]
	SUBTOTAL UNDISTRIBUTED	**0**	**–108,900**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**10,281,913**	**10,227,330**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	731,113	731,113
020	INTERMEDIATE MAINTENANCE	10,122	10,122
030	AIRCRAFT DEPOT MAINTENANCE	167,811	167,811
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	103	103
050	AVIATION LOGISTICS	29,185	29,185
060	COMBAT COMMUNICATIONS	20,806	20,806
070	COMBAT SUPPORT FORCES	186,590	186,590
080	CYBERSPACE ACTIVITIES	296	296
090	ENTERPRISE INFORMATION	32,467	32,467
100	SUSTAINMENT, RESTORATION AND MODERNIZATION	63,726	63,726
110	BASE OPERATING SUPPORT	121,064	121,064
	SUBTOTAL OPERATING FORCES	**1,363,283**	**1,363,283**
	ADMIN & SRVWD ACTIVITIES		
120	ADMINISTRATION	2,025	2,025
130	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,401	13,401
140	ACQUISITION AND PROGRAM MANAGEMENT	2,101	2,101
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**17,527**	**17,527**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–8,100
	Foreign currency fluctuations		[–3,900]
	Unobligated balances		[–4,200]
	SUBTOTAL UNDISTRIBUTED	**0**	**–8,100**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,380,810**	**1,372,710**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	128,468	128,468
020	DEPOT MAINTENANCE	20,967	20,967
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	46,589	46,589
040	BASE OPERATING SUPPORT	120,808	120,808
	SUBTOTAL OPERATING FORCES	**316,832**	**316,832**
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	12,563	12,563
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**12,563**	**12,563**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–4,900
	Foreign currency fluctuations		[–3,900]
	Unobligated balances		[–1,000]
	SUBTOTAL UNDISTRIBUTED	**0**	**–4,900**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**329,395**	**324,495**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	980,768	966,068
	DAF requested realignment of funds		[–14,700]
020	COMBAT ENHANCEMENT FORCES	2,665,924	2,665,924
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,630,552	1,630,552
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	4,632,693	4,632,693
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,252,815	4,194,663
	DAF requested realignment of funds		[–58,152]
060	CYBERSPACE SUSTAINMENT	229,440	229,440
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	9,537,192	9,537,192
080	FLYING HOUR PROGRAM	6,697,549	6,697,549
090	BASE SUPPORT	11,633,510	11,425,018
	DAF requested realignment of funds		[–223,192]
	DAF requested realignment of funds from SAG 11A		[14,700]
100	GLOBAL C3I AND EARLY WARNING	1,350,827	1,319,876
	DAF requested realignment of funds		[–30,951]
110	OTHER COMBAT OPS SPT PROGRAMS	1,817,941	1,817,941
120	CYBERSPACE ACTIVITIES	807,966	807,966
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	267,615	267,615
160	US NORTHCOM/NORAD	245,263	245,263
170	US STRATCOM	541,720	541,720
190	US CENTCOM	335,220	329,220
	Office of Security Cooperation-Iraq reduction		[–6,000]
200	US SOCOM	27,511	27,511
210	US TRANSCOM	607	607
220	CENTCOM CYBERSPACE SUSTAINMENT	1,415	1,415
230	USSPACECOM	373,989	373,989
240	MEDICAL READINESS	564,880	562,596
	DAF requested realignment of funds		[–2,284]
999	CLASSIFIED PROGRAMS	1,465,926	1,465,926
	SUBTOTAL OPERATING FORCES	**51,527,249**	**51,206,670**
	MOBILIZATION		
260	AIRLIFT OPERATIONS	3,012,287	3,012,287
270	MOBILIZATION PREPAREDNESS	241,918	241,918
	SUBTOTAL MOBILIZATION	**3,254,205**	**3,254,205**
	TRAINING AND RECRUITING		
280	OFFICER ACQUISITION	202,769	202,769
290	RECRUIT TRAINING	28,892	28,892
300	RESERVE OFFICERS TRAINING CORPS (ROTC)	137,647	137,647
310	SPECIALIZED SKILL TRAINING	588,131	588,131
320	FLIGHT TRAINING	875,230	875,230
330	PROFESSIONAL DEVELOPMENT EDUCATION	301,262	301,262
340	TRAINING SUPPORT	194,609	194,609
350	RECRUITING AND ADVERTISING	204,318	250,182
	Air Force Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[40,864]
360	EXAMINING	7,775	7,775
370	OFF-DUTY AND VOLUNTARY EDUCATION	263,421	263,421
380	CIVILIAN EDUCATION AND TRAINING	343,039	343,039
390	JUNIOR ROTC	75,666	75,666
	SUBTOTAL TRAINING AND RECRUITING	**3,222,759**	**3,268,623**
	ADMIN & SRVWD ACTIVITIES		
400	LOGISTICS OPERATIONS	1,062,199	1,062,199
410	TECHNICAL SUPPORT ACTIVITIES	162,919	162,919
420	ADMINISTRATION	1,409,015	1,409,015
430	SERVICEWIDE COMMUNICATIONS	30,268	30,268

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
440	OTHER SERVICEWIDE ACTIVITIES	1,851,856	1,856,376
	DAF requested realignment of funds		[4,520]
450	CIVIL AIR PATROL	30,901	30,901
460	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	42,759	42,759
480	INTERNATIONAL SUPPORT	115,267	115,267
999	CLASSIFIED PROGRAMS	1,506,624	1,506,624
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**7,718,432**	**7,722,952**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–442,200
	Foreign currency fluctuations		[–208,500]
	Unobligated balances		[–233,700]
	SUBTOTAL UNDISTRIBUTED	**0**	**–442,200**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**65,722,645**	**65,010,250**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	642,201	642,201
020	SPACE LAUNCH OPERATIONS	356,162	356,162
030	SPACE OPERATIONS	866,547	866,547
040	EDUCATION & TRAINING	199,181	217,353
	DAF requested realignment of funds		[18,172]
050	SPECIAL PROGRAMS	383,233	383,233
060	DEPOT MAINTENANCE	67,757	67,757
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	678,648	678,648
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,380,350	1,380,350
090	SPACE OPERATIONS -BOS	188,760	188,760
999	CLASSIFIED PROGRAMS	71,475	71,475
	SUBTOTAL OPERATING FORCES	**4,834,314**	**4,852,486**
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
100	LOGISTICS OPERATIONS	34,046	34,046
110	ADMINISTRATION	149,108	130,936
	DAF requested realignment of funds		[–18,172]
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	**183,154**	**164,982**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–87,100
	Foreign currency fluctuations		[–14,100]
	Unobligated balances		[–73,000]
	SUBTOTAL UNDISTRIBUTED	**0**	**–87,100**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**5,017,468**	**4,930,368**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,088,949	2,116,429
	Military technician (dual status) end strength		[27,480]
020	MISSION SUPPORT OPERATIONS	198,213	198,213
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	647,758	647,758
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	122,314	122,314
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	374,442	374,442
060	BASE SUPPORT	543,962	543,962
070	CYBERSPACE ACTIVITIES	1,742	1,742
	SUBTOTAL OPERATING FORCES	**3,977,380**	**4,004,860**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	107,281	107,281
090	RECRUITING AND ADVERTISING	9,373	11,248
	Recruiting and advertising increase		[1,875]
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	15,563	15,563
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,174	6,174
120	AUDIOVISUAL	485	485
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**138,876**	**140,751**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–46,700
	Foreign currency fluctuations		[–12,500]
	Unobligated balances		[–34,200]
	SUBTOTAL UNDISTRIBUTED	**0**	**–46,700**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**4,116,256**	**4,098,911**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,498,675	2,498,675
020	MISSION SUPPORT OPERATIONS	656,714	796,394
	Military technician (dual status) end strength		[139,680]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,171,901	1,171,901
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	370,188	370,188
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,280,003	1,280,003

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
060	BASE SUPPORT	1,089,579	1,089,579
070	CYBERSPACE SUSTAINMENT	19,708	19,708
080	CYBERSPACE ACTIVITIES	49,476	49,476
	SUBTOTAL OPERATING FORCES	**7,136,244**	**7,275,924**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	68,417	68,417
100	RECRUITING AND ADVERTISING	49,033	72,433
	Recruiting and advertising increase		[23,400]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**117,450**	**140,850**
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	–46,200
	Foreign currency fluctuations		[–24,300]
	Unobligated balances		[–21,900]
	SUBTOTAL UNDISTRIBUTED	**0**	**–46,200**
	TOTAL OPERATION & MAINTENANCE, ANG	**7,253,694**	**7,370,574**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	461,370	457,770
	Unobligated balances		[–3,600]
020	JOINT CHIEFS OF STAFF—JTEEP	701,081	701,081
030	JOINT CHIEFS OF STAFF—CYBER	8,210	8,210
040	OFFICE OF THE SECRETARY OF DEFENSE—MISO	252,480	252,480
060	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,012,953	2,012,953
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,210,930	1,206,930
	MQ–9 Unmanned Aerial Vehicle unjustified increase		[–4,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	202,574	202,574
090	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,346,004	3,351,004
	Special Operations Forces cyber training		[5,000]
100	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	49,757	49,757
110	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,391,402	1,391,402
120	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,438,967	1,438,967
130	CYBERSPACE OPERATIONS	1,318,614	1,328,614
	Modernization of Department of Defense Internet Gateway Cyber Defense		[10,000]
140	USCYBERCOM HEADQUARTERS	332,690	332,690
	SUBTOTAL OPERATING FORCES	**12,727,032**	**12,734,432**
	TRAINING AND RECRUITING		
150	DEFENSE ACQUISITION UNIVERSITY	183,342	183,342
160	JOINT CHIEFS OF STAFF	118,172	118,172
170	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DEVELOPMENT EDUCATION	33,855	33,855
	SUBTOTAL TRAINING AND RECRUITING	**335,369**	**335,369**
	ADMIN & SRVWIDE ACTIVITIES		
180	CIVIL MILITARY PROGRAMS	142,240	139,740
	Unobligated balances		[–2,500]
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	4,870	4,870
200	DEFENSE CONTRACT AUDIT AGENCY	667,943	665,243
	Unobligated balances		[–2,700]
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,567,119	1,551,619
	Unobligated balances		[–15,500]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	30,279	20,279
	Cybersecurity Maturity Model Certification program reduction		[–10,000]
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	1,062,123	1,062,123
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,835	9,835
260	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	27,517	27,517
270	DEFENSE HUMAN RESOURCES ACTIVITY	1,033,789	1,033,789
300	DEFENSE INFORMATION SYSTEMS AGENCY	2,567,698	2,557,798
	Unobligated balances		[–9,900]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	526,893	526,893
320	DEFENSE LEGAL SERVICES AGENCY	241,779	219,379
	Unobligated balances		[–22,400]
330	DEFENSE LOGISTICS AGENCY	446,731	446,731
340	DEFENSE MEDIA ACTIVITY	246,840	246,840
360	DEFENSE POW/MIA OFFICE	195,959	195,959
370	DEFENSE SECURITY COOPERATION AGENCY	2,379,100	2,389,100
	Irregular Warfare Functional Center		[10,000]
380	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	41,722	41,722
390	DEFENSE THREAT REDUCTION AGENCY	984,272	984,272
410	DEFENSE THREAT REDUCTION AGENCY—CYBER	70,548	70,548
420	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,451,625	3,531,625
	Impact Aid		[50,000]
	Impact Aid for children with severe disabilities		[30,000]
430	MISSILE DEFENSE AGENCY	564,078	564,078
440	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION	118,216	138,216
	Defense Manufacturing Community Support Program		[20,000]
480	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	92,176	92,176
490	OFFICE OF THE SECRETARY OF DEFENSE	2,676,416	2,718,116
	Bien Hoa dioxin cleanup		[15,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	Centers for Disease Control and Prevention Nation-wide human health assessment		[5,000]
	Readiness and Environmental Protection Integration program		[20,200]
	United States Telecommunications Training Institute		[1,500]
530	WASHINGTON HEADQUARTERS SERVICES	440,947	440,947
999	CLASSIFIED PROGRAMS	20,114,447	20,114,447
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**39,705,162**	**39,793,862**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**52,767,563**	**52,863,663**
	UNDISTRIBUTED		
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
997	UNDISTRIBUTED	0	–51,000
	Program reduction—USSOCOM		[–51,000]
998	UNDISTRIBUTED	0	–15,000
	Unobligated balances		[–15,000]
	SUBTOTAL UNDISTRIBUTED	**0**	**–66,000**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**0**	**–66,000**
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	16,620	16,620
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF	**16,620**	**16,620**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**16,620**	**16,620**
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	114,900	114,900
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	**114,900**	**114,900**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**114,900**	**114,900**
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	350,999	350,999
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	**350,999**	**350,999**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**350,999**	**350,999**
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	54,977	54,977
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	**54,977**	**54,977**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**54,977**	**54,977**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	198,760	198,760
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	**198,760**	**198,760**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**198,760**	**198,760**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,240	335,240
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	**335,240**	**335,240**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**335,240**	**335,240**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	349,744	349,744
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	**349,744**	**349,744**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**349,744**	**349,744**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,965	8,965
	SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE	**8,965**	**8,965**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**8,965**	**8,965**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	232,806	232,806
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	**232,806**	**232,806**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**232,806**	**232,806**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE	**293,043,843**	**291,746,996**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2024 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	168,320,510	166,779,670
Air Force end strength underexecution		[–564,000]
Air National Guard AGR end strength underexecution		[–45,600]
Air National Reserve AGR end strength underexecution		[–8,040]
Navy end strength underexecution		[–600,000]
Unobligated balances		[–323,200]
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	**168,320,510**	**166,779,670**
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	10,553,456	10,553,456
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	**10,553,456**	**10,553,456**
TOTAL MILITARY PERSONNEL	**178,873,966**	**177,333,126**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
010	INDUSTRIAL OPERATIONS	27,551	27,551
020	SUPPLY MANAGEMENT—ARMY	1,662	1,662
	SUBTOTAL WORKING CAPITAL FUND, ARMY	**29,213**	**29,213**
	WORKING CAPITAL FUND, AIR FORCE		
020	SUPPLIES AND MATERIALS	83,587	83,587
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	**83,587**	**83,587**
	NATIONAL DEFENSE STOCKPILE TRANSACTION FUND		
010	DEFENSE STOCKPILE	7,629	7,629
	SUBTOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND	**7,629**	**7,629**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	DEFENSE AUTOMATION & PRODUCTION SERVICES	4	4
040	ENERGY MANAGEMENT—DEF	114,663	114,663
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**114,667**	**114,667**
	WORKING CAPITAL FUND, DECA		
010	WORKING CAPITAL FUND, DECA	1,447,612	1,447,612
	SUBTOTAL WORKING CAPITAL FUND, DECA	**1,447,612**	**1,447,612**
	TOTAL WORKING CAPITAL FUND	**1,682,708**	**1,682,708**
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	OPERATION & MAINTENANCE		
1	CHEM DEMILITARIZATION—O&M	89,284	89,284
	SUBTOTAL OPERATION & MAINTENANCE	**89,284**	**89,284**
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	CHEM DEMILITARIZATION—RDT&E	1,002,560	1,002,560
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	**1,002,560**	**1,002,560**
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**1,091,844**	**1,091,844**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTRDCTN		
010	COUNTER-NARCOTICS SUPPORT	643,848	643,848
	SUBTOTAL DRUG INTRDCTN	**643,848**	**643,848**
	DRUG DEMAND REDUCTION PROGRAM		
020	DRUG DEMAND REDUCTION PROGRAM	134,313	134,313
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	**134,313**	**134,313**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
030	NATIONAL GUARD COUNTER-DRUG PROGRAM	102,272	102,272
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	**102,272**	**102,272**
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
040	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,993	5,993
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	**5,993**	**5,993**
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**886,426**	**886,426**
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OPERATION AND MAINTENANCE	518,919	518,919
020	OPERATION AND MAINTENANCE	1,948	1,948
030	RDT&E	3,400	3,400
040	PROCUREMENT	1,098	1,098
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**520,867**	**520,867**
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**3,400**	**3,400**
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**1,098**	**1,098**
	TOTAL OFFICE OF THE INSPECTOR GENERAL	**525,365**	**525,365**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	10,044,342	10,044,342
020	PRIVATE SECTOR CARE	19,893,028	19,893,028
030	CONSOLIDATED HEALTH SUPPORT	2,007,012	2,007,012
040	INFORMATION MANAGEMENT	2,327,816	2,327,816
050	MANAGEMENT ACTIVITIES	347,446	347,446
060	EDUCATION AND TRAINING	336,111	336,111
070	BASE OPERATIONS/COMMUNICATIONS	2,144,551	2,144,551
	SUBTOTAL OPERATION & MAINTENANCE	**37,100,306**	**37,100,306**
	RDT&E		
080	R&D RESEARCH	40,311	40,311
090	R&D EXPLORATRY DEVELOPMENT	178,892	178,892
100	R&D ADVANCED DEVELOPMENT	327,040	327,040
110	R&D DEMONSTRATION/VALIDATION	172,351	172,351
120	R&D ENGINEERING DEVELOPMENT	107,753	107,753
130	R&D MANAGEMENT AND SUPPORT	87,096	87,096
140	R&D CAPABILITIES ENHANCEMENT	18,330	18,330
	SUBTOTAL RDT&E	**931,773**	**931,773**
	PROCUREMENT		
150	PROC INITIAL OUTFITTING	22,344	22,344
160	PROC REPLACEMENT & MODERNIZATION	238,435	238,435
170	PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	29,537	29,537
180	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	74,055	74,055
190	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	17,510	17,510
	SUBTOTAL PROCUREMENT	**381,881**	**381,881**
	TOTAL DEFENSE HEALTH PROGRAM	**38,413,960**	**38,413,960**
	TOTAL OTHER AUTHORIZATIONS	**42,600,303**	**42,600,303**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
	Alabama			
Army	Anniston Army Depot	OPEN STORAGE (P&D)	0	270
Army	Redstone Arsenal	SUBSTATION	50,000	50,000
	Alaska			
Army	Fort Wainwright	COST TO COMPLETE: ENLISTED UNACCOMPANIED PERS HSG	34,000	34,000
Army	Fort Wainwright	SOLDER PERFORMANCE READINESS CENTER (P&D)	0	7,900
	Georgia			
Army	Fort Eisenhower	CYBER INSTRUCTIONAL FACILITY (CLASSROOMS)	163,000	73,000
	Germany			
Army	Grafenwoehr	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	10,400	10,400
Army	Hohenfels	SIMULATIONS CENTER	56,000	56,000
	Hawaii			
Army	Aliamanu Military Reservation	WATER STORAGE TANK	20,000	20,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Army	Fort Shafter	CLEARWELL AND BOOSTER PUMP	0	23,000
Army	Helemano Military Reservation	WELLS AND STORAGE TANK	0	33,000
Army	Schofield Barracks	ELEVATED TANK AND DISTRIBUTION LINE	0	21,000
Army	Schofield Barracks	WATER STORAGE TANK	0	16,000
Army	Wheeler Army Airfield	AIR TRAFFIC CONTROL TOWER (P&D)	0	5,400
	Indiana			
Army	Crane Army Ammunition Plant	EARTH COVERED MAGAZINES (P&D)	0	1,195
	Kansas			
Army	Fort Riley	AIR TRAFFIC CONTROL TOWER (P&D)	0	1,600
Army	Fort Riley	AIRCRAFT MAINTENANCE HANGER	105,000	105,000
	Kentucky			
Army	Blue Grass Army Depot	SMALL ARMS MODERNIZATION (P&D)	0	3,300
Army	Fort Campbell	AIR TRAFFIC CONTROL TOWER (P&D)	0	2,500
Army	Fort Campbell	MULTIPURPOSE TRAINING RANGE	38,000	38,000
Army	Fort Knox	MIDDLE SCHOOL ADDITION (P&D)	0	6,600
	Kwajalein			
Army	Kwajalein Atoll	COST TO COMPLETE: PIER	0	15,000
	Louisiana			
Army	Fort Johnson	MULTIPURPOSE ATHLETIC FIELD	0	13,400
	Massachusetts			
Army	Soldier Systems Center Natick	BARRACKS ADDITION	18,500	18,500
	Michigan			
Army	Detroit Arsenal	GROUND TRANSPORT EQUIPMENT BUILDING	72,000	72,000
	New Mexico			
Army	White Sands Missile Range	J-DETC DIRECTED ENERGY FACILITY (P&D)	0	5,500
	New York			
Army	Watervliet Arsenal	TANK FARM (P&D)	0	160
	North Carolina			
Army	Fort Liberty	AUTOMATED RECORD FIRE RANGE	19,500	19,500
Army	Fort Liberty	BARRACKS	50,000	50,000
Army	Fort Liberty	BARRACKS (FACILITY PROTOTYPING)	85,000	85,000
	Oklahoma			
Army	McAlester Army Ammunition Plant	WATER TREATMENT PLANT (P&D)	0	1,194
	Pennsylvania			
Army	Letterkenny Army Depot	ANECHOIC CHAMBER (P&D)	0	275
Army	Letterkenny Army Depot	GUIDED MISSILE MAINTENANCE BUILDING	89,000	89,000
Army	Tobyhanna Army Depot	HELIPAD (P&D)	0	311
Army	Tobyhanna Army Depot	RADAR MAINTENANCE SHOP (P&D)	0	259
	Poland			
Army	Various Locations	PLANNING & DESIGN	0	25,710
	South Carolina			
Army	Fort Jackson	COST TO COMPLETE: RECEPTION BARRACKS COMPLEX, PHASE 2	0	66,000
	Texas			
Army	Fort Bliss	RAIL YARD	74,000	74,000
Army	Fort Cavazos	BARRACKS (P&D)	0	20,000
Army	Fort Cavazos	TACTICAL EQUIPMENT MAINTENANCE FACILITIES (P&D)	0	5,800
Army	Red River Army Depot	COMPONENT REBUILD SHOP	113,000	46,400
Army	Red River Army Depot	NON-DESTRUCTIVE TESTING FACILITY (P&D)	0	280
Army	Red River Army Depot	STANDBY GENERATOR (P&D)	0	270
	Virginia			
Army	Fort Belvoir	EQUINE TRAINING FACILITY (P&D)	0	4,000
	Washington			
Army	Joint Base Lewis-McChord	BARRACKS	100,000	100,000
Army	Joint Base Lewis-McChord	VEHICLE MAINTENANCE SHOP (P&D)	0	7,500
	Worldwide Unspecified			
Army	Unspecified Worldwide	BARRACKS REPLACEMENT FUND	0	50,000
Army	Unspecified Worldwide Locations	HOST NATION SUPPORT	26,000	26,000
Army	Unspecified Worldwide Locations	MINOR CONSTRUCTION	76,280	76,280
Army	Unspecified Worldwide Locations	PLANNING & DESIGN	270,875	270,875
Subtotal Military Construction, Army			**1,470,555**	**1,651,379**
NAVY				
	Australia			
Navy	Royal Australian Air Force Base Darwin	PDI: AIRCRAFT PARKING APRON (INC)	134,624	134,624
	California			
Navy	Marine Corps Air Ground Combat Center Twentynine Palms	COMMUNICATIONS TOWERS	42,100	42,100
Navy	Port Hueneme	LABORATORY COMPOUND FACILITIES IMPROVEMENTS	110,000	15,000
	Connecticut			
Navy	Naval Submarine Base New London	SUBMARINE PIER 31 EXTENSION	112,518	36,718
Navy	Naval Submarine Base New London	WEAPONS MAGAZINE & ORDNANCE OPERATIONS FAC.	219,200	19,200
	District of Columbia			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Navy	Marine Barracks Washington	BACHELOR ENLISTED QUARTERS & SUPPORT FACILITY	131,800	16,800
	Djibouti			
Navy	Camp Lemonnier	ELECTRICAL POWER PLANT	0	20,000
	Florida			
Navy	Naval Air Station Whiting Field	AHTS HANGAR	0	50,000
	Guam			
Navy	Andersen Air Force Base	PDI: CHILD DEVELOPMENT CENTER	105,220	55,220
Navy	Andersen Air Force Base	PDI: JOINT CONSOL. COMM. CENTER (INC)	107,000	107,000
Navy	Joint Region Marianas	PDI: JOINT COMMUNICATION UPGRADE (INC)	292,830	31,330
Navy	Joint Region Marianas	PDI: MISSILE INTEGRATION TEST FACILITY	174,540	44,540
Navy	Naval Base Guam	PDI: 9TH ESB TRAINING COMPLEX	23,380	23,380
Navy	Naval Base Guam	PDI: ARTILLERY BATTERY FACILITIES	137,550	67,550
Navy	Naval Base Guam	PDI: CONSOLIDATED MEB HQ/NCIS PHII	19,740	19,740
Navy	Naval Base Guam	PDI: RECREATION CENTER	34,740	34,740
Navy	Naval Base Guam	PDI: RELIGIOUS MINISTRY SERVICES FACILITY	46,350	46,350
Navy	Naval Base Guam	PDI: SATELLITE COMMUNICATIONS FACILITY (INC)	166,159	56,159
Navy	Naval Base Guam	PDI: TRAINING CENTER	89,640	89,640
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	DRY DOCK 3 REPLACEMENT (INC)	1,318,711	1,318,711
Navy	Joint Base Pearl Harbor-Hickam	WATERFRONT PRODUCTION FACILITY (P&D)	0	60,000
Navy	Marine Corps Base Kaneohe Bay	WATER RECLAMATION FACILITY COMPLIANCE UPGRADE	0	40,000
	Italy			
Navy	Naval Air Station Sigonella	EDI: ORDNANCE MAGAZINES	77,072	77,072
	Maine			
Navy	Portsmouth Naval Shipyard	MULTI-MISSION DRYDOCK #1 EXTENSION (INC)	544,808	544,808
	Maryland			
Navy	Fort Meade	CYBERSECURITY OPERATIONS FACILITY	186,480	60,580
Navy	Naval Air Station Patuxent River	AIRCRAFT DEVELOPMENT AND MAINTENANCE FACILITIES	141,700	62,000
	North Carolina			
Navy	Marine Corps Air Station Cherry Point	2D LAAD MAINTENANCE AND OPERATIONS FACILITIES	0	50,000
Navy	Marine Corps Air Station Cherry Point	AIRCRAFT MAINTENANCE HANGAR (INC)	19,529	19,529
Navy	Marine Corps Air Station Cherry Point	MAINTENANCE FACILITY & MARINE AIR GROUP HQS	125,150	40,150
Navy	Marine Corps Base Camp Lejeune	10TH MARINES MAINTENANCE & OPERATIONS COMPLEX	0	20,000
Navy	Marine Corps Base Camp Lejeune	CORROSION REPAIR FACILITY REPLACEMENT	0	20,000
	Pennsylvania			
Navy	Naval Surface Warfare Center Philadelphia	AI MACHINERY CONTROL DEVELOPMENT CENTER	0	88,200
	Virginia			
Navy	Dam Neck Annex	MARITIME SURVEILLANCE SYSTEM FACILITY	109,680	109,680
Navy	Joint Expeditionary Base Little Creek—Fort Story	CHILD DEVELOPMENT CENTER	35,000	35,000
Navy	Marine Corps Base Quantico	WATER TREATMENT PLANT	127,120	37,120
Navy	Naval Station Norfolk	CHILD DEVELOPMENT CENTER	43,600	43,600
Navy	Naval Station Norfolk	MQ–25 AIRCRAFT LAYDOWN FACILITIES	114,495	11,495
Navy	Naval Station Norfolk	SUBMARINE PIER 3 (INC)	99,077	99,077
Navy	Naval Weapons Station Yorktown	WEAPONS MAGAZINES	221,920	46,920
Navy	Norfolk Naval Shipyard	DRY DOCK SALTWATER SYSTEM FOR CVN–78 (INC)	81,082	81,082
	Washington			
Navy	Naval Base Kitsap	ALTERNATE POWER TRANSMISSION LINE	0	19,000
Navy	Naval Base Kitsap	ARMORED FIGHTING VEHICLE SUPPORT FACILITY	0	31,000
Navy	Naval Base Kitsap	SHIPYARD ELECTRICAL BACKBONE	195,000	15,000
	Worldwide Unspecified			
Navy	Unspecified Worldwide	BARRACKS REPLACEMENT FUND	0	75,000
Navy	Unspecified Worldwide	INDOPACOM PLANNING & DESIGN	0	69,000
Navy	Unspecified Worldwide	SIOP (P&D)	0	50,000
Navy	Unspecified Worldwide Locations	PLANNING & DESIGN	578,942	578,942
Navy	Unspecified Worldwide Locations	PLANNING & DESIGN	21,000	21,000
Navy	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	34,430	34,430
Subtotal Military Construction, Navy			**6,022,187**	**4,668,487**
AIR FORCE				
	Alaska			
Air Force	Eielson Air Force Base	CONSOLIDATED MUNITIONS COMPLEX (P&D)	0	1,200
Air Force	Eielson Air Force Base	JOINT PACIFIC ALASKA RANGE COMPLEX (JPARC) OPS FACILITY (P&D)	0	1,100
Air Force	Joint Base Elmendorf-Richardson	EXTEND RUNWAY 16/34 (INC 3)	107,500	107,500
Air Force	Joint Base Elmendorf-Richardson	PRECISION GUIDED MISSILE COMPLEX (P&D)	0	6,100
	Arizona			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Air Force	Luke Air Force Base	GILA BEND (P&D)	0	2,600
	Australia			
Air Force	Royal Australian Air Force Base Darwin	PDI: SQUADRON OPERATIONS FACILITY	26,000	26,000
Air Force	Royal Australian Air Force Base Tindal	PDI: AIRCRAFT MAINTENANCE SUPPORT FACILITY	17,500	17,500
Air Force	Royal Australian Air Force Base Tindal	PDI: SQUADRON OPERATIONS FACILITY	20,000	20,000
Air Force	Royal Australian Air Force Base Tindal	PDI: BOMBER APRON	93,000	93,000
	Florida			
Air Force	MacDill Air Force Base	KC–46A ADAL AIRCRAFT CORROSION CONTROL	25,000	25,000
Air Force	MacDill Air Force Base	KC–46A ADAL AIRCRAFT MAINTENANCE HANGAR	27,000	27,000
Air Force	MacDill Air Force Base	KC–46A ADAL APRON & HYDRANT FUELING PITS	61,000	61,000
Air Force	MacDill Air Force Base	KC–46A ADAL FUEL SYSTEM MAINTENANCE DOCK	18,000	18,000
Air Force	Patrick Space Force Base	COMMERCIAL VEHICLE INSPECTION	15,000	15,000
Air Force	Patrick Space Force Base	COST TO COMPLETE: CONSOLIDATED COMMUNICATIONS CENTER	15,000	15,000
Air Force	Patrick Space Force Base	FINAL DENIAL BARRIERS, SOUTH GATE	12,000	12,000
Air Force	Tyndall Air Force Base	NATURAL DISASTER RECOVERY	0	252,000
	Georgia			
Air Force	Robins Air Force Base	BATTLE MANAGEMENT COMBINED OPERATIONS COMPLEX	115,000	115,000
	Guam			
Air Force	Joint Region Marianas	PDI: NORTH AIRCRAFT PARKING RAMP (INC)	109,000	109,000
	Japan			
Air Force	Kadena Air Base	PDI: HELO RESCUE OPS MAINTENANCE HANGAR (INC 3)	46,000	46,000
Air Force	Kadena Air Base	PDI: THEATER A/C CORROSION CONTROL CTR (INC)	42,000	42,000
	Louisiana			
Air Force	Barksdale Air Force Base	CHILD DEVELOPMENT CENTER (P&D)	0	2,000
Air Force	Barksdale Air Force Base	DORMITORY (P&D)	0	7,000
Air Force	Barksdale Air Force Base	WEAPONS GENERATION FACILITY (INC 3)	112,000	112,000
	Mariana Islands			
Air Force	Tinian	PDI: AIRFIELD DEVELOPMENT, PHASE 1 (INC 3)	26,000	26,000
Air Force	Tinian	PDI: FUEL TANKS W/PIPELINE & HYDRANT (INC 3)	20,000	20,000
Air Force	Tinian	PDI: PARKING APRON (INC 3)	32,000	32,000
	Massachusetts			
Air Force	Hanscom Air Force Base	CHILD DEVELOPMENT CENTER	37,000	37,000
Air Force	Hanscom Air Force Base	MIT-LINCOLN LAB (WEST LAB CSL/MIF) (INC 4)	70,000	70,000
	Mississippi			
Air Force	Columbus Air Force Base	T–7A GROUND BASED TRAINING SYSTEM FACILITY	30,000	30,000
Air Force	Columbus Air Force Base	T–7A UNIT MAINTENANCE TRAINING FACILITY	9,500	9,500
Air Force	Keesler Air Force Base	AIR TRAFFIC CONTROL TOWER (P&D)	0	2,000
	Nebraska			
Air Force	Offutt Air Force Base	55 CES MAINTENANCE/WAREHOUSE (P&D)	0	4,500
Air Force	Offutt Air Force Base	BASE OPERATIONS/MOBILITY CENTER (P&D)	0	5,000
Air Force	Offutt Air Force Base	LOGISTICS READINESS SQUADRON TRANSPORTATION FACILITY (P&D)	0	3,500
	Nevada			
Air Force	Nellis Air Force Base	F–35 COALITION HANGAR (P&D)	0	5,500
Air Force	Nellis Air Force Base	F–35 DATA LAB SUPPORT FACILITY (P&D)	0	700
	New Mexico			
Air Force	Cannon Air Force Base	SATELLITE FIRE STATION (P&D)	0	5,000
Air Force	Kirtland Air Force Base	COST TO COMPLETE: WYOMING GATE UPGRADE FOR ANTITERRORISM COMPLIANCE	0	24,400
	Norway			
Air Force	Rygge Air Station	EDI: DABS-FEV STORAGE	88,000	88,000
Air Force	Rygge Air Station	EDI: MUNITIONS STORAGE AREA	31,000	31,000
	Ohio			
Air Force	Wright-Patterson Air Force Base	ACQUISITION MANAGEMENT COMPLEX PHASE V (P&D)	0	19,500
	Oklahoma			
Air Force	Tinker Air Force Base	KC–46 3–BAY DEPOT MAINTENANCE HANGAR (INC 3)	78,000	78,000
Air Force	Vance Air Force Base	CONSOLIDATED UNDERGRADUATE PILOT TRAINING CENTER (P&D)	0	8,400
	Philippines			
Air Force	Cesar Basa Air Base	PDI: TRANSIENT AIRCRAFT PARKING APRON	35,000	35,000
	South Dakota			
Air Force	Ellsworth Air Force Base	B–21 FUEL SYSTEM MAINTENANCE DOCK	75,000	75,000
Air Force	Ellsworth Air Force Base	B–21 PHASE HANGAR	160,000	160,000
Air Force	Ellsworth Air Force Base	B–21 WEAPONS GENERATION FACILITY (INC)	160,000	160,000
	Spain			
Air Force	Morón Air Base	EDI: MUNITIONS STORAGE	26,000	26,000
	Texas			
Air Force	Joint Base San Antonio-Lackland	CHILD DEVELOPMENT CENTER	20,000	20,000
	United Kingdom			
Air Force	Royal Air Force Fairford	COST TO COMPLETE: EDI DABS-FEV STORAGE	0	28,000
Air Force	Royal Air Force Fairford	COST TO COMPLETE: EDI MUNITIONS HOLDING AREA	0	20,000
Air Force	Royal Air Force Fairford	EDI: RADR STORAGE FACILITY	47,000	47,000
Air Force	Royal Air Force Lakenheath	EDI: RADR STORAGE FACILITY	28,000	28,000
Air Force	Royal Air Force Lakenheath	SURETY DORMITORY	50,000	50,000

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Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
	Utah			
Air Force	Hill Air Force Base	F–35 T–7A EAST CAMPUS INFRASTRUCTURE	82,000	82,000
	Worldwide Unspecified			
Air Force	Unspecified Worldwide	BARRACKS REPLACEMENT FUND	0	50,000
Air Force	Unspecified Worldwide Locations	EDI: PLANNING & DESIGN	5,648	5,648
Air Force	Unspecified Worldwide Locations	PLANNING & DESIGN	338,985	338,985
Air Force	Unspecified Worldwide Locations	PLANNING & DESIGN	90,281	90,281
Air Force	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION	64,900	64,900
	Wyoming			
Air Force	F.E. Warren Air Force Base	COST TO COMPLETE: CONSOLIDATED HELO/TRF OPS/AMU AND ALERT FACILITY	0	18,000
Air Force	F.E. Warren Air Force Base	GBSD INTEGRATED COMMAND CENTER (INC 2)	27,000	27,000
Air Force	F.E. Warren Air Force Base	GBSD INTEGRATED TRAINING CENTER	85,000	85,000
Air Force	F.E. Warren Air Force Base	GBSD MISSILE HANDLING COMPLEX (INC 2)	28,000	28,000
Subtotal Military Construction, Air Force			**2,605,314**	**3,071,814**
DEFENSE-WIDE				
	Alabama			
Defense-Wide	Redstone Arsenal	GROUND TEST FACILITY INFRASTRUCTURE	147,975	77,975
	California			
Defense-Wide	Marine Corps Air Station Miramar	AMBULATORY CARE CENTER—DENTAL CLINIC ADD// ALT	103,000	20,600
Defense-Wide	Marine Corps Air Station Miramar	ELECTRICAL INFRASTRUCTURE, ON-SITE GENERATION, AND MICROGRID IMPROVEMENTS	0	30,550
Defense-Wide	Monterey	COST TO COMPLETE: COGEN PLANT AT B236	0	5,460
Defense-Wide	Naval Base Coronado	COST TO COMPLETE: ATC OPERATIONS SUPPORT FACILITY	0	11,400
Defense-Wide	Naval Base Coronado	SOF NAVAL SPECIAL WARFARE COMMAND OPERATIONS SUPPORT FACILITY, PHASE 2	0	51,000
Defense-Wide	Naval Base San Diego	AMBULATORY CARE CENTER—DENTAL CLINIC REPLMT	101,644	22,185
Defense-Wide	Naval Base San Diego	MICROGRID AND BACKUP POWER	0	6,300
Defense-Wide	Naval Base Ventura County	COST TO COMPLETE: GROUND MOUNTED SOLAR PV	0	16,840
Defense-Wide	Vandenberg Space Force Base	MICROGRID WITH BACKUP POWER	0	57,000
	Colorado			
Defense-Wide	Buckley Space Force Base	REDUNDANT ELECTRICAL SUPPLY	0	9,000
Defense-Wide	Buckley Space Force Base	REPLACEMENT WATER WELL	0	5,700
	Cuba			
Defense-Wide	Guantanamo Bay Naval Station	AMBULATORY CARE CENTER (INC 1)	60,000	60,000
	Delaware			
Defense-Wide	Dover Air Force Base	ARMED SERVICES WHOLE BLOOD PROCESSING LABORATORY	0	30,500
	Djibouti			
Defense-Wide	Camp Lemonnier	COST TO COMPLETE: ENHANCE ENERGY SECURITY AND CONTROL SYSTEMS	0	5,200
	Georgia			
Defense-Wide	Naval Submarine Base Kings Bay	ELECTRICAL TRANSMISSION AND DISTRIBUTION IMPROVEMENTS, PHASE 2	0	49,500
	Germany			
Defense-Wide	Baumholder	HUMAN PERFORMANCE TRAINING CENTER	0	16,700
Defense-Wide	Baumholder	SOF COMPANY OPERATIONS FACILITY	41,000	41,000
Defense-Wide	Baumholder	SOF JOINT PARACHUTE RIGGING FACILITY	23,000	23,000
Defense-Wide	Kaiserslautern Air Base	KAISERSLAUTERN MIDDLE SCHOOL	21,275	21,275
Defense-Wide	Ramstein Air Base	RAMSTEIN MIDDLE SCHOOL	181,764	181,764
Defense-Wide	Rhine Ordnance Barracks	MEDICAL CENTER REPLACEMENT (INC 11)	77,210	77,210
Defense-Wide	Stuttgart	ROBINSON BARRACKS ELEM SCHOOL REPLACEMENT	8,000	8,000
	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam	COST TO COMPLETE: FY20 500 KW PV COVERED PARKING EV CHARGING STATION	0	7,476
Defense-Wide	Joint Base Pearl Harbor-Hickam	COST TO COMPLETE: PRIMARY ELECTRICAL DISTRIBUTION	0	13,040
	Honduras			
Defense-Wide	Soto Cano Air Base	FUEL FACILITIES	41,300	41,300
	Italy			
Defense-Wide	Naples	COST TO COMPLETE: SMART GRID	0	7,610
	Japan			
Defense-Wide	Fleet Activities Yokosuka	KINNICK HIGH SCHOOL (INC)	70,000	70,000
Defense-Wide	Kadena Air Base	PDI SOF MAINTENANCE HANGAR	88,900	88,900
Defense-Wide	Kadena Air Base	PDI: SOF COMPOSITE MAINTENANCE FACILITY	11,400	11,400
	Kansas			
Defense-Wide	Forbes Field	MICROGRID AND BACKUP POWER	0	5,850
Defense-Wide	Fort Riley	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	15,468
	Korea			
Defense-Wide	K–16 Air Base	K–16 EMERGENCY BACKUP POWER	0	5,650
	Kuwait			
Defense-Wide	Camp Arifjan	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	8,197

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Defense-Wide	Camp Buehring	MICROGRID AND BACKUP POWER	0	18,850
	Louisiana			
Defense-Wide	Naval Air Station Joint Reserve Base New Orleans	COST TO COMPLETE: DISTRIBUTION SWITCHGEAR	0	6,453
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDICAL CENTER ADDITION/ALTERATION (INC 7)	101,816	101,816
Defense-Wide	Fort Meade	NSAW MISSION OPS AND RECORDS CENTER (INC)	105,000	105,000
Defense-Wide	Fort Meade	NSAW RECAP BUILDING 4 (INC)	315,000	315,000
Defense-Wide	Fort Meade	NSAW RECAP BUILDING 5 (ECB 5) (INC)	65,000	65,000
Defense-Wide	Joint Base Andrews	HYDRANT FUELING SYSTEM	38,300	38,300
	Missouri			
Defense-Wide	Lake City Army Ammunition Plant	MICROGRID AND BACKUP POWER	0	80,100
	Montana			
Defense-Wide	Great Falls International Airport	FUEL FACILITIES	30,000	30,000
	Nebraska			
Defense-Wide	Offutt Air Force Base	DEFENSE POW/MIA ACCOUNTABILITY AGENCY LABORATORY (P&D)	0	5,000
Defense-Wide	Offutt Air Force Base	MICROGRID AND BACKUP POWER	0	41,000
	North Carolina			
Defense-Wide	Fort Liberty (Camp Mackall)	MICROGRID AND BACKUP POWER	0	10,500
Defense-Wide	Marine Corps Base Camp Lejeune	MARINE RAIDER BATTALION OPERATIONS FACILITY	0	70,000
	Oklahoma			
Defense-Wide	Fort Sill	MICROGRID AND BACKUP POWER	0	76,650
	Pennsylvania			
Defense-Wide	Fort Indiantown Gap	COST TO COMPLETE: GEOTHERMAL AND SOLAR PV	0	9,250
	Puerto Rico			
Defense-Wide	Fort Buchanan	MICROGRID AND BACKUP POWER	0	56,000
Defense-Wide	Juana Díaz	COST TO COMPLETE: MICROGRID CONTROLS, 690 KW PV, 275KW GEN, 570 KWH BESS	0	7,680
Defense-Wide	Ramey	COST TO COMPLETE: MICROGRID CONTROL SYSTEM, 460 KW PV, 275KW GEN, 660 KWH BESS	0	6,360
	Spain			
Defense-Wide	Naval Station Rota	BULK TANK FARM, PHASE 1	80,000	80,000
	Texas			
Defense-Wide	Fort Cavazos	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	18,900
Defense-Wide	Fort Cavazos	MICROGRID AND BACKUP POWER	0	18,250
	Utah			
Defense-Wide	Hill Air Force Base	OPEN STORAGE	14,200	14,200
	Virginia			
Defense-Wide	Fort Belvoir	DIA HEADQUARTERS ANNEX	185,000	25,000
Defense-Wide	Hampton Roads	COST TO COMPLETE: BACKUP POWER GENERATION	0	1,200
Defense-Wide	Joint Expeditionary Base Little Creek—Fort Story	SOF SDVT2 OPERATIONS SUPPORT FACILITY	61,000	61,000
Defense-Wide	Fort Belvoir (NGA Campus East)	COST TO COMPLETE: CHILLED WATER REDUNDANCY	0	550
Defense-Wide	Pentagon	HVAC EFFICIENCY UPGRADES	0	2,250
Defense-Wide	Pentagon	SEC OPS AND PEDESTRIAN ACCESS FACS	30,600	30,600
	Washington			
Defense-Wide	Joint Base Lewis-McChord	POWER GENERATION AND MICROGRID	0	49,850
Defense-Wide	Joint Base Lewis-McChord	SOF CONSOLIDATED RIGGING FACILITY	62,000	62,000
Defense-Wide	Manchester	BULK STORAGE TANKS, PHASE 2	71,000	71,000
Defense-Wide	Naval Undersea Warfare Center Keyport	SOF COLD WATER TRAINING AUSTERE ENVIRONMENT FACILITY	0	37,000
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide	INDOPACOM UNSPECIFIED MINOR MILITARY CONSTRUCTION	0	62,000
Defense-Wide	Unspecified Worldwide Locations	ENERGY RESILIENCE AND CONSERV. INVEST. PROG.	548,000	0
Defense-Wide	Unspecified Worldwide Locations	ERCIP PLANNING & DESIGN	86,250	86,250
Defense-Wide	Unspecified Worldwide Locations	EXERCISE RELATED MINOR CONSTRUCTION	11,107	11,107
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	49,610	49,610
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	32,579	32,579
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	30,215	30,215
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	25,130	25,130
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	24,000	24,000
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	8,568	8,568
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	3,068	3,068
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	2,000	2,000

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Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	1,035	1,035
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	590	590
Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	19,271	19,271
Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	3,000	3,000
Defense-Wide	Various Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	4,875	4,875
	Wyoming			
Defense-Wide	F.E. Warren Air Force Base	MICROGRID AND BATTERY STORAGE	0	25,000
Subtotal Military Construction, Defense-Wide			**2,984,682**	**3,006,107**
ARMY NATIONAL GUARD				
	Alabama			
Army National Guard	Fort McClellan	COST TO COMPLETE: ENLISTED BARRACKS, TT	0	7,000
Army National Guard	Huntsville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	4,650
	Arizona			
Army National Guard	Surprise Readiness Center	NATIONAL GUARD READINESS CENTER	15,000	15,000
	Arkansas			
Army National Guard	Fort Chaffee	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	610
	California			
Army National Guard	Bakersfield	COST TO COMPLETE: VEHICLE MAINTENANCE SHOP	0	1,000
Army National Guard	Camp Roberts	COST TO COMPLETE: AUTOMATED MULTIPURPOSE MACHINE GUN (MPMG) RANGE	0	5,000
	Colorado			
Army National Guard	Peterson Space Force Base	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	3,000
	Connecticut			
Army National Guard	Putnam	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	6,125
	Florida			
Army National Guard	Camp Blanding	MULTIPURPOSE MACHINE GUN RANGE	0	11,000
	Guam			
Army National Guard	Barrigada	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	6,900
	Idaho			
Army National Guard	Jerome	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	1,250
Army National Guard	Jerome County Regional Site	NATIONAL GUARD VEHICLE MAINTENANCE SHOP	17,000	17,000
	Illinois			
Army National Guard	Bloomington	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	5,250
Army National Guard	North Riverside Armory	NATIONAL GUARD VEHICLE MAINTENANCE SHOP	24,000	24,000
	Indiana			
Army National Guard	Shelbyville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER ADD/ALT	0	5,000
	Kansas			
Army National Guard	Topeka	COST TO COMPLETE: NATIONAL GUARD/RESERVE CENTER BUILDING	0	5,856
	Kentucky			
Army National Guard	Burlington	VEHICLE MAINTENANCE SHOP	0	16,400
Army National Guard	Frankfort	COST TO COMPLETE: NATIONAL GUARD/RESERVE CENTER BUILDING	0	2,000
	Louisiana			
Army National Guard	Camp Beauregard	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)	0	2,400
Army National Guard	Camp Beauregard	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	2,000
Army National Guard	Camp Minden	COST TO COMPLETE: COLLECTIVE TRAINING UNACCOMPANIED HOUSING, OPEN BAY	0	3,718
	Maine			
Army National Guard	Northern Maine Range Complex	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE (P&D)	0	2,800
Army National Guard	Saco	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	7,420
	Massachusetts			
Army National Guard	Camp Edwards	COST TO COMPLETE: AUTOMATED MULTIPURPOSE MACHINE GUN (MPMG) RANGE	0	3,000
	Mississippi			
Army National Guard	Camp Shelby	CAMP SHELBY JFTC RAILHEAD EXPANSION (P&D)	0	2,200

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Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Army National Guard	Camp Shelby	COST TO COMPLETE: MANEUVER AREA TRAINING EQUIPMENT SITE ADDITION	0	5,425
Army National Guard	Southaven	NATIONAL GUARD READINESS CENTER	0	22,000
	Missouri			
Army National Guard	Belle Fontaine	NATIONAL GUARD READINESS CENTER	28,000	28,000
	Nebraska			
Army National Guard	Bellevue	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	9,090
Army National Guard	Greenlief Training Site	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)	0	1,200
Army National Guard	Mead Training Site	COST TO COMPLETE: COLLECTIVE TRAINING UNACCOMPANIED HOUSING, OPEN BAY	0	1,913
Army National Guard	North Platte	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	400
	New Hampshire			
Army National Guard	Concord	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	200
Army National Guard	Littleton	NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADD	23,000	23,000
	New Jersey			
Army National Guard	Joint Base McGuire-Dix-Lakehurst	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	605
	New Mexico			
Army National Guard	Rio Rancho Training Site	NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADD	11,000	11,000
	New York			
Army National Guard	Lexington Avenue Armory	NATIONAL GUARD READINESS CENTER	0	70,000
	North Carolina			
Army National Guard	Salisbury	ARMY AVIATION SUPPORT FACILITIES (P&D)	0	2,200
	North Dakota			
Army National Guard	Camp Grafton	INSTITUTIONAL POST-INITIAL MILITARY TRAINING, UNACCOMPANIED HOUSING (P&D)	0	1,950
Army National Guard	Dickinson	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	5,425
	Ohio			
Army National Guard	Camp Perry Joint Training Center	NATIONAL GUARD READINESS CENTER	19,200	19,200
Army National Guard	Columbus	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	4,000
	Oklahoma			
Army National Guard	Ardmore	COST TO COMPLETE: VEHICLE MAINTENANCE SHOP	0	400
	Oregon			
Army National Guard	Washington County Readiness Center	NATIONAL GUARD READINESS CENTER	26,000	26,000
	Pennsylvania			
Army National Guard	Hermitage Readiness Center	NATIONAL GUARD READINESS CENTER	13,600	13,600
Army National Guard	Moon Township	COST TO COMPLETE: COMBINED SUPPORT MAINTENANCE SHOP	0	3,100
	Puerto Rico			
Army National Guard	Fort Allen	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	3,676
	Rhode Island			
Army National Guard	Camp Fogarty Training Site	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)	0	1,990
Army National Guard	North Kingstown	NATIONAL GUARD READINESS CENTER	0	30,000
	South Carolina			
Army National Guard	Aiken County Readiness Center	NATIONAL GUARD READINESS CENTER	20,000	20,000
Army National Guard	Joint Base Charleston	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	4,373
Army National Guard	McCrady Training Center	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	7,900	7,900
	South Dakota			
Army National Guard	Sioux Falls	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	5,250
	Tennessee			
Army National Guard	Campbell Army Air Field	ARMY AIR TRAFFIC CONTROL TOWERS (P&D)	0	2,500
Army National Guard	McMinnville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	500
	Texas			
Army National Guard	Fort Cavazos	GENERAL INSTRUCTION BUILDING (P&D)	0	2,685
Army National Guard	Fort Worth	COST TO COMPLETE: AIRCRAFT MAINTENANCE HANGAR ADD/ALT	0	6,489

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Army National Guard	Fort Worth	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	381
	Utah			
Army National Guard	Camp Williams	COLLECTIVE TRAINING UNACCOMPANIED HOUSING, SENIOR NCO AND OFFICER (P&D)	0	2,875
	Vermont			
Army National Guard	Bennington	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	3,415
	Virgin Islands			
Army National Guard	St. Croix	COST TO COMPLETE: ARMY AVIATION SUPPORT FACILITY	0	4,200
Army National Guard	St. Croix	COST TO COMPLETE: READY BUILDING	0	1,710
	Virginia			
Army National Guard	Sandston Rc & FMS 1	AIRCRAFT MAINTENANCE HANGAR	20,000	20,000
Army National Guard	Troutville	COST TO COMPLETE: COMBINED SUPPORT MAINTENANCE SHOP ADDITION	0	2,415
Army National Guard	Troutville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER ADDITION	0	2,135
	West Virginia			
Army National Guard	Parkersburg	NATIONAL GUARD READINESS CENTER (P&D)	0	3,300
	Wisconsin			
Army National Guard	Viroqua	NATIONAL GUARD READINESS CENTER	18,200	18,200
	Worldwide Unspecified			
Army National Guard	Unspecified Worldwide Locations	PLANNING & DESIGN	34,286	34,286
Army National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	63,000	63,000
Subtotal Military Construction, Army National Guard			**340,186**	**650,567**
ARMY RESERVE				
	Alabama			
Army Reserve	Birmingham	ARMY RESERVE CENTER/AMSA/LAND	57,000	57,000
	Arizona			
Army Reserve	San Tan Valley	AREA MAINTENANCE SUPPORT ACTIVITY	12,000	12,000
	California			
Army Reserve	Camp Pendleton	COST TO COMPLETE: AREA MAINTENANCE SUPPORT ACTIVITY	0	3,000
Army Reserve	Fort Hunter Liggett	NETWORK ENTERPRISE CENTER	0	40,000
	Florida			
Army Reserve	Perrine	COST TO COMPLETE: ARMY RESERVE CENTER	0	3,000
	North Carolina			
Army Reserve	Asheville	COST TO COMPLETE: ARMY RESERVE CENTER	0	12,000
	Ohio			
Army Reserve	Wright-Patterson Air Force Base	COST TO COMPLETE: ARMY RESERVE CENTER	0	5,000
	Worldwide Unspecified			
Army Reserve	Unspecified Worldwide Locations	PLANNING & DESIGN	23,389	23,389
Army Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	14,687	14,687
Subtotal Military Construction, Army Reserve			**107,076**	**170,076**
NAVY RESERVE & MARINE CORPS RESERVE				
	Michigan			
Navy Reserve & Marine Corps Reserve	Battle Creek	ORGANIC SUPPLY FACILITIES	24,549	24,549
	Virginia			
Navy Reserve & Marine Corps Reserve	Marine Forces Reserve Dam Neck Virginia Beach	G/ATOR SUPPORT FACILITIES	12,400	12,400
	Worldwide Unspecified			
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR PLANNING & DESIGN	6,495	6,495
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR UNSPECIFIED MINOR CONSTRUCTION	7,847	7,847
Subtotal Military Construction, Navy Reserve & Marine Corps Reserve			**51,291**	**51,291**
AIR NATIONAL GUARD				

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	Alabama			
Air National Guard	Montgomery Regional Airport	F–35 ADAL SQ OPS BLDG 1303	7,000	7,000
	Alaska			
Air National Guard	Eielson Air Force Base	AMC STANDARD DUAL BAY HANGAR (P&D)	0	3,700
Air National Guard	Joint Base Elmendorf-Richardson	ADAL ALERT CREW FACILITY HGR 18	0	7,000
	Arizona			
Air National Guard	Tucson International Airport	MCCA: AIRCRAFT ARRESTING SYSTEM (NEW RWY)	11,600	11,600
	Arkansas			
Air National Guard	Ebbing Air National Guard Base	3–BAY HANGAR	0	54,000
Air National Guard	Ebbing Air National Guard Base	AIRCREW FLIGHT EQUIPMENT/STEP	0	9,300
Air National Guard	Ebbing Air National Guard Base	SPECIAL ACCESS PROGRAM FACILITY	0	12,700
	Colorado			
Air National Guard	Buckley Space Force Base	AIRCRAFT CORROSION CONTROL	12,000	12,000
	Indiana			
Air National Guard	Fort Wayne International Airport	FIRE STATION	8,900	8,900
	Mississippi			
Air National Guard	Field Air National Guard Base	COST TO COMPLETE: 172ND AIRLIFT WING FIRE/CRASH RESCUE STATION	0	8,000
	Missouri			
Air National Guard	Rosecrans Air National Guard Base	139TH AIRLIFT WING ENTRY CONTROL POINT (P&D)	0	2,000
Air National Guard	Rosecrans Air National Guard Base	ENTRY CONTROL POINT (P&D)	0	2,000
	Oregon			
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 1	22,000	22,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 2	18,500	18,500
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 3	0	20,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 4	0	11,000
	Pennsylvania			
Air National Guard	Harrisburg International Airport	ENTRY CONTROL FACILITY	0	8,000
	Wisconsin			
Air National Guard	Truax Field	F–35: MM&I FAC, B701	0	5,200
Air National Guard	Volk Air National Guard Base	FIRE/CRASH RESCUE STATION (P&D)	0	670
	Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	PLANNING & DESIGN	35,600	35,600
Air National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	63,122	63,122
Subtotal Military Construction, Air National Guard			**178,722**	**322,292**
AIR FORCE RESERVE				
	Arizona			
Air Force Reserve	Davis-Monthan Air Force Base	GUARDIAN ANGEL POTFF FACILITY	0	8,500
	California			
Air Force Reserve	March Air Reserve Base	KC–46 ADD/ALTER B1244 FUT/CARGO PALLET STORAGE	17,000	17,000
Air Force Reserve	March Air Reserve Base	KC–46 ADD/ALTER B6000 SIMULATOR FACILITY	8,500	8,500
Air Force Reserve	March Air Reserve Base	KC–46 TWO BAY MAINTENANCE/FUEL HANGAR	201,000	201,000
	Guam			
Air Force Reserve	Joint Region Marianas	AERIAL PORT FACILITY	27,000	27,000
	Louisiana			
Air Force Reserve	Barksdale Air Force Base	307 BW MEDICAL FACILITY ADDITION	0	7,000
	Ohio			
Air Force Reserve	Youngstown Air Reserve Station	BASE FIRE STATION (P&D)	0	2,500
	Texas			
Air Force Reserve	Naval Air Station Joint Reserve Base Fort Worth	LRS WAREHOUSE	16,000	16,000
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Air Force Reserve	Unspecified Worldwide Locations	PLANNING & DESIGN	12,146	12,146
Air Force Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION	9,926	9,926
	Subtotal Military Construction, Air Force Reserve		**291,572**	**309,572**
NATO SECURITY INVESTMENT PROGRAM				
NATO	Worldwide Unspecified NATO Security Investment Program	NATO SECURITY INVESTMENT PROGRAM	293,434	293,434
	Subtotal NATO Security Investment Program		**293,434**	**293,434**
INDOPACIFIC COMBATANT COMMAND				
MILCON, INDOPACOM	Worldwide Unspecified Unspecified Worldwide Locations	INDOPACOM MILITARY CONSTRUCTION PILOT PROGRAM	0	150,000
	Subtotal Base Realignment and Closure—Defense-Wide		**0**	**150,000**
	TOTAL INDOPACIFIC COMBATANT COMMAND		**0**	**150,000**
	TOTAL MILITARY CONSTRUCTION		**14,345,019**	**14,345,019**
FAMILY HOUSING				
FAMILY HOUSING CONSTRUCTION, ARMY				
Fam Hsg Con, Army	Georgia Fort Eisenhower	FORT EISENHOWER MHPI EQUITY INVESTMENT	50,000	50,000
Fam Hsg Con, Army	Germany Baumholder	FAMILY HOUSING NEW CONSTRUCTION	78,746	78,746
Fam Hsg Con, Army	Kwajalein Kwajalein Atoll	FAMILY HOUSING REPLACEMENT CONSTRUCTION	98,600	98,600
Fam Hsg Con, Army	Missouri Fort Leonard Wood	FORT LEONARD WOOD MHPI EQUITY INVESTMENT	50,000	50,000
Fam Hsg Con, Army	Worldwide Unspecified Unspecified Worldwide Locations	FAMILY HOUSING P&D	27,549	27,549
	Subtotal Family Housing Construction, Army		**304,895**	**304,895**
FAMILY HOUSING O&M, ARMY				
Fam Hsg O&M, Army	Worldwide Unspecified Unspecified Worldwide Locations	FURNISHINGS	12,121	12,121
Fam Hsg O&M, Army	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	86,019	86,019
Fam Hsg O&M, Army	Unspecified Worldwide Locations	LEASING	112,976	112,976
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MAINTENANCE	86,706	86,706
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MANAGEMENT	41,121	41,121
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MISCELLANEOUS	554	554
Fam Hsg O&M, Army	Unspecified Worldwide Locations	SERVICES	7,037	7,037
Fam Hsg O&M, Army	Unspecified Worldwide Locations	UTILITIES	38,951	38,951
	Subtotal Family Housing Operation And Maintenance, Army		**385,485**	**385,485**
FAMILY HOUSING CONSTRUCTION, NAVY & MARINE CORPS				
Fam Hsg Con, Navy & Marine Corps	Guam Joint Region Marianas	REPLACE ANDERSEN HOUSING, PHASE 8	121,906	121,906
Fam Hsg Con, Navy & Marine Corps	Naval Support Activity Andersen	REPLACE ANDERSEN HOUSING (AF), PHASE 7	83,126	83,126
Fam Hsg Con, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	DESIGN, WASHINGTON DC	4,782	4,782

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	IMPROVEMENTS, WASHINGTON DC	57,740	57,740
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	USMC DPRI/GUAM PLANNING & DESIGN	9,588	9,588
Subtotal Family Housing Construction, Navy & Marine Corps			**277,142**	**277,142**
FAMILY HOUSING O&M, NAVY & MARINE CORPS				
	Worldwide Unspecified			
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	FURNISHINGS	17,744	17,744
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	65,655	65,655
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	LEASING	60,214	60,214
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	MAINTENANCE	101,356	101,356
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	MANAGEMENT	61,896	61,896
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	MISCELLANEOUS	419	419
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	SERVICES	13,250	13,250
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	UTILITIES	43,320	43,320
Subtotal Family Housing Operation & Maintenance, Navy & Marine Corps			**363,854**	**363,854**
FAMILY HOUSING CONSTRUCTION, AIR FORCE				
	Alabama			
Fam Hsg Con, Air Force	Maxwell Air Force Base	MHPI RESTRUCTURE-AETC GROUP II	65,000	65,000
	Colorado			
Fam Hsg Con, Air Force	U.S. Air Force Academy	CONSTRUCTION IMPROVEMENT—CARLTON HOUSE	9,282	9,282
	Hawaii			
Fam Hsg Con, Air Force	Joint Base Pearl Harbor-Hickam	MHPI RESTRUCTURE-JOINT BASE PEARL HARBOR-HICKAM	75,000	75,000
	Mississippi			
Fam Hsg Con, Air Force	Keesler Air Force Base	MHPI RESTRUCTURE-SOUTHERN GROUP	80,000	80,000
	Worldwide Unspecified			
Fam Hsg Con, Air Force	Unspecified Worldwide Locations	PLANNING & DESIGN	7,815	7,815
Subtotal Family Housing Construction, Air Force			**237,097**	**237,097**
FAMILY HOUSING O&M, AIR FORCE				
	Worldwide Unspecified			
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	FURNISHINGS	12,884	23,884
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	31,803	31,803
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	LEASING	5,143	5,143
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	MAINTENANCE	135,410	124,410
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	MANAGEMENT	68,023	68,023

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Account	State/Country and Installation			Project Title	FY 2024 Request	Senate Authorized
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	MISCELLANEOUS	2,377	2,377
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	SERVICES	10,692	10,692
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	UTILITIES	48,054	48,054
Subtotal Family Housing Operation And Maintenance, Air Force					**314,386**	**314,386**
FAMILY HOUSING O&M, DEFENSE-WIDE						
	Worldwide Unspecified					
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	FURNISHINGS	673	673
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	FURNISHINGS	89	89
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	LEASING	32,042	32,042
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	LEASING	13,658	13,658
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	MAINTENANCE	35	35
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	UTILITIES	4,273	4,273
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	UTILITIES	15	15
Subtotal Family Housing Operation And Maintenance, Defense-Wide					**50,785**	**50,785**
FAMILY HOUSING IMPROVEMENT FUND						
	Worldwide Unspecified					
Family Housing Improvement Fund	Unspecified tions	Worldwide	Loca-	ADMINISTRATIVE EXPENSES—FHIF	6,611	6,611
Subtotal Family Housing Improvement Fund					**6,611**	**6,611**
UNACCOMPANIED HOUSING IMPROVEMENT FUND						
	Worldwide Unspecified					
Unaccompanied Housing Improvement Fund	Unspecified tions	Worldwide	Loca-	ADMINISTRATIVE EXPENSES—UHIF	496	496
Subtotal Unaccompanied Housing Improvement Fund					**496**	**496**
TOTAL FAMILY HOUSING					**1,940,751**	**1,940,751**
DEFENSE BASE REALIGNMENT AND CLOSURE						
BASE REALIGNMENT AND CLOSURE, ARMY						
	Worldwide Unspecified					
BRAC, Army	Unspecified tions	Worldwide	Loca-	BASE REALIGNMENT AND CLOSURE	150,640	150,640
Subtotal Base Realignment and Closure—Army					**150,640**	**150,640**
BASE REALIGNMENT AND CLOSURE, NAVY						
	Worldwide Unspecified					
BRAC, Navy	Unspecified tions	Worldwide	Loca-	BASE REALIGNMENT AND CLOSURE	108,818	108,818
Subtotal Base Realignment and Closure—Navy					**108,818**	**108,818**
BASE REALIGNMENT AND CLOSURE, AIR FORCE						
	Worldwide Unspecified					
BRAC, Air Force	Unspecified tions	Worldwide	Loca-	BASE REALIGNMENT AND CLOSURE	123,990	123,990
Subtotal Base Realignment and Closure—Air Force					**123,990**	**123,990**
BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE						
	Worldwide Unspecified					
BRAC, Defense-Wide	Unspecified tions	Worldwide	Loca-	INT–4: DLA ACTIVITIES	5,726	5,726

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(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Subtotal Base Realignment and Closure—Defense-Wide			**5,726**	**5,726**
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			**389,174**	**389,174**
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			**16,674,944**	**16,674,944**

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 2024 Request	Senate Authorized
Discretionary Summary by Appropriation		
Energy and Water Development and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	177,733	177,733
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Weapons Activities	18,832,947	19,108,947
Defense Nuclear Nonproliferation	2,508,959	2,483,959
Naval Reactors	1,964,100	1,964,100
Federal Salaries and Expenses	538,994	538,994
Total, National Nuclear Security Administration	**23,845,000**	**24,096,000**
Defense Environmental Cleanup	7,073,587	7,073,587
Defense Uranium Enrichment D&D	427,000	0
Other Defense Activities	1,075,197	1,075,197
Total, Atomic Energy Defense Activities	**32,420,784**	**32,244,784**
Total, Discretionary Funding	**32,598,517**	**32,422,517**
Nuclear Energy		
Safeguards and security	177,733	177,733
Total, Nuclear Energy	**177,733**	**177,733**
National Nuclear Security Administration		
Weapons Activities		
Stockpile management		
Stockpile major modernization		
B61 Life extension program	449,850	449,850
W88 Alteration program	178,823	178,823
W80–4 Life extension program	1,009,929	1,009,929
W80–4 ALT Nuclear-armed sea-launched cruise missile	0	75,000
Program increase		(75,000)
W87–1 Modification Program	1,068,909	1,068,909
W93	389,656	389,656
Subtotal, Stockpile major modernization	**3,097,167**	**3,172,167**
Stockpile sustainment	1,276,578	1,276,578
Weapons dismantlement and disposition	53,718	53,718
Production operations	710,822	710,822
Nuclear enterprise assurance	66,614	66,614
Total, Stockpile management	**5,204,899**	**5,279,899**
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	833,100	833,100
21–D–512 Plutonium Pit Production Project, LANL	670,000	670,000
15–D–302 TA–55 Reinvestments Project, Phase 3, LANL	30,000	30,000
07–D–220-04 Transuranic Liquid Waste Facility, LANL	0	0
04–D–125 Chemistry and Metallurgy Research Replacement Project, LANL	227,122	227,122
Subtotal, Los Alamos Plutonium Modernization	**1,760,222**	**1,760,222**
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	62,764	62,764
21–D–511 Savannah River Plutonium Processing Facility, SRS	858,235	858,235
Subtotal, Savannah River Plutonium Modernization	**920,999**	**920,999**
Enterprise Plutonium Support	87,779	87,779

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
Total, Plutonium Modernization	**2,769,000**	**2,769,000**
High Explosives & Energetics		
High Explosives & Energetics	93,558	93,558
23–D–516 Energetic Materials Characterization Facility, LANL	0	19,000
Restore project		(19,000)
21–D–510 HE Synthesis, Formulation, and Production, PX	0	110,000
Restore project		(110,000)
15–D–301 HE Science & Engineering Facility, PX	101,356	101,356
Subtotal, High Explosives & Energetics	**194,914**	**323,914**
Total, Primary Capability Modernization	**2,963,914**	**3,092,914**
Secondary Capability Modernization		
Secondary Capability Modernization	666,914	666,914
18–D–690 Lithium Processing Facility, Y–12	210,770	210,770
06–D–141 Uranium Processing Facility, Y–12	760,000	760,000
Total, Secondary Capability Modernization	**1,637,684**	**1,637,684**
Tritium and Domestic Uranium Enrichment		
Tritium and Domestic Uranium Enrichment	592,992	592,992
18–D–650 Tritium Finishing Facility, SRS	0	0
Total, Tritium and Domestic Uranium Enrichment	**592,992**	**592,992**
Non-Nuclear Capability Modernization		
Non-Nuclear Capability Modernization	166,990	166,990
22–D–513 Power Sources Capability, SNL	37,886	37,886
Total, Non-Nuclear Capability Modernization	**204,876**	**204,876**
Capability Based Investments	156,462	156,462
Total, Production Modernization	**5,555,928**	**5,684,928**
Stockpile research, technology, and engineering		
Assessment Science		
Assessment Science	917,751	926,751
Program increase for Krypton Fluoride laser		(9,000)
14–D–640 U1a Complex Enhancements Project, NNSS	126,570	126,570
Total, Assessment Science	**1,044,321**	**1,053,321**
Engineering and integrated assessments	440,456	440,456
Inertial confinement fusion	601,650	641,650
Program increase		(40,000)
Advanced simulation and computing	782,472	792,472
Program increase		(10,000)
Weapon technology and manufacturing maturation	327,745	327,745
Academic programs	152,271	152,271
Total, Stockpile research, technology, and engineering	**3,348,915**	**3,407,915**
Infrastructure and operations		
Operating		
Operations of facilities	1,053,000	1,053,000
Safety and Environmental Operations	139,114	139,114
Maintenance and Repair of Facilities	718,000	718,000
Recapitalization		
Infrastructure and Safety	650,012	650,012
Subtotal, Recapitalization	**650,012**	**650,012**
Total, Operating	**2,560,126**	**2,560,126**
Mission enabling construction		
22–D–510 Analytic Gas Laboratory, PX	35,000	35,000
22–D–511 Plutonium Production Building, LANL	48,500	48,500
22–D–512 TA–46 Protective Force Facility, LANL	48,500	48,500
22–D–517 Electrical Power Capacity Upgrade, LANL	75,000	75,000
22–D–518 Plutonium Modernization Ops & Waste Mngmt Office Bldg, LANL	0	0
23–D–519 Special Material Facility, Y–12	0	0
Total, Mission enabling construction	**207,000**	**207,000**
Total, Infrastructure and operations	**2,767,126**	**2,767,126**
Secure transportation asset		
Operations and equipment	239,008	239,008
Program direction	118,056	118,056
Total, Secure transportation asset	**357,064**	**357,064**
Defense nuclear security		
Operations and maintenance	988,756	991,756
Program increase		(3,000)
Construction:		
17–D–710 West End Protected Area Reduction Project, Y–12	28,000	38,000
Program increase		(10,000)
Subtotal, Construction	**28,000**	**38,000**
Total, Defense nuclear security	**1,016,756**	**1,029,756**
Information technology and cybersecurity	**578,379**	578,379
Legacy contractor pensions	**65,452**	65,452
Total, Weapons Activities	**18,894,519**	**19,170,519**
Adjustments		
Use of prior year balances	–61,572	–61,572
Total, Adjustments	**–61,572**	**–61,572**
Total, Weapons Activities	**18,832,947**	**19,108,947**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
Defense Nuclear Nonproliferation		
Material Management and Minimization		
Conversion (formerly HEU Reactor Conversion)	116,675	116,675
Nuclear material removal	47,100	47,100
Material disposition	282,250	282,250
Total, Material Management and Minimization	**446,025**	**446,025**
Global Material Security		
International nuclear security	84,707	84,707
Radiological security	258,033	258,033
Nuclear smuggling detection and deterrence	181,308	181,308
Total, Global Material Security	**524,048**	**524,048**
Nonproliferation and Arms Control	212,358	212,358
Defense Nuclear Nonproliferation R&D		
Proliferation detection	290,388	290,388
Nonproliferation stewardship program	107,437	107,437
Nuclear detonation detection	285,603	285,603
Forensics R&D	44,759	44,759
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	**728,187**	**728,187**
Nonproliferation Construction:		
18–D–150 Surplus Plutonium Disposition Project, SRS	77,211	77,211
Total, Nonproliferation Construction	**77,211**	**77,211**
NNSA Bioassurance Program	25,000	0
Program reduction		(–25,000)
Legacy contractor pensions	22,587	22,587
Nuclear Counterterrorism and Incident Response Program		
Emergency Operations	19,123	19,123
Counterterrorism and Counterproliferation	474,420	474,420
Total, Nuclear Counterterrorism and Incident Response Program	**493,543**	**493,543**
Subtotal, Defense Nuclear Nonproliferation	**2,528,959**	**2,503,959**
Adjustments		
Use of prior year balances	–20,000	–20,000
Total, Adjustments	**–20,000**	**–20,000**
Total, Defense Nuclear Nonproliferation	**2,508,959**	**2,483,959**
Naval Reactors		
Naval reactors development	838,340	838,340
Columbia-Class reactor systems development	52,900	52,900
S8G Prototype refueling	0	0
Naval reactors operations and infrastructure	712,036	712,036
Program direction	61,540	61,540
Construction:		
22–D–533 BL Component Test Complex	0	0
22–D–531 KL Chemistry & Radiological Health Building	10,400	10,400
21–D–530 KL Steam and Condensate Upgrade	53,000	53,000
14–D–901 Spent Fuel Handling Recapitalization Project, NRF	199,300	199,300
24–D–530 NRF Medical Science Complex	36,584	36,584
Total, Construction	**299,284**	**262,700**
Total, Naval Reactors	**1,964,100**	**1,964,100**
Federal Salaries and Expenses		
Program direction	538,994	538,994
Use of prior year balances	0	0
Total, Federal Salaries and Expenses	**538,994**	**538,994**
TOTAL, National Nuclear Security Administration	**23,845,000**	**24,096,000**
Defense Environmental Cleanup		
Closure sites administration	3,023	3,023
Richland		
River corridor and other cleanup operations	180,000	180,000
Central plateau remediation	684,289	684,289
Richland community and regulatory support	10,100	10,100
18–D–404 Modification of Waste Encapsulation and Storage Facility	0	0
22–D–401 L–888 Eastern Plateau Fire Station	7,000	7,000
22–D–402 L–897 200 Area Water Treatment Facility	11,200	11,200
23–D–404 181D Export Water System Reconfiguration and Upgrade	27,149	27,149
23–D–405 181B Export Water System Reconfiguration and Upgrade	462	462
24–D–401 Environmental Restoration Disposal Facility Supercell 11 Expans Proj	1,000	1,000
Total, Richland	**921,200**	**921,200**
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	466,000	466,000
Rad liquid tank waste stabilization and disposition	813,625	813,625
Construction:		
23–D–403 Hanford 200 West Area Tank Farms Risk Management Project	15,309	15,309

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(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
15–D–409 Low Activity Waste Pretreatment System	60,000	60,000
18–D–16 Waste Treatment and Immobilization Plant—LBL/Direct feed LAW	0	0
01–D–16D High-Level Waste Facility	600,000	600,000
01–D–16E Pretreatment Facility	20,000	20,000
Subtotal, Construction	**695,309**	**695,309**
ORP Low-level waste offsite disposal	0	0
Total, Office of River Protection	**1,974,934**	**1,974,934**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	377,623	377,623
Idaho community and regulatory support	2,759	2,759
Construction:		
22–D–403 Idaho Spent Nuclear Fuel Staging Facility	10,159	10,159
22–D–404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project	46,500	46,500
22–D–402 Calcine Construction	10,000	10,000
Subtotal, Construction	**66,659**	**66,659**
Total, Idaho National Laboratory	**447,041**	**447,041**
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,879	1,879
LLNL Excess Facilities D&D	20,195	20,195
Separations Processing Research Unit	15,300	15,300
Nevada Test Site	61,952	61,952
Sandia National Laboratory	2,264	2,264
Los Alamos National Laboratory	273,831	273,831
Los Alamos Excess Facilities D&D	13,648	13,648
Total, NNSA sites and Nevada off-sites	**389,069**	**389,069**
Oak Ridge Reservation:		
OR Nuclear Facility D&D	335,000	335,000
U233 Disposition Program	55,000	55,000
OR cleanup and waste disposition	72,000	72,000
Construction:		
14–D–403 Outfall 200 Mercury Treatment Facility	10,000	10,000
17–D–401 On-site Waste Disposal Facility	24,500	24,500
Subtotal, Construction	**34,500**	**34,500**
OR community & regulatory support	5,500	5,500
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	**505,000**	**505,000**
Savannah River Site:		
Savannah River risk management operations	453,109	453,109
Savannah River legacy pensions	65,898	65,898
Savannah River community and regulatory support	12,389	12,389
Savannah River National Laboratory O&M	42,000	42,000
Construction:		
20-D–401 Saltstone Disposal Unit #10, 11, 12	56,250	56,250
19–D–701 SR Security Systems Replacement	0	0
18–D–401 Saltstone Disposal Unit #8, 9	31,250	31,250
18–D–402 Emergency Operations Center Replacement, SR	34,733	34,733
Subtotal, Construction	**122,233**	**122,233**
Radioactive liquid tank waste stabilization	880,323	880,323
Total, Savannah River Site	**1,575,952**	**1,575,952**
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	369,961	369,961
Construction:		
15–D–411 Safety Significant Confinement Ventilation System, WIPP	44,365	44,365
15–D–412 Utility Shaft, WIPP	50,000	50,000
Total, Construction	**94,365**	**94,365**
Total, Waste Isolation Pilot Plant	**464,326**	**464,326**
Program direction—Defense Environmental Cleanup	326,893	326,893
Program support—Defense Environmental Cleanup	103,504	103,504
Safeguards and Security—Defense Environmental Cleanup	332,645	332,645
Technology development and deployment	30,000	30,000
Subtotal, Defense Environmental Cleanup	**7,073,587**	**7,073,587**
TOTAL, Defense Environmental Cleanup	**7,073,587**	**7,073,587**
Defense Uranium Enrichment D&D	427,000	0
Program reduction		(–427,000)
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	144,705	144,705
Program direction	86,558	86,558
Total, Environment, health, safety and security	**231,263**	**231,263**
Office of Enterprise Assessments		
Enterprise assessments	30,022	30,022
Program direction	64,132	64,132

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
Total, Office of Enterprise Assessments	**94,154**	**94,154**
Specialized security activities	345,330	345,330
Legacy Management		
Legacy Management Activities—Defense	173,681	173,681
Program Direction	22,621	22,621
Total, Legacy Management	**196,302**	**196,302**
Defense-Related Administrative Support	203,649	203,649
Office of Hearings and Appeals	4,499	4,499
Subtotal, Other Defense Activities	**1,075,197**	**1,075,197**
Use of prior year balances	0	0
Total, Other Defense Activities	**1,075,197**	**1,075,197**

DIVISION E—ADDITIONAL PROVISIONS

TITLE LI—PROCUREMENT

Subtitle D—Air Force Programs

SEC. 5131. INVENTORY OF C–130 AIRCRAFT.

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

(b) PROHIBITION ON REDUCTION OF C–130 AIRCRAFT ASSIGNED TO NATIONAL GUARD.—Section 146(b)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2455) is amended by striking ''fiscal year 2023'' and inserting ''fiscal years 2023 and 2024''.

SEC. 5132. EXTENSION OF PROHIBITION ON CERTAIN REDUCTIONS TO B–1 BOMBER AIRCRAFT SQUADRONS.

Section 133(c)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1574) is amended by striking ''September 30, 2023'' and inserting ''September 30, 2026''.

SEC. 5133. PROHIBITION ON DIVESTMENT OF F–15E AIRCRAFT.

None of the funds authorized to be appropriated by this Act for any of fiscal years 2024 through 2029 may be obligated or expended to divest any F–15E aircraft.

TITLE LII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 5201. APPLICATION OF PUBLIC-PRIVATE TALENT EXCHANGE PROGRAMS IN THE DEPARTMENT OF DEFENSE TO QUANTUM INFORMATION SCIENCES AND TECHNOLOGY RESEARCH.

In carrying out section 1599g of title 10, United States Code, the Secretary of Defense may establish public-private exchange programs, each with up to 10 program participants, focused on private sector entities working on quantum information sciences and technology research applications.

SEC. 5202. BRIEFING ON SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE EDUCATION PROGRAM.

Not later than three years after the date of the enactment of this Act, the Secretary of Defense shall provide Congress with a briefing on participation and use of the program under section 4093 of title 10, United States Code, with a particular focus on levels of interest from students engaged in studying quantum fields.

SEC. 5203. IMPROVEMENTS TO DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

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

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

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

''(f) FELLOWSHIPS.—

''(1) PROGRAM AUTHORIZED.—In carrying out the program required by subsection (a) and subject to the availability of appropriations to carry out this subsection, the Secretary may carry out a program of fellowships in quantum information science and technology research and development for individuals who have a graduate or post-graduate degree.

''(2) EQUAL ACCESS.—In carrying out the program under paragraph (1), the Secretary may establish procedures to ensure that minority, geographically diverse, and economically disadvantaged students have equal access to fellowship opportunities under such program.''.

(b) MULTIDISCIPLINARY PARTNERSHIPS WITH UNIVERSITIES.—Such section is further amended—

(1) by redesignating subsection (g), as redesignated by subsection (a)(1), as subsection (h); and

(2) by inserting after subsection (f), as added by subsection (a)(2), the following new subsection (g):

''(g) MULTIDISCIPLINARY PARTNERSHIPS WITH UNIVERSITIES.—In carrying out the program under subsection (a), the Secretary of Defense may develop partnerships with universities to enable students to engage in multidisciplinary courses of study.''.

SEC. 5204. IMPROVEMENTS TO NATIONAL QUANTUM INITIATIVE PROGRAM.

(a) INVOLVEMENT OF DEPARTMENT OF DEFENSE AND INTELLIGENCE COMMUNITY IN NATIONAL QUANTUM INITIATIVE ADVISORY COMMITTEE.—

(1) QUALIFICATIONS.—Subsection (b) of section 104 of the National Quantum Initiative Act (15 U.S.C. 8814) is amended by striking ''and Federal laboratories'' and inserting ''Federal laboratories, and intelligence researchers''.

(2) INTEGRATION.—Such section is amended—

(A) by redesignating subsections (e) through (g) as subsection (f) through (h), respectively; and

(B) by inserting after subsection (d) the following new subsection (e):

''(e) INTEGRATION OF DEPARTMENT OF DEFENSE AND INTELLIGENCE COMMUNITY.—The Advisory Committee shall take such actions as may be necessary, including by modifying policies and procedures of the Advisory Committee, to ensure the full integration of the Department of Defense and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) in activities of the Advisory Committee.''.

(b) CLARIFICATION OF PURPOSE OF MULTIDISCIPLINARY CENTERS FOR QUANTUM RESEARCH AND EDUCATION.—Section 302(c) of the National Quantum Initiative Act (15 U.S.C. 8842(c)) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(4) encouraging workforce collaboration, both with private industry and among Federal entities, including Department of Defense components and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).''.

(c) COORDINATION OF NATIONAL QUANTUM INFORMATION SCIENCE RESEARCH CENTERS.—Section 402(d) of the National Quantum Initiative Act (15 U.S.C. 8852(d)) is amended—

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

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) other research entities of the Federal government, including research entities in the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003));''.

(d) NATIONAL QUANTUM COORDINATION OFFICE, COLLABORATION WHEN REPORTING TO CONGRESS.—Section 102 of the National Quantum Initiative Act (15 U.S.C. 8812) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) COLLABORATION WHEN REPORTING TO CONGRESS.—The Coordination Office shall ensure that when participants in the National Quantum Initiative Program prepare and submit reports to Congress that they do so in collaboration with each other and as appropriate Federal civilian, defense, and intelligence research entities.''.

(e) REPORTING TO ADDITIONAL COMMITTEES OF CONGRESS.—Paragraph (2) of section 2 of such Act (15 U.S.C. 8801) is amended to read as follows:

''(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

''(B) the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, the Committee on Armed

Services, and the Permanent Select Committee on Intelligence of the House of Representatives.''.

SEC. 5205. ANNUAL REVIEW OF STATUS OF IMPLEMENTATION PLAN FOR DIGITAL ENGINEERING CAREER TRACKS.

(a) ANNUAL REVIEW AND REPORT REQUIRED.—Not less frequently than once each year until December 31, 2029, the Secretary of Defense shall—

(1) conduct an internal review of the status of the implementation of the plan submitted pursuant to section 230(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. note prec. 501); and

(2) submit to the congressional defense committees—

(A) a summary of the status described in paragraph (1);

(B) a report on the findings of the Secretary with respect to the most recent review conducted pursuant to such paragraph; and

(C) a plan for how the Department of Defense will plan for digital engineering personnel needs in the coming years.

(b) CONSIDERATION.—The review conducted pursuant to subsection (a)(1) shall include consideration of the rapid rate of technological change in data science and machine learning.

SEC. 5206. RAPID RESPONSE TO EMERGENT TECHNOLOGY ADVANCEMENTS OR THREATS.

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

(1) leverage an emergent technological advancement of value to the national defense to address a military service-specific need; or

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

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

(1) Identification of a compelling urgent or emergency national security need to immediately initiate development activity in anticipation of a programming or budgeting action, in order to leverage an emergent technological advancement or provide a rapid response to an emerging threat.

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

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

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

(c) ADDITIONAL PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend the procedures for the rapid acquisition and deployment of capabilities needed in response to urgent operational needs prescribed pursuant to such section 3601 to carry out this section. Such updated procedures shall be provided to the congressional defense committees concurrently with the promulgation to the rest of the Department of Defense.

(2) REQUIREMENTS TO BE INCLUDED.—The procedures amended under paragraph (1) shall include the following requirements:

(A) FUNDING.—(i) Subject to clause (ii), in any fiscal year in which a determination described in subsection (b) is made, the Secretary of the military department making the determination may initiate the activities authorized under subsection (a) using any funds available to the Secretary for such fiscal year for—

(I) procurement; or

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

(ii) The total cost of all developmental activities within the Department of Defense, funded under this section, may not exceed $100,000,000 for any fiscal year.

(B) WAIVER AUTHORITY.—(i) Subject to clause (ii), the Secretary of the military department making a determination under subsection (b) may issue a waiver under subsection (d) of such section 3601.

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

(C) TRANSITION.—(i) Any acquisition initiated under subsection (a) shall transition to an appropriate acquisition pathway for transition and integration of the development activity, or be transitioned to a newly established program element or procurement line for completion of such activity.

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

(II) In the event an extension determination is made under subclause (I), the affected Secretary of the military department shall submit to the congressional defense committees, not later than 30 days before the extension takes effect, written notification of the extension with a justification for the extension.

(3) SUBMITTAL TO CONGRESS.—Concurrent with promulgation to the Department of the amendments to the procedures under paragraph (1), the Secretary shall submit to the congressional defense committees the procedures update by such amendments.

(d) CONGRESSIONAL NOTIFICATION.—Within 15 days after the Secretary of Defense approves a determination described in subsection (b), the Secretary of the military department making the determination shall provide written notification of such determination to the congressional defense committees following the procedures for notification in subsections (c)(4)(D) and (c)(4)(F) of such section 3601. A notice under this subsection shall be sufficient to fulfill any requirement to provide notification to Congress for a new start program.

TITLE LIII—OPERATION AND MAINTENANCE

Subtitle A—Briefings and Reports

SEC. 5341. REPORT BY DEPARTMENT OF DEFENSE ON ALTERNATIVES TO BURN PITS.

Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to Congress a report on incinerators and waste-to-energy waste disposal alternatives to burn pits.

TITLE LVI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle C—Other Matters

SEC. 5631. MODIFICATIONS TO TRANSITIONAL COMPENSATION FOR DEPENDENTS OF MEMBERS SEPARATED FOR DEPENDENT ABUSE.

(a) COVERED PUNITIVE ACTIONS.—Subsection (b) of section 1059 of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) who is—

''(A) convicted of a dependent-abuse offense in a district court of the United States or a State court; and

''(B) separated from active duty pursuant to a sentence of a court-martial, or administratively separated, voluntarily or involuntarily, from active duty, for an offense other than the dependent-abuse offense.''.

(b) COMMENCEMENT OF PAYMENT.—Subsection (e)(1) of such section is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting after ''offense'' the following: ''or an offense described in subsection (b)(3)(B)''; and

(B) in clause (ii), by striking ''; and'' and inserting a semicolon; and

(2) in subparagraph (B), by striking ''(if the basis'' and all that follows through ''offense)''.

(c) DEFINITION OF DEPENDENT CHILD.—Subsection (l) of such section is amended, in the matter preceding paragraph (1)—

(1) by striking ''resulting in the separation of the former member or'' and inserting ''referred to in subsection (b) or''; and

(2) by striking ''resulting in the separation of the former member and'' and inserting ''and''.

(d) DELEGATION OF DETERMINATIONS RELATING TO EXCEPTIONAL ELIGIBILITY.—Subsection (m)(4) of such section is amended to read as follows:

''(4) The Secretary concerned may delegate the authority under paragraph (1) to authorize eligibility for benefits under this section for dependents and former dependents of a member or former member to the first general or flag officer (or civilian equivalent) in the chain of command of the member.''.

SEC. 5632. REPORT ON EFFECT OF PHASE-OUT OF REDUCTION OF SURVIVOR BENEFIT PLAN SURVIVOR ANNUITIES BY AMOUNT OF DEPENDENCY AND INDEMNITY COMPENSATION.

(a) IN GENERAL.—The Secretary of Defense shall submit to Congress a report on the effect of section 622 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) and the amendments made by such section.

(b) CONTENTS.—The report submitted pursuant to subsection (a) shall include the following:

(1) An assessment on the effect that section 622 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) and the amendments made by such section had on beneficiaries and any unintended consequences that were a result of such section or amendments.

(2) An evaluation of the authority that the Secretary has in a situation when the Defense Finance Accounting Service cannot verify the eligibility of a spouse and payments are paused for the child.

(3) Recommendations for legislative action to ensure the Secretary has the flexibility to make payments under subchapter II of chapter 73 of title 10, United States Code, to dependent children that are under the guardianship of someone other than the surviving spouse.

(4) An assessment of the process of the Department for determining eligibility for survivor benefits under subchapter II of chapter 73 of title 10, United States Code, and dependency and indemnity compensation under chapter 13 of title 38, United States Code, and the coordination between the Defense Finance Accounting Service and the Department of Veterans Affairs for such benefits.

TITLE LVII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 5701. EXPANSION OF ELIGIBILITY FOR HEARING AIDS TO INCLUDE CHILDREN OF CERTAIN RETIRED MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (16) of section 1077(a) of title 10, United States Code, is amended to read as follows:

''(16) Except as provided by subsection (g), a hearing aid, but only if the dependent has a profound hearing loss, as determined under standards prescribed in regulations by the Secretary of Defense in consultation with the administering Secretaries, and only for the following dependents:

''(A) A dependent of a member of the uniformed services on active duty.

''(B) A dependent under subparagraph (D) or (I) of section 1072(2) of this title of a former member of the uniformed services who—

''(i) is entitled to retired or retainer pay, or equivalent pay; and

''(ii) is enrolled in family coverage under TRICARE Prime.''.

Subtitle B—Health Care Administration

SEC. 5711. MODIFICATION OF REQUIREMENT TO TRANSFER RESEARCH AND DEVELOPMENT AND PUBLIC HEALTH FUNCTIONS TO DEFENSE HEALTH AGENCY.

Section 720(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 1073c note) is amended, in the matter preceding paragraph (1), by striking ''February 1, 2024'' and inserting ''February 1, 2025''.

Subtitle C—Reports and Other Matters

SEC. 5721. REPORT ON MILITARY MENTAL HEALTH CARE REFERRAL POLICIES.

(a) REPORT.—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—

(1) detailing the mental health care referral policies of the Armed Forces; and

(2) the impact of removing primary care referral requirements for outpatient mental health care on—

(A) military readiness;

(B) the uptake of outpatient mental health care services by members of the Armed Forces; and

(C) suicide prevention.

(b) RECOMMENDATIONS.—The report required by subsection (a) shall include recommendations and legislative proposals—

(1) to improve resources and access for outpatient mental health care services by members of the Armed Forces;

(2) to encourage the uptake of such services by such members; and

(3) to maintain military readiness.

SEC. 5722. COMPTROLLER GENERAL STUDY ON BIOMEDICAL RESEARCH AND DEVELOPMENT FUNDED BY DEPARTMENT OF DEFENSE.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the management by the Department of Defense of biomedical research and development funded by the Department, including a review of—

(1) patents for drugs approved by the Food and Drug Administration that were supported with intramural or extramural funding from the Department;

(2) requirements of the Department for how grant recipients, contractors, and labs of the Department should disclose support by the Department in patents generated with funding from the Department; and

(3) the data systems of the Department for cataloging information about patents generated with funding from the Department.

(b) BRIEFING.—Not later than March 31, 2024, the Comptroller General shall brief the Committees on Armed Services of the Senate and the House of Representatives on the study conducted under subsection (a).

(c) 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 Senate and the House of Representatives a report on the study conducted under subsection (a).

SEC. 5723. REPORT ON PROVISION OF MENTAL HEALTH SERVICES VIA TELEHEALTH TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Not later than March 31, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the provision by the Department of Defense of mental health services via telehealth that includes the following:

(1) A summary of relevant Federal and State laws and policies of the Department governing the provision of mental health services via telehealth to members of the Armed Forces and their dependents.

(2) An explanation of any challenges experienced by members of the Armed Forces and their dependents in receiving continuing care from a provider when assigned to a new State or location outside the United States.

(3) An assessment of the value of receiving continuing care from the same mental health provider for various mental health conditions.

(4) A description of how the Department accommodates members of the Armed Forces who would benefit from receiving continuing care from a specific mental health provider.

(5) Such other matters as the Secretary considers relevant.

SEC. 5724. EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

The text of section 706 is hereby deemed to read as follows:

''SEC. 706 EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

''(a) EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT.—Section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note) is amended—

''(1) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

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

'''(e) COVERAGE OF DOULA CARE.—The Secretary may add coverage of labor doula care to the demonstration project, or reimbursement for such care, for all beneficiaries under the TRICARE program, including access—

'''(1) by members of the Armed Forces on active duty;

'''(2) by beneficiaries outside the continental United States; and

'''(3) at military medical treatment facilities.'.

''(b) HIRING OF DOULAS.—The hiring authority for each military medical treatment facility may hire a team of doulas to work in coordination with lactation support personnel or labor and delivery units at such facility.''.

TITLE LVIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle D—Small Business Matters

SEC. 5841. COMPETITION OF SMALL BUSINESS CONCERNS FOR DEPARTMENT OF DEFENSE CONTRACTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance ensuring that covered small businesses are better able to compete for Department of Defense contracts.

(b) EXEMPTIONS FROM CAPABILITY REQUIREMENTS.—

(1) WAIVER AUTHORITY.—The guidance issued under subsection (a) shall provide that the Department of Defense may waive capability requirements, including the waiver described in paragraph (2), to allow a covered small business that does not otherwise meet such requirements to bid on a contract, provided that it makes the certification described under paragraph (3).

(2) SPECIAL CONSIDERATION TO PROVIDE INTERIM ACCESS TO CLASSIFIED INFORMATION FOR DEPARTMENT OF DEFENSE CONTRACTORS WITHOUT SECURITY CLEARANCES.—Notwithstanding section 801 of the National Security Act of 1947 (50 U.S.C. 3161) and the procedures established pursuant to such section, the Secretary of Defense may issue a waiver providing a covered small business that has not been determined eligible to access classified information pursuant to such procedures interim access to classified information under such terms and conditions as the Secretary considers appropriate.

(3) CERTIFICATION REQUIREMENT.— In order to qualify for a waiver under paragraph (1), a covered small business shall certify that it will be able to meet the exempted capability requirements within 180 days after the contract award date. The certification shall include a detailed project and financial plan outlining the tasks to be completed, milestones to be achieved, and resources required.

(4) MONITORING AND COMPLIANCE.—

(A) IN GENERAL.—The contracting officer for a contract awarded pursuant to a waiver under paragraph (1) shall closely monitor the contract performance of the covered small business to ensure that sufficient progress is being made and that any issues that arise are promptly addressed.

(B) FAILURE TO MEET CAPABILITY REQUIREMENTS.—If a covered small business awarded a contract pursuant to a waiver under paragraph (1) fails to meet the requirements promised in the certification required under paragraph (3) within 180 days, the covered small business shall be subject to disqualification from consideration for future contracts of similar scope pursuant to ''Termination for Default'' provisions under subpart 49.4 of the Federal Acquisition Regulation.

(c) COVERED SMALL BUSINESS DEFINED.—In this section, the term ''covered small business'' means—

(1) a nontraditional defense contractor, as that term is defined in section 3014 of title 10, United States Code;

(2) a small business concern, as that term is defined in section 3(a) of the Small Business Act (15 U.S.C. 632(a)); and

(3) any other contractor that has not been awarded a Department of Defense contract in the five-year period preceding the solicitation of sources by the Department of Defense.

Subtitle E—Other Matters

SEC. 5851. BRIEFING ON THE REDESIGNATION OF NATIONAL SERIAL NUMBER (NSN) PARTS AS PROPRIETARY.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the congressional defense committees identifying which National Serial Number (NSN) parts in the Defense Logistics Agency system have had their designation changed to proprietary over the previous 5 years, including a description of which parts were, or continue to be, produced by small businesses before the proprietary designation was applied, and the justification for the changes in designation.

TITLE LX—OTHER MATTERS

Subtitle D—Counterterrorism

SEC. 6031. ESTABLISHING A COORDINATOR FOR COUNTERING MEXICO'S CRIMINAL CARTELS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President, in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, the Attorney General, and the Secretary of the Treasury, shall designate an existing official within the executive branch to serve as senior-level coordinator to coordinate, in conjunction with other relevant agencies, all defense, diplomatic, intelligence, financial, and legal efforts to counter the drug- and human-trafficking activities of Mexico's criminal cartels.

(b) RETENTION OF AUTHORITY.—The designation of a coordinator under subsection (a) shall not deprive any agency of any authority to independently perform functions of that agency.

(c) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter through January 31, 2029, the coordinator designated under subsection (a) shall submit to the appropriate committees of Congress a detailed report on the following:

(A) Efforts taken during the previous quarter to bolster defense cooperation with the Government of Mexico against Mexico's criminal cartels, and any other activities of the Department of Defense with respect to countering the cartels, including in cooperation with the Government of Mexico or interagency partners.

(B) Diplomatic efforts, including numbers of demarches and meetings, taken during the previous quarter to highlight and counter the human rights abuses of Mexico's criminal cartels, including human trafficking, sex trafficking, other exploitation of migrants, endangerment of children, and other abuses.

(C) Diplomatic efforts taken during the previous quarter to improve cooperation with the Government of Mexico in countering Mexico's criminal cartels, and a detailed list and assessment of any actions that the Government of Mexico has taken during the previous quarter to counter the cartels.

(D) Diplomatic efforts taken during the previous quarter to improve cooperation with partners and allies in countering Mexico's criminal cartels.

(E) Efforts taken during the previous quarter to bolster the screening process at ports of entry to prevent members and associates of Mexico's criminal cartels, and individuals who are working for the cartels, from entering or trafficking drugs, humans, and contraband into the United States.

(F) Efforts taken during the previous quarter to encourage the Government of Mexico to improve its screening process along its own ports of entry in order to prevent illicit cash, weapons, and contraband that is destined for Mexico's criminal cartels from entering Mexico.

(G) Efforts taken during the previous quarter to investigate and prosecute members and associates of Mexico's criminal cartels, including members and associates operating from within the United States.

(H) Efforts taken during the previous quarter to encourage the Government of Mexico to increase its investigation and prosecution of leaders, members, and associates of Mexcio's criminal cartels within Mexico.

(I) Efforts taken during the previous quarter to initiate or improve the sharing of intelligence with allies and partners, including the Government of Mexico, for the purpose of countering Mexico's criminal cartels.

(J) Efforts taken during the previous quarter to impose sanctions with respect to—

(i) leaders, members, and associates of Mexico's criminal cartels; and

(ii) any companies, banks, or other institutions that facilitate the cartels' human-trafficking, drug-trafficking, and other criminal enterprises.

(K) The total number of personnel and resources in the Department of Defense, the Department of State, the Department of Homeland Security, the Department of Justice, and the Department of the Treasury focused on countering Mexico's criminal cartels.

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

(d) 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, the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Homeland Security, and the Committee on Financial Services of the House of Representatives.

(2) MEXICO'S CRIMINAL CARTELS.—The term ''Mexico's criminal cartels'' means the following:

(A) Criminal organizations the operations of which include human-trafficking, drug-trafficking, and other types of smuggling operations across the southwest border of the United States and take place largely within Mexico, including the following:

(i) The Sinaloa Cartel.

(ii) The Jalisco New Generation Cartel.

(iii) The Gulf Cartel.

(iv) The Los Zetas Cartel.

(v) The Northeast Cartel.

(vi) The Juarez Cartel.

(vii) The Tijuana Cartel.

(viii) The Beltran-Leyva Cartel.

(ix) The La Familia Michoacana, also known as the Knights Templar Cartel.

(x) Las Moicas.

(xi) La Empresa Nueva.

(xii) MS–13.

(xiii) The Medellin Cartel.

(B) Any successor organization to an organization described in subparagraph (A).

Subtitle F—Studies and Reports

SEC. 6051. REPORT ON FOOD PURCHASING BY THE DEPARTMENT OF DEFENSE.

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 and make publicly available on the website of the Department of Defense a report on the following for each of fiscal years 2018, 2019, 2020, 2021, and 2022:

(1) The total dollar amount spent by the Department of Defense on food service operations worldwide for all personnel, contractors, and families, including all food service provided at or through—

(A) all facilities, such as combat operations, military posts, medical facilities;

(B) all vessels (air, land, and sea);

(C) all entertainment and hosting operations such as officers' clubs and other such facilities; and

(D) all food programs provided to other Federal agencies, such as the Fresh Fruit and Vegetable Program of the Department of Agriculture and the Department of Defense.

(2) The total dollar amount spent by the Department for each category described in paragraph (1).

(3) The dollar amount spend by the Department for each of—

(A) the 25 largest food service contractors or operators; and

(B) the top 10 categories of food, such as meat and poultry, seafood, eggs, dairy product, produce (fruits, vegetables, and nuts), grains and legumes, and processed and packaged foods.

(4) The percentage of all food purchased by the Department that was a product of the United States, pursuant to section 4862 of title 10, United States Code.

(5) The dollar amount of third-party certified and verified foods (such as USDA Organic, Equitable Food Initiative, Fair Trade Certified, and other categories determined to be appropriate by the Secretary) purchased by the Department.

(6) The dollar amount of contracts for food service, food, or food products entered into by the Department with woman-, minority-, and veteran-owned businesses.

Subtitle G—Other Matters

SEC. 6071. IMPROVEMENTS TO DEPARTMENT OF VETERANS AFFAIRS-DEPARTMENT OF DEFENSE JOINT EXECUTIVE COMMITTEE.

(a) SHORT TITLE.—This section may be cited as the ''Ensuring Interagency Cooperation to Support Veterans Act of 2023''.

(b) IN GENERAL.—Section 320 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs:

''(C) the Assistant Secretary of Labor for Veterans' Employment and Training and such other officers and employees of the Department of Labor as the Secretary of Labor may designate; and

''(D) such officers and employees of other Executive agencies as the Secretary of Veterans Affairs and the Secretary of Defense jointly determine, with the consent of the heads of the Executive agencies of such officers and employees, necessary to carry out the goals and objectives of the Committee.'';

(B) by adding at the end the following new paragraph:

''(3) The co-chairs of the Committee are the Deputy Secretary of Veterans Affairs and the Under Secretary of Defense for Personnel and Readiness.'';

(2) in subsection (b)(2), by striking ''Job Training and Post-Service Placement Executive Committee'' and inserting ''Transition Executive Committee'';

(3) in subsection (d), by adding at the end the following new paragraph:

''(6) Develop, implement, and oversee such other joint actions, initiatives, programs, and policies as the two Secretaries determine appropriate and consistent with the purpose of the Committee.''; and

(4) in subsection (e)—

(A) in the subsection heading, by striking ''JOB TRAINING AND POST-SERVICE PLACEMENT'' and inserting ''TRANSITION'';

(B) in the matter before paragraph (1)—

(i) by striking ''Job Training and Post-Service Placement'' and inserting ''Transition'';

(ii) by inserting '', in addition to such other activities as may assigned to the committee under subsection (d)(6)'' after ''shall''; and

(C) in paragraph (2), by inserting '', transition from life in the Armed Forces to civilian life,'' after ''job training''.

SEC. 6072. GRAVE MARKERS AT SANTA FE NATIONAL CEMETERY, NEW MEXICO.

(a) IN GENERAL.—Section 612 of the Veterans Millennium Health Care and Benefits Act (38 U.S.C. 2404 note; Public Law 106–117) is repealed.

(b) STUDY REQUIRED.—The Secretary of Veterans Affairs shall conduct a study on the cost to replace the flat grave markers that were provided under such section at the Santa Fe National Cemetery, New Mexico, with upright grave markers.

SEC. 6073. MODIFICATION OF COMPENSATION FOR MEMBERS OF THE AFGHANISTAN WAR COMMISSION.

Section 1094(g)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1942) is amended to read as follows:

''(1) COMPENSATION OF MEMBERS.—

''(A) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

''(B) FEDERAL EMPLOYEES.—

''(i) IN GENERAL.—A member of the Commission who is an employee of the Federal Government may be compensated as provided for under subparagraph (a) for periods of time during which the member is engaged in the performance of the duties of the Commission that fall outside of ordinary agency working hours, as determined by the employing agency of such member.

''(ii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize dual pay for work performed on behalf of the Commission and for a Federal agency during the same hours of the same day.''.

SEC. 6074. RED HILL HEALTH IMPACTS.

(a) REGISTRY FOR IMPACTED INDIVIDUALS OF THE RED HILL INCIDENT.—

(1) ESTABLISHMENT OF REGISTRY.—The Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'') shall establish within the Agency for Toxic Substances and Disease Registry or the Centers for Disease Control and Prevention or through an award of a grant or contract, as the Secretary determines appropriate, a Red Hill Incident exposure registry to collect data on health implications of petroleum contaminated water for impacted individuals on a voluntary basis. Such registry shall be complementary to, and not duplicative of, the Red Hill Incident Report of the Defense Occupational and Environmental Health Readiness System.

(2) OTHER RESPONSIBILITIES.—

(A) IN GENERAL.—The Secretary, in coordination with the Director of the Centers for Disease Control and Prevention, and in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and such State and local authorities or other partners as the Secretary of Health and Human Services considers appropriate, shall—

(i) review the Federal programs and services available to individuals exposed to petroleum;

(ii) review current research on petroleum exposure in order to identify additional research needs; and

(iii) undertake any other review or activities that the Secretary determines to be appropriate.

(B) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 6 additional years, the Secretary shall submit to the appropriate congressional committees a report on the review and activities undertaken under subparagraph (A) that includes—

(i) strategies for communicating and engaging with stakeholders on the Red Hill Incident;

(ii) the number of impacted and potentially impacted individuals enrolled in the registry established under paragraph (1);

(iii) measures and frequency of follow-up to collect data and specimens related to exposure, health, and developmental milestones as appropriate; and

(iv) a summary of data and analyses on exposure, health, and developmental milestones for impacted individuals.

(C) CONSULTATION.—In carrying out subparagraphs (A) and (B), the Secretary shall consult with non-Federal experts, including individuals with certification in epidemiology, toxicology, mental health, pediatrics, and environmental health, and members of the impacted community.

(3) FUNDING.—Without regard to section 2215 of title 10, United States Code, the Secretary of the Defense is authorized to provide, from amounts made available to such Secretary, such sums as may be necessary for each of fiscal years 2024 through 2030 for the Secretary of Health and Human Services to carry out this subsection.

(b) RED HILL EPIDEMIOLOGICAL HEALTH OUTCOMES STUDY.—

(1) CONTRACTS.—The Secretary of Health and Human Services may contract with independent research institutes or consultants, nonprofit or public entities, laboratories, or medical schools, as the Secretary considers appropriate, that are not part of the Federal Government to assist with the feasibility assessment required by paragraph (2).

(2) FEASIBILITY ASSESSMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the appropriate congressional committees the results of a feasibility assessment to inform the design of the epidemiological study or studies to assess health outcomes for impacted individuals, which may include—

(A) a strategy to recruit impacted individuals to participate in the study or studies, including incentives for participation;

(B) a description of protocols and methodologies to assess health outcomes from the Red Hill Incident, including data management protocols to secure the privacy and security of the personal information of impacted individuals; and

(C) the periodicity for data collection that takes into account the differences between health care practices among impacted individuals who are—

(i) members of the Armed Forces on active duty or spouses or dependents of such members;

(ii) members of the Armed Forces separating from active duty or spouses or dependents of such members;

(iii) veterans and other individuals with access to health care from the Department of Veterans Affairs; and

(iv) individuals without access to health care from the Department of Defense or the Department of Veterans Affairs;

(D) a description of methodologies to analyze data received from the study or studies to determine possible connections between exposure to water contaminated during the Red Hill Incident and adverse impacts to the health of impacted individuals;

(E) an identification of exposures resulting from the Red Hill Incident that may qualify individuals to be eligible for participation in the study or studies as a result of those exposures; and

(F) steps that will be taken to provide individuals impacted by the Red Hill Incident with information on available resources and services.

(3) NOTIFICATIONS; BRIEFINGS.—Not later than one year after the completion of the feasibility assessment under paragraph (2), the Secretary of Health and Human Services shall—

(A) notify impacted individuals on the interim findings of the study or studies; and

(B) brief the appropriate congressional committees on the interim findings of the study or studies.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Health, Education, Labor, and Pensions of the Senate;

(B) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(C) the Committee on Veterans' Affairs of the Senate;

(D) the Committee on Energy and Commerce of the House of Representatives;

(E) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives; and

(F) the Committee on Veterans' Affairs of the House of Representatives.

(2) IMPACTED INDIVIDUAL.—The term ''impacted individual'' means an individual who, at the time of the Red Hill Incident, lived or worked in a building or residence served by the community water system at Joint Base Pearl Harbor-Hickam, Oahu, Hawaii.

(3) RED HILL INCIDENT.—The term ''Red Hill Incident'' means the release of fuel from the Red Hill Bulk Fuel Storage Facility, Oahu, Hawaii, into the sole-source basal aquifer located 100 feet below the facility, contaminating the community water system at Joint Base Pearl Harbor-Hickam on November 20, 2021.

SEC. 6075. PERMANENT AUTHORIZATION OF UNDETECTABLE FIREARMS ACT OF 1988.

Section 2(f) of the Undetectable Firearms Act of 1988 (18 U.S.C. 922 note; Public Law 100–649) is amended—

(1) by striking ''EFFECTIVE DATE AND SUNSET PROVISION'' and all that follows through ''This Act and the amendments'' and inserting the following: ''EFFECTIVE DATE.—This Act and the amendments''; and

(2) by striking paragraph (2).

SEC. 6076. SENSE OF CONGRESS ON THE IMPORTANCE OF NON-GOVERNMENTAL RECOGNITION OF MILITARY ENLISTEES TO IMPROVE COMMUNITY SUPPORT FOR MILITARY RECRUITMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) publicly honoring and recognizing the young men and women who upon graduation from high-school enlist to serve in the Armed Forces is a meaningful way to indicate national and local support for those enlistees prior to initial accession training, express gratitude to their families, and enhance the partnerships between military recruiters and high school administrators and guidance counselors;

(2) the intrinsic value of these community ceremonies should be formally recognized by the Office of the Secretary of Defense and the various military service recruiting commands; and

(3) to the extent practicable, an appropriate level of joint military service support should be provided at these events, to include general officer and senior enlisted adviser participation, ceremonial unit involvement, musical support, and local recruiter presence.

(b) BRIEFING.—Not later than March 23, 2024, the Secretary of Defense shall brief the

congressional defense committees on the extent of Department of Defense and military service coordination and support rendered for the recognition events described in subsection (a), which are executed at no cost to the Federal Government under the independent, national direction of the ''Our Community Salutes'' organization, a registered 501(c)(3) organization.

SEC. 6077. ADJUSTMENT OF THRESHOLD AMOUNT FOR MINOR MEDICAL FACILITY PROJECTS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) SHORT TITLE.—This section may be cited as the ''Department of Veterans Affairs Minor Construction Threshold Adjustment Act of 2023''.

(b) ADJUSTMENT OF THRESHOLD AMOUNT.—Section 8104(a) of title 38, United States Code, is amended—

(1) in paragraph (3)(A), by striking ''$20,000,000'' each place it appears and inserting ''the amount specified in paragraph (4)''; and

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

''(4)(A) The amount specified in this paragraph is $30,000,000, as adjusted pursuant to this paragraph.

''(B)(i) The Secretary shall develop, through regulations, a mechanism to adjust the amount under subparagraph (A) to account for relevant factors relating to construction, cost of land, real estate, economic conditions, labor conditions, inflation, and other relevant factors the Secretary considers necessary to ensure such amount keeps pace with all economic conditions that impact the price of construction projects, to include planning, management, and delivery of the project.

''(ii) In developing the mechanism under clause (i), the Secretary may—

''(I) use a mechanism or index already relied upon by the Department for other relevant programs, a mechanism or index used by another Federal agency, or a commercial mechanism or index if such mechanism or index satisfactorily addresses the intent of this subparagraph; or

''(II) create a new mechanism or index if the Secretary considers it appropriate and necessary to do so.

''(C)(i) Not less frequently than once every two years, the Secretary shall—

''(I) adjust the amount under subparagraph (A); or

''(II) publish a notice in the Federal Register indicating that no adjustment is warranted.

''(ii) Not later than 30 days before adjusting an amount pursuant to clause (i)(I) or publishing a notice pursuant to clause (i)(II), the Secretary shall notify the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate and the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives.

''(D) The Secretary shall determine a logical schedule for adjustments under this paragraph to take effect so that the amounts for and types of construction projects requested by the Department in the budget of the President under section 1105(a) of title 31 are consistent with the threshold for construction projects as so adjusted.''.

SEC. 6078. DESIGNATION OF NATIONAL MUSEUM OF THE MIGHTY EIGHTH AIR FORCE.

(a) DESIGNATION.—The National Museum of the Mighty Eighth Air Force located at 175 Bourne Avenue, Pooler, Georgia (or any successor location), is designated as the official National Museum of the Mighty Eighth Air Force of the United States (referred to in this section as the ''National Museum'').

(b) RELATION TO NATIONAL PARK SYSTEM.—The National Museum shall not be included as a unit of the National Park System.

(c) RULE OF CONSTRUCTION.—This section shall not be construed to appropriate, or authorize the appropriation of, Federal funds for any purpose related to the National Museum.

SEC. 6079. REVISION OF REQUIREMENT FOR TRANSFER OF CERTAIN AIRCRAFT TO STATE OF CALIFORNIA FOR WILDFIRE SUPPRESSION PURPOSES.

(a) TRANSFER OF EXCESS COAST GUARD HC–130H AIRCRAFT.—

(1) TRANSFER TO STATE OF CALIFORNIA.—If the Governor of the State of California submits to the Secretary of Homeland Security a written request to acquire, pursuant to this section, the Federal property described in this paragraph, the Secretary of Homeland Security shall transfer to the State of California without reimbursement—

(A) all right, title, and interest of the United States in and to the seven HC–130H aircraft specified in paragraph (2); and

(B) initial spares (calculated based on shelf stock support for seven HC–130H aircraft each flying 400 hours each year) and necessary ground support equipment for such aircraft.

(2) AIRCRAFT SPECIFIED.—The aircraft specified in this paragraph are the HC–130H Coast Guard aircraft with serial numbers 1706, 1708, 1709, 1713, 1714, 1719, and 1721.

(3) TIMING; FAILURE TO SUBMIT REQUEST.—

(A) IN GENERAL.—The transfers under paragraph (1) shall be made as soon as practicable after the date on which the Secretary of Homeland Security receives a request under such paragraph.

(B) FAILURE TO SUBMIT REQUEST.—If the Governor of the State of California fails to submit a request under paragraph (1) before the date that is 120 days after the date of the enactment of this Act—

(i) paragraph (1) shall have no force or effect; and

(ii) the Secretary of Homeland Security may retain title and disposition of the Federal property described in paragraph (1).

(4) MODIFICATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the transfers under paragraph (1) may be carried out without further modifications by the United States to the aircraft transferred under such paragraph.

(B) DEMILITARIZED.—Before an aircraft may be transferred under paragraph (1), the aircraft shall be demilitarized as determined necessary by the Secretary of Homeland Security.

(b) CONDITIONS OF TRANSFER.—Aircraft transferred to the State of California under subsection (a)(1)—

(1) may be used only for wildfire suppression purposes;

(2) may not be flown outside of, or otherwise removed from, the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other disaster-related response purposes approved by the Governor of the State of California in writing in advance;

(3) may be used for wildfire suppression purposes only after the aircraft is modified to conform with the standards and requirements for firefighting aircraft set forth by the National Interagency Aviation Committee and the Interagency Airtanker Board; and

(4) may only be disposed of by the State of California pursuant to the statutes and regulations governing disposal of aircraft provided to the State of California through the Federal Excess Personal Property Program.

(c) TRANSFER OF RESIDUAL KITS AND PARTS HELD BY AIR FORCE.—The Secretary of the Air Force may transfer to the State of California, without reimbursement, any residual kits and parts held by the Secretary of the Air Force that were procured in anticipation of the transfer to the Secretary of the Air Force of the aircraft specified in subsection (a)(2).

(d) COSTS AFTER TRANSFER.—Any costs of operation, maintenance, sustainment, and disposal of aircraft, initial spares, and ground support equipment transferred to the Governor of the State of California under this section that are incurred after the date of transfer shall be borne by the Governor of the State of California.

(e) CONFORMING AMENDMENTS.—

(1) SECTION 1098 OF FISCAL YEAR 2014 NDAA.—Section 1098 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 881), as amended by section 1083 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1989), is amended—

(A) by striking subsection (a);

(B) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''and subject to the certification requirement under subsection (f),'';

(C) in subsection (c), by striking ''or the Governor of California'' each place it appears;

(D) in subsection (e), in the matter preceding paragraph (1)—

(i) by striking ''Promptly following the completion of the certification requirement under subsection (f) and notwithstanding'' and inserting ''Notwithstanding''; and

(ii) by striking ''begin''; and

(E) by striking subsection (f).

(2) SECTION 1083 OF FISCAL YEAR 2019 NDAA.—Section 1083 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1989) is repealed.

SEC. 6080. EXTENSION OF ACTIVE DUTY TERM FOR ATTENDING PHYSICIAN AT UNITED STATES CAPITOL.

The present incumbent Attending Physician at the United States Capitol shall be continued on active duty until 10 years after the date of the enactment of this Act.

SEC. 6081. DISCLOSURES BY DIRECTORS, OFFICERS, AND PRINCIPAL STOCKHOLDERS.

(a) IN GENERAL.—Section 16(a)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78p(a)(1)) is amended by inserting ''(including any such security of a foreign private issuer, as that term is defined in section 240.3b–4 of title 17, Code of Federal Regulations, or any successor regulation)'' after ''pursuant to section 12''.

(b) EFFECT ON REGULATION.—If any provision of section 240.3a12–3(b) of title 17, Code of Federal Regulations, or any successor regulation, is inconsistent with the amendment made by subsection (a), that provision of such section 240.3a12–3(b) (or such successor) shall have no force or effect.

(c) ISSUANCE OR AMENDMENT OF REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall issue final regulations (or amend existing regulations of the Commission) to carry out the amendment made by subsection (a).

SEC. 6082. PREVENTING CHILD SEX ABUSE.

(a) SHORT TITLE.—This section may be cited as the ''Preventing Child Sex Abuse Act of 2023''.

(b) SENSE OF CONGRESS.—The sense of Congress is the following:

(1) The safety of children should be a top priority for public officials and communities in the United States.

(2) According to the Rape, Abuse & Incest National Network, an individual in the United States is sexually assaulted every 68 seconds. And every 9 minutes, that victim is a child. Meanwhile, only 25 out of every 1,000 perpetrators will end up in prison.

(3) The effects of child sexual abuse can be long-lasting and affect the victim's mental health.

(4) Victims are more likely than non-victims to experience the following mental health challenges:

(A) Victims are about 4 times more likely to develop symptoms of drug abuse.

(B) Victims are about 4 times more likely to experience post-traumatic stress disorder as adults.

(C) Victims are about 3 times more likely to experience a major depressive episode as adults.

(5) The criminal justice system should and has acted as an important line of defense to protect children and hold perpetrators accountable.

(6) However, the horrific crimes perpetuated by Larry Nassar demonstrate firsthand the loopholes that still exist in the criminal justice system. While Larry Nassar was found guilty of several State-level offenses, he was not charged federally for his illicit sexual contact with minors, despite crossing State and international borders to commit this conduct.

(7) The Department of Justice has also identified a growing trend of Americans who use charitable or missionary work in a foreign country as a cover for sexual abuse of children.

(8) It is the intent of Congress to prohibit Americans from engaging in sexual abuse or exploitation of minors under the guise of work, including volunteer work, with an organization that affects interstate or foreign commerce, such as an international charity.

(9) Federal law does not require that an abuser's intention to engage in sexual abuse be a primary, significant, dominant, or motivating purpose of the travel.

(10) Child sexual abuse does not require physical contact between the abuser and the child. This is especially true as perpetrators turn increasingly to internet platforms, online chat rooms, and webcams to commit child sexual abuse.

(11) However, a decision of the United States Court of Appeals for the Seventh Circuit found the use of a webcam to engage in sexually provocative activity with a minor did not qualify as ''sexual activity''.

(12) Congress can address this issue by amending the definition of the term ''sexual activity'' to clarify that it does not require interpersonal, physical contact.

(13) It is the duty of Congress to provide clearer guidance to ensure that those who commit crimes against children are prosecuted to the fullest extent of the law.

(c) INTERSTATE CHILD SEXUAL ABUSE.—Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''with a motivating purpose of engaging in any illicit sexual conduct with another person'' and inserting ''with intent to engage in any illicit sexual conduct with another person'';

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (i), respectively;

(3) in subsection (e), as so redesignated, by striking ''with a motivating purpose of engaging in any illicit sexual conduct'' and inserting ''with intent to engage in any illicit sexual conduct''; and

(4) by inserting after subsection (g), as so redesignated, the following:

''(h) RULE OF CONSTRUCTION.—As used in this section, the term 'intent' shall be construed as any intention to engage in illicit sexual conduct at the time of the travel.''.

(d) ABUSE UNDER THE GUISE OF CHARITY.—Section 2423 of title 18, United States Code, as amended by subsection (c) of this section, is amended—

(1) by inserting after subsection (c) the following:

''(d) ILLICIT SEXUAL CONDUCT IN CONNECTION WITH CERTAIN ORGANIZATIONS.—Any citizen of the United States or alien admitted for permanent residence who—

''(1) is an officer, director, employee, or agent of an organization that affects interstate or foreign commerce;

''(2) makes use of the mails or any means or instrumentality of interstate or foreign commerce through the connection or affiliation of the person with such organization; and

''(3) commits an act in furtherance of illicit sexual conduct through the connection or affiliation of the person with such organization,

shall be fined under this title, imprisoned for not more than 30 years, or both.'';

(2) in subsection (f), as so redesignated, by striking ''or (d)'' and inserting ''(d), or (e)''; and

(3) in subsection (i), as so redesignated, by striking ''(f)(2)'' and inserting ''(g)(2)''.

(e) SEXUAL ACTIVITY WITH MINORS.—Section 2427 of title 18, United States Code, is amended by inserting ''does not require interpersonal physical contact, and'' before ''includes''.

SEC. 6083. SENATE NATIONAL SECURITY WORKING GROUP.

(a) IN GENERAL.—Section 21 of Senate Resolution 64 (113th Congress), agreed to March 5, 2013, is amended by striking subsection (d).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as though enacted on December 31, 2022.

SEC. 6084. RECOGNITION AS CORPORATION AND GRANT OF FEDERAL CHARTER FOR NATIONAL AMERICAN INDIAN VETERANS, INCORPORATED.

(a) IN GENERAL.—Part B of subtitle II of title 36, United States Code, is amended by inserting after chapter 1503 the following:

''CHAPTER 1504—NATIONAL AMERICAN INDIAN VETERANS, INCORPORATED

''Sec.
''150401. Organization.
''150402. Purposes.
''150403. Membership.
''150404. Board of directors.
''150405. Officers.
''150406. Nondiscrimination.
''150407. Powers.
''150408. Exclusive right to name, seals, emblems, and badges.
''150409. Restrictions.
''150410. Duty to maintain tax-exempt status.
''150411. Records and inspection.
''150412. Service of process.
''150413. Liability for acts of officers and agents.
''150414. Failure to comply with requirements.
''150415. Annual report.

''§ 150401 Organization

''The National American Indian Veterans, Incorporated, a nonprofit corporation organized in the United States (referred to in this chapter as the 'corporation'), is a federally chartered corporation.

''§ 150402. Purposes

''The purposes of the corporation are those stated in the articles of incorporation, constitution, and bylaws of the corporation, and include a commitment—

''(1) to uphold and defend the Constitution of the United States while respecting the sovereignty of the American Indian Nations;

''(2) to unite under one body all American Indian veterans who served in the Armed Forces of United States;

''(3) to be an advocate on behalf of all American Indian veterans without regard to whether they served during times of peace, conflict, or war;

''(4) to promote social welfare (including educational, economic, social, physical, and cultural values and traditional healing) in the United States by encouraging the growth and development, readjustment, self-respect, self-confidence, contributions, and self-identity of American Indian veterans;

''(5) to serve as an advocate for the needs of American Indian veterans and their families and survivors in their dealings with all Federal and State government agencies;

''(6) to promote, support, and utilize research, on a nonpartisan basis, pertaining to the relationship between American Indian veterans and American society; and

''(7) to provide technical assistance to the Bureau of Indian Affairs regional areas that are not served by any veterans committee or organization or program by—

''(A) providing outreach service to Indian Tribes in need; and

''(B) training and educating Tribal Veterans Service Officers for Indian Tribes in need.

''§ 150403. Membership

''Subject to section 150406, eligibility for membership in the corporation, and the rights and privileges of members, shall be as provided in the constitution and bylaws of the corporation.

''§ 150404. Board of directors

''Subject to section 150406, the board of directors of the corporation, and the responsibilities of the board, shall be as provided in the constitution and bylaws of the corporation and in conformity with the laws under which the corporation is incorporated.

''§ 150405. Officers

''Subject to section 150406, the officers of the corporation, and the election of such officers, shall be as provided in the constitution and bylaws of the corporation and in conformity with the laws of the jurisdiction under which the corporation is incorporated.

''§ 150406. Nondiscrimination

''In establishing the conditions of membership in the corporation, and in determining the requirements for serving on the board of directors or as an officer of the corporation, the corporation may not discriminate on the basis of race, color, religion, sex, national origin, handicap, or age.

''§ 150407. Powers

''The corporation shall have only those powers granted the corporation through its articles of incorporation, constitution, and bylaws, which shall conform to the laws of the jurisdiction under which the corporation is incorporated.

''§ 150408. Exclusive right to name, seals, emblems, and badges

''(a) IN GENERAL.—The corporation shall have the sole and exclusive right to use the names 'National American Indian Veterans, Incorporated' and 'National American Indian Veterans', and such seals, emblems, and badges as the corporation may lawfully adopt.

''(b) EFFECT.—Nothing in this section interferes or conflicts with any established or vested rights.

''§ 150409. Restrictions

''(a) STOCK AND DIVIDENDS.—The corporation may not—

''(1) issue any shares of stock; or

''(2) declare or pay any dividends.

''(b) DISTRIBUTION OF INCOME OR ASSETS.—

''(1) IN GENERAL.—The income or assets of the corporation may not—

''(A) inure to any person who is a member, officer, or director of the corporation; or

''(B) be distributed to any such person during the life of the charter granted by this chapter.

''(2) EFFECT.—Nothing in this subsection prevents the payment of reasonable compensation to the officers of the corporation, or reimbursement for actual and necessary expenses, in amounts approved by the board of directors.

''(c) LOANS.—The corporation may not make any loan to any officer, director, member, or employee of the corporation.

''(d) NO FEDERAL ENDORSEMENT.—The corporation may not claim congressional approval or Federal Government authority by virtue of the charter granted by this chapter for any of the activities of the corporation.

''§ 150410. Duty to maintain tax-exempt status

''The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986.

''§ 150411. Records and inspection

''(a) RECORDS.—The corporation shall keep—

''(1) correct and complete books and records of accounts;

''(2) minutes of any proceeding of the corporation involving any of member of the corporation, the board of directors, or any committee having authority under the board of directors; and

''(3) at the principal office of the corporation, a record of the names and addresses of all members of the corporation having the right to vote.

''(b) INSPECTION.—

''(1) IN GENERAL.—All books and records of the corporation may be inspected by any member having the right to vote, or by any agent or attorney of such a member, for any proper purpose, at any reasonable time.

''(2) EFFECT.—Nothing in this section contravenes—

''(A) the laws of the jurisdiction under which the corporation is incorporated; or

''(B) the laws of those jurisdictions within the United States and its territories within which the corporation carries out activities in furtherance of the purposes of the corporation.

''§ 150412. Service of process

''With respect to service of process, the corporation shall comply with the laws of—

''(1) the jurisdiction under which the corporation is incorporated; and

''(2) those jurisdictions within the United States and its territories within which the corporation carries out activities in furtherance of the purposes of the corporation.

''§ 150413. Liability for acts of officers and agents

''The corporation shall be liable for the acts of the officers and agents of the corporation acting within the scope of their authority.

''§ 150414. Failure to comply with requirements

''If the corporation fails to comply with any of the requirements of this chapter, including the requirement under section 150410 to maintain its status as an organization exempt from taxation, the charter granted by this chapter shall expire.

''§ 150415. Annual report

''(a) IN GENERAL.—The corporation shall submit to Congress an annual report describing the activities of the corporation during the preceding fiscal year.

''(b) SUBMITTAL DATE.—Each annual report under this section shall be submitted at the same time as the report of the audit of the corporation required by section 10101(b).

''(c) REPORT NOT PUBLIC DOCUMENT.—No annual report under this section shall be printed as a public document.''.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle II of title 36, United States Code, is amended by inserting after the item relating to chapter 1503 the following:

''1504. National American Indian Veterans, Incorporated .....150401''.

Subtitle H—Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act

SEC. 6091. SHORT TITLE.

This subtitle may be cited as the ''Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act'' or ''GRATEFUL Act''.

SEC. 6092. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) In 1952, with the enactment of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Congress established an immigrant visa program to reward foreign nationals who are United States Government employees for their service to the United States (referred to in this Act as the ''Government Employee Immigrant Visa program'').

(2) For 71 years, the Government Employee Immigrant Visa program has allowed foreign nationals with at least 15 years of exceptional service to the United States to immigrate to the United States with their families.

(3) Such foreign national employees of the United States Government are the bulwark of United States foreign policy, risking their lives year after year through civil unrest, terrorism, natural disasters, and war.

(4) The work of such foreign nationals—

(A) ensures the safety and well-being of United States citizens;

(B) provides security and logistics for visiting delegations; and

(C) supports United States Government operations abroad.

(5) Such foreign nationals include employees of the Department of State, the United States Agency for International Development, the Department of Defense, the Department of Homeland Security, the Department of Justice, the Department of Commerce, and the Department of Agriculture.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should preserve the immigrant visa program for foreign nationals who are employees of the United States Government abroad or of the American Institute in Taiwan, and who have provided exceptional service over a long term to the United States, by providing a dedicated allocation of visas for such employees and their immediate family members when visas are not immediately available in the corresponding visa category.

SEC. 6093. VISA AVAILABILITY FOR GOVERNMENT EMPLOYEE IMMIGRANT VISA PROGRAM.

(a) IN GENERAL.—Beginning in fiscal year 2024, subject to subsection (b), visas shall be made available to a special immigrant described in section 101(a)(27)(D) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(D)) if a visa is not immediately available for issuance to the special immigrant under section 203(b)(4) of that Act (8 U.S.C. 1153(b)(4)).

(b) NUMERICAL LIMITATIONS.—

(1) FISCAL YEAR 2024.—For fiscal year 2024, not more than 3,500 visas shall be made available under subsection (a).

(2) SUBSEQUENT FISCAL YEARS.—For fiscal year 2025 and each fiscal year thereafter, not more than 3,000 visas shall be made available under subsection (a).

(c) TEMPORARY REDUCTION IN DIVERSITY VISAS.—Section 203(d)(2) of the Nicaraguan Adjustment and Central America Relief Act (8 U.S.C. 1151 note; Public Law 105–100) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) In no case shall the reduction under paragraph (1) for a fiscal year exceed the amount by which—

''(A) the sum of—

''(i) one-half of the total number of individuals described in subclauses (I), (II), (III), and (IV) of section 309(c)(5)(C)(i) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note; Public Law 104–208) who have adjusted their status to that of aliens lawfully admitted for permanent residence under section 202 of the Nicaraguan Adjustment and Central American Relief Act (Public Law 105–100; 8 U.S.C. 1255 note) as of the end of the previous fiscal year; and

''(ii) the total number of individuals described in section 101(a)(27)(D) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(D)) for whom visas shall be made available for the applicable fiscal year under section 1093(b) of the Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act; exceeds

''(B) the total of the reductions in available visas under this subsection for all previous fiscal years.''; and

(2) by adding at the end the following:

''(3)(A) Paragraph (1) shall not apply in a fiscal year following a fiscal year for which the total number of aliens described in subparagraph (B) is zero.

''(B) For a fiscal year, the total number of aliens described in this subparagraph is the total number of individuals described in section 101(a)(27)(D) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(D)) who have been issued visas during the previous fiscal year under the Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act.

''(C) Nothing in this paragraph may be construed—

''(i) to repeal, modify, or render permanently inapplicable paragraph (1); or

''(ii) to prevent the offsetting of the number of visas described in that paragraph for the purpose of providing visa availability for aliens described in subparagraph (B).

''(4) In the event that the number of visas available for a fiscal year under section 201(e) of the Immigration and Nationality Act (8 U.S.C. 1151(e)) is reduced to a number fewer than 50,000, not fewer than 3,000 visas shall be made available for individuals described in section 1093(a) of the Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act.''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section may be construed to modify the number of visas available under section 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(4)) to special immigrants described in section 101(a)(27)(D) of that Act (8 U.S.C. 1101(a)(27)(D)).

Subtitle I—Additional Matters Relating to Artificial Intelligence

SEC. 6096. REPORT ON ARTIFICIAL INTELLIGENCE REGULATION IN FINANCIAL SERVICES INDUSTRY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each of the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the National Credit Union Administration, and the Bureau of Consumer Financial Protection 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 on its gap in knowledge relating to artificial intelligence, including an analysis on—

(1) which tasks are most frequently being assisted or completed with artificial intelligence in the institutions the agency regulates;

(2) current governance standards in place for artificial intelligence use at the agency and current standards in place for artificial intelligence oversight by the agency;

(3) potentially additional regulatory authorities required by the agency to continue to successfully execute its mission;

(4) where artificial intelligence may lead to overlapping regulatory issues between agencies that require clarification;

(5) how the agency is currently using artificial intelligence, how the agency plans to use such artificial intelligence the next 3 years, and the expected impact, including fiscal and staffing, of those plans; and

(6) what resources, monetary or other resources, if any, the agency requires to both adapt to the changes that artificial intelligence will bring to the regulatory landscape and to adequately adopt and oversee the use of artificial intelligence across its operations described in paragraph (5).

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require an agency to include confidential supervisory information or pre-decisional or deliberative non-public information in a report under this section.

SEC. 6097. ARTIFICIAL INTELLIGENCE BUG BOUNTY PROGRAMS.

(a) PROGRAM FOR FOUNDATIONAL ARTIFICIAL INTELLIGENCE PRODUCTS BEING INCORPORATED BY DEPARTMENT OF DEFENSE.—

(1) DEVELOPMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and subject to the availability of appropriations, the Chief Data and Artificial Intelligence Officer of the Department of Defense shall develop a bug bounty program for foundational artificial intelligence models being integrated into Department of Defense missions and operations.

(2) COLLABORATION.—In developing the program required by paragraph (1), the Chief may collaborate with the heads of other government agencies that have expertise in cybersecurity and artificial intelligence.

(3) IMPLEMENTATION AUTHORIZED.—The Chief may carry out the program developed pursuant to subsection (a).

(4) CONTRACTS.—The Secretary of Defense shall ensure, as may be appropriate, that whenever the Department of Defense enters into any contract, the contract allows for participation in the bug bounty program developed pursuant to paragraph (1).

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

(A) the use of any foundational artificial intelligence model; or

(B) the implementation of the program developed pursuant to paragraph (1) in order for the Department to incorporate a foundational artificial intelligence model.

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Chief shall provide the congressional defense committees a briefing on—

(1) the development and implementation of bug bounty programs the Chief considers relevant to the matters covered by this section; and

(2) long-term plans of the Chief with respect to such bug bounty programs.

(c) DEFINITION OF FOUNDATIONAL ARTIFICIAL INTELLIGENCE MODEL.—In this section, the term ''foundational artificial intelligence model'' means an adaptive generative model that is trained on a broad set of unlabeled data sets that can be used for different tasks, with minimal fine-tuning.

SEC. 6098. VULNERABILITY ANALYSIS STUDY FOR ARTIFICIAL INTELLIGENCE-ENABLED MILITARY APPLICATIONS.

(a) STUDY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer (CDAO) of the Department of Defense shall complete a study analyzing the vulnerabilities to the privacy, security, and accuracy of, and capacity to assess, artificial intelligence-enabled military applications, as well as research and development needs for such applications.

(b) ELEMENTS.—The study required by subsection (a) shall cover the following:

(1) Research and development needs and transition pathways to advance explainable and interpretable artificial intelligence-enabled military applications, including the capability to assess the underlying algorithms and data models of such applications.

(2) Assessing the potential risks to the privacy, security, and accuracy of underlying architectures and algorithms of artificial intelligence-enabled military applications, including the following:

(A) Individual foundational artificial intelligence models, including the adequacy of existing testing, training, and auditing for such models to ensure models can be properly assessed over time.

(B) The interactions of multiple artificial intelligence-enabled military applications, and the ability to detect and assess new, complex, and emergent behavior amongst individual agents, as well as the collective impact, including how such changes may affect risk to privacy, security, and accuracy over time.

(C) The impact of increased agency in artificial intelligence-enabled military applications and how such increased agency may affect the ability to detect and assess new, complex, and emergent behavior, as well risks to the privacy, security, and accuracy of such applications over time.

(3) Assessing the survivability and traceability of decision support systems that are integrated with artificial intelligence-enabled military applications and used in a contested environment, including—

(A) potential benefits and risks to Department of Defense missions and operations of implementing such applications; and

(B) other technical or operational constraints to ensure such decision support systems that are integrated with artificial intelligence-enabled military applications are able to adhere to the Department of Defense Ethical Principles for Artificial Intelligence.

(4) Identification of existing artificial intelligence metrics, developmental, testing and audit capabilities, personnel, and infrastructure within the Department of Defense, including test and evaluation facilities, needed to enable ongoing identification and assessment under paragraphs (1) through (3), and other factors such as—

(A) implications for deterrence systems based on systems warfare; and

(B) vulnerability to systems confrontation on the system and system-of-systems level.

(5) Identification of gaps or research needs to sufficiently respond to the elements outlined in this subsection that are not currently, or not sufficiently, funded within the Department of Defense.

(c) COORDINATION.—In carrying out the study required by subsection (a), the Chief Digital and Artificial Intelligence Officer shall coordinate with the following:

(1) The Director of the Defense Advanced Research Projects Agency (DARPA).

(2) The Under Secretary of Defense for Research and Evaluation.

(3) The Under Secretary of Defense for Policy.

(4) The Director for Operational Test and Evaluation (DOT&E) of the Department.

(5) As the Chief Digital and Artificial Intelligence Officer considers appropriate, the following:

(A) The Secretary of Energy.

(B) The Director of the National Institute of Standards and Technology.

(C) The Director of the National Science Foundation.

(D) The head of the National Artificial Intelligence Initiative Office of the Office of Science and Technology Policy.

(E) Members and representatives of industry.

(F) Members and representatives of academia.

(d) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer shall provide the congressional defense committees a briefing on the interim findings of the Chief Digital and Artificial Intelligence Officer with respect to the study being conducted pursuant to subsection (a).

(e) FINAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer shall submit to the congressional defense committees a final report on the findings of the Chief Digital and Artificial Intelligence Officer with respect to the study conducted pursuant to subsection (a).

(2) FORM.—The final report submitted pursuant to paragraph (1) shall be submitted in unclassified for, but may include a classified annex.

(f) DEFINITION OF FOUNDATIONAL ARTIFICIAL INTELLIGENCE MODEL.—In this section, the term ''foundational artificial intelligence model'' means an adaptive generative model that is trained on a broad set of unlabeled data sets that can be used for different tasks, with minimal fine-tuning.

SEC. 6099. REPORT ON DATA SHARING AND COORDINATION.

(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 ways to improve data sharing, interoperability, and quality, as may be appropriate, across the Department of Defense.

(b) CONTENTS.—The report submitted pursuant to subsection (a) shall include the following:

(1) A description of policies, practices, and cultural barriers that impede data sharing and interoperability, and lead to data quality issues, among components of the Department.

(2) The impact a lack of appropriate levels of data sharing, interoperability, and quality has on Departmental collaboration, efficiency, interoperability, and joint-decision-making.

(3) A review of current efforts to promote appropriate data sharing, including to centralize data management, such as the ADVANA program.

(4) A description of near-, mid-, and long-term efforts that the Office of the Secretary of Defense plans to implement to promote data sharing and interoperability, including efforts to improve data quality.

(5) A detailed plan to implement a data sharing and interoperability strategy that supports effective development and employment of artificial intelligence-enabled military applications.

(6) A detailed assessment of the implementation of the Department of Defense Data Strategy issued in 2020, as well as the use of data decrees to improve management rigor in the Department when it comes to data sharing and interoperability.

(7) Any recommendations for Congress with respect to assisting the Department in these efforts.

TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle C—Matters Relating to Europe and the Russian Federation

SEC. 6231. BLACK SEA SECURITY AND DEVELOPMENT STRATEGY.

(a) SHORT TITLE.—This section may be cited as the ''Black Sea Security Act of 2023''.

(b) SENSE OF CONGRESS ON BLACK SEA SECURITY.—It is the sense of Congress that—

(1) it is in the interest of the United States to support efforts to prevent the spread of further armed conflict in Europe by recognizing the Black Sea region as an arena of Russian aggression;

(2) littoral states of the Black Sea are critical in countering aggression by the Government of the Russian Federation and contributing to the collective security of NATO;

(3) the repeated, illegal, unprovoked, and violent attempts of the Russian Federation to expand its territory and control access to the Mediterranean Sea through the Black Sea constitutes a threat to the national security of the United States and NATO;

(4) the United States condemns attempts by the Russian Federation to change or alter boundaries in the Black Sea region by force or any means contrary to international law and to impose a sphere of influence across the region;

(5) the United States condemns Russia's illegitimate territorial claims, including those on the Crimean Peninsula, along Ukraine's territorial waters in the Black Sea and the Sea of Azov, in the Black Sea's international waters, and in the territories it is illegally occupying in Ukraine;

(6) the United States should continue to work within NATO and with NATO allies to develop a long-term strategy to enhance security, establish a permanent, sustainable presence along NATO's eastern flank, and bolster the democratic resilience of its allies and partners in the region;

(7) the United States should consider whether it should work within NATO and with NATO allies to develop a regular, rotational maritime presence in the Black Sea;

(8) the United States should work with the European Union on coordinating a strategy to support democratic initiatives and economic prosperity in the region, which includes 2 European Union members and 4 European Union aspirant nations;

(9) the United States should work to foster dialogue among countries within the Black Sea region to improve communication and intelligence sharing and increase cyber defense capabilities;

(10) countries with historic and economic ties to Russia are looking to the United States and Europe to provide a positive economic presence in the broader region as a counterbalance to the Russian Federation's malign influence in the region;

(11) it is in the interest of the United States to support and bolster the economic ties between the United States and Black Sea states;

(12) the United States should support the initiative undertaken by central and eastern European states to advance the Three Seas Initiative Fund to strengthen transport, energy, and digital infrastructure connectivity in the region between the Adriatic Sea, Baltic Sea, and Black Sea;

(13) there are mutually beneficial opportunities for increased investment and economic expansion, particularly on energy and transport infrastructure initiatives, between the United States and Black Sea states and the broader region;

(14) improved economic ties between the United States and the Black Sea states and the broader region can lead to a strengthened strategic partnership;

(15) the United States must seek to address the food security challenges arising from disruption of Ukraine's Black Sea and Azov Sea ports, as this global challenge will have critical national security implications for the United States, our partners, and allies;

(16) Turkey, in coordination with the United Nations, has played an important role in alleviating global food insecurity by negotiating two agreements to allow grain exports from Ukrainian ports through a safe corridor in the Black Sea;

(17) Russia has a brutal history of using hunger as a weapon and must be stopped; and

(18) countering the PRC's coercive economic pursuits remains an important policy imperative in order to further integrate the Black Sea states into western economies and improve regional stability.

(c) UNITED STATES POLICY.—It is the policy of the United States—

(1) to actively deter the threat of Russia's further escalation in the Black Sea region and defend freedom of navigation in the Black Sea to prevent the spread of further armed conflict in Europe;

(2) to advocate within NATO, among NATO allies, and within the European Union to develop a long-term coordinated strategy to enhance security, establish a sustainable presence in the eastern flank, and bolster the democratic resilience of United States allies and partners in the region;

(3) to consider whether to advocate within NATO and among NATO allies to develop a regular, rotational maritime presence in the Black Sea;

(4) to support and bolster the economic ties between the United States and Black Sea partners and mobilize the Department of State, the Department of Defense, and other relevant Federal departments and agencies by enhancing the United States presence and investment in Black Sea states;

(5) to provide economic alternatives to the PRC's coercive economic options that destabilize and further erode economic integration of the Black Sea states;

(6) to ensure that the United States continues to support Black Sea states' efforts to strengthen their democratic institutions to prevent corruption and accelerate their advancement into the Euroatlantic community; and

(7) to encourage the initiative undertaken by central and eastern European states to advance the Three Seas Initiative to strengthen transport, energy, and digital infrastructure connectivity in the region between the Adriatic Sea, Baltic Sea, and Black Sea.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Select Committee on Intelligence of the Senate;

(E) the Committee on Energy and Natural Resources of the Senate;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Committee on Appropriations of the House of Representatives;

(I) the Permanent Select Committee on Intelligence of the House of Representatives; and

(J) the Committee on Energy and Commerce of the House of Representatives.

(2) BLACK SEA STATES.—The term ''Black Sea states'' means Turkey, Romania, Bulgaria, Moldova, Ukraine, and Georgia.

(3) PRC.—The term ''PRC'' means the People's Republic of China.

(e) BLACK SEA SECURITY AND DEVELOPMENT STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the National Security Council, in coordination with the Department of State, the Department of Defense, and other relevant Federal departments and agencies, shall direct an interagency strategy with a classified annex—

(1) to increase coordination with NATO and the European Union;

(2) to deepen economic ties;

(3) to strengthen energy security;

(4) to support efforts to bolster their democratic resilience; and

(5) to enhance security assistance with our regional partners in accordance with the values and interests of the United States.

(f) PURPOSE AND OBJECTIVES.—The strategy authorized under subsection (e) shall have the following goals and objectives:

(1) Ensuring the efficient and effective delivery of security assistance to regional partners in accordance with the values and interests of the United States, prioritizing assistance that will bolster defenses and improve interoperability with NATO forces.

(2) Bolstering United States support for the region's energy security and integration with Europe and reducing their dependence on Russia while supporting energy diversification.

(3) Mitigating the impact of economic coercion by the Russian Federation and the PRC on Black Sea states and identifying new opportunities for foreign direct investment from the United States and cooperating countries and the enhancement of United States business ties with regional partners in accordance with the values and interests of the United States.

(4) Increasing high-level engagement between the United States and regional partners, and reinforcing economic growth, financing quality infrastructure, and reinforcing trade with a focus on improving high-level economic cooperation.

(5) Increasing United States coordination with the European Union and NATO to maximize effectiveness and minimize duplication.

(g) ACTIVITIES.—

(1) SECURITY.—The strategy authorized under subsection (e) should include the following elements related to security:

(A) A plan to increase interagency coordination on the Black Sea region.

(B) An assessment of whether a United States-led initiative with NATO allies to increase coordination, presence, and regional engagement among Black Sea states is advisable.

(C) An assessment of whether there is a need to increase security assistance or security cooperation with Black Sea states, focused on Ukraine, Romania, Bulgaria, Moldova, and Georgia.

(D) An assessment of the value of establishing a United States or multinational headquarters on the Black Sea, responsible for planning, readiness, exercises, and coordination of military activity in the greater Black Sea region.

(E) An assessment of the challenges and opportunities of establishing a regular, rotational NATO maritime presence in the Black Sea.

(F) An overview of Foreign Military Financing, International Military Education and Training, and other United States security assistance to the Black Sea region.

(G) A plan for combating Russian disinformation and propaganda in the Black Sea region that utilizes the resources of the United States Government.

(H) A plan to promote greater freedom of navigation to allow for greater security and economic Black Sea access.

(2) ECONOMIC PROSPERITY.—The strategy authorized under subsection (e) shall include the following elements related to economic prosperity:

(A) A strategy to foster dialogue between experts from the United States and from the Black Sea states on economic expansion, foreign direct investment, strengthening rule of law initiatives, and mitigating economic coercion by Russia and the PRC.

(B) A strategy for all the relevant Federal departments and agencies that contribute to United States economic statecraft to expand their presence and identify new opportunities for private investment with regional partners in accordance with the values and interests of the United States.

(C) Assessments on energy diversification, focusing on the immediate need to replace energy supplies from Russia, and recognizing the long-term importance of broader energy diversification.

(D) Assessments of potential food security solutions, including sustainable, long-term arrangements beyond the Black Sea Grain Initiative.

(3) DEMOCRATIC RESILIENCE.—The strategy authorized under subsection (e) shall include the following elements related to democratic resilience:

(A) A strategy to increase independent media and United States-supported media initiatives to combat foreign malign influence in the Black Sea region.

(B) Greater mobilization of initiatives spearheaded by the Department of State and the United States Agency for International Development to counter Russian propaganda and disinformation in the Black Sea region.

(4) REGIONAL CONNECTIVITY.—The strategy authorized under subsection (e) shall promote regional connectivity by sending high-level representatives of the Department of State or other agency partners to—

(A) the Black Sea region not less frequently than twice per year; and

(B) major regional fora on infrastructure and energy security, including the Three Seas Initiative Summit.

(h) IDENTIFICATION OF NECESSARY PROGRAMS AND RESOURCES.—Not later than 360 days after the date of the enactment of this Act, the interagency strategy shall identify any necessary program, policy, or budgetary resources required, by agency, to support the implementation of the Black Sea Security Strategy for fiscal years 2024, 2025, and 2026.

(i) RESPONSIBILITIES OF FEDERAL DEPARTMENTS AND AGENCIES.—Nothing under this section may be construed to authorize the National Security Council to assume any of the responsibilities or authorities of the head of any Federal department, agency, or office, including the foreign affairs responsibilities and authorities of the Secretary of State, to oversee the implementation of programs and policies under this section.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 6241. SENSE OF CONGRESS ON THE RENEWAL OF THE COMPACTS OF FREE ASSOCIATION WITH THE REPUBLIC OF PALAU, THE FEDERATED STATES OF MICRONESIA, AND THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) FINDINGS.—Congress finds that—

(1) in 1947, the United Nations entrusted the United States with the defense and security of the region that now comprises—

(A) the Republic of Palau;

(B) the Federated States of Micronesia; and

(C) the Republic of the Marshall Islands;

(2) in 1983, the United States signed Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands;

(3) in 1985, the United States signed a Compact of Free Association with the Republic of Palau;

(4) in 1986, Congress—

(A) enacted the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99–239), which approved the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands; and

(B) enacted Public Law 99–658 (48 U.S.C. 1931 note), which approved the Compact of Free Association with the Republic of Palau;

(5) in 2003, Congress enacted the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188), which approved and renewed the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands;

(6) in 2010, the United States and the Republic of Palau agreed to terms for renewing the Compact of Free Association with the Republic of Palau in the Palau Compact Review Agreement, which was approved by Congress in section 1259C of the National Defense Authorization Act for Fiscal Year 2018 (48 U.S.C. 1931 note; Public Law 115–91);

(7) on January 11, 2023, the United States signed a Memorandum of Understanding with the Republic of the Marshall Islands on funding priorities for the Compact of Free Association with the Republic of the Marshall Islands;

(8) on May 22, 2023, the United States signed the U.S.-Palau 2023 Agreement, following the Compact of Free Association Section 432 Review;

(9) on May 23, 2023, the United States signed 3 agreements relating to the U.S.–FSM Compact of Free Association, which included—

(A) an Agreement to Amend the Compact, as amended;

(B) a new fiscal procedures agreement; and

(C) a new trust fund agreement; and

(10) the United States is undergoing negotiations relating to the Compact of Free Association with the Republic of the Marshall Islands.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the close and strategic partnerships of the United States with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands are vital to international peace and security in the Indo-Pacific region;

(2) the Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands form the political, economic, and security architecture that bolsters and sustains security and drives regional development and the prosperity of the larger Indo-Pacific community of nations;

(3) certain provisions of the current Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands expire on September 30, 2023;

(4) certain provisions of the Compact of Free Association with the Republic of Palau expire on September 30, 2024;

(5) it is in the national interest of the United States to successfully renegotiate and renew the Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands; and

(6) enacting legislation to approve amended Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands is the most important way for Congress to support United States strategic partnerships with the 3 countries.

SEC. 6242. ELIGIBILITY OF TAIWAN FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Taiwan has adopted high standards in the field of export controls.

(2) Taiwan has declared its unilateral adherence to the Missile Technology Control Regime, the Wassenaar Arrangement, the Australia Group, and the Nuclear Suppliers Group.

(3) At the request of President George W. Bush, section 1206 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2321k note) required that Taiwan be treated as if it were designated as a major non-NATO ally (as defined in section 644(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(q)).

(b) ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION.—The President, consistent with the commitments of the United States under international arrangements, shall take steps so that Taiwan may be treated as if it were included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of the Export Administration Regulations to the requirement for a license for the export, re-export, or in-country transfer of an item subject to controls under the Export Administration Regulations.

(c) CRITERIA.—Before the President may treat Taiwan as eligible for the exception described in subsection (b), the President shall ensure that Taiwan satisfies any applicable criteria normally required for inclusion in the Country Group A:5 list set forth in Supplement No. 1 to part 740 of the Export Administration Regulations, particularly with respect to alignment of export control policies with such policies of the United States.

(d) EXPORT ADMINISTRATION REGULATIONS DEFINED.—In this section, 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).

SEC. 6243. AUDIT TO IDENTIFY DIVERSION OF DEPARTMENT OF DEFENSE FUNDING TO CHINA'S RESEARCH LABS.

Section 1263 is deemed to read as follows:

''SEC. 1263. AUDIT TO IDENTIFY DIVERSION OF DEPARTMENT OF DEFENSE FUNDING TO CHINA'S RESEARCH LABS.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Office of Inspector General shall conduct a study, and submit a report to Congress, regarding the amount of Federal funds awarded by the Department of Defense (whether directly or indirectly) through grants, contracts, subgrants, subcontracts, or any other type of agreement or collaboration, during the 10-year period immediately preceding such date of enactment, that—

''(1) was provided, whether purposely or inadvertently, to—

''(A) the People's Republic of China;

''(B) the Communist Party of China;

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

''(D) EcoHealth Alliance Inc., including any subsidiaries and related organizations that are directly controlled by EcoHealth Alliance, Inc.;

''(E) the Academy of Military Medical Sciences or any of its research institutes, including the Beijing Institute of Microbiology and Epidemiology; or

''(F) any other lab, agency, organization, individual, or instrumentality that is owned,

controlled (directly or indirectly), or overseen (officially or unofficially) by any of the entities listed in subparagraphs (A) through (D); or

''(2) was used to fund research or experiments that could have reasonably resulted in the enhancement of any coronavirus, influenza, Nipah, Ebola, or other pathogen of pandemic potential or chimeric versions of such a virus or pathogen in the People's Republic of China or any other foreign country.

''(b) IDENTIFICATION OF COUNTRIES AND PATHOGENS.—The report required under subsection (a) shall specify—

''(1) the countries in which the research or experiments described in subsection (a)(2) was conducted; and

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

Subtitle G—Other Matters

SEC. 6291. SENSE OF THE SENATE ON DIGITAL TRADE AND THE DIGITAL ECONOMY.

(a) FINDINGS.—Congress makes the following findings:

(1) Over half of the world's population, totaling more than 5,000,000,000 people, use the internet.

(2) The digital economy encompasses the economic and social activity from billions of online connections among people, businesses, devices, and data as a result of the internet, mobile technology, and the internet of things.

(3) The Bureau of Economic Analysis found that the digital economy contributed nearly 10.3 percent of United States gross domestic product and supported 8,000,000 United States jobs in 2020.

(4) The digital sector added 1,400,000 new jobs between 2019 and 2022.

(5) United States jobs supported by the digital economy have sustained annual wage growth at a rate of 5.9 percent since 2010, as compared to a 4.2 percent for all jobs.

(6) In 2021, United States exports of digital services surpassed $594,000,000,000, accounting for more than half of all United States services exports and generating a digital services trade surplus for the United States of $262,300,000,000.

(7) Digital trade bolsters the digital economy by enabling the sale of goods on the internet and the supply of online services across borders and depends on the free flow of data across borders to promote commerce, manufacturing, and innovation.

(8) Digital trade has become increasingly vital to United States workers and businesses of all sizes, including the countless small and medium-sized enterprises that use digital technology, data flows, and e-commerce to export goods and services across the world.

(9) Digital trade has advanced entrepreneurship opportunities for women, people of color, and individuals from otherwise underrepresented backgrounds and enabled the formation of innovative start-ups.

(10) International supply chains are becoming increasingly digitized and data driven and businesses in a variety of industries, such as construction, healthcare, transportation, and aerospace, invested heavily in digital supply chain technologies in 2020.

(11) United States Trade Representative Katherine Tai said, ''[T]here is no bright line separating digital trade from the digital economy—or the 'traditional' economy for that matter. Nearly every aspect of our economy has been digitized to some degree.''.

(12) Industries outside of the technology sector, such as manufacturing and agriculture, are integrating digital technology into their businesses in order to increase efficiency, improve safety, reach new customers, and remain globally competitive.

(13) The increasing reliance on digital technologies has modernized legacy processes, accelerated workflows, increased access to information and services, and strengthened security in a variety of industries, leading to better health, environmental, and safety outcomes.

(14) The COVID–19 pandemic has led to increased uptake and reliance on digital technologies, data flows, and e-commerce.

(15) Ninety percent of adults in the United States say that the internet has been essential or important for them personally during the COVID–19 pandemic.

(16) United States families, workers, and business owners have seen how vital access to the internet has been to daily life, as work, education, medicine, and communication with family and friends have shifted increasingly online.

(17) Many individuals and families, especially in rural and Tribal communities, struggle to participate in the digital economy because of a lack of access to a reliable internet connection.

(18) New developments in technology must be deployed with consideration to the unique access challenges of rural, urban underserved, and vulnerable communities.

(19) Digital trade has the power to help level the playing field and uplift those in traditionally unrepresented or underrepresented communities.

(20) Countries have negotiated international rules governing digital trade in various bilateral and plurilateral agreements, but those rules remain fragmented, and no multilateral agreement on digital trade exists within the World Trade Organization.

(21) The United States, through free trade agreements or other digital agreements, has been a leader in developing a set of rules and standards on digital governance and e-commerce that has helped allies and partners of the United States unlock the full economic and social potential of digital trade.

(22) Congress recognizes the need for agreements on digital trade, as indicated by its support for a robust digital trade chapter in the United States-Mexico-Canada Agreement.

(23) Other countries are operating under their own digital rules, some of which are contrary to democratic values shared by the United States and many allies and partners of the United States.

(24) Those countries are attempting to advance their own digital rules on a global scale.

(25) Examples of the plethora of nontariff barriers to digital trade that have emerged around the globe include—

(A) overly restrictive data localization requirements and limitations on cross border data flows that do not achieve legitimate public policy objectives;

(B) intellectual property rights infringement;

(C) policies that make market access contingent on forced technology transfers or voluntary transfers subject to coercive terms;

(D) web filtering;

(E) economic espionage;

(F) cybercrime exposure; and

(G) government-directed theft of trade secrets.

(26) Certain countries are pursuing or have implemented digital policies that unfairly discriminate against innovative United States technology companies and United States workers that create and deliver digital products and services.

(27) The Government of the People's Republic of China is currently advancing a model for digital governance and the digital economy domestically and abroad through its Digital Silk Road Initiative that permits censorship, surveillance, human and worker rights abuses, forced technology transfers, and data flow restrictions at the expense of human and worker rights, privacy, the free flow of data, and an open internet.

(28) The 2022 Country Reports on Human Rights Practices of the Department of State highlighted significant human rights issues committed by the People's Republic of China in the digital realm, including ''arbitrary interference with privacy including pervasive and intrusive technical surveillance and monitoring including the use of COVID–19 tracking apps for nonpublic-health purposes; punishment of family members for offenses allegedly committed by an individual; serious restrictions on free expression and media, including physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others; serious restrictions on internet freedom, including site blocking''.

(29) The United States discourages digital authoritarianism, including practices that undermine human and worker rights and result in other social and economic coercion.

(30) Allies and trading partners of the United States in the Indo-Pacific region have urged the United States to deepen economic engagement in the region by negotiating rules on digital trade and technology standards.

(31) The digital economy has provided new opportunities for economic development, entrepreneurship, and growth in developing countries around the world.

(32) Negotiating strong digital trade principles and commitments with allies and partners across the globe enables the United States to unite like-minded economies around common standards and ensure that principles of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of digital governance.

(33) United States leadership and substantive engagement is necessary to ensure that global digital rules reflect United States values so that workers are treated fairly, small businesses can compete and win in the global economy, and consumers are guaranteed the right to privacy and security.

(34) The United States supports rules that reduce digital trade barriers, promote free expression and the free flow of information, enhance privacy protections, protect sensitive information, defend human and worker rights, prohibit forced technology transfer, and promote digitally enabled commerce.

(35) The United States supports efforts to cooperate with allies and trading partners to mitigate the risks of cyberattacks, address potentially illegal or deceptive business activities online, promote financial inclusion and digital workforce skills, and develop rules to govern the use of artificial intelligence and other emerging and future technologies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should negotiate strong, inclusive, forward-looking, and enforceable rules on digital trade and the digital economy with like-minded countries as part of a broader trade and economic strategy to address digital barriers and ensure that the United States values of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of the digital world and advanced technology;

(2) in conducting such negotiations, the United States must—

(A) pursue digital trade rules that—

(i) serve the best interests of workers, consumers, and small and medium-sized enterprises;

(ii) empower United States workers;

(iii) fuel wage growth; and

(iv) lead to materially positive economic outcomes for all people in the United States;

(B) ensure that any future agreement prevents the adoption of non-democratic, coercive, or overly restrictive policies that would be obstacles to a free and open internet and harm the ability of the e-commerce marketplace to continue to grow and thrive;

(C) coordinate sufficient trade-related assistance to ensure that developing countries can improve their capacity and benefit from increased digital trade; and

(D) consult closely with all relevant stakeholders, including workers, consumers, small and medium-sized enterprises, civil society groups, and human rights advocates; and

(3) with respect to any negotiations for an agreement facilitating digital trade, the United States Trade Representative and the heads of other relevant Federal agencies must consult closely and on a timely basis with Congress.

SEC. 6292. ASSESSMENT OF CERTAIN UNITED STATES-ORIGIN TECHNOLOGY USED BY FOREIGN ADVERSARIES.

(a) IN GENERAL.—The Director of National Intelligence shall conduct an assessment to evaluate the top five technologies that originate in the United States and are not currently subject to export controls as prioritized by the Director of National Intelligence, in order to identify and assess the risk from those specified technologies that could be or are being used by foreign adversaries in foreign espionage programs targeting the United States.

(b) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director shall submit a report on the assessment required by subsection (a) to—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 6293. VIRGINIA CLASS SUBMARINE TRANSFER CERTIFICATION.

(a) CERTIFICATION REQUIRED.—

(1) IN GENERAL.—Not less than 60 days prior to transferring one or more Virginia class submarines from the inventory of the United States Navy to the Government of Australia, under section 21 of the Arms Export Control Act (22 U.S.C. 2761), the President shall certify to the appropriate congressional committees that—

(A) any submarine transferred under such authority shall be used to support the joint security interests and military operations of the United States and Australia;

(B) Submarine Rotational Forces-West Full Operational Capability to support 4 rotationally deployed Virginia-class submarines and one Astute-class submarine has been achieved, including the Government of Australia having demonstrated the domestic capacity to fully perform all the associated activities necessary for the safe hosting and operation of nuclear-powered submarines; and

(C) Australia Sovereign-Ready Initial Operational Capability to support a Royal Australian Navy Virginia-class submarine has been achieved, including the Government of Australia having demonstrated the domestic capacity to fully perform all the associated—

(i) activities necessary for the safe hosting and operation of nuclear-powered submarines;

(ii) crewing;

(iii) operations;

(iv) regulatory and emergency procedures, including those specific to nuclear power plants; and

(v) detailed planning for enduring Virginia-class submarine ownership, including each significant event leading up to and including nuclear defueling.

(b) DEFINITIONS.—In this section:

(1) ACTIVITIES NECESSARY FOR THE SAFE HOSTING OR OPERATION OF NUCLEAR-POWERED SUBMARINES.—The term ''activities necessary for the safe hosting and operation of nuclear-powered submarines'' means each of the following activities as it relates to Virginia-class and Astute-class submarines, as appropriate, and in accordance with applicable United States Navy or other Government agency instructions, regulations, and standards:

(A) Maintenance.

(B) Training.

(C) Technical oversight.

(D) Safety certifications.

(E) Physical, communications, operational, cyber, and other security measures.

(F) Port operations and infrastructure support.

(G) Storage, including spare parts, repair parts, and munitions.

(H) Hazardous material handling and storage.

(I) Information technology systems.

(J) Support functions, including those related to medical, quality-of-life, and family needs.

(K) Such other related tasks as may be specified by the Secretary of Defense.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

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

Subtitle B—Nuclear Forces

SEC. 6511. ANNUAL REPORT ON DEVELOPMENT OF LONG-RANGE STAND-OFF WEAPON.

(a) REPORT REQUIRED.—Not later than March 1, 2024, and annually thereafter until the date on which long-range stand-off weapon reaches initial operational capability, the Administrator for Nuclear Security, in coordination with the Secretary of the Air Force and the Chairman of the Nuclear Weapons Council, shall submit to the congressional defense committees a report on the joint development of the long-range stand-off weapon, including the missile developed by the Air Force and the W80–4 warhead life extension program conducted by the National Nuclear Security Administration.

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

(1) An estimate of the date on which the long-range stand-off weapon will reach initial operational capability.

(2) A description of any development milestones for the missile developed by the Air Force or the warhead developed by the National Nuclear Security Administration that depend on corresponding progress at the other agency.

(3) A description of coordination efforts between the Air Force and the National Nuclear Security Administration during the period covered by the report.

(4) A description of any schedule delays projected by the Air Force or the National Nuclear Security Administration and the anticipated effect such delays would have on the schedule of work of the other agency.

(5) Plans to mitigate the effects of any delays described in paragraph (4).

(6) A description of any ways, including through the availability of additional funding or authorities, in which the development milestones described in paragraph (2) or the estimated date of initial operational capability referred to in paragraph (1), could be achieved more quickly.

(7) An estimate of the acquisition costs for the long-range stand-off weapon and the W80–4 warhead life extension program.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

TITLE LXVIII—FEND OFF FENTANYL ACT

SEC. 6801. SHORT TITLE.

This title may be cited as the ''Fentanyl Eradication and Narcotics Deterrence Off Fentanyl Act'' or the ''FEND Off Fentanyl Act''.

SEC. 6802. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the proliferation of fentanyl is causing an unprecedented surge in overdose deaths in the United States, fracturing families and communities, and necessitating a comprehensive policy response to combat its lethal flow and to mitigate the drug's devastating consequences;

(2) the trafficking of fentanyl into the United States is a national security threat that has killed hundreds of thousands of United States citizens;

(3) transnational criminal organizations, including cartels primarily based in Mexico, are the main purveyors of fentanyl into the United States and must be held accountable;

(4) precursor chemicals sourced from the People's Republic of China are—

(A) shipped from the People's Republic of China by legitimate and illegitimate means;

(B) transformed through various synthetic processes to produce different forms of fentanyl; and

(C) crucial to the production of illicit fentanyl by transnational criminal organizations, contributing to the ongoing opioid crisis;

(5) the United States Government must remain vigilant to address all new forms of fentanyl precursors and drugs used in combination with fentanyl, such as Xylazine, which attribute to overdose deaths of people in the United States;

(6) to increase the cost of fentanyl trafficking, the United States Government should work collaboratively across agencies and should surge analytic capability to impose sanctions and other remedies with respect to transnational criminal organizations (including cartels), including foreign nationals who facilitate the trade in illicit fentanyl and its precursors from the People's Republic of China; and

(7) the Department of the Treasury should focus on fentanyl trafficking and its facilitators as one of the top national security priorities for the Department.

SEC. 6803. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(2) FOREIGN PERSON.—The term ''foreign person''—

(A) means—

(i) any citizen or national of a foreign country; or

(ii) any entity not organized under the laws of the United States or a jurisdiction within the United States; and

(B) does not include the government of a foreign country.

(3) 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.

(4) TRAFFICKING.—The term ''trafficking'', with respect to fentanyl, fentanyl precursors, or other related opioids, has the meaning given the term ''opioid trafficking'' in section 7203 of the Fentanyl Sanctions Act (21 U.S.C. 2302).

(5) TRANSNATIONAL CRIMINAL ORGANIZATION.—The term ''transnational criminal organization'' includes—

(A) any organization designated as a significant transnational criminal organization under part 590 of title 31, Code of Federal Regulations;

(B) any of the organizations known as—

(i) the Sinaloa Cartel;

(ii) the Jalisco New Generation Cartel;

(iii) the Gulf Cartel;

(iv) the Los Zetas Cartel;

(v) the Juarez Cartel;

(vi) the Tijuana Cartel;

(vii) the Beltran-Leyva Cartel; or

(viii) La Familia Michoacana; or

(C) any other organization that the President determines is a transnational criminal organization; or

(D) any successor organization to an organization described in subparagraph (B) or as otherwise determined by the President.

(6) 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;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

Subtitle A—Sanctions Matters

PART I—SANCTIONS IN RESPONSE TO NATIONAL EMERGENCY RELATING TO FENTANYL TRAFFICKING

SEC. 6811. FINDING; POLICY.

(a) FINDING.—Congress finds that international trafficking of fentanyl, fentanyl precursors, or other related opioids constitutes an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and is a national emergency.

(b) POLICY.—It shall be the policy of the United States to apply economic and other financial sanctions to those who engage in the international trafficking of fentanyl, fentanyl precursors, or other related opioids to protect the national security, foreign policy, and economy of the United States.

SEC. 6812. USE OF NATIONAL EMERGENCY AUTHORITIES; REPORTING.

(a) IN GENERAL.—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 part.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on actions taken by the executive branch pursuant to this part and any national emergency declared with respect to the trafficking of fentanyl and trade in other illicit drugs, including—

(A) the issuance of any new or revised regulations, policies, or guidance;

(B) the imposition of sanctions;

(C) the collection of relevant information from outside parties;

(D) the issuance or closure of general licenses, specific licenses, and statements of licensing policy by the Office of Foreign Assets Control;

(E) a description of any pending enforcement cases; or

(F) the implementation of mitigation procedures.

(2) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include the matters required by subparagraphs (C), (D), (E), and (F) of that paragraph in a classified annex.

SEC. 6813. CODIFICATION OF EXECUTIVE ORDER IMPOSING SANCTIONS WITH RESPECT TO FOREIGN PERSONS INVOLVED IN GLOBAL ILLICIT DRUG TRADE.

United States sanctions provided for in Executive Order 14059 (50 U.S.C. 1701 note; relating to imposing sanctions on foreign persons involved in the global illicit drug trade), and any amendments to or directives issued pursuant to such Executive order before the date of the enactment of this Act, shall remain in effect.

SEC. 6814. IMPOSITION OF SANCTIONS WITH RESPECT TO FENTANYL TRAFFICKING BY TRANSNATIONAL CRIMINAL ORGANIZATIONS.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any foreign person the President determines—

(1) is knowingly involved in the significant trafficking of fentanyl, fentanyl precursors, or other related opioids, including such trafficking by a transnational criminal organization; or

(2) otherwise is knowingly involved in significant activities of a transnational criminal organization relating to the trafficking of fentanyl, fentanyl precursors, or other related opioids.

(b) SANCTIONS DESCRIBED.—The President may, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in property and interests in property of a foreign person described in subsection (a) 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.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on actions taken by the executive branch with respect to the foreign persons identified under subsection (a).

SEC. 6815. PENALTIES; WAIVERS; EXCEPTIONS.

(a) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this part or any regulation, license, or order issued to carry out this part 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.

(b) NATIONAL SECURITY WAIVER.—The President may waive the application of sanctions under this part with respect to a foreign person if the President determines that the waiver is in the national security interest of the United States.

(c) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—This part 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 activities of the United States.

(2) EXCEPTION FOR COMPLIANCE WITH INTERNATIONAL OBLIGATIONS AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this part shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

(B) to carry out or assist law enforcement activity of the United States.

(3) HUMANITARIAN EXEMPTION.—The President may not impose sanctions under this part 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.

SEC. 6816. TREATMENT OF FORFEITED PROPERTY OF TRANSNATIONAL CRIMINAL ORGANIZATIONS.

(a) TRANSFER OF FORFEITED PROPERTY TO FORFEITURE FUNDS.—

(1) IN GENERAL.—Any covered forfeited property shall be deposited into the Department of the Treasury Forfeiture Fund established under section 9705 of title 31, United States Code, or the Department of Justice Assets Forfeiture Fund established under section 524(c) of title 28, United States Code.

(2) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on any deposits made under paragraph (1) during the 180-day period preceding submission of the report.

(3) COVERED FORFEITED PROPERTY DEFINED.—In this subsection, the term ''covered forfeited property'' means property—

(A) forfeited to the United States under chapter 46 or section 1963 of title 18, United States Code; and

(B) that belonged to or was possessed by an individual affiliated with or connected to a transnational criminal organization subject to sanctions under—

(i) this part;

(ii) the Fentanyl Sanctions Act (21 U.S.C. 2301 et seq.); or

(iii) Executive Order 14059 (50 U.S.C. 1701 note; relating to imposing sanctions on foreign persons involved in the global illicit drug trade).

(b) BLOCKED ASSETS UNDER TERRORISM RISK INSURANCE ACT OF 2002.—Nothing in this part affects the treatment of blocked assets of a terrorist party described in subsection (a) of section 201 of the Terrorism Risk Insurance Act of 2002 (28 U.S.C. 1610 note).

PART II—OTHER MATTERS

SEC. 6821. TEN-YEAR STATUTE OF LIMITATIONS FOR VIOLATIONS OF SANCTIONS.

(a) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended by adding at the end the following:

''(d) STATUTE OF LIMITATIONS.—

''(1) TIME FOR COMMENCING PROCEEDINGS.—

''(A) IN GENERAL.—An action, suit, or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, under this section shall not be entertained unless commenced within ten years after the latest date of the violation upon which the civil fine, penalty, or forfeiture is based.

''(B) COMMENCEMENT.—For purposes of this paragraph, the commencement of an action,

suit, or proceeding includes the issuance of a pre-penalty notice or finding of violation.

''(2) TIME FOR INDICTMENT.—No person shall be prosecuted, tried, or punished for any offense under subsection (c) unless the indictment is found or the information is instituted within ten years after the latest date of the violation upon which the indictment or information is based.''.

(b) TRADING WITH THE ENEMY ACT.—Section 16 of the Trading with the Enemy Act (50 U.S.C. 4315) is amended by adding at the end the following:

''(d) STATUTE OF LIMITATIONS.—

''(1) TIME FOR COMMENCING PROCEEDINGS.—

''(A) IN GENERAL.—An action, suit, or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, under this section shall not be entertained unless commenced within ten years after the latest date of the violation upon which the civil fine, penalty, or forfeiture is based.

''(B) COMMENCEMENT.—For purposes of this paragraph, the commencement of an action, suit, or proceeding includes the issuance of a pre-penalty notice or finding of violation.

''(2) TIME FOR INDICTMENT.—No person shall be prosecuted, tried, or punished for any offense under subsection (a) unless the indictment is found or the information is instituted within ten years after the latest date of the violation upon which the indictment or information is based.''.

SEC. 6822. CLASSIFIED REPORT AND BRIEFING ON STAFFING OF OFFICE OF FOREIGN ASSETS CONTROL.

Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Foreign Assets Control shall provide to the appropriate congressional committees a classified report and briefing on the staffing of the Office of Foreign Assets Control, disaggregated by staffing dedicated to each sanctions program and each country or issue.

SEC. 6823. REPORT ON DRUG TRANSPORTATION ROUTES AND USE OF VESSELS WITH MISLABELED CARGO.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in conjunction with the heads of other relevant Federal agencies, shall provide to the appropriate congressional committees a classified report and briefing on efforts to target drug transportation routes and modalities, including an assessment of the prevalence of false cargo labeling and shipment of precursor chemicals without accurate tracking of the customers purchasing the chemicals.

SEC. 6824. REPORT ON ACTIONS OF PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO PERSONS INVOLVED IN FENTANYL SUPPLY CHAIN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in conjunction with the heads of other relevant Federal agencies, shall provide to the appropriate congressional committees a classified report and briefing on actions taken by the Government of the People's Republic of China with respect to persons involved in the shipment of fentanyl, fentanyl analogues, fentanyl precursors, precursors for fentanyl analogues, and equipment for the manufacturing of fentanyl and fentanyl-laced counterfeit pills.

Subtitle B—Anti-Money Laundering Matters

SEC. 6831. DESIGNATION OF ILLICIT FENTANYL TRANSACTIONS OF SANCTIONED PERSONS AS OF PRIMARY MONEY LAUNDERING CONCERN.

Subtitle A of the Fentanyl Sanctions Act (21 U.S.C. 2311 et seq.) is amended by inserting after section 7213 the following:

''SEC. 7213A. DESIGNATION OF TRANSACTIONS OF SANCTIONED PERSONS AS OF PRIMARY MONEY LAUNDERING CONCERN.

''(a) IN GENERAL.—If the Secretary of the Treasury determines that reasonable grounds exist for concluding that one or more financial institutions operating outside of the United States, 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States, or 1 or more types of accounts within, or involving, a jurisdiction outside of the United States, is of primary money laundering concern in connection with illicit opioid trafficking, the Secretary of the Treasury may, by order, regulation, or otherwise as permitted by law—

''(1) require domestic financial institutions and domestic financial agencies to take 1 or more of the special measures provided for in section 9714(a)(1) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note); or

''(2) prohibit, or impose conditions upon, certain transmittals of funds (to be defined by the Secretary) by any domestic financial institution or domestic financial agency, if such transmittal of funds involves any such institution, class of transaction, or type of accounts.

''(b) CLASSIFIED INFORMATION.—In any judicial review of a finding of the existence of a primary money laundering concern, or of the requirement for 1 or more special measures with respect to a primary money laundering concern made under this section, if the designation or imposition, or both, were based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)), such information may be submitted by the Secretary to the reviewing court ex parte and in camera. This subsection does not confer or imply any right to judicial review of any finding made or any requirement imposed under this section.

''(c) AVAILABILITY OF INFORMATION.—The exemptions from, and prohibitions on, search and disclosure referred to in section 9714(c) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note) shall apply to any report or record of report filed pursuant to a requirement imposed under subsection (a). For purposes of section 552 of title 5, United States Code, this subsection shall be considered a statute described in subsection (b)(3)(B) of that section.

''(d) PENALTIES.—The penalties referred to in section 9714(d) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note) shall apply to violations of any order, regulation, special measure, or other requirement imposed under subsection (a), in the same manner and to the same extent as described in such section 9714(d).

''(e) INJUNCTIONS.—The Secretary of the Treasury may bring a civil action to enjoin a violation of any order, regulation, special measure, or other requirement imposed under subsection (a) in the same manner and to the same extent as described in section 9714(e) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note).''.

SEC. 6832. TREATMENT OF TRANSNATIONAL CRIMINAL ORGANIZATIONS IN SUSPICIOUS TRANSACTIONS REPORTS OF THE FINANCIAL CRIMES ENFORCEMENT NETWORK.

(a) FILING INSTRUCTIONS.—Not later than 180 days after the date of the enactment of this Act, the Director of the Financial Crimes Enforcement Network shall issue guidance or instructions to United States financial institutions for filing reports on suspicious transactions required by section 1010.320 of title 31, Code of Federal Regulations, related to suspected fentanyl trafficking by transnational criminal organizations.

(b) PRIORITIZATION OF REPORTS RELATING TO FENTANYL TRAFFICKING OR TRANSNATIONAL CRIMINAL ORGANIZATIONS.—The Director shall prioritize research into reports described in subsection (a) that indicate a connection to trafficking of fentanyl or related synthetic opioids or financing of suspected transnational criminal organizations.

SEC. 6833. REPORT ON TRADE-BASED MONEY LAUNDERING IN TRADE WITH MEXICO, THE PEOPLE'S REPUBLIC OF CHINA, AND BURMA.

(a) IN GENERAL.—In the first update to the national strategy for combating the financing of terrorism and related forms of illicit finance submitted to Congress after the date of the enactment of this Act, the Secretary of the Treasury shall include a report on trade-based money laundering originating in Mexico or the People's Republic of China and involving Burma.

(b) DEFINITION.—In this section, the term ''national strategy for combating the financing of terrorism and related forms of illicit finance'' means the national strategy for combating the financing of terrorism and related forms of illicit finance required by section 261 of the Countering America's Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 934), as amended by section 6506 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2428).

Subtitle C—Exception Relating to Importation of Goods

SEC. 6841. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authority or a requirement to block and prohibit all transactions in all property and interests in property under this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

TITLE LXXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle B—Military Housing

PART III—OTHER HOUSING MATTERS

SEC. 7851. REPORT ON PLAN TO REPLACE HOUSES AT FORT LEONARD WOOD.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress an unclassified report on the plan of the Army to replace all 1,142 houses at Fort Leonard Wood that the Army has designated as being in need of repair.

Subtitle D—Other Matters

SEC. 7881. STUDY ON IMPACT ON MEMBERS OF THE ARMED FORCES AND DEPENDENTS OF CONSTRUCTION PROJECTS THAT AFFECT QUALITY OF LIFE.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study, through the use of an independent and objective organization outside the Department of Defense, on the correlation between military construction projects and facilities sustainment, restoration, and modernization projects at installations of the Department of Defense that affect the quality of life of members of the Armed Forces and their dependents and the following:

(1) Retention of members of the Armed Forces on active duty.

(2) Physical health of members of the Armed Forces, including an identification of whether the age, condition, and deferred maintenance of a dormitory or barracks is in any way related to the frequency of sexual assaults and other crimes at installations of the Department.

(3) Mental health of members of the Armed Forces.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study conducted under subsection (a).

SEC. 7882. MODIFICATION OF PILOT PROGRAM ON ESTABLISHMENT OF ACCOUNT FOR REIMBURSEMENT FOR USE OF TESTING FACILITIES AT INSTALLATIONS OF THE DEPARTMENT OF THE AIR FORCE.

(a) IN GENERAL.—Section 2862 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 10 U.S.C. 9771 note prec.) is amended—

(1) in subsection (a), by striking ''testing'' and inserting ''Major Range and Test Facility Base (MRTFB)'';

(2) in subsection (b), by inserting '', have Major Range and Test Facility Base facilities,'' after ''construct'';

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

''(c) OVERSIGHT OF FUNDS.—

''(1) USE OF AMOUNTS.—The commander of an installation selected to participate in the pilot program may obligate or expend amounts reimbursed under the pilot program for projects at the installation.

''(2) DESIGNATION OF MAINTENANCE COSTS.—

''(A) IN GENERAL.—The commander of an installation selected to participate in the pilot program may designate the appropriate amount of maintenance costs to be charged to users of Major Range and Test Facility Base facilities under the pilot program.

''(B) USE OF MAINTENANCE COST REIMBURSEMENTS.—Maintenance cost reimbursements under subparagraph (A) for an installation may be used either singly or in combination with appropriated funds to satisfy the costs of maintenance projects at the installation.

''(3) OVERSIGHT.—The commander of an installation selected for the pilot program shall have direct oversight over amounts reimbursed to the installation under the pilot program for Facility, Sustainment, Restoration, and Modernization.'';

(4) by redesignating subsection (e) as subsection (f);

(5) by inserting after subsection (d) the following new subsection (e):

''(e) NO REDUCTION OF APPROPRIATION.—In order to allow full assessment of the viability of the pilot program, appropriations to installations selected to participate in the pilot program for Facility, Sustainment, Restoration, and Modernization shall not be reduced on the basis of participation in the pilot program or usage of the pilot program reimbursements and realized reimbursements from customers under the pilot program shall not be used as a basis for reduction of such appropriations.''; and

(6) in subsection (f) as redesignated by paragraph (2), by striking ''December 1, 2026'' and inserting ''December 1, 2027''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADER.—The header for such section is amended to read as follows:

''SEC. 2862. PILOT PROGRAM TO AUGMENT APPROPRIATED AMOUNTS WITH MAINTENANCE REIMBURSEMENTS FROM MAJOR RANGE AND TEST FACILITY BASE USERS AT INSTALLATIONS OF THE DEPARTMENT OF THE AIR FORCE.''.

(2) TABLE OF CONTENTS.—The table of contents for the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81) are each amended by striking the item relating to section 2862 and inserting the following new item:

''Sec. 2862. Pilot program to augment appropriated amounts with maintenance reimbursements from Major Range and Test Facility Base users at installations of the Department of the Air Force.''.

TITLE LXXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle D—Other Matters

SEC. 8141. ACCELERATING DEPLOYMENT OF VERSATILE, ADVANCED NUCLEAR FOR CLEAN ENERGY.

(a) SHORT TITLE.—This section may be cited as the ''Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2023'' or the ''ADVANCE Act of 2023''.

(b) DEFINITIONS.—In this section:

(1) ACCIDENT TOLERANT FUEL.—The term ''accident tolerant fuel'' has the meaning given the term in section 107(a) of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5577).

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) ADVANCED NUCLEAR FUEL.—The term ''advanced nuclear fuel'' means—

(A) advanced nuclear reactor fuel; and

(B) accident tolerant fuel.

(4) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(5) ADVANCED NUCLEAR REACTOR FUEL.—The term ''advanced nuclear reactor fuel'' has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(6) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(7) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(8) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(c) INTERNATIONAL NUCLEAR REACTOR EXPORT AND INNOVATION ACTIVITIES.—

(1) COORDINATION.—

(A) IN GENERAL.—The Commission shall—

(i) coordinate all work of the Commission relating to—

(I) nuclear reactor import and export licensing; and

(II) international regulatory cooperation and assistance relating to nuclear reactors, including with countries that are members of—

(aa) the Organisation for Economic Co-operation and Development; or

(bb) the Nuclear Energy Agency; and

(ii) support interagency and international coordination with respect to—

(I) the consideration of international technical standards to establish the licensing and regulatory basis to assist the design, construction, and operation of nuclear systems;

(II) efforts to help build competent nuclear regulatory organizations and legal frameworks in countries seeking to develop nuclear power; and

(III) exchange programs and training provided, in coordination with the Secretary of State, to other countries relating to nuclear regulation and oversight to improve nuclear technology licensing, in accordance with subparagraph (B).

(B) EXCHANGE PROGRAMS AND TRAINING.—With respect to the exchange programs and training described in subparagraph (A)(ii)(III), the Commission shall coordinate, as applicable, with—

(i) the Secretary of Energy;

(ii) the Secretary of State;

(iii) National Laboratories;

(iv) the private sector; and

(v) institutions of higher education.

(2) AUTHORITY TO ESTABLISH BRANCH.—The Commission may establish within the Office of International Programs a branch, to be known as the ''International Nuclear Reactor Export and Innovation Branch'', to carry out such international nuclear reactor export and innovation activities as the Commission determines to be appropriate and within the mission of the Commission.

(3) EXCLUSION OF INTERNATIONAL ACTIVITIES FROM THE FEE BASE.—

(A) IN GENERAL.—Section 102 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215) is amended—

(i) in subsection (a), by adding at the end the following:

''(4) INTERNATIONAL NUCLEAR REACTOR EXPORT AND INNOVATION ACTIVITIES.—The Commission shall identify in the annual budget justification international nuclear reactor export and innovation activities described in subsection (c)(1) of the ADVANCE Act of 2023.''; and

(ii) in subsection (b)(1)(B), by adding at the end the following:

''(iv) Costs for international nuclear reactor export and innovation activities described in subsection (c)(1) of the ADVANCE Act of 2023.''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on October 1, 2024.

(4) COORDINATION.—The Commission shall coordinate all international activities under this subsection with the Secretary of State and other applicable agencies, as appropriate.

(5) SAVINGS CLAUSE.—Nothing in this subsection alters the authority of the Commission to license and regulate the civilian use of radioactive materials.

(d) DENIAL OF CERTAIN DOMESTIC LICENSES FOR NATIONAL SECURITY PURPOSES.—

(1) DEFINITION OF COVERED FUEL.—In this subsection, the term ''covered fuel'' means enriched uranium that is fabricated into fuel assemblies for nuclear reactors by an entity that—

(A) is owned or controlled by the Government of the Russian Federation or the Government of the People's Republic of China; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, the Russian Federation or the People's Republic of China.

(2) PROHIBITION ON UNLICENSED POSSESSION OR OWNERSHIP OF COVERED FUEL.—Unless specifically authorized by the Commission in a license issued under section 53 of the Atomic Energy Act of 1954 (42 U.S.C. 2073) and part 70 of title 10, Code of Federal Regulations (or successor regulations), no person subject to the jurisdiction of the Commission may possess or own covered fuel.

(3) LICENSE TO POSSESS OR OWN COVERED FUEL.—

(A) CONSULTATION REQUIRED PRIOR TO ISSUANCE.—The Commission shall not issue a license to possess or own covered fuel under section 53 of the Atomic Energy Act of 1954 (42 U.S.C. 2073) and part 70 of title 10, Code of Federal Regulations (or successor regulations), unless the Commission has first consulted with the Secretary of Energy and the Secretary of State before issuing the license.

(B) PROHIBITION ON ISSUANCE OF LICENSE.—

(i) IN GENERAL.—Subject to clause (iii), a license to possess or own covered fuel shall not be issued if the Secretary of Energy and the Secretary of State make the determination described in clause (ii)(I)(aa).

(ii) DETERMINATION.—

(I) IN GENERAL.—The determination referred to in clause (i) is a determination that possession or ownership, as applicable, of covered fuel—

(aa) poses a threat to the national security of the United States, including because of an adverse impact on the physical and economic security of the United States; or

(bb) does not pose a threat to the national security of the United States.

(II) JOINT DETERMINATION.—A determination described in subclause (I) shall be jointly made by the Secretary of Energy and the Secretary of State.

(III) TIMELINE.—

(aa) NOTICE OF APPLICATION.—Not later than 30 days after the date on which the Commission receives an application for a license to possess or own covered fuel, the Commission shall notify the Secretary of Energy and the Secretary of State of the application.

(bb) DETERMINATION.—The Secretary of Energy and the Secretary of State shall have a period of 180 days, beginning on the date on which the Commission notifies the Secretary of Energy and the Secretary of State under item (aa) of an application for a license to possess or own covered fuel, in which to make the determination described in subclause (I).

(cc) COMMISSION NOTIFICATION.—On making the determination described in subclause (I), the Secretary of Energy and the Secretary of State shall immediately notify the Commission.

(dd) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after the date on which the Secretary of Energy and the Secretary of State notify the Commission under item (cc), the Commission shall notify the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives of the determination.

(ee) PUBLIC NOTICE.—Not later than 15 days after the date on which the Commission notifies Congress under item (dd) of a determination made under subclause (I), the Commission shall make that determination publicly available.

(iii) EFFECT OF NO DETERMINATION.—The Commission shall not issue a license if the Secretary of Energy and the Secretary of State have not made a determination described in clause (ii).

(4) SAVINGS CLAUSE.—Nothing in this subsection alters any treaty or international agreement in effect on the date of enactment of this Act or that enters into force after the date of enactment of this Act.

(e) EXPORT LICENSE REQUIREMENTS.—

(1) DEFINITION OF LOW-ENRICHED URANIUM.—In this subsection, the term ''low-enriched uranium'' means uranium enriched to less than 20 percent of the uranium-235 isotope.

(2) REQUIREMENT.—The Commission shall not issue an export license for the transfer of any item described in paragraph (4) to a country described in paragraph (3) unless the Commission, in consultation with the Secretary of State and any other relevant agencies, makes a determination that such transfer will not be inimical to the common defense and security of the United States.

(3) COUNTRIES DESCRIBED.—A country referred to in paragraph (2) is a country that—

(A) has not concluded and ratified an Additional Protocol to its safeguards agreement with the International Atomic Energy Agency; or

(B) has not ratified or acceded to the amendment to the Convention on the Physical Protection of Nuclear Material, adopted at Vienna October 26, 1979, and opened for signature at New York March 3, 1980 (TIAS 11080), described in the information circular of the International Atomic Energy Agency numbered INFCIRC/274/Rev.1/Mod.1 and dated May 9, 2016 (TIAS 16–508).

(4) ITEMS DESCRIBED.—An item referred to in paragraph (2) includes—

(A) unirradiated nuclear fuel containing special nuclear material (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)), excluding low-enriched uranium;

(B) a nuclear reactor that uses nuclear fuel described in subparagraph (A); and

(C) any plant or component listed in Appendix I to part 110 of title 10, Code of Federal Regulations (or successor regulations), that is involved in—

(i) the reprocessing of irradiated nuclear reactor fuel elements;

(ii) the separation of plutonium; or

(iii) the separation of the uranium-233 isotope.

(5) NOTIFICATION.—If the Commission, in consultation with the Secretary of State and any other relevant agencies, makes a determination, in accordance with applicable laws and regulations, under paragraph (2) that the transfer of any item described in paragraph (4) to a country described in paragraph (3) will not be inimical to the common defense and security of the United States, the Commission shall notify the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives.

(f) FEES FOR ADVANCED NUCLEAR REACTOR APPLICATION REVIEW.—

(1) DEFINITIONS.—Section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439) is amended—

(A) by redesignating paragraphs (2) through (15) as paragraphs (3), (6), (7), (8), (9), (10), (12), (15), (16), (17), (18), (19), (20), and (21), respectively;

(B) by inserting after paragraph (1) the following:

''(2) ADVANCED NUCLEAR REACTOR APPLICANT.—The term 'advanced nuclear reactor applicant' means an entity that has submitted to the Commission an application to receive a license for an advanced nuclear reactor under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).'';

(C) by inserting after paragraph (3) (as so redesignated) the following:

''(4) ADVANCED NUCLEAR REACTOR PRE-APPLICANT.—The term 'advanced nuclear reactor pre-applicant' means an entity that has submitted to the Commission a licensing project plan for the purposes of submitting a future application to receive a license for an advanced nuclear reactor under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

''(5) AGENCY SUPPORT.—The term 'agency support' means the resources of the Commission that are located in executive, administrative, and other support offices of the Commission, as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).'';

(D) by inserting after paragraph (10) (as so redesignated) the following:

''(11) HOURLY RATE FOR MISSION-DIRECT PROGRAM SALARIES AND BENEFITS FOR THE NUCLEAR REACTOR SAFETY PROGRAM.—The term 'hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program' means the quotient obtained by dividing—

''(A) the full-time equivalent rate (within the meaning of the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document)) for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program (as determined by the Commission) for a fiscal year; by

''(B) the productive hours assumption for that fiscal year, determined in accordance with the formula established in the document referred to in subparagraph (A) (or a successor document).''; and

(E) by inserting after paragraph (12) (as so redesignated) the following:

''(13) MISSION-DIRECT PROGRAM SALARIES AND BENEFITS FOR THE NUCLEAR REACTOR SAFETY PROGRAM.—The term 'mission-direct program salaries and benefits for the Nuclear Reactor Safety Program' means the resources of the Commission that are allocated to the Nuclear Reactor Safety Program (as determined by the Commission) to perform core work activities committed to fulfilling the mission of the Commission, as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).

''(14) MISSION-INDIRECT PROGRAM SUPPORT.—The term 'mission-indirect program support' means the resources of the Commission that support the core mission-direct activities for the Nuclear Reactor Safety Program of the Commission (as determined by the Commission), as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).''.

(2) EXCLUDED ACTIVITIES.—Section 102(b)(1)(B) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as amended by subsection (c)(3)(A)(ii)) is amended by adding at the end the following:

''(v) The total costs of mission-indirect program support and agency support that, under paragraph (2)(B), may not be included in the hourly rate charged for fees assessed to advanced nuclear reactor applicants.

''(vi) The total costs of mission-indirect program support and agency support that, under paragraph (2)(C), may not be included in the hourly rate charged for fees assessed to advanced nuclear reactor pre-applicants.''.

(3) FEES FOR SERVICE OR THING OF VALUE.—Section 102(b) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)) is amended by striking paragraph (2) and inserting the following:

''(2) FEES FOR SERVICE OR THING OF VALUE.—

''(A) IN GENERAL.—In accordance with section 9701 of title 31, United States Code, the Commission shall assess and collect fees from any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

''(B) ADVANCED NUCLEAR REACTOR APPLICANTS.—The hourly rate charged for fees assessed to advanced nuclear reactor applicants under this paragraph relating to the review of a submitted application described in section 3(1) shall not exceed the hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program.

''(C) ADVANCED NUCLEAR REACTOR PRE-APPLICANTS.—The hourly rate charged for fees assessed to advanced nuclear reactor pre-applicants under this paragraph relating to the review of submitted materials as described in the licensing project plan of an advanced nuclear reactor pre-applicant shall not exceed the hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program.''.

(4) SUNSET.—Section 102 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215) is amended by adding at the end the following:

''(g) CESSATION OF EFFECTIVENESS.—Paragraphs (1)(B)(vi) and (2)(C) of subsection (b) shall cease to be effective on September 30, 2029.''.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2024.

(g) ADVANCED NUCLEAR REACTOR PRIZES.—Section 103 of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5571) is amended by adding at the end the following:

''(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LICENSING.—

''(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) a non-Federal entity; and

''(B) the Tennessee Valley Authority.

''(2) PRIZE FOR ADVANCED NUCLEAR REACTOR LICENSING.—

''(A) IN GENERAL.—Notwithstanding section 169 of the Atomic Energy Act of 1954 (42 U.S.C. 2209) and subject to the availability of appropriations, the Secretary is authorized to make, with respect to each award category described in subparagraph (C), an award in an amount described in subparagraph (B) to the first eligible entity—

''(i) to which the Commission issues an operating license for an advanced nuclear reactor under part 50 of title 10, Code of Federal Regulations (or successor regulations), for which an application has not been approved by the Commission as of the date of enactment of this subsection; or

''(ii) for which the Commission makes a finding described in section 52.103(g) of title 10, Code of Federal Regulations (or successor regulations), with respect to a combined license for an advanced nuclear reactor—

''(I) that is issued under subpart C of part 52 of that title (or successor regulations); and

''(II) for which an application has not been approved by the Commission as of the date of enactment of this subsection.

''(B) AMOUNT OF AWARD.—An award under subparagraph (A) shall be in an amount equal to the total amount assessed by the Commission and collected under section 102(b)(2) from the eligible entity receiving the award for costs relating to the issuance of the license described in that subparagraph, including, as applicable, costs relating to the issuance of an associated construction permit described in section 50.23 of title 10, Code of Federal Regulations (or successor regulations), or early site permit (as defined in section 52.1 of that title (or successor regulations)).

''(C) AWARD CATEGORIES.—An award under subparagraph (A) may be made for—

''(i) the first advanced nuclear reactor for which the Commission—

''(I) issues a license in accordance with clause (i) of subparagraph (A); or

''(II) makes a finding in accordance with clause (ii) of that subparagraph;

''(ii) an advanced nuclear reactor that—

''(I) uses isotopes derived from spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)) or depleted uranium as fuel for the advanced nuclear reactor; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph;

''(iii) an advanced nuclear reactor that—

''(I) is a nuclear integrated energy system—

''(aa) that is composed of 2 or more co-located or jointly operated subsystems of energy generation, energy storage, or other technologies;

''(bb) in which not fewer than 1 subsystem described in item (aa) is a nuclear energy system; and

''(cc) the purpose of which is—

''(AA) to reduce greenhouse gas emissions in both the power and nonpower sectors; and

''(BB) to maximize energy production and efficiency; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph;

''(iv) an advanced reactor that—

''(I) operates flexibly to generate electricity or high temperature process heat for nonelectric applications; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph; and

''(v) the first advanced nuclear reactor for which the Commission grants approval to load nuclear fuel pursuant to the technology-inclusive regulatory framework established under subsection (a)(4).

''(3) FEDERAL FUNDING LIMITATIONS.—

''(A) EXCLUSION OF TVA FUNDS.—In this paragraph, the term 'Federal funds' does not include funds received under the power program of the Tennessee Valley Authority.

''(B) LIMITATION ON AMOUNTS EXPENDED.—An award under this subsection shall not exceed the total amount expended (excluding any expenditures made with Federal funds received for the applicable project and an amount equal to the minimum cost-share required under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352)) by the eligible entity receiving the award for licensing costs relating to the project for which the award is made.

''(C) REPAYMENT AND DIVIDENDS NOT REQUIRED.—Notwithstanding section 9104(a)(4) of title 31, United States Code, or any other provision of law, an eligible entity that receives an award under this subsection shall not be required—

''(i) to repay that award or any part of that award; or

''(ii) to pay a dividend, interest, or other similar payment based on the sum of that award.''.

(h) REPORT ON UNIQUE LICENSING CONSIDERATIONS RELATING TO THE USE OF NUCLEAR ENERGY FOR NONELECTRIC APPLICATIONS.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report (referred to in this subsection as the ''report'') addressing any unique licensing issues or requirements relating to—

(A) the flexible operation of nuclear reactors, such as ramping power output and switching between electricity generation and nonelectric applications;

(B) the use of advanced nuclear reactors exclusively for nonelectric applications; and

(C) the colocation of nuclear reactors with industrial plants or other facilities.

(2) STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from—

(A) the Secretary of Energy;

(B) the nuclear energy industry;

(C) technology developers;

(D) the industrial, chemical, and medical sectors;

(E) nongovernmental organizations; and

(F) other public stakeholders.

(3) CONTENTS.—

(A) IN GENERAL.—The report shall describe—

(i) any unique licensing issues or requirements relating to the matters described in subparagraphs (A) through (C) of paragraph (1), including, with respect to the nonelectric applications referred to in subparagraphs (A) and (B) of that paragraph, any licensing issues or requirements relating to the use of nuclear energy in—

(I) hydrogen or other liquid and gaseous fuel or chemical production;

(II) water desalination and wastewater treatment;

(III) heat for industrial processes;

(IV) district heating;

(V) energy storage;

(VI) industrial or medical isotope production; and

(VII) other applications, as identified by the Commission;

(ii) options for addressing those issues or requirements—

(I) within the existing regulatory framework of the Commission;

(II) as part of the technology-inclusive regulatory framework required under subsection (a)(4) of section 103 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439) or described in the report required under subsection (e) of that section (Public Law 115–439; 132 Stat. 5575); or

(III) through a new rulemaking; and

(iii) the extent to which Commission action is needed to implement any matter described in the report.

(B) COST ESTIMATES, BUDGETS, AND TIMEFRAMES.—The report shall include cost estimates, proposed budgets, and proposed timeframes for implementing risk-informed and performance-based regulatory guidance in the licensing of nuclear reactors for nonelectric applications.

(i) ENABLING PREPARATIONS FOR THE DEMONSTRATION OF ADVANCED NUCLEAR REACTORS ON DEPARTMENT OF ENERGY SITES OR CRITICAL NATIONAL SECURITY INFRASTRUCTURE SITES.—

(1) IN GENERAL.—Section 102(b)(1)(B) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as amended by subsection (f)(2)) is amended by adding at the end the following:

''(vii) Costs for—

''(I) activities to review and approve or disapprove an application for an early site permit (as defined in section 52.1 of title 10, Code of Federal Regulations (or a successor regulation)) to demonstrate an advanced nuclear reactor on a Department of Energy site or critical national security infrastructure (as defined in section 327(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1722)) site; and

''(II) pre-application activities relating to an early site permit (as defined in section 52.1 of title 10, Code of Federal Regulations (or a successor regulation)) to demonstrate an advanced nuclear reactor on a Department of Energy site or critical national security infrastructure (as defined in section

327(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1722)) site.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2024.

(j) CLARIFICATION ON FUSION REGULATION.—Section 103(a)(4) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439) is amended—

(1) by striking ''Not later'' and inserting the following:

''(A) IN GENERAL.—Not later''; and

(2) by adding at the end the following:

''(B) EXCLUSION OF FUSION REACTORS.—For purposes of subparagraph (A), the term 'advanced reactor applicant' does not include an applicant seeking a license for a fusion reactor.''.

(k) REGULATORY ISSUES FOR NUCLEAR FACILITIES AT BROWNFIELD SITES.—

(1) DEFINITIONS.—

(A) BROWNFIELD SITE.—The term ''brownfield site'' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(B) PRODUCTION FACILITY.—The term ''production facility'' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(C) RETIRED FOSSIL FUEL SITE.—The term ''retired fossil fuel site'' means the site of 1 or more fossil fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down.

(D) UTILIZATION FACILITY.—The term ''utilization facility'' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(2) IDENTIFICATION OF REGULATORY ISSUES.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall evaluate the extent to which modification of regulations, guidance, or policy is needed to enable timely licensing reviews for, and to support the oversight of, production facilities or utilization facilities at brownfield sites.

(B) REQUIREMENT.—In carrying out subparagraph (A), the Commission shall consider how licensing reviews for production facilities or utilization facilities at brownfield sites may be expedited by considering matters relating to siting and operating a production facility or a utilization facility at or near a retired fossil fuel site to support—

(i) the reuse of existing site infrastructure, including—

(I) electric switchyard components and transmission infrastructure;

(II) heat-sink components;

(III) steam cycle components;

(IV) roads;

(V) railroad access; and

(VI) water availability;

(ii) the use of early site permits;

(iii) the utilization of plant parameter envelopes or similar standardized site parameters on a portion of a larger site; and

(iv) the use of a standardized application for similar sites.

(C) REPORT.—Not later than 14 months after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing any regulations, guidance, and policies identified under subparagraph (A).

(3) LICENSING.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Commission shall—

(i) develop and implement strategies to enable timely licensing reviews for, and to support the oversight of, production facilities or utilization facilities at brownfield sites, including retired fossil fuel sites; or

(ii) initiate a rulemaking to enable timely licensing reviews for, and to support the oversight of, of production facilities or utilization facilities at brownfield sites, including retired fossil fuel sites.

(B) REQUIREMENTS.—In carrying out subparagraph (A), consistent with the mission of the Commission, the Commission shall consider matters relating to—

(i) the use of existing site infrastructure;

(ii) existing emergency preparedness organizations and planning;

(iii) the availability of historical site-specific environmental data;

(iv) previously approved environmental reviews required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(v) activities associated with the potential decommissioning of facilities or decontamination and remediation at brownfield sites; and

(vi) community engagement and historical experience with energy production.

(4) REPORT.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing the actions taken by the Commission under paragraph (3).

(l) APPALACHIAN REGIONAL COMMISSION NUCLEAR ENERGY DEVELOPMENT.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14512. Appalachian Regional Commission nuclear energy development

''(a) DEFINITIONS.—In this section:

''(1) BROWNFIELD SITE.—The term 'brownfield site' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

''(2) PRODUCTION FACILITY.—The term 'production facility' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

''(3) RETIRED FOSSIL FUEL SITE.—The term 'retired fossil fuel site' means the site of 1 or more fossil fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down.

''(4) UTILIZATION FACILITY.—The term 'utilization facility' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

''(b) AUTHORITY.—The Appalachian Regional Commission may provide technical assistance to, make grants to, enter into contracts with, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

''(1) to conduct research and analysis regarding the economic impact of siting, constructing, and operating a production facility or a utilization facility at a brownfield site, including a retired fossil fuel site;

''(2) to assist with workforce training or retraining to perform activities relating to the siting and operation of a production facility or a utilization facility at a brownfield site, including a retired fossil fuel site; and

''(3) to engage with the Nuclear Regulatory Commission, the Department of Energy, and other Federal agencies with expertise in civil nuclear energy.

''(c) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any project or activity eligible for a grant under this section—

''(1) except as provided in paragraphs (2) and (3), not more than 50 percent may be provided from amounts made available to carry out this section;

''(2) in the case of a project or activity to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts made available to carry out this section; and

''(3) in the case of a project or activity to be carried out in a county for which an at-risk county designation is in effect under section 14526, not more than 70 percent may be provided from amounts made available to carry out this section.

''(d) SOURCES OF ASSISTANCE.—Subject to subsection (c), a grant provided under this section may be provided from amounts made available to carry out this section, in combination with amounts made available—

''(1) under any other Federal program; or

''(2) from any other source.

''(e) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(A) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(B) by inserting after subsection (d) the following:

''(e) APPALACHIAN REGIONAL COMMISSION NUCLEAR ENERGY DEVELOPMENT.—Of the amounts made available under subsection (a), $5,000,000 may be used to carry out section 14512 for each of fiscal years 2023 through 2026.''.

(3) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by striking the item relating to section 14511 and inserting the following:

''14511. Appalachian regional energy hub initiative.

''14512. Appalachian Regional Commission nuclear energy development.''.

(m) FOREIGN OWNERSHIP.—

(1) IN GENERAL.—The prohibitions against issuing certain licenses for utilization facilities to certain corporations and other entities described in the second sentence of section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) and the second sentence of section 104 d. of that Act (42 U.S.C. 2134(d)) shall not apply to an entity described in paragraph (2) if the Commission determines that issuance of the applicable license to that entity is not inimical to—

(A) the common defense and security; or

(B) the health and safety of the public.

(2) ENTITIES DESCRIBED.—

(A) IN GENERAL.—An entity referred to in paragraph (1) is a corporation or other entity that is owned, controlled, or dominated by—

(i) the government of—

(I) a country that is a member of the Organisation for Economic Co-operation and Development on the date of enactment of this Act, subject to subparagraph (B); or

(II) the Republic of India;

(ii) a corporation that is incorporated in a country described in subclause (I) or (II) of clause (i); or

(iii) an alien who is a national of a country described in subclause (I) or (II) of clause (i).

(B) EXCLUSION.—An entity described in subparagraph (A)(i)(I) is not an entity referred to in paragraph (1), and paragraph (1) shall not apply to that entity, if, on the date of enactment of this Act—

(i) the entity (or any department, agency, or instrumentality of the entity) is a person subject to sanctions under section 231 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525); or

(ii) any citizen of the entity, or any entity organized under the laws of, or otherwise subject to the jurisdiction of, the entity, is a person subject to sanctions under that section.

(3) TECHNICAL AMENDMENT.—Section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is amended, in the second sentence, by striking ''any any'' and inserting ''any''.

(4) SAVINGS CLAUSE.—Nothing in this subsection affects the requirements of section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565).

(n) EXTENSION OF THE PRICE-ANDERSON ACT.—

(1) EXTENSION.—Section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the ''Price-Anderson Act'') is amended by striking ''December 31, 2025'' each place it appears and inserting ''December 31, 2045''.

(2) LIABILITY.—Section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the ''Price-Anderson Act'') is amended—

(A) in subsection d. (5), by striking ''$500,000,000'' and inserting ''$2,000,000,000''; and

(B) in subsection e. (4), by striking ''$500,000,000'' and inserting ''$2,000,000,000''.

(3) REPORT.—Section 170 p. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(p)) (commonly known as the ''Price-Anderson Act'') is amended by striking ''December 31, 2021'' and inserting ''December 31, 2041''.

(4) DEFINITION OF NUCLEAR INCIDENT.—Section 11 q. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(q)) is amended, in the second proviso, by striking ''if such occurrence'' and all that follows through ''United States:'' and inserting a colon.

(o) REPORT ON ADVANCED METHODS OF MANUFACTURING AND CONSTRUCTION FOR NUCLEAR ENERGY APPLICATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report (referred to in this subsection as the ''report'') on manufacturing and construction for nuclear energy applications.

(2) STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from—

(A) the Secretary of Energy;

(B) the nuclear energy industry;

(C) National Laboratories;

(D) institutions of higher education;

(E) nuclear and manufacturing technology developers;

(F) the manufacturing and construction industries, including manufacturing and construction companies with operating facilities in the United States;

(G) standards development organizations;

(H) labor unions;

(I) nongovernmental organizations; and

(J) other public stakeholders.

(3) CONTENTS.—

(A) IN GENERAL.—The report shall—

(i) examine any unique licensing issues or requirements relating to the use of innovative—

(I) advanced manufacturing processes;

(II) advanced construction techniques; and

(III) rapid improvement or iterative innovation processes;

(ii) examine—

(I) the requirements for nuclear-grade components in manufacturing and construction for nuclear energy applications;

(II) opportunities to use standard materials, parts, or components in manufacturing and construction for nuclear energy applications;

(III) opportunities to use standard materials that are in compliance with existing codes to provide acceptable approaches to support or encapsulate new materials that do not yet have applicable codes; and

(IV) requirements relating to the transport of a fueled advanced nuclear reactor core from a manufacturing licensee to a licensee that holds a license to construct and operate a facility at a particular site;

(iii) identify any safety aspects of innovative advanced manufacturing processes and advanced construction techniques that are not addressed by existing codes and standards, so that generic guidance may be updated or created, as necessary;

(iv) identify options for addressing the issues, requirements, and opportunities examined under clauses (i) and (ii)—

(I) within the existing regulatory framework; or

(II) through a new rulemaking;

(v) identify how addressing the issues, requirements, and opportunities examined under clauses (i) and (ii) will impact opportunities for domestic nuclear manufacturing and construction developers; and

(vi) describe the extent to which Commission action is needed to implement any matter described in the report.

(B) COST ESTIMATES, BUDGETS, AND TIMEFRAMES.—The report shall include cost estimates, proposed budgets, and proposed timeframes for implementing risk-informed and performance-based regulatory guidance for manufacturing and construction for nuclear energy applications.

(p) NUCLEAR ENERGY TRAINEESHIP.—Section 313 of division C of the Omnibus Appropriations Act, 2009 (42 U.S.C. 16274a), is amended—

(1) in subsection (a), by striking ''Nuclear Regulatory'';

(2) in subsection (b)(1), in the matter preceding subparagraph (A), by inserting ''and subsection (c)'' after ''paragraph (2)'';

(3) in subsection (c)—

(A) by redesignating paragraph (2) as paragraph (5); and

(B) by striking paragraph (1) and inserting the following:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

''(2) COMMISSION.—The term 'Commission' means the Nuclear Regulatory Commission.

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(4) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).'';

(4) in subsection (d)(2), by striking ''Nuclear Regulatory'';

(5) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(6) by inserting after subsection (b) the following:

''(c) NUCLEAR ENERGY TRAINEESHIP SUBPROGRAM.—

''(1) IN GENERAL.—The Commission shall establish, as a subprogram of the Program, a nuclear energy traineeship subprogram under which the Commission, in coordination with institutions of higher education and trade schools, shall competitively award traineeships that provide focused training to meet critical mission needs of the Commission and nuclear workforce needs, including needs relating to the nuclear tradecraft workforce.

''(2) REQUIREMENTS.—In carrying out the nuclear energy traineeship subprogram described in paragraph (1), the Commission shall—

''(A) coordinate with the Secretary of Energy to prioritize the funding of traineeships that focus on—

''(i) nuclear workforce needs; and

''(ii) critical mission needs of the Commission;

''(B) encourage appropriate partnerships among—

''(i) National Laboratories;

''(ii) institutions of higher education;

''(iii) trade schools;

''(iv) the nuclear energy industry; and

''(v) other entities, as the Commission determines to be appropriate; and

''(C) on an annual basis, evaluate nuclear workforce needs for the purpose of implementing traineeships in focused topical areas that—

''(i) address the workforce needs of the nuclear energy community; and

''(ii) support critical mission needs of the Commission.''.

(q) REPORT ON COMMISSION READINESS AND CAPACITY TO LICENSE ADDITIONAL CONVERSION AND ENRICHMENT CAPACITY TO REDUCE RELIANCE ON URANIUM FROM RUSSIA.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the readiness and capacity of the Commission to license additional conversion and enrichment capacity at existing and new fuel cycle facilities to reduce reliance on nuclear fuel that is recovered, converted, enriched, or fabricated by an entity that—

(A) is owned or controlled by the Government of the Russian Federation; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, the Russian Federation.

(2) CONTENTS.—The report required under paragraph (1) shall analyze how the capacity of the Commission to license additional conversion and enrichment capacity at existing and new fuel cycle facilities may conflict with or restrict the readiness of the Commission to review advanced nuclear reactor applications.

(r) ANNUAL REPORT ON THE SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE INVENTORY IN THE UNITED STATES.—

(1) DEFINITIONS.—In this subsection:

(A) HIGH-LEVEL RADIOACTIVE WASTE.—The term ''high-level radioactive waste'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(B) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(C) STANDARD CONTRACT.—The term ''standard contract'' has the meaning given the term ''contract'' in section 961.3 of title 10, Code of Federal Regulations (or a successor regulation).

(2) REPORT.—Not later than January 1, 2025, and annually thereafter, the Secretary of Energy shall submit to Congress a report that describes—

(A) the annual and cumulative amount of payments made by the United States to the holder of a standard contract due to a partial breach of contract under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) resulting in financial damages to the holder;

(B) the cumulative amount spent by the Department of Energy since fiscal year 2008 to reduce future payments projected to be made by the United States to any holder of a standard contract due to a partial breach of contract under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.);

(C) the cumulative amount spent by the Department of Energy to store, manage, and dispose of spent nuclear fuel and high-level radioactive waste in the United States as of the date of the report;

(D) the projected lifecycle costs to store, manage, transport, and dispose of the projected inventory of spent nuclear fuel and high-level radioactive waste in the United States, including spent nuclear fuel and high-level radioactive waste expected to be generated from existing reactors through 2050;

(E) any mechanisms for better accounting of liabilities for the lifecycle costs of the spent nuclear fuel and high-level radioactive waste inventory in the United States;

(F) any recommendations for improving the methods used by the Department of Energy for the accounting of spent nuclear fuel and high-level radioactive waste costs and liabilities;

(G) any actions taken in the previous fiscal year by the Department of Energy with respect to interim storage; and

(H) any activities taken in the previous fiscal year by the Department of Energy to develop and deploy nuclear technologies and fuels that enhance the safe transportation or storage of spent nuclear fuel or high-level radioactive waste, including technologies to protect against seismic, flooding, and other extreme weather events.

(s) AUTHORIZATION OF APPROPRIATIONS FOR SUPERFUND ACTIONS AT ABANDONED MINING SITES ON TRIBAL LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE NON-NPL SITE.—The term ''eligible non-NPL site'' means a site—

(i) that is not on the National Priorities List; but

(ii) with respect to which the Administrator determines that—

(I) the site would be eligible for listing on the National Priorities List based on the presence of hazards from contamination at the site, applying the hazard ranking system described in section 105(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(c)); and

(II) for removal site evaluations, engineering evaluations/cost analyses, remedial planning activities, remedial investigations and feasibility studies, and other actions taken pursuant to section 104(b) of that Act (42 U.S.C. 9604), the site—

(aa) has undergone a pre-CERCLA screening; and

(bb) is included in the Superfund Enterprise Management System.

(B) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(C) NATIONAL PRIORITIES LIST.—The term ''National Priorities List'' means the National Priorities List developed by the President in accordance with section 105(a)(8)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)(B)).

(D) REMEDIAL ACTION; REMOVAL; RESPONSE.—The terms ''remedial action'', ''removal'', and ''response'' have the meanings given those terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(E) TRIBAL LAND.—The term ''Tribal land'' has the meaning given the term ''Indian country'' in section 1151 of title 18, United States Code.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2023 through 2032, to remain available until expended—

(A) $97,000,000 to the Administrator to carry out this subsection (except for paragraph (4)); and

(B) $3,000,000 to the Administrator of the Agency for Toxic Substances and Disease Registry to carry out paragraph (4).

(3) USES OF AMOUNTS.—Amounts appropriated under paragraph (2)(A) shall be used by the Administrator—

(A) to carry out removal actions on abandoned mine land located on Tribal land;

(B) to carry out response actions, including removal and remedial planning activities, removal and remedial studies, remedial actions, and other actions taken pursuant to section 104(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(b)) on abandoned mine land located on Tribal land at—

(i) eligible non-NPL sites; and

(ii) sites listed on the National Priorities List; and

(C) to make grants under paragraph (5).

(4) HEALTH ASSESSMENTS.—Subject to the availability of appropriations, the Agency for Toxic Substances and Disease Registry, in coordination with Tribal health authorities, shall perform 1 or more health assessments at each eligible non-NPL site that is located on Tribal land, in accordance with section 104(i)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(i)(6)).

(5) TRIBAL GRANTS.—

(A) IN GENERAL.—The Administrator may use amounts appropriated under paragraph (2)(A) to make grants to eligible entities described in subparagraph (B) for the purposes described in subparagraph (C).

(B) ELIGIBLE ENTITIES DESCRIBED.—An eligible entity referred to in subparagraph (A) is—

(i) the governing body of an Indian Tribe; or

(ii) a legally established organization of Indians that—

(I) is controlled, sanctioned, or chartered by the governing bodies of 2 or more Indian Tribes to be served, or that is democratically elected by the adult members of the Indian community to be served, by that organization; and

(II) includes the maximum participation of Indians in all phases of the activities of that organization.

(C) USE OF GRANT FUNDS.—A grant under this paragraph shall be used—

(i) in accordance with the second sentence of section 117(e)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9617(e)(1));

(ii) for obtaining technical assistance in carrying out response actions under clause (iii); or

(iii) for carrying out response actions, if the Administrator determines that the Indian Tribe has the capability to carry out any or all of those response actions in accordance with the criteria and priorities established pursuant to section 105(a)(8) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)).

(D) APPLICATIONS.—An eligible entity desiring a grant under this paragraph shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(E) LIMITATIONS.—A grant under this paragraph shall be governed by the rules, procedures, and limitations described in section 117(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9617(e)(2)), except that—

(i) ''Administrator of the Environmental Protection Agency'' shall be substituted for ''President'' each place it appears in that section; and

(ii) in the first sentence of that section, ''under subsection (s) of the ADVANCE Act of 2023'' shall be substituted for ''under this subsection''.

(6) STATUTE OF LIMITATIONS.—If a remedial action described in paragraph (3)(B) is scheduled at an eligible non-NPL site, no action may be commenced for damages (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) with respect to that eligible non-NPL site unless the action is commenced within the timeframe provided for such actions with respect to facilities on the National Priorities List in the first sentence of the matter following subparagraph (B) of section 113(g)(1) of that Act (42 U.S.C. 9613(g)(1)).

(7) COORDINATION.—The Administrator shall coordinate with the Indian Tribe on whose land the applicable site is located in—

(A) selecting and prioritizing sites for response actions under subparagraphs (A) and (B) of paragraph (3); and

(B) carrying out those response actions.

(t) DEVELOPMENT, QUALIFICATION, AND LICENSING OF ADVANCED NUCLEAR FUEL CONCEPTS.—

(1) IN GENERAL.—The Commission shall establish an initiative to enhance preparedness and coordination with respect to the qualification and licensing of advanced nuclear fuel.

(2) AGENCY COORDINATION.—Not later than 180 days after the date of enactment of this Act, the Commission and the Secretary of Energy shall enter into a memorandum of understanding—

(A) to share technical expertise and knowledge through—

(i) enabling the testing and demonstration of accident tolerant fuels for existing commercial nuclear reactors and advanced nuclear reactor fuel concepts to be proposed and funded, in whole or in part, by the private sector;

(ii) operating a database to store and share data and knowledge relevant to nuclear science and engineering between Federal agencies and the private sector;

(iii) leveraging expertise with respect to safety analysis and research relating to advanced nuclear fuel; and

(iv) enabling technical staff to actively observe and learn about technologies, with an emphasis on identification of additional information needed with respect to advanced nuclear fuel; and

(B) to ensure that—

(i) the Department of Energy has sufficient technical expertise to support the timely research, development, demonstration, and commercial application of advanced nuclear fuel;

(ii) the Commission has sufficient technical expertise to support the evaluation of applications for licenses, permits, and design certifications and other requests for regulatory approval for advanced nuclear fuel;

(iii)(I) the Department of Energy maintains and develops the facilities necessary to enable the timely research, development, demonstration, and commercial application by the civilian nuclear industry of advanced nuclear fuel; and

(II) the Commission has access to the facilities described in subclause (I), as needed; and

(iv) the Commission consults, as appropriate, with the modeling and simulation experts at the Office of Nuclear Energy of the Department of Energy, at the National Laboratories, and within industry fuel vendor teams in cooperative agreements with the Department of Energy to leverage physics-

based computer modeling and simulation capabilities.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing the efforts of the Commission under paragraph (1), including—

(i) an assessment of the preparedness of the Commission to review and qualify for use—

(I) accident tolerant fuel;

(II) ceramic cladding materials;

(III) fuels containing silicon carbide;

(IV) high-assay, low-enriched uranium fuels;

(V) molten-salt based liquid fuels;

(VI) fuels derived from spent nuclear fuel or depleted uranium; and

(VII) other related fuel concepts, as determined by the Commission;

(ii) activities planned or undertaken under the memorandum of understanding described in paragraph (2);

(iii) an accounting of the areas of research needed with respect to advanced nuclear fuel; and

(iv) any other challenges or considerations identified by the Commission.

(B) CONSULTATION.—In developing the report under subparagraph (A), the Commission shall seek input from—

(i) the Secretary of Energy;

(ii) National Laboratories;

(iii) the nuclear energy industry;

(iv) technology developers;

(v) nongovernmental organizations; and

(vi) other public stakeholders.

(u) COMMISSION WORKFORCE.—

(1) DEFINITION OF CHAIRMAN.—In this subsection, the term ''Chairman'' means the Chairman of the Commission.

(2) HIRING BONUS AND APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Notwithstanding section 161 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(d)), any provision of Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), and any provision of title 5, United States Code, governing appointments and General Schedule classification and pay rates, the Chairman may, subject to the limitations described in subparagraph (C), and without regard to the civil service laws—

(i) establish the positions described in subparagraph (B); and

(ii) appoint persons to the positions established under clause (i).

(B) POSITIONS DESCRIBED.—The positions referred to in subparagraph (A)(i) are—

(i) permanent or term-limited positions with highly specialized scientific, engineering, and technical competencies to address a critical licensing or regulatory oversight need for the Commission, including—

(I) health physicist;

(II) reactor operations engineer;

(III) human factors analyst or engineer;

(IV) risk and reliability analyst or engineer;

(V) licensing project manager;

(VI) reactor engineer for severe accidents;

(VII) geotechnical engineer;

(VIII) structural engineer;

(IX) reactor systems engineer;

(X) reactor engineer;

(XI) radiation scientist;

(XII) seismic engineer; and

(XIII) electronics engineer; or

(ii) permanent or term-limited positions to be filled by exceptionally well-qualified individuals that the Chairman, subject to paragraph (5), determines are necessary to fulfill the mission of the Commission.

(C) LIMITATIONS.—

(i) IN GENERAL.—Appointments under subparagraph (A)(ii) may be made to not more than—

(I)(aa) 15 permanent positions described in subparagraph (B)(i) during fiscal year 2024; and

(bb) 10 permanent positions described in subparagraph (B)(i) during each fiscal year thereafter;

(II)(aa) 15 term-limited positions described in subparagraph (B)(i) during fiscal year 2024; and

(bb) 10 term-limited positions described in subparagraph (B)(i) during each fiscal year thereafter;

(III)(aa) 15 permanent positions described in subparagraph (B)(ii) during fiscal year 2024; and

(bb) 10 permanent positions described in subparagraph (B)(ii) during each fiscal year thereafter; and

(IV)(aa) 15 term-limited positions described in subparagraph (B)(ii) during fiscal year 2024; and

(bb) 10 term-limited positions described in subparagraph (B)(ii) during each fiscal year thereafter.

(ii) TERM OF TERM-LIMITED APPOINTMENT.—If a person is appointed to a term-limited position described in clause (i) or (ii) of subparagraph (B), the term of that appointment shall not exceed 4 years.

(iii) STAFF POSITIONS.—Subject to paragraph (5), appointments made to positions established under this paragraph shall be to a range of staff positions that are of entry, mid, and senior levels, to the extent practicable.

(D) HIRING BONUS.—The Commission may pay a person appointed under subparagraph (A) a 1-time hiring bonus in an amount not to exceed the least of—

(i) $25,000;

(ii) the amount equal to 15 percent of the annual rate of basic pay of the employee; and

(iii) the amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(3) COMPENSATION AND APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Notwithstanding section 161 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(d)), any provision of Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), and chapter 51, and subchapter III of chapter 53, of title 5, United States Code, the Chairman, subject to the limitations described in subparagraph (C) and without regard to the civil service laws, may—

(i) establish and fix the rates of basic pay for the positions described in subparagraph (B); and

(ii) appoint persons to the positions established under clause (i).

(B) POSITIONS DESCRIBED.—The positions referred to in subparagraph (A)(i) are—

(i) positions with highly specialized scientific, engineering, and technical competencies to address a critical need for the Commission, including—

(I) health physicist;

(II) reactor operations engineer;

(III) human factors analyst or engineer;

(IV) risk and reliability analyst or engineer;

(V) licensing project manager;

(VI) reactor engineer for severe accidents;

(VII) geotechnical engineer;

(VIII) structural engineer;

(IX) reactor systems engineer;

(X) reactor engineer;

(XI) radiation scientist;

(XII) seismic engineer; and

(XIII) electronics engineer; or

(ii) positions to be filled by exceptionally well-qualified persons that the Chairman, subject to paragraph (5), determines are necessary to fulfill the mission of the Commission.

(C) LIMITATIONS.—

(i) IN GENERAL.—The annual rate of basic pay for a position described in subparagraph (B) may not exceed the per annum rate of salary payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(ii) NUMBER OF POSITIONS.—Appointments under subparagraph (A)(ii) may be made to not more than—

(I) 10 positions described in subparagraph (B)(i) per fiscal year, not to exceed a total of 50 positions; and

(II) 10 positions described in subparagraph (B)(ii) per fiscal year, not to exceed a total of 50 positions.

(D) PERFORMANCE BONUS.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), an employee may be paid a 1-time performance bonus in an amount not to exceed the least of—

(I) $25,000;

(II) the amount equal to 15 percent of the annual rate of basic pay of the person; and

(III) the amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(ii) PERFORMANCE.—Any 1-time performance bonus under clause (i) shall be made to a person who demonstrated exceptional performance in the applicable fiscal year, including—

(I) leading a project team in a timely, efficient, and predictable licensing review to enable the safe use of nuclear technology;

(II) making significant contributions to a timely, efficient, and predictable licensing review to enable the safe use of nuclear technology;

(III) the resolution of novel or first-of-a-kind regulatory issues;

(IV) developing or implementing licensing or regulatory oversight processes to improve the effectiveness of the Commission; and

(V) other performance, as determined by the Chairman, subject to paragraph (5).

(iii) LIMITATIONS.—The Commission may pay a 1-time performance bonus under clause (i) for not more than 15 persons per fiscal year, and a person who receives a 1-time performance bonus under that clause may not receive another 1-time performance bonus under that clause for a period of 5 years thereafter.

(4) ANNUAL SOLICITATION FOR NUCLEAR REGULATOR APPRENTICESHIP NETWORK APPLICATIONS.—The Chairman, on an annual basis, shall solicit applications for the Nuclear Regulator Apprenticeship Network.

(5) APPLICATION OF MERIT SYSTEM PRINCIPLES.—To the maximum extent practicable, appointments under paragraphs (2)(A) and (3)(A) and any 1-time performance bonus under paragraph (3)(D) shall be made in accordance with the merit system principles set forth in section 2301 of title 5, United States Code.

(6) DELEGATION.—Pursuant to Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), the Chairman shall delegate, subject to the direction and supervision of the Chairman, the authority provided by paragraphs (2), (3), and (4) to the Executive Director for Operations of the Commission.

(7) ANNUAL REPORT.—The Commission shall include in the annual budget justification of the Commission—

(A) information that describes—

(i) the total number of and the positions of the persons appointed under the authority provided by paragraph (2);

(ii) the total number of and the positions of the persons paid at the rate determined under the authority provided by paragraph (3)(A);

(iii) the total number of and the positions of the persons paid a 1-time performance bonus under the authority provided by paragraph (3)(D);

(iv) how the authority provided by paragraphs (2) and (3) is being used, and has been used during the previous fiscal year, to address the hiring and retention needs of the Commission with respect to the positions described in those subsections to which that authority is applicable;

(v) if the authority provided by paragraphs (2) and (3) is not being used, or has not been used, the reasons, including a justification, for not using that authority; and

(vi) the attrition levels with respect to the term-limited appointments made under paragraph (2), including, with respect to persons leaving a position before completion of the applicable term of service, the average length of service as a percentage of the term of service;

(B) an assessment of—

(i) the current critical workforce needs of the Commission, including any critical workforce needs that the Commission anticipates in the subsequent 5 fiscal years; and

(ii) further skillsets that are or will be needed for the Commission to fulfill the licensing and oversight responsibilities of the Commission; and

(C) the plans of the Commission to assess, develop, and implement updated staff performance standards, training procedures, and schedules.

(8) REPORT ON ATTRITION AND EFFECTIVENESS.—Not later than September 30, 2032, the Commission shall submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Energy and Commerce of the House of Representatives a report that—

(A) describes the attrition levels with respect to the term-limited appointments made under paragraph (2), including, with respect to persons leaving a position before completion of the applicable term of service, the average length of service as a percentage of the term of service;

(B) provides the views of the Commission on the effectiveness of the authorities provided by paragraphs (2) and (3) in helping the Commission fulfill the mission of the Commission; and

(C) makes recommendations with respect to whether the authorities provided by paragraphs (2) and (3) should be continued, modified, or discontinued.

(v) COMMISSION CORPORATE SUPPORT FUNDING.—

(1) REPORT.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress and make publicly available a report that describes—

(A) the progress on the implementation of section 102(a)(3) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(a)(3)); and

(B) whether the Commission is meeting and is expected to meet the total budget authority caps required for corporate support under that section.

(2) LIMITATION ON CORPORATE SUPPORT COSTS.—Section 102(a)(3) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(a)(3)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) 30 percent for fiscal year 2024 and each fiscal year thereafter.''.

(3) CORPORATE SUPPORT COSTS CLARIFICATION.—Paragraph (9) of section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439) (as redesignated by subsection (f)(1)(A)) is amended—

(A) by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(B) by adding at the end the following:

''(B) EXCLUSIONS.—The term 'corporate support costs' does not include—

''(i) costs for rent and utilities relating to any and all space in the Three White Flint North building that is not occupied by the Commission; or

''(ii) costs for salaries, travel, and other support for the Office of the Commission.''.

(w) PERFORMANCE AND REPORTING UPDATE.—Section 102(c) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(c)) is amended—

(1) in paragraph (3)—

(A) in the paragraph heading, by striking ''180'' and inserting ''90''; and

(B) by striking ''180'' and inserting ''90''; and

(2) by adding at the end the following:

''(4) PERIODIC UPDATES TO METRICS AND SCHEDULES.—

''(A) REVIEW AND ASSESSMENT.—Not less frequently than once every 3 years, the Commission shall review and assess, based on the licensing and regulatory activities of the Commission, the performance metrics and milestone schedules established under paragraph (1).

''(B) REVISIONS.—After each review and assessment under subparagraph (A), the Commission shall revise and improve, as appropriate, the performance metrics and milestone schedules described in that subparagraph to provide the most efficient metrics and schedules reasonably achievable.''.

(x) NUCLEAR CLOSURE COMMUNITIES.—

(1) DEFINITIONS.—In this subsection:

(A) COMMUNITY ADVISORY BOARD.—The term ''community advisory board'' means a community committee or other advisory organization that aims to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect.

(B) DECOMMISSION.—The term ''decommission'' has the meaning given the term in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

(C) ELIGIBLE RECIPIENT.—The term ''eligible recipient'' has the meaning given the term in section 3 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122).

(D) LICENSEE.—The term ''licensee'' has the meaning given the term in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

(E) NUCLEAR CLOSURE COMMUNITY.—The term ''nuclear closure community'' means a unit of local government, including a county, city, town, village, school district, or special district, that has been impacted, or reasonably demonstrates to the satisfaction of the Secretary that it will be impacted, by a nuclear power plant licensed by the Commission that—

(i) is not co-located with an operating nuclear power plant;

(ii) is at a site with spent nuclear fuel; and

(iii) as of the date of enactment of this Act—

(I) has ceased operations; or

(II) has provided a written notification to the Commission that it will cease operations.

(F) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Economic Development.

(2) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a grant program to provide grants to eligible recipients—

(A) to assist with economic development in nuclear closure communities; and

(B) to fund community advisory boards in nuclear closure communities.

(3) REQUIREMENT.—In carrying out this subsection, to the maximum extent practicable, the Secretary shall implement the recommendations described in the report submitted to Congress under section 108 of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5577) entitled ''Best Practices for Establishment and Operation of Local Community Advisory Boards Associated with Decommissioning Activities at Nuclear Power Plants''.

(4) DISTRIBUTION OF FUNDS.—The Secretary shall establish a formula to ensure, to the maximum extent practicable, geographic diversity among grant recipients under this subsection.

(5) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated to the Secretary—

(i) to carry out paragraph (2)(A), $35,000,000 for each of fiscal years 2023 through 2028; and

(ii) to carry out paragraph (2)(B), $5,000,000 for each of fiscal years 2023 through 2025.

(B) AVAILABILITY.—Amounts made available under this subsection shall remain available for a period of 5 years beginning on the date on which the amounts are made available.

(C) NO OFFSET.—None of the funds made available under this subsection may be used to offset the funding for any other Federal program.

(y) TECHNICAL CORRECTION.—Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

(1) by striking the third sentence and inserting the following:

''(3) LIMITATION ON UTILIZATION FACILITIES.—The Commission may issue a license under this section for a utilization facility useful in the conduct of research and development activities of the types specified in section 31 if—

''(A) not more than 75 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale, other than for research and development or education and training, of—

''(i) nonenergy services;

''(ii) energy; or

''(iii) a combination of nonenergy services and energy; and

''(B) not more than 50 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale of energy.'';

(2) in the second sentence, by striking ''The Commission'' and inserting the following:

''(2) REGULATION.—The Commission''; and

(3) by striking ''c. The Commission'' and inserting the following:

''c. RESEARCH AND DEVELOPMENT ACTIVITIES.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Commission''.

(z) REPORT ON ENGAGEMENT WITH THE GOVERNMENT OF CANADA WITH RESPECT TO NUCLEAR WASTE ISSUES IN THE GREAT LAKES BASIN.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report describing any engagement between the Commission and the Government of Canada with respect to nuclear waste issues in the Great Lakes Basin.

(aa) SAVINGS CLAUSE.—Nothing in this section affects authorities of the Department of State.

DIVISION F—DEPARTMENT OF STATE AUTHORIZATION ACT OF 2023

SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Department of State Authorization Act of 2023''.

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

DIVISION F—DEPARTMENT OF STATE AUTHORIZATION ACT OF 2023

Sec. 6001. Short title; table of contents.
Sec. 6002. Definitions.

TITLE LXI—DIPLOMATIC SECURITY AND CONSULAR AFFAIRS

Sec. 6101. Special hiring authority for passport services.
Sec. 6102. Quarterly report on passport wait times.
Sec. 6103. Passport travel advisories.
Sec. 6104. Strategy to ensure access to passport services for all Americans.
Sec. 6105. Strengthening the National Passport Information Center.
Sec. 6106. Strengthening passport customer visibility and transparency.
Sec. 6107. Annual Office of Authentications report.
Sec. 6108. Increased accountability in assignment restrictions and reviews.
Sec. 6109. Suitability reviews for Foreign Service Institute instructors.
Sec. 6110. Diplomatic security fellowship programs.

TITLE LXII—PERSONNEL MATTERS

Subtitle A—Hiring, Promotion, and Development

Sec. 6201. Adjustment to promotion precepts.
Sec. 6202. Hiring authorities.
Sec. 6203. Extending paths to service for paid student interns.
Sec. 6204. Lateral Entry Program.
Sec. 6205. Mid-Career Mentoring Program.
Sec. 6206. Report on the Foreign Service Institute's language program .
Sec. 6207. Consideration of career civil servants as chiefs of missions.
Sec. 6208. Civil service rotational program.
Sec. 6209. Reporting requirement on chiefs of mission.
Sec. 6210. Report on chiefs of mission and deputy chiefs of mission.
Sec. 6211. Protection of retirement annuity for reemployment by Department.
Sec. 6212. Efforts to improve retention and prevent retaliation.
Sec. 6213. National advertising campaign.
Sec. 6214. Expansion of diplomats in residence programs.

Subtitle B—Pay, Benefits, and Workforce Matters

Sec. 6221. Education allowance.
Sec. 6222. Per diem allowance for newly hired members of the Foreign Service.
Sec. 6223. Improving mental health services for foreign and civil servants.
Sec. 6224. Emergency back-up care.
Sec. 6225. Authority to provide services to non-chief of mission personnel.
Sec. 6226. Exception for government-financed air transportation.
Sec. 6227. Enhanced authorities to protect locally employed staff during emergencies.
Sec. 6228. Internet at hardship posts.
Sec. 6229. Competitive local compensation plan.
Sec. 6230. Supporting tandem couples in the Foreign Service.
Sec. 6231. Accessibility at diplomatic missions.
Sec. 6232. Report on breastfeeding accommodations overseas.
Sec. 6233. Determining the effectiveness of knowledge transfers between Foreign Service Officers.
Sec. 6234. Education allowance for dependents of Department of State employees located in United States territories.

TITLE LXIII—INFORMATION SECURITY AND CYBER DIPLOMACY

Sec. 6301. Data-informed diplomacy.
Sec. 6302. Establishment and expansion of the Bureau Chief Data Officer Program.
Sec. 6303. Establishment of the Chief Artificial Intelligence Officer of the Department of State.
Sec. 6304. Strengthening the Chief Information Officer of the Department of State.
Sec. 6305. Sense of Congress on strengthening enterprise governance.
Sec. 6306. Digital connectivity and cybersecurity partnership.
Sec. 6307. Establishment of a cyberspace, digital connectivity, and related technologies (CDT) fund.
Sec. 6308. Cyber protection support for personnel of the Department of State in positions highly vulnerable to cyber attack.

TITLE LXIV—ORGANIZATION AND OPERATIONS

Sec. 6401. Personal services contractors.
Sec. 6402. Hard-to-fill posts.
Sec. 6403. Enhanced oversight of the Office of Civil Rights.
Sec. 6404. Crisis response operations.
Sec. 6405. Special Envoy to the Pacific Islands Forum.
Sec. 6406. Special Envoy for Belarus.
Sec. 6407. Overseas placement of special appointment positions.
Sec. 6408. Resources for United States nationals unlawfully or wrongfully detained abroad.

TITLE LXV—ECONOMIC DIPLOMACY

Sec. 6501. Report on recruitment, retention, and promotion of Foreign Service economic officers.
Sec. 6502. Mandate to revise Department of State metrics for successful economic and commercial diplomacy.
Sec. 6503. Chief of mission economic responsibilities.
Sec. 6504. Direction to embassy deal teams.
Sec. 6505. Establishment of a ''Deal Team of the Year'' award.

TITLE LXVI—PUBLIC DIPLOMACY

Sec. 6601. Public diplomacy outreach.
Sec. 6602. Modification on use of funds for Radio Free Europe/Radio Liberty.
Sec. 6603. International broadcasting.
Sec. 6604. John Lewis Civil Rights Fellowship program.
Sec. 6605. Domestic engagement and public affairs.
Sec. 6606. Extension of Global Engagement Center.
Sec. 6607. Paperwork Reduction Act.
Sec. 6608. Modernization and enhancement strategy.

TITLE LXVII—OTHER MATTERS

Sec. 6701. Internships of United States nationals at international organizations.
Sec. 6702. Training for international organizations.
Sec. 6703. Modification to transparency on international agreements and non-binding instruments.
Sec. 6704. Report on partner forces utilizing United States security assistance identified as using hunger as a weapon of war.
Sec. 6705. Infrastructure projects and investments by the United States and People's Republic of China.
Sec. 6706. Special envoys.
Sec. 6707. US–ASEAN Center.
Sec. 6708. Briefings on the United States-European Union Trade and Technology Council.
Sec. 6709. Modification and repeal of reports.
Sec. 6710. Modification of Build Act of 2018 to prioritize projects that advance national security.
Sec. 6711. Permitting for international bridges.

TITLE LXVIII—AUKUS MATTERS

Sec. 6801. Definitions.

Subtitle A—Outlining the AUKUS Partnership

Sec. 6811. Statement of policy on the AUKUS partnership.
Sec. 6812. Senior Advisor for the AUKUS partnership at the Department of State.

Subtitle B—Authorization for AUKUS Submarine Training

Sec. 6823. Australia, United Kingdom, and United States submarine security training.

Subtitle C—Streamlining and Protecting Transfers of United States Military Technology From Compromise

Sec. 6831. Priority for Australia and the United Kingdom in Foreign Military Sales and Direct Commercial Sales.
Sec. 6832. Identification and pre-clearance of platforms, technologies, and equipment for sale to Australia and the United Kingdom through Foreign Military Sales and Direct Commercial Sales.
Sec. 6833. Export control exemptions and standards.
Sec. 6834. Expedited review of export licenses for exports of advanced technologies to Australia, the United Kingdom, and Canada.
Sec. 6835. United States Munitions List.

Subtitle D—Other AUKUS Matters

Sec. 6841. Reporting related to the AUKUS partnership.

SEC. 6002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE LXI—DIPLOMATIC SECURITY AND CONSULAR AFFAIRS

SEC. 6101. SPECIAL HIRING AUTHORITY FOR PASSPORT SERVICES.

During the 3-year period beginning on the date of the enactment of this Act, the Secretary of State, without regard to the provisions under sections 3309 through 3318 of title 5, United States Code, may directly appoint up to 80 candidates to positions in the competitive service (as defined in section 2102 of such title) at the Department in the Passport and Visa Examining Series 0967.

SEC. 6102. QUARTERLY REPORT ON PASSPORT WAIT TIMES.

Not later than 30 days after the date of the enactment of this Act, and quarterly thereafter for the following 3 years, the Secretary shall submit a report to the appropriate congressional committees that describes—

(1) the current estimated wait times for passport processing;

(2) the steps that have been taken by the Department to reduce wait times to a reasonable time;

(3) efforts to improve the rollout of the online passport renewal processing program, including how much of passport revenues the Department is spending on consular systems modernization;

(4) the demand for urgent passport services by major metropolitan area;

(5) the steps that have been taken by the Department to reduce and meet the demand for urgent passport services, particularly in areas that are greater than 5 hours driving time from the nearest passport agency; and

(6) how the Department details its staff and resources to passport services programs.

SEC. 6103. PASSPORT TRAVEL ADVISORIES.

Not later than 180 days after the date of the enactment of this Act, the Department shall make prominently available in United States regular passports, on the first three pages of the passport, the following information:

(1) A prominent, clear advisory for all travelers to check travel.state.gov for updated travel warnings and advisories.

(2) A prominent, clear notice urging all travelers to register with the Department prior to overseas travel.

(3) A prominent, clear advisory—

(A) noting that many countries deny entry to travelers during the last 6 months of their passport validity period; and

(B) urging all travelers to renew their passport not later than 1 year prior to its expiration.

SEC. 6104. STRATEGY TO ENSURE ACCESS TO PASSPORT SERVICES FOR ALL AMERICANS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives for ensuring reasonable access to passport services for all Americans, which shall include—

(1) a detailed strategy describing how the Department could—

(A) by not later than 1 year after submission of the strategy, reduce passport processing times to an acceptable average for renewals and for expedited service; and

(B) by not later than 2 years after the submission of the strategy, provide United States residents living in a significant population center more than a 5-hour drive from a passport agency with urgent, in-person passport services, including the possibility of building new passport agencies; and

(2) a description of the specific resources required to implement the strategy.

SEC. 6105. STRENGTHENING THE NATIONAL PASSPORT INFORMATION CENTER.

(a) SENSE OF CONGRESS.—It is the sense of Congress that passport wait times since 2021 have been unacceptably long and have created frustration among those seeking to obtain or renew passports.

(b) ONLINE CHAT FEATURE.—The Department should develop an online tool with the capability for customers to correspond with customer service representatives regarding questions and updates pertaining to their application for a passport or for the renewal of a passport.

(c) GAO REPORT.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate a review of NPIC operations, which shall include an analysis of the extent to which NPIC—

(1) responds to constituent inquiries by telephone, including how long constituents are kept on hold and their ability to be placed in a queue;

(2) provides personalized customer service;

(3) maintains its telecommunications infrastructure to ensure it effectively handles call volumes; and

(4) other relevant issues the Comptroller General deems appropriate.

SEC. 6106. STRENGTHENING PASSPORT CUSTOMER VISIBILITY AND TRANSPARENCY.

(a) ONLINE STATUS TOOL.—Not later than 2 years after the date of the enactment of this Act, the Department should modernize the online passport application status tool to include, to the greatest extent possible, step by step updates on the status of their application, including with respect to the following stages:

(1) Submitted for processing.

(2) In process at a lockbox facility.

(3) Awaiting adjudication.

(4) In process of adjudication.

(5) Adjudicated with a result of approval or denial.

(6) Materials shipped.

(b) ADDITIONAL INFORMATION.—The tool pursuant to subsection (a) should include a display that informs each passport applicant of—

(1) the date on which his or her passport application was received; and

(2) the estimated wait time remaining in the passport application process.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of State for Consular Affairs shall submit a report to the appropriate congressional committees that outlines a plan for coordinated comprehensive public outreach to increase public awareness and understanding of—

(1) the online status tool required under subsection (a);

(2) passport travel advisories required under section 6103; and

(3) passport wait times.

SEC. 6107. ANNUAL OFFICE OF AUTHENTICATIONS REPORT.

(a) REPORT.—The Assistant Secretary of State for Consular Affairs shall submit an annual report for 5 years to the appropriated congressional committees that describes—

(1) the number of incoming authentication requests, broken down by month and type of request, to show seasonal fluctuations in demand;

(2) the average time taken by the Office of Authentications of the Department of State to authenticate documents, broken down by month to show seasonal fluctuations in wait times;

(3) how the Department of State details staff to the Office of Authentications; and

(4) the impact that hiring additional, permanent, dedicated staff for the Office of Authentications would have on the processing times referred to in paragraph (2).

(b) AUTHORIZATION.—The Secretary of State is authorized to hire additional, permanent, dedicated staff for the Office of Authentications.

SEC. 6108. INCREASED ACCOUNTABILITY IN ASSIGNMENT RESTRICTIONS AND REVIEWS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the use of policies to restrict personnel from serving in certain assignments may undermine the Department's ability to deploy relevant cultural and linguistic skills at diplomatic posts abroad if not applied judiciously; and

(2) the Department should continuously evaluate all processes relating to assignment restrictions, assignment reviews, and preclusions at the Department.

(b) NOTIFICATION OF STATUS.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary shall—

(1) provide a status update for all Department personnel who, prior to such date of enactment, were subject to a prior assignment restriction, assignment review, or preclusion for whom a review or decision related to assignment is pending; and

(2) on an ongoing basis, provide a status update for any Department personnel who has been the subject of a pending assignment restriction or pending assignment review for more than 30 days.

(c) NOTIFICATION CONTENT.—The notification required under subsection (b) shall inform relevant personnel, as of the date of the notification—

(1) whether any prior assignment restriction has been lifted;

(2) if their assignment status is subject to ongoing review, and an estimated date for completion; and

(3) if they are subject to any other restrictions on their ability to serve at posts abroad.

(d) ADJUDICATION OF ONGOING ASSIGNMENT REVIEWS.—

(1) TIME LIMIT.—The Department shall establish a reasonable time limit for the Department to complete an assignment review and establish a deadline by which it must inform personnel of a decision related to such a review.

(2) APPEALS.—For any personnel the Department determines are ineligible to serve in an assignment due to an assignment restriction or assignment review, a Security Appeal Panel shall convene not later than 120 days of an appeal being filed.

(3) ENTRY-LEVEL BIDDING PROCESS.—The Department shall include a description of the assignment review process and critical human intelligence threat posts in a briefing to new officers as part of their entry-level bidding process.

(4) POINT OF CONTACT.—The Department shall designate point of contacts in the Bureau of Diplomatic Security and Bureau of Global Talent Management to answer employee and Career Development Officer questions about assignment restrictions, assignment reviews, and preclusions.

(e) SECURITY APPEAL PANEL.—Not later than 90 days after the date of the enactment of this Act, the Security Appeal Panel shall be comprised of—

(1) the head of an office responsible for human resources or discrimination who reports directly to the Secretary;

(2) the Principal Deputy Assistant Secretary for the Bureau of Global Talent Management;

(3) the Principal Deputy Assistant Secretary for the Bureau of Intelligence and Research;

(4) an Assistant Secretary or Deputy, or equivalent, from a third bureau as designated by the Under Secretary for Management;

(5) a representative from the geographic bureau to which the restriction applies; and

(6) a representative from the Office of the Legal Adviser and a representative from the Bureau of Diplomatic Security, who shall serve as non-voting advisors.

(f) APPEAL RIGHTS.—Section 414(a) of the Department of State Authorities Act, Fiscal Year 2017 (22 U.S.C. 2734c(a)) is amended by striking the first two sentences and inserting ''The Secretary shall establish and maintain a right and process for employees to appeal a decision related to an assignment, based on a restriction, review, or preclusion. Such right and process shall ensure that any such employee shall have the same appeal rights as provided by the Department regarding denial or revocation of a security clearance.''.

(g) FAM UPDATE.—Not later than 120 days after the date of the enactment of this Act,

the Secretary shall amend all relevant provisions of the Foreign Service Manual, and any associated or related policies of the Department, to comply with this section.

SEC. 6109. SUITABILITY REVIEWS FOR FOREIGN SERVICE INSTITUTE INSTRUCTORS.

The Secretary shall ensure that all instructors at the Foreign Service Institute, including direct hires and contractors, who provide language instruction are—

(1) subject to suitability reviews and background investigations; and

(2) subject to continuous vetting or reinvestigations to the extend consistent with Department and Executive policy for other Department personnel.

SEC. 6110. DIPLOMATIC SECURITY FELLOWSHIP PROGRAMS.

(a) IN GENERAL.—Section 47 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2719) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following new subsection:

''(b) DIPLOMATIC SECURITY FELLOWSHIP PROGRAMS.—

''(1) ESTABLISHMENT.—The Secretary of State, working through the Assistant Secretary for Diplomatic Security, is authorized to establish Diplomatic Security fellowship programs to provide grants to United States nationals pursuing undergraduate studies who commit to pursuing a career as a special agent, security engineering officer, or in the civil service in the Bureau of Diplomatic Security.

''(2) RULEMAKING.—The Secretary is authorized to promulgate regulations for the administration of Diplomatic Security fellowship programs that set forth—

''(A) the eligibility requirements for receiving a grant under this subsection;

''(B) the process by which eligible applicants may request such a grant;

''(C) the maximum amount of such a grant; and

''(D) the educational progress to which all grant recipients are obligated.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for each of fiscal years 2024 through 2028 to carry out this section.

TITLE LXII—PERSONNEL MATTERS

Subtitle A—Hiring, Promotion, and Development

SEC. 6201. ADJUSTMENT TO PROMOTION PRECEPTS.

Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003(b)) is amended—

(1) by redesignating paragraph (2), (3), and (4) as paragraphs (7), (8), and (9), respectively; and

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) experience serving at an international organization, multilateral institution, or engaging in multinational negotiations;

''(3) willingness to serve in hardship posts overseas or across geographically distinct regions;

''(4) experience advancing policies or developing expertise that enhance the United States' competitiveness with regard to critical and emerging technologies;

''(5) willingness to participate in appropriate and relevant professional development opportunities offered by the Foreign Service Institute or other educational institutions associated with the Department;

''(6) willingness to enable and encourage subordinates at various levels to avail themselves of appropriate and relevant professional development opportunities offered by the Foreign Service Institute or other educational institutions associated with the Department;''.

SEC. 6202. HIRING AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department should possess hiring authorities to enable recruitment of individuals representative of the nation with special skills needed to address 21st century diplomacy challenges; and

(2) the Secretary shall conduct a survey of hiring authorities held by the Department to identify—

(A) hiring authorities already authorized by Congress;

(B) others authorities granted through Presidential decree or executive order; and

(C) any authorities needed to enable recruitment of individuals with the special skills described in paragraph (1).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report that includes a description of all existing hiring authorities and legislative proposals on any new needed authorities.

(c) SPECIAL HIRING AUTHORITY.—For an initial period of not more than 3 years after the date of the enactment of this Act, the Secretary may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, up to 80 candidates directly to positions in the competitive service at the Department, as defined in section 2102 of that title, in the following occupational series: 25 candidates under 1560 Data Science, 25 candidates under 2210 Information Technology Management, and 30 candidates under 0201 Human Resources Management.

SEC. 6203. EXTENDING PATHS TO SERVICE FOR PAID STUDENT INTERNS.

For up to 2 years following the end of a compensated internship at the Department, the Department may offer employment to up to 25 such interns and appoint them directly to positions in the competitive service, as defined in section 2102 of title 5, United States Code, without regard to the provisions of sections 3309 through 3318 of such title.

SEC. 6204. LATERAL ENTRY PROGRAM.

(a) IN GENERAL.—Section 404 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323; 130 Stat. 1928) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''3-year'' and inserting ''5-year'';

(B) in paragraph (5), by striking ''; and'';

(C) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following new paragraphs:

''(7) does not include the use of Foreign Service-Limited or other noncareer Foreign Service hiring authorities; and

''(8) includes not fewer than 30 participants for each year of the pilot program.''; and

(2) by adding at the end the following new subsection:

''(e) CERTIFICATION.—If the Secretary does not commence the lateral entry program within 180 days after the date of the enactment of this subsection, the Secretary shall submit a report to the appropriate congressional committees—

''(1) certifying that progress is being made on implementation of the pilot program and describing such progress, including the date on which applicants will be able to apply;

''(2) estimating the date by which the pilot program will be fully implemented;

''(3) outlining how the Department will use the Lateral Entry Program to fill needed skill sets in key areas such as cyberspace, emerging technologies, economic statecraft, multilateral diplomacy, and data and other sciences.''.

SEC. 6205. MID-CAREER MENTORING PROGRAM.

(a) AUTHORIZATION.—The Secretary, in collaboration with the Director of the Foreign Service Institute, is authorized to establish a Mid-Career Mentoring Program (referred to in this section as the ''Program'') for employees who have demonstrated outstanding service and leadership.

(b) SELECTION.—

(1) NOMINATIONS.—The head of each bureau shall semiannually nominate participants for the Program from a pool of applicants in the positions described in paragraph (2)(B), including from posts both domestically and abroad.

(2) SUBMISSION OF SLATE OF NOMINEES TO SECRETARY.—The Director of the Foreign Service Institute, in consultation with the Director General of the Foreign Service, shall semiannually—

(A) vet the nominees most recently nominated pursuant to paragraph (1); and

(B) submit to the Secretary a slate of applicants to participate in the Program, who shall consist of at least—

(i) 10 Foreign Service Officers and specialists classified at the FS–03 or FS–04 level of the Foreign Service Salary Schedule;

(ii) 10 Civil Service employees classified at GS–12 or GS–13 of the General Schedule; and

(iii) 5 Foreign Service Officers from the United States Agency for International Development.

(3) FINAL SELECTION.—The Secretary shall select the applicants who will be invited to participate in the Program from the slate received pursuant to paragraph (2)(B) and extend such an invitation to each selected applicant.

(4) MERIT PRINCIPLES.—Section 105 of the Foreign Service Act of 1980 (22 U.S.C. 3905) shall apply to nominations, submissions to the Secretary, and selections for the Program under this section.

(c) PROGRAM SESSIONS.—

(1) FREQUENCY; DURATION.—All of the participants who accept invitations extended pursuant to subsection (b)(3) shall meet 3 to 4 times per year for training sessions with high-level leaders of the Department and USAID, including private group meetings with the Secretary and the Administrator of the United States Agency for International Development.

(2) THEMES.—Each session referred to in paragraph (1) shall focus on specific themes developed jointly by the Foreign Service Institute and the Executive Secretariat focused on substantive policy issues and leadership practices.

(d) MENTORING PROGRAM.—The Secretary and the Administrator each is authorized to establish a mentoring and coaching program that pairs a senior leader of the Department or USAID with each of the program participants who complete the Program during the 1-year period immediately following their participation in the Program.

(e) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter for three years, the Secretary shall submit a report to the appropriate congressional committees that describes the activities of the Program during the most recent year and includes disaggregated demographic data on participants in the Program.

SEC. 6206. REPORT ON THE FOREIGN SERVICE INSTITUTE'S LANGUAGE PROGRAM.

Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) the average pass and fail rates for language programs at the Foreign Service Institute disaggregated by language during the 5-year period immediately preceding the date of the enactment of this Act;

(2) the number of language instructors at the Foreign Service Institute, and a comparison of the instructor/student ratio in the language programs at the Foreign Service Institute disaggregated by language;

(3) salaries for language instructors disaggregated by language, and a comparison to salaries for instructors teaching languages in comparable employment;

(4) recruitment and retention plans for language instructors, disaggregated by language where necessary and practicable; and

(5) any plans to increase pass rates for languages with high failure rates.

SEC. 6207. CONSIDERATION OF CAREER CIVIL SERVANTS AS CHIEFS OF MISSIONS.

Section 304(b) of the Foreign Service Act of 1980 (22 U.S.C. 3944) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) The Secretary shall also furnish to the President, on an annual basis and to assist the President in selecting qualified candidates for appointments or assignments as chief of mission, the names of between 5 and 10 career civil servants serving at the Department of State or the United States Agency for International Development who are qualified to serve as chiefs of mission, together with pertinent information about such individuals.''.

SEC. 6208. CIVIL SERVICE ROTATIONAL PROGRAM.

(a) ESTABLISHMENT OF PILOT ROTATIONAL PROGRAM FOR CIVIL SERVICE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a program to provide qualified civil servants serving at the Department an opportunity to serve at a United States embassy, including identifying criteria and an application process for such program.

(b) PROGRAM.—The program established under this section shall—

(1) provide at least 20 career civil servants the opportunity to serve for 2 to 3 years at a United States embassy to gain additional skills and experience;

(2) offer such civil servants the opportunity to serve in a political or economic section at a United States embassy; and

(3) include clear and transparent criteria for eligibility and selection, which shall include a minimum of 5 years of service at the Department.

(c) SUBSEQUENT POSITION AND PROMOTION.—Following a rotation at a United States embassy pursuant to the program established by this section, participants in the program must be afforded, at minimum, a position equivalent in seniority, compensation, and responsibility to the position occupied prior serving in the program. Successful completion of a rotation at a United States embassy shall be considered favorably with regard to applications for promotion in civil service jobs at the Department.

(d) IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall identify not less than 20 positions in United States embassies for the program established under this section and offered at least 20 civil servants the opportunity to serve in a rotation at a United States embassy pursuant to this section.

SEC. 6209. REPORTING REQUIREMENT ON CHIEFS OF MISSION.

Not later than 30 days following the end of each calendar quarter, the Secretary shall submit to the appropriate congressional committees—

(1) a list of every chief of mission or United States representative overseas with the rank of Ambassador who, during the prior quarter, was outside a country of assignment for more than 14 cumulative days for purposes other than official travel or temporary duty orders; and

(2) the number of days each such chief of mission or United States representative overseas with the rank of Ambassador was outside a country of assignment during the previous quarter for purposes other than official travel or temporary duty orders.

SEC. 6210. REPORT ON CHIEFS OF MISSION AND DEPUTY CHIEFS OF MISSION.

Not later than April 1, 2024, and annually thereafter for the next 4 years, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) the Foreign Service cone of each current chief of mission and deputy chief of mission (or whoever is acting in the capacity of chief or deputy chief if neither is present) for each United States embassy at which there is a Foreign Service office filling either of those positions; and

(2) aggregated data for all chiefs of mission and deputy chiefs of mission described in paragraph (1), disaggregated by cone.

SEC. 6211. PROTECTION OF RETIREMENT ANNUITY FOR REEMPLOYMENT BY DEPARTMENT.

(a) NO TERMINATION OR REDUCTION OF RETIREMENT ANNUITY OR PAY FOR REEMPLOYMENT.—Notwithstanding section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064), if a covered annuitant becomes employed by the Department—

(1) the payment of any retirement annuity, retired pay, or retainer pay otherwise payable to the covered annuitant shall not terminate; and

(2) the amount of the retirement annuity, retired pay, or retainer pay otherwise payable to the covered annuitant shall not be reduced.

(b) COVERED ANNUITANT DEFINED.—In this section, the term ''covered annuitant'' means any individual who is receiving a retirement annuity under—

(1) the Foreign Service Retirement and Disability System under subchapter I of chapter 8 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.); or

(2) the Foreign Service Pension System under subchapter II of such chapter (22 U.S.C. 4071 et seq.).

SEC. 6212. EFFORTS TO IMPROVE RETENTION AND PREVENT RETALIATION.

(a) STREAMLINED REPORTING.—Not later than one year after the date of the enactment of this Act, the Secretary shall establish a single point of initial reporting for allegations of discrimination, bullying, and harassment that provides an initial review of the allegations and, if necessary, the ability to file multiple claims based on a single complaint.

(b) CLIMATE SURVEYS OF EMPLOYEES OF THE DEPARTMENT.—

(1) REQUIRED BIENNIAL SURVEYS.—Not later than 180 days after the date of the enactment of this Act and every 2 years thereafter, the Secretary shall conduct a Department-wide survey of all Department personnel regarding harassment, discrimination, bullying, and related retaliation that includes workforce perspectives on the accessibility and effectiveness of the Bureau of Global Talent Management and Office of Civil Rights in the efforts and processes to address these issues.

(2) REQUIRED ANNUAL SURVEYS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall conduct an annual employee satisfaction survey to assess the level of job satisfaction, work environment, and overall employee experience within the Department.

(B) OPEN-ENDED RESPONSES.—The survey required under subparagraph (A) shall include options for open-ended responses.

(C) SURVEY QUESTIONS.—The survey shall include questions regarding—

(i) work-life balance;

(ii) compensation and benefits;

(iii) career development opportunities;

(iv) the performance evaluation and promotion process, including fairness and transparency;

(v) communication channels and effectiveness;

(vi) leadership and management;

(vii) organizational culture;

(viii) awareness and effectiveness of complaint measures;

(ix) accessibility and accommodations;

(x) availability of transportation to and from a work station;

(xi) information technology infrastructure functionality and accessibility;

(xii) the employee's understanding of the Department's structure, mission, and goals;

(xiii) alignment and relevance of work to the Department's mission; and

(xiv) sense of empowerment to affect positive change.

(3) REQUIRED EXIT SURVEYS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and implement a standardized, confidential exit survey process that includes anonymous feedback and exit interviews with employees who voluntarily separate from the Department, whether through resignation, retirement, or other means.

(B) SCOPE.—The exit surveys conducted pursuant to subparagraph (A)shall—

(i) be designed to gather insights and feedback from departing employees regarding—

(I) their reasons for leaving, including caretaking responsibilities, career limitations for partner or spouse, and discrimination, harassment, bullying, or retaliation;

(II) their overall experience with the Department; and

(III) any suggestions for improvement; and

(ii) include questions related to—

(I) the employee's reasons for leaving;

(II) job satisfaction;

(III) work environment;

(IV) professional growth opportunities;

(V) leadership effectiveness;

(VI) suggestions for enhancing the Department's performance; and

(VII) if applicable, the name and industry of the employee's future employer.

(C) COMPILATION OF RESULTS.—The Secretary shall compile and analyze the anonymized exit survey data collected pursuant to this paragraph to identify trends, common themes, and areas needing improvement within the Department.

(4) PILOT SURVEYS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a Department-wide survey for Locally Employed Staff regarding retention, training, promotion, and other matters, including harassment, discrimination, bullying, and related retaliation, that includes workforce perspectives on the accessibility and effectiveness of complaint measures.

(5) REPORT.—Not later than 60 days after the conclusion of each survey conducted pursuant to this subsection, the Secretary shall make the key findings available to the Department workforce and shall submit them to the appropriate congressional committees.

(c) RETALIATION PREVENTION EFFORTS.—

(1) EMPLOYEE EVALUATION.—

(A) IN GENERAL.—If there is a pending investigation of discrimination, bullying, or harassment against a superior who is responsible for rating or reviewing the complainant employee, the complainant shall be reviewed by the superior's supervisor.

(B) EFFECTIVE DATE.—This paragraph shall take effect 90 days after the date of the enactment of this Act.

(2) RETALIATION PREVENTION GUIDANCE.—Any Department employee against whom an allegation of discrimination, bullying, or harassment has been made shall receive written guidance (a ''retaliation hold'') on the types of actions that can be considered retaliation against the complainant employee. The employee's immediate supervisor shall also receive the retaliation hold guidance.

SEC. 6213. NATIONAL ADVERTISING CAMPAIGN.

Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees that assesses the potential benefits and costs of a national advertising campaign to improve the recruitment in the Civil Service and the Foreign Service by raising public awareness of the important accomplishments of the Department.

SEC. 6214. EXPANSION OF DIPLOMATS IN RESIDENCE PROGRAMS.

Not later than two years after the date of the enactment of this Act—

(1) the Secretary is authorized to increase the number of diplomats in the Diplomats in Residence Program from 17 to at least 20; and

(2) the Administrator of the United States Agency for International Development is authorized to increase the number of development diplomats in the Diplomats in Residence Program from 1 to at least 3.

Subtitle B—Pay, Benefits, and Workforce Matters

SEC. 6221. EDUCATION ALLOWANCE.

(a) IN GENERAL.—Chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

''SEC. 908. EDUCATION ALLOWANCE.

''A Department employee who is on leave to perform service in the uniformed services (as defined in section 4303(13) of title 38, United States Code) may receive an education allowance if the employee would, if not for such service, be eligible to receive the education allowance.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of the Foreign Service Act of 1980 (22 U.S.C. 3901 note) is amended by inserting after the item relating to section 907 the following:

''Sec. 908. Education allowance''.

SEC. 6222. PER DIEM ALLOWANCE FOR NEWLY HIRED MEMBERS OF THE FOREIGN SERVICE.

(a) PER DIEM ALLOWANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), any newly hired Foreign Service employee who is in initial orientation training, or any other training expected to last less than 6 months before transferring to the employee's first assignment, in the Washington, D.C., area shall, for the duration of such training, receive a per diem allowance at the levels prescribed under subchapter I of chapter 57 of title 5, United States Code.

(2) LIMITATION ON LODGING EXPENSES.—A newly hired Foreign Service employee may not receive any lodging expenses under the applicable per diem allowance pursuant to paragraph (1) if that employee—

(A) has a permanent residence in the Washington, D.C., area (not including Government-supplied housing during such orientation training or other training); and

(B) does not vacate such residence during such orientation training or other training.

(b) DEFINITIONS.—In this section—

(1) the term ''per diem allowance'' has the meaning given that term under section 5701 of title 5, United States Code; and

(2) the term ''Washington, D.C., area'' means the geographic area within a 50 mile radius of the Washington Monument.

SEC. 6223. IMPROVING MENTAL HEALTH SERVICES FOR FOREIGN AND CIVIL SERVANTS.

(a) ADDITIONAL PERSONNEL TO ADDRESS MENTAL HEALTH.—

(1) IN GENERAL.—The Secretary shall seek to increase the number of personnel within the Bureau of Medical Services to address mental health needs for both foreign and civil servants.

(2) EMPLOYMENT TARGETS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall seek to employ not fewer than 15 additional personnel in the Bureau of Medical Services, compared to the number of personnel employed as of the date of the enactment of this Act.

(b) STUDY.—The Secretary shall conduct a study on the accessibility of mental health care providers and services available to Department personnel, including an assessment of—

(1) the accessibility of mental health care providers at diplomatic posts and in the United States;

(2) the accessibility of inpatient services for mental health care for Department personnel;

(3) steps that may be taken to improve such accessibility;

(4) the impact of the COVID–19 pandemic on the mental health of Department personnel, particularly those who served abroad between March 1, 2020, and December 31, 2022, and Locally Employed Staff, where information is available;

(5) recommended steps to improve the manner in which the Department advertises mental health services to the workforce; and

(6) additional authorities and resources needed to better meet the mental health needs of Department personnel.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to appropriate congressional committees a report containing the findings of the study under subsection (b).

SEC. 6224. EMERGENCY BACK-UP CARE.

(a) IN GENERAL.—The Secretary and the Administrator for the United States Agency for International Development are authorized to provide for unanticipated non-medical care, including childcare, eldercare, and essential services directly related to caring for an acute injury or illness, for USAID and Department employees and their family members, including through the provision of such non-medical services, referrals to care providers, and reimbursement of reasonable expenses for such services.

(b) LIMITATION.—Services provided pursuant to this section shall not exceed $2,000,000 per fiscal year.

SEC. 6225. AUTHORITY TO PROVIDE SERVICES TO NON-CHIEF OF MISSION PERSONNEL.

Section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4084) is amended—

(1) in subsection (g), by striking ''abroad for employees and eligible family members'' and inserting ''under this section''; and

(2) by adding at the end the following new subsection:

''(a) PHYSICAL AND MENTAL HEALTH CARE SERVICES IN SPECIAL CIRCUMSTANCES.—

''(1) IN GENERAL.—The Secretary is authorized to direct health care providers employed under subsection (c) of this section to furnish physical and mental health care services to an individual otherwise ineligible for services under this section if necessary to preserve life or limb or if intended to facilitate an overseas evacuation, recovery, or return. Such services may be provided incidental to the following activities:

''(A) Activities undertaken abroad pursuant to section 3 and section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2670, 2671).

''(B) Recovery of hostages or of wrongfully or unlawfully detained individuals abroad, including pursuant to section 302 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741).

''(C) Secretarial dispatches to international disaster sites deployed pursuant to section 207 of the Aviation Security Improvement Act of 1990 (22 U.S.C. 5506).

''(D) Deployments undertaken pursuant to section 606(a)(6)(A)(iii) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(6)(A)(iii)).

''(2) PRIORITIZATION OF OTHER FUNCTIONS.—The Secretary shall prioritize the allocation of Department resources to the health care program described in subsections (a) through (g) above the functions described in paragraph (1).

''(3) REGULATIONS.—The Secretary should prescribe applicable regulations to implement this section, taking into account the prioritization in paragraph (2) and the activities described in paragraph (1).

''(4) REIMBURSABLE BASIS.—Services rendered under this subsection shall be provided on a reimbursable basis to the extent practicable.''.

SEC. 6226. EXCEPTION FOR GOVERNMENT-FINANCED AIR TRANSPORTATION.

(a) REDUCING HARDSHIP FOR TRANSPORTATION OF DOMESTIC ANIMALS.—

(1) IN GENERAL.—Notwithstanding subsections (a) and (c) of section 40118 of title 49, United States Code, the Department is authorized to pay for the transportation by a foreign air carrier of Department personnel and any in-cabin or accompanying checked baggage or cargo if—

(A) no air carrier holding a certificate under section 41102 of such title is willing and able to transport up to 3 domestic animals accompanying such Federal personnel; and

(B) the transportation is from a place—

(i) outside the United States to a place in the United States;

(ii) in the United States to a place outside the United States; or

(iii) outside the United States to another place outside the United States.

(2) LIMITATION.—An amount paid pursuant to paragraph (1) for transportation by a foreign carrier may not be greater than the amount that would otherwise have been paid had the transportation been on an air carrier holding a certificate under section 41102 had that carrier been willing and able to provide such transportation. If the amount that would otherwise have been paid to such an air carrier is less than the cost of transportation on the applicable foreign carrier, the Department personnel may pay the difference of such amount.

(3) DOMESTIC ANIMAL DEFINED.—In this subsection, the term ''domestic animal'' means a dog or a cat.

SEC. 6227. ENHANCED AUTHORITIES TO PROTECT LOCALLY EMPLOYED STAFF DURING EMERGENCIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) locally employed staff provide essential contributions at United States diplomatic

and consular posts around the world, including by providing—

(A) security to United States government personnel serving in the country;

(B) advice, expertise, and other services for the promotion of political, economic, public affairs, commercial, security, and other interests of critical importance to the United States;

(C) a wide range of logistical and administrative support to every office in each mission working to advance United States interests around the world, including services and support vital to the upkeep and maintenance of United States missions;

(D) consular services to support the welfare and well-being of United States citizens and to provide for the expeditious processing of visa applications;

(E) institutional memory on a wide range of embassy engagements on bilateral issues; and

(F) enduring connections to host country contacts, both inside and outside the host government, including within media, civil society, the business community, academia, the armed forces, and elsewhere; and

(2) locally employed staff make important contributions that should warrant the United States Government to give due consideration for their security and safety when diplomatic missions face emergency situations.

(b) AUTHORIZATION TO PROVIDE EMERGENCY SUPPORT.—In emergency situations, in addition to other authorities that may be available in emergencies or other exigent circumstances, the Secretary is authorized to use funds made available to the Department to provide support to ensure the safety and security of locally employed staff and their immediate family members, including for—

(1) providing transport or relocating locally employed staff and their immediate family members to a safe and secure environment;

(2) providing short-term housing or lodging for up to six months for locally employed staff and their immediate family members;

(3) procuring or providing other essential items and services to support the safety and security of locally employed staff and their immediate family members.

(c) TEMPORARY HOUSING.—To ensure the safety and security of locally employed staff and their immediate family members consistent with this section, Chiefs of Missions are authorized to allow locally employed staff and their immediate family members to reside temporarily in the residences of United States direct hire employees, either in the host country or other countries, provided that such stays are offered voluntarily by United States direct hire employees.

(d) FOREIGN AFFAIRS MANUAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall amend the Foreign Affairs Manual to reflect the authorizations and requirements of this section.

(e) EMERGENCY SITUATION DEFINED.—In this section, the term ''emergency situation'' means armed conflict, civil unrest, natural disaster, or other types of instability that pose a threat to the safety and security of locally employed staff, particularly when and if a United States diplomatic or consular post must suspend operations.

(f) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing prior actions the Department has taken with regard to locally employed staff and their immediate family members following suspensions or closures of United States diplomatic posts over the prior 10 years, including Kyiv, Kabul, Minsk, Khartoum, and Juba.

(2) ELEMENTS.—The report required under paragraph (1) shall—

(A) describe any actions the Department took to assist locally employed staff and their immediate family members;

(B) identify any obstacles that made providing support or assistance to locally employed staff and their immediate family members difficult;

(C) examine lessons learned and propose recommendations to better protect the safety and security of locally employed staff and their family members, including any additional authorities that may be required; and

(D) provide an analysis of and offer recommendations on any other steps that could improve efforts to protect the safety and security of locally employed staff and their immediate family members.

SEC. 6228. INTERNET AT HARDSHIP POSTS.

Section 3 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2670) is amended—

(1) in subsection (l), by striking ''; and'' and inserting a semicolon;

(2) in subsection (m) by striking the period at the end and by inserting ''; and''; and

(3) by adding at the end the following new subsection:

''(n) pay expenses to provide internet services in residences owned or leased by the United States Government in foreign countries for the use of Department personnel where Department personnel receive a post hardship differential equivalent to 30 percent or more above basic compensation.''.

SEC. 6229. COMPETITIVE LOCAL COMPENSATION PLAN.

(a) ESTABLISHMENT AND IMPLEMENTATION OF PREVAILING WAGE RATES GOAL.—Section 401(a) of the Department of State Authorities Act, fiscal year 2017 (22 U.S.C. 3968a(a)) is amended in the matter preceding paragraph (1), by striking ''periodically'' and inserting ''every 3 years''.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that includes—

(1) compensation (including position classification) plans for locally employed staff based upon prevailing wage rates and compensation practices for corresponding types of positions in the locality of employment; and

(2) an assessment of the feasibility and impact of changing the prevailing wage rate goal for positions in the local compensation plan from the 50th percentile to the 75th percentile.

SEC. 6230. SUPPORTING TANDEM COUPLES IN THE FOREIGN SERVICE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) challenges finding and maintaining spousal employment and family dissatisfaction are one of the leading reasons employees cite for leaving the Department;

(2) tandem Foreign Service personnel represent important members of the Foreign Service community, who act as force multipliers for our diplomacy;

(3) the Department can and should do more to keep tandem couples posted together and consider family member employment needs when assigning tandem officers; and

(4) common sense steps providing more flexibility in the assignments process would improve outcomes for tandem officers without disadvantaging other Foreign Service officers.

(b) DEFINITIONS.—In this section:

(1) FAMILY TOGETHERNESS.—The term ''family togetherness'' means facilitating the placement of Foreign Service personnel at the same United States diplomatic post when both spouses are members of a tandem couple of Foreign Service personnel.

(2) TANDEM FOREIGN SERVICE PERSONNEL; TANDEM.—The terms ''tandem Foreign Service personnel'' and ''tandem'' mean a member of a couple of which one spouse is a career or career candidate employee of the Foreign Service and the other spouse is a career or career candidate employee of the Foreign Service or an employee of one of the agencies authorized to use the Foreign Service Personnel System under section 202 of the Foreign Service Act of 1980 (22 U.S.C. 3922).

(c) FAMILY TOGETHERNESS IN ASSIGNMENTS.—Not later than 90 days after the date of enactment of this Act, the Department shall amend and update its policies to further promote the principle of family togetherness in the Foreign Service, which shall include the following:

(1) ENTRY-LEVEL FOREIGN SERVICE PERSONNEL.—The Secretary shall adopt policies and procedures to facilitate the assignment of entry-level tandem Foreign Service personnel on directed assignments to the same diplomatic post or country as their tandem spouse if they request to be assigned to the same post or country. The Secretary shall also provide a written justification to the requesting personnel explaining any denial of a request that would result in a tandem couple not serving together at the same post or country.

(2) TENURED FOREIGN SERVICE PERSONNEL.—The Secretary shall add family togetherness to the criteria when making a needs of the Service determination, as defined by the Foreign Affairs Manual, for the placement of tenured tandem Foreign Service personnel at United States diplomatic posts.

(3) UPDATES TO ANTINEPOTISM POLICY.—The Secretary shall update antinepotism policies so that nepotism rules only apply when an employee and a relative are placed into positions wherein they jointly and exclusively control government resources, property, or money or establish government policy.

(4) TEMPORARY SUPERVISION OF TANDEM SPOUSE.—The Secretary shall update policies to allow for a tandem spouse to temporarily supervise another tandem spouse for up to 90 days in a calendar year, including at a United States diplomatic mission.

(d) REPORT.—Not later than 90 days after the date of enactment of this Act, and annually thereafter for two years, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) the number of Foreign Service tandem couples currently serving;

(2) the number of Foreign Service tandems currently serving in separate locations, or, to the extent possible, are on leave without pay (LWOP); and

(3) an estimate of the cost savings that would result if all Foreign Service tandem couples were placed at a single post.

SEC. 6231. ACCESSIBILITY AT DIPLOMATIC MISSIONS.

Not later than 180 days after the date of the enactment of this Act, the Department shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that includes—

(1) a list of the overseas United States diplomatic missions that, as of the date of the enactment of this Act, are not readily accessible to and usable by individuals with disabilities;

(2) any efforts in progress to make such missions readily accessible to and usable by individuals with disabilities; and

(3) an estimate of the cost to make all such missions readily accessible to and usable by individuals with disabilities.

SEC. 6232. REPORT ON BREASTFEEDING ACCOMMODATIONS OVERSEAS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) a detailed report on the Department's efforts to equip 100 percent of United States embassies and consulates with dedicated lactation spaces, other than bathrooms, that are shielded from view and free from intrusion from coworkers and the public for use by employees, including the expected demand for such space as well as the status of such rooms when there is no demand for such space; and

(2) a description of costs and other resources needed to provide such spaces.

SEC. 6233. DETERMINING THE EFFECTIVENESS OF KNOWLEDGE TRANSFERS BETWEEN FOREIGN SERVICE OFFICERS.

The Secretary shall assess the effectiveness of knowledge transfers between Foreign Service officers who are departing from overseas positions and Foreign Service Officers who are arriving at such positions, and make recommendations for approving such knowledge transfers, as appropriate, by—

(1) not later than 90 days after the date of the enactment of this Act, conducting a written survey of a representative sample of Foreign Service Officers working in overseas assignments that analyzes the effectiveness of existing mechanisms to facilitate transitions, including training, mentorship, information technology, knowledge management, relationship building, the role of locally employed staff, and organizational culture; and

(2) not later than 120 days after the date of the enactment of this Act, submitting to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes a summary and analysis of results of the survey conducted pursuant to paragraph (1) that—

(A) identifies best practices and areas for improvement;

(B) describes the Department's methodology for determining which Foreign Service Officers should receive familiarization trips before arriving at a new post;

(C) includes recommendations regarding future actions the Department should take to maximize effective knowledge transfer between Foreign Service Officers;

(D) identifies any steps taken, or intended to be taken, to implement such recommendations, including any additional resources or authorities necessary to implement such recommendations; and

(E) provides recommendations to Congress for legislative action to advance the priority described in subparagraph (C).

SEC. 6234. EDUCATION ALLOWANCE FOR DEPENDENTS OF DEPARTMENT OF STATE EMPLOYEES LOCATED IN UNITED STATES TERRITORIES.

(a) IN GENERAL.—An individual employed by the Department at a location described in subsection (b) shall be eligible for a cost-of-living allowance for the education of the dependents of such employee in an amount that does not exceed the educational allowance authorized by the Secretary of Defense for such location.

(b) LOCATION DESCRIBED.—A location is described in this subsection if—

(1) such location is in a territory of the United States; and

(2) the Secretary of Defense has determined that schools available in such location are unable to adequately provide for the education of—

(A) dependents of members of the Armed Forces; or

(B) dependents of employees of the Department of Defense.

TITLE LXIII—INFORMATION SECURITY AND CYBER DIPLOMACY

SEC. 6301. DATA-INFORMED DIPLOMACY.

(a) FINDINGS.—Congress makes the following findings:

(1) In a rapidly evolving and digitally interconnected global landscape, access to and maintenance of reliable, readily available data is key to informed decisionmaking and diplomacy and therefore should be considered a strategic asset.

(2) In order to achieve its mission in the 21st century, the Department must adapt to these trends by maintaining and providing timely access to high-quality data at the time and place needed, while simultaneously cultivating a data-savvy workforce.

(3) Leveraging data science and data analytics has the potential to improve the performance of the Department's workforce by providing otherwise unknown insights into program deficiencies, shortcomings, or other gaps in analysis.

(4) While innovative technologies such as artificial intelligence and machine learning have the potential to empower the Department to analyze and act upon data at scale, systematized, sustainable data management and information synthesis remain a core competency necessary for data-driven decisionmaking.

(5) The goals set out by the Department's Enterprise Data Council (EDC) as the areas of most critical need for the Department, including Cultivating a Data Culture, Accelerating Decisions through Analytics, Establishing Mission-Driven Data Management, and Enhancing Enterprise Data Governance, are laudable and will remain critical as the Department develops into a data-driven agency.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department should prioritize the recruitment and retainment of top data science talent in support of its data-informed diplomacy efforts as well as its broader modernization agenda; and

(2) the Department should strengthen data fluency among its workforce, promote data collaboration across and within its bureaus, and enhance its enterprise data oversight.

SEC. 6302. ESTABLISHMENT AND EXPANSION OF THE BUREAU CHIEF DATA OFFICER PROGRAM.

(a) BUREAU CHIEF DATA OFFICER PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a program, which shall be known as the ''Bureau Chief Data Officer Program'' (referred to in this section as the ''Program''), overseen by the Department's Chief Data Officer. The Bureau Chief Data Officers hired under this program shall report to their respective Bureau leadership.

(2) GOALS.—The goals of the Program shall include the following:

(A) Cultivating a data culture by promoting data fluency and data collaboration across the Department.

(B) Promoting increased data analytics use in critical decisionmaking areas.

(C) Promoting data integration and standardization.

(D) Increasing efficiencies across the Department by incentivizing acquisition of enterprise data solutions and subscription data services to be shared across bureaus and offices and within bureaus.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an implementation plan that outlines strategies for—

(1) advancing the goals described in subsection (a)(2);

(2) hiring Bureau Chief Data Officers at the GS–14 or GS–15 grade or a similar rank;

(3) assigning at least one Bureau Chief Data Officer to—

(A) each regional bureau of the Department;

(B) the Bureau of International Organization Affairs;

(C) the Office of the Chief Economist;

(D) the Office of the Science and Technology Advisor;

(E) the Bureau of Cyber and Digital Policy;

(F) the Bureau of Diplomatic Security;

(G) the Bureau for Global Talent Management; and

(H) the Bureau of Consular Affairs; and

(4) allocation of necessary resources to sustain the Program.

(c) ASSIGNMENT.—In implementing the Bureau Chief Data Officer Program, Bureaus may not dual-hat currently employed personnel as Bureau Chief Data Officers.

(d) ANNUAL REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 3 years, the Secretary shall submit a report to the appropriate congressional committees regarding the status of the implementation plan required under subsection (b).

SEC. 6303. ESTABLISHMENT OF THE CHIEF ARTIFICIAL INTELLIGENCE OFFICER OF THE DEPARTMENT OF STATE.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(n) CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—

''(1) IN GENERAL.—There shall be within the Department of State a Chief Artificial Intelligence Officer, which may be dual-hatted as the Department's Chief Data Officer, who shall be a member of the Senior Executive Service.

''(2) DUTIES DESCRIBED.—The principal duties and responsibilities of the Chief Artificial Intelligence Officer shall be—

''(A) to evaluate, oversee, and, if appropriate, facilitate the responsible adoption of artificial intelligence (AI) and machine learning applications to help inform decisions by policymakers and to support programs and management operations of the Department of State; and

''(B) to act as the principal advisor to the Secretary of State on the ethical use of AI and advanced analytics in conducting data-informed diplomacy.

''(3) QUALIFICATIONS.—The Chief Artificial Intelligence Officer should be an individual with demonstrated skill and competency in—

''(A) the use and application of data analytics, AI, and machine learning; and

''(B) transformational leadership and organizational change management, particularly within large, complex organizations.

''(4) PARTNER WITH THE CHIEF INFORMATION OFFICER ON SCALING ARTIFICIAL INTELLIGENCE USE CASES.—To ensure alignment between the Chief Artificial Intelligence Officer and the Chief Information Officer, the Chief Information Officer will consult with the Chief Artificial Intelligence Officer on best practices for rolling out and scaling AI capabilities across the Bureau of Information and Resource Management's broader portfolio of software applications.

''(5) ARTIFICIAL INTELLIGENCE DEFINED.—In this subsection, the term 'artificial intelligence' has the meaning given the term in

section 238(g) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4001 note).''.

SEC. 6304. STRENGTHENING THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF STATE.

(a) IN GENERAL.—The Chief Information Officer of the Department shall be consulted on all decisions to approve or disapprove, significant new unclassified information technology expenditures, including software, of the Department, including expenditures related to information technology acquired, managed, and maintained by other bureaus and offices within the Department, in order to—

(1) encourage the use of enterprise software and information technology solutions where such solutions exist or can be developed in a timeframe and manner consistent with maintaining and enhancing the continuity and improvement of Department operations;

(2) increase the bargaining power of the Department in acquiring information technology solutions across the Department;

(3) reduce the number of redundant Authorities to Operate (ATO), which, instead of using one ATO-approved platform across bureaus, requires multiple ATOs for software use cases across different bureaus;

(4) enhance the efficiency, reduce redundancy, and increase interoperability of the use of information technology across the enterprise of the Department;

(5) enhance training and alignment of information technology personnel with the skills required to maintain systems across the Department;

(6) reduce costs related to the maintenance of, or effectuate the retirement of, legacy systems;

(7) ensure the development and maintenance of security protocols regarding the use of information technology solutions and software across the Department; and

(8) improve end-user training on the operation of information technology solutions and to enhance end-user cybersecurity practices.

(b) STRATEGY AND IMPLEMENTATION PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Department shall develop, in consultation with relevant bureaus and offices as appropriate, a strategy and a 5-year implementation plan to advance the objectives described in subsection (a).

(2) CONSULTATION.—No later than one year after the date of the enactment of this Act, the Chief Information Officer shall submit the strategy required by this subsection to the appropriate congressional committees and shall consult with the appropriate congressional committees, not less than on an annual basis for 5 years, regarding the progress related to the implementation plan required by this subjection.

(c) IMPROVEMENT PLAN FOR THE BUREAU FOR INFORMATION RESOURCES MANAGEMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer shall develop policies and protocols to improve the customer service orientation, quality and timely delivery of information technology solutions, and training and support for bureau and office-level information technology officers.

(2) SURVEY.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the Chief Information Officer shall undertake a client satisfaction survey of bureau information technology officers to obtain feedback on metrics related to—

(A) customer service orientation of the Bureau of Information Resources Management;

(B) quality and timelines of capabilities delivered;

(C) maintenance and upkeep of information technology solutions;

(D) training and support for senior bureau and office-level information technology officers; and

(E) other matters which the Chief Information Officer, in consultation with client bureaus and offices, determine appropriate.

(3) SUBMISSION OF FINDINGS.—Not later than 60 days after completing each survey required under paragraph (2), the Chief Information Officer shall submit a summary of the findings to the appropriate congressional committees.

(d) SIGNIFICANT EXPENDITURE DEFINED.—For purposes of this section, the term ''significant expenditure'' means any cumulative expenditure in excess of $250,000 total in a single fiscal year for a new unclassified software or information technology capability.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to alter the authorities of the United States Office of Management and Budget, Office of the National Cyber Director, the Department of Homeland Security, or the Cybersecurity and Infrastructure Security Agency with respect to Federal information systems; or

(2) to alter the responsibilities and authorities of the Chief Information Officer of the Department of State as described in titles 40 or 44, United States Code, or any other law defining or assigning responsibilities or authorities to Federal Chief Information Officers.

SEC. 6305. SENSE OF CONGRESS ON STRENGTHENING ENTERPRISE GOVERNANCE.

It is the sense of Congress that in order to modernize the Department, enterprise-wide governance regarding budget and finance, information technology, and the creation, analysis, and use of data across the Department is necessary to better align resources to strategy, including evaluating trade-offs, and to enhance efficiency and security in using data and technology as tools to inform and evaluate the conduct of United States foreign policy.

SEC. 6306. DIGITAL CONNECTIVITY AND CYBERSECURITY PARTNERSHIP.

(a) DIGITAL CONNECTIVITY AND CYBERSECURITY PARTNERSHIP.—The Secretary is authorized to establish a program, which may be known as the ''Digital Connectivity and Cybersecurity Partnership'', to help foreign countries—

(1) expand and increase secure internet access and digital infrastructure in emerging markets, including demand for and availability of high-quality information and communications technology (ICT) equipment, software, and services;

(2) protect technological assets, including data;

(3) adopt policies and regulatory positions that foster and encourage open, interoperable, reliable, and secure internet, the free flow of data, multi-stakeholder models of internet governance, and pro-competitive and secure ICT policies and regulations;

(4) access United States exports of ICT goods and services;

(5) expand interoperability and promote the diversification of ICT goods and supply chain services to be less reliant on PRC imports;

(6) promote best practices and common standards for a national approach to cybersecurity; and

(7) advance other priorities consistent with paragraphs (1) through (6), as determined by the Secretary.

(b) USE OF FUNDS.—Funds made available to carry out this section may be used to strengthen civilian cybersecurity and information and communications technology capacity, including participation of foreign law enforcement and military personnel in non-military activities, notwithstanding any other provision of law, provided that such support is essential to enabling civilian and law enforcement of cybersecurity and information and communication technology related activities in their respective countries.

(c) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an implementation plan for the coming year to advance the goals identified in subsection (a).

(d) CONSULTATION.—In developing and operationalizing the implementation plan required under subsection (c), the Secretary shall consult with—

(1) the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives;

(2) United States industry leaders;

(3) other relevant technology experts, including the Open Technology Fund;

(4) representatives from relevant United States Government agencies; and

(5) representatives from like-minded allies and partners.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $100,000,000 for each of fiscal years 2024 through 2028 to carry out this section. Such funds, including funds authorized to be appropriated under the heading ''Economic Support Fund'', may be made available, notwithstanding any other provision of law to strengthen civilian cybersecurity and information and communications technology capacity, including for participation of foreign law enforcement and military personnel in non-military activities, and for contributions. Such funds shall remain available until expended.

SEC. 6307. ESTABLISHMENT OF A CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) FUND.

Part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.) is amended by adding at the end the following new chapter:

''CHAPTER 10—CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) FUND

''SEC. 591. FINDINGS.

''Congress makes the following findings:

''(1) Increasingly digitized and interconnected social, political, and economic systems have introduced new vulnerabilities for malicious actors to exploit, which threatens economic and national security.

''(2) The rapid development, deployment, and integration of information and communication technologies into all aspects of modern life bring mounting risks of accidents and malicious activity involving such technologies, and their potential consequences.

''(3) Because information and communication technologies are globally manufactured, traded, and networked, the economic and national security of the United State depends greatly on cybersecurity practices of other actors, including other countries.

''(4) United States assistance to countries and international organizations to bolster civilian capacity to address national cybersecurity and deterrence in cyberspace can help—

''(A) reduce vulnerability in the information and communication technologies ecosystem; and

''(B) advance national and economic security objectives.

"SEC. 592. AUTHORIZATION OF ASSISTANCE AND FUNDING FOR CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) CAPACITY BUILDING ACTIVITIES.

''(a) AUTHORIZATION.—The Secretary of State is authorized to provide assistance to foreign governments and organizations, including national, regional, and international institutions, on such terms and conditions as the Secretary may determine, in order to—

''(1) advance a secure and stable cyberspace;

''(2) protect and expand trusted digital ecosystems and connectivity;

''(3) build the cybersecurity capacity of partner countries and organizations; and

''(4) ensure that the development of standards and the deployment and use of technology supports and reinforces human rights and democratic values, including through the Digital Connectivity and Cybersecurity Partnership.

''(b) SCOPE OF USES.—Assistance under this section may include programs to—

''(1) advance the adoption and deployment of secure and trustworthy information and communications technology (ICT) infrastructure and services, including efforts to grow global markets for secure ICT goods and services and promote a more diverse and resilient ICT supply chain;

''(2) provide technical and capacity building assistance to—

''(A) promote policy and regulatory frameworks that create an enabling environment for digital connectivity and a vibrant digital economy;

''(B) ensure technologies, including related new and emerging technologies, are developed, deployed, and used in ways that support and reinforce democratic values and human rights;

''(C) promote innovation and competition; and

''(D) support digital governance with the development of rights-respecting international norms and standards;

''(3) help countries prepare for, defend against, and respond to malicious cyber activities, including through—

''(A) the adoption of cybersecurity best practices;

''(B) the development of national strategies to enhance cybersecurity;

''(C) the deployment of cybersecurity tools and services to increase the security, strength, and resilience of networks and infrastructure;

''(D) support for the development of cybersecurity watch, warning, response, and recovery capabilities, including through the development of cybersecurity incident response teams;

''(E) support for collaboration with the Cybersecurity and Infrastructure Security Agency (CISA) and other relevant Federal agencies to enhance cybersecurity;

''(F) programs to strengthen allied and partner governments' capacity to detect, investigate, deter, and prosecute cybercrimes;

''(G) programs to provide information and resources to diplomats engaging in discussions and negotiations around international law and capacity building measures related to cybersecurity;

''(H) capacity building for cybersecurity partners, including law enforcement and military entities as described in subsection (f);

''(I) programs that enhance the ability of relevant stakeholders to act collectively against shared cybersecurity threats;

''(J) the advancement of programs in support of the Framework of Responsible State Behavior in Cyberspace; and

''(K) the fortification of deterrence instruments in cyberspace; and

''(4) such other purpose and functions as the Secretary of State may designate.

''(c) RESPONSIBILITY FOR POLICY DECISIONS AND JUSTIFICATION.—The Secretary of State shall be responsible for policy decisions regarding programs under this chapter, with respect to—

''(1) whether there will be cybersecurity and digital capacity building programs for a foreign country or entity operating in that country;

''(2) the amount of funds for each foreign country or entity; and

''(3) the scope and nature of such uses of funding.

''(d) DETAILED JUSTIFICATION FOR USES AND PURPOSES OF FUNDS.—The Secretary of State shall provide, on an annual basis, a detailed justification for the uses and purposes of the amounts provided under this chapter, including information concerning—

''(1) the amounts and kinds of grants;

''(2) the amounts and kinds of budgetary support provided, if any; and

''(3) the amounts and kinds of project assistance provided for what purpose and with such amounts.

''(e) ASSISTANCE AND FUNDING UNDER OTHER AUTHORITIES.—The authority granted under this section to provide assistance or funding for countries and organizations does not preclude the use of funds provided to carry out other authorities also available for such purpose.

''(f) AVAILABILITY OF FUNDS.—Amounts appropriated to carry out this chapter may be used, notwithstanding any other provision of law, to strengthen civilian cybersecurity and information and communications technology capacity, including participation of foreign law enforcement and military personnel in non-military activities, provided that such support is essential to enabling civilian and law enforcement of cybersecurity and information and communication technology related activities in their respective countries.

''(g) NOTIFICATION REQUIREMENTS.—Funds made available under this section shall be obligated in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act.

"SEC. 593. REVIEW OF EMERGENCY ASSISTANCE CAPACITY.

''(a) IN GENERAL.—The Secretary of State, in consultation as appropriate with other relevant Federal departments and agencies is authorized to conduct a review that—

''(1) analyzes the United States Government's capacity to promptly and effectively deliver emergency support to countries experiencing major cybersecurity and ICT incidents;

''(2) identifies relevant factors constraining the support referred to in paragraph (1); and

''(3) develops a strategy to improve coordination among relevant Federal agencies and to resolve such constraints.

''(b) REPORT.—Not later than one year after the date of the enactment of this chapter, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that contains the results of the review conducted pursuant to subsection (a).

"SEC. 594. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated $150,000,000 during the 5-year period beginning on October 1, 2023, to carry out the purposes of this chapter.''.

SEC. 6308. CYBER PROTECTION SUPPORT FOR PERSONNEL OF THE DEPARTMENT OF STATE IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) AT-RISK PERSONNEL.—The term ''at-risk personnel'' means personnel of the Department—

(A) whom the Secretary determines to be highly vulnerable to cyber attacks and hostile information collection activities because of their positions in the Department; and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(2) PERSONAL ACCOUNTS.—The term ''personal accounts'' means accounts for online and telecommunications services, including telephone, residential internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the Department outside of the scope of their employment with the Department.

(3) PERSONAL TECHNOLOGY DEVICES.—The term ''personal technology devices'' means technology devices used by personnel of the Department outside of the scope of their employment with the Department, including networks to which such devices connect.

(b) REQUIREMENT TO PROVIDE CYBER PROTECTION SUPPORT.—The Secretary, in consultation with the Secretary of Homeland Security and the Director of National Intelligence, as appropriate—

(1) shall offer cyber protection support for the personal technology devices and personal accounts of at-risk personnel; and

(2) may provide the support described in paragraph (1) to any Department personnel who request such support.

(c) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel pursuant to subsection (b) may include training, advice, assistance, and other services relating to protection against cyber attacks and hostile information collection activities.

(d) PRIVACY PROTECTIONS FOR PERSONAL DEVICES.—The Department is prohibited pursuant to this section from accessing or retrieving any information from any personal technology device or personal account of Department employees unless—

(1) access or information retrieval is necessary for carrying out the cyber protection support specified in this section; and

(2) the Department has received explicit consent from the employee to access a personal technology device or personal account prior to each time such device or account is accessed.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to encourage Department personnel to use personal technology devices for official business; or

(2) to authorize cyber protection support for senior Department personnel using personal devices, networks, and personal accounts in an official capacity.

(f) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees regarding the provision of cyber protection support pursuant to subsection (b), which shall include—

(1) a description of the methodology used to make the determination under subsection (a)(1); and

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support pursuant to subsection (b).

TITLE LXIV—ORGANIZATION AND OPERATIONS

SEC. 6401. PERSONAL SERVICES CONTRACTORS.

(a) EXIGENT CIRCUMSTANCES AND CRISIS RESPONSE.—To assist the Department in addressing and responding to exigent circumstances and urgent crises abroad, the Department is authorized to employ, domestically and abroad, a limited number of personal services contractors in order to meet exigent needs, subject to the requirements of this section.

(b) AUTHORITY.—The authority to employ personal services contractors is in addition to any existing authorities to enter into personal services contracts and authority provided in the Afghanistan Supplemental Appropriations Act, 2022 (division C of Public Law 117–43).

(c) EMPLOYING AND ALLOCATION OF PERSONNEL.—To meet the needs described in subsection (a) and subject to the requirements in subsection (d), the Department may—

(1) enter into contracts to employ a total of up to 100 personal services contractors at any given time for each of fiscal years 2024, 2025, and 2026; and

(2) allocate up to 20 personal services contractors to a given bureau, without regard to the sources of funding such office relies on to compensate individuals.

(d) LIMITATION.—Employment authorized by this section shall not exceed two calendar years.

(e) NOTIFICATION AND REPORTING TO CONGRESS.—

(1) NOTIFICATION.—Not later than 15 days after the use of authority under this section, the Secretary shall notify the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives of the number of personal services contractors being employed, the expected length of employment, the relevant bureau, the purpose for using personal services contractors, and the justification, including the exigent circumstances requiring such use.

(2) ANNUAL REPORTING.—Not later than 60 days after the end of each fiscal year, the Department shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing the number of personal services contractors employed pursuant to this section for the prior fiscal year, the length of employment, the relevant bureau by which they were employed pursuant to this section, the purpose for using personal services contractors, disaggregated demographic data of such contractors, and the justification for the employment, including the exigent circumstances.

SEC. 6402. HARD-TO-FILL POSTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the number of hard-to-fill vacancies at United States diplomatic missions is far too high, particularly in Sub-Saharan Africa;

(2) these vacancies—

(A) adversely impact the Department's execution of regional strategies;

(B) hinder the ability of the United States to effectively compete with strategic competitors, such as the People's Republic of China and the Russian Federation; and

(C) present a clear national security risk to the United States; and

(3) if the Department is unable to incentivize officers to accept hard-to-fill positions, the Department should consider directed assignments, particularly for posts in Africa, and other means to more effectively advance the national interests of the United States.

(b) REPORT ON DEVELOPMENT OF INCENTIVES FOR HARD-TO-FILL POSTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on efforts to develop new incentives for hard-to-fill positions at United States diplomatic missions. The report shall include a description of the incentives developed to date and proposals to try to more effectively fill hard-to-fill posts.

(c) STUDY ON FEASIBILITY OF ALLOWING NON-CONSULAR FOREIGN SERVICE OFFICERS GIVEN DIRECTED CONSULAR POSTS TO VOLUNTEER FOR HARD-TO-FILL POSTS IN UNDERSTAFFED REGIONS.—

(1) STUDY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a study on—

(i) the number of Foreign Service positions vacant for six months or longer at overseas posts, including for consular, political, and economic positions, over the last five years, broken down by region, and a comparison of the proportion of vacancies between regions; and

(ii) the feasibility of allowing first-tour Foreign Service generalists in non-Consular cones, directed for a consular tour, to volunteer for reassignment at hard-to-fill posts in understaffed regions.

(B) MATTERS TO BE CONSIDERED.—The study conducted under subparagraph (A) shall consider whether allowing first-tour Foreign Service generalists to volunteer as described in such subparagraph would address current vacancies and what impact the new mechanism would have on consular operations.

(2) REPORT.—Not later than 60 days after completing the study required under paragraph (1), the Secretary shall submit to the appropriate congressional committees a report containing the findings of the study.

SEC. 6403. ENHANCED OVERSIGHT OF THE OFFICE OF CIVIL RIGHTS.

(a) REPORT WITH RECOMMENDATIONS AND MANAGEMENT STRUCTURE.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report with any recommendations for the long-term structure and management of the Office of Civil Rights (OCR), including—

(1) an assessment of the strengths and weaknesses of OCR's investigative processes and procedures;

(2) any changes made within OCR to its investigative processes to improve the integrity and thoroughness of its investigations; and

(3) any recommendations to improve the management structure, investigative process, and oversight of the Office.

SEC. 6404. CRISIS RESPONSE OPERATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall institute the following changes and ensure that the following elements have been integrated into the ongoing crisis response management and response by the Crisis Management and Strategy Office:

(1) The Department's crisis response planning and operations shall conduct, maintain, and update on a regular basis contingency plans for posts and regions experiencing or vulnerable to conflict or emergency conditions, including armed conflict, national disasters, significant political or military upheaval, and emergency evacuations.

(2) The Department's crisis response efforts shall be led by an individual with significant experience responding to prior crises, who shall be so designated by the Secretary.

(3) The Department's crisis response efforts shall provide at least quarterly updates to the Secretary and other relevant senior officials, including a plan and schedule to develop contingency planning for identified posts and regions consistent with paragraph (1).

(4) The decision to develop contingency planning for any particular post or region shall be made independent of any regional bureau.

(5) The crisis response team shall develop and maintain best practices for evacuations, closures, and emergency conditions.

(b) UPDATE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for the next five years, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an update outlining the steps taken to implement this section, along with any other recommendations to improve the Department's crisis management and response operations.

(2) CONTENTS.—Each update submitted pursuant to paragraph (1) should include—

(A) a list of the posts whose contingency plans, including any noncombatant evacuation contingencies, has been reviewed and updated as appropriate during the preceding 180 days; and

(B) an assessment of the Secretary's confidence that each post—

(i) has continuously reached out to United States persons in country to maintain and update contact information for as many such persons as practicable; and

(ii) is prepared to communicate with such persons in an emergency or crisis situation.

(3) FORM.—Each update submitted pursuant to paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6405. SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States must increase its diplomatic activity and presence in the Pacific, particularly among Pacific Island nations; and

(2) the Special Envoy to the Pacific Islands Forum—

(A) should advance the United States partnership with Pacific Island Forum nations and with the organization itself on key issues of importance to the Pacific region; and

(B) should coordinate policies across the Pacific region with like-minded democracies.

(b) APPOINTMENT OF SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended by section 6304, is further amended by adding at the end the following new subsection:

''(o) SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.—

''(1) APPOINTMENT.—The President shall appoint, by and with the advice and consent of the Senate, a qualified individual to serve as Special Envoy to the Pacific Islands Forum (referred to in this section as the 'Special Envoy').

''(2) CONSIDERATIONS.—

''(A) SELECTION.—The Special Envoy shall be—

''(i) a United States Ambassador to a country that is a member of the Pacific Islands Forum; or

''(ii) a qualified individual who is not described in clause (i).

''(B) LIMITATIONS.—If the President appoints an Ambassador to a country that is a member of the Pacific Islands Forum to serve concurrently as the Special Envoy to the Pacific Islands Forum, such Ambassador—

''(i) may not begin service as the Special Envoy until he or she has been confirmed by the Senate for an ambassadorship to a country that is a member of the Pacific Islands Forum; and

''(ii) shall not receive additional compensation for his or her service as Special Envoy.

''(3) DUTIES.—The Special Envoy shall—

''(A) represent the United States in its role as dialogue partner to the Pacific Islands Forum; and

''(B) carry out such other duties as the President or the Secretary of State may prescribe.''.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that describes how the Department will increase its ability to recruit and retain highly-qualified ambassadors, special envoys, and other senior personnel in posts in Pacific island countries as the Department expands its diplomatic footprint throughout the region.

SEC. 6406. SPECIAL ENVOY FOR BELARUS.

(a) SPECIAL ENVOY.—The President shall appoint a Special Envoy for Belarus within the Department (referred to in this section as the ''Special Envoy''). The Special Envoy should be a person of recognized distinction in the field of European security, geopolitics, democracy and human rights, and may be a career Foreign Service officer.

(b) CENTRAL OBJECTIVE.—The central objective of the Special Envoy is to coordinate and promote efforts—

(1) to improve respect for the fundamental human rights of the people of Belarus;

(2) to sustain focus on the national security implications of Belarus's political and military alignment for the United States; and

(3) to respond to the political, economic, and security impacts of events in Belarus upon neighboring countries and the wider region.

(c) DUTIES AND RESPONSIBILITIES.—The Special Envoy shall—

(1) engage in discussions with Belarusian officials regarding human rights, political, economic and security issues in Belarus;

(2) support international efforts to promote human rights and political freedoms in Belarus, including coordination and dialogue between the United States and the United Nations, the Organization for Security and Cooperation in Europe, the European Union, Belarus, and the other countries in Eastern Europe;

(3) consult with nongovernmental organizations that have attempted to address human rights and political and economic instability in Belarus;

(4) make recommendations regarding the funding of activities promoting human rights, democracy, the rule of law, and the development of a market economy in Belarus;

(5) review strategies for improving protection of human rights in Belarus, including technical training and exchange programs;

(6) develop an action plan for holding to account the perpetrators of the human rights violations documented in the United Nations High Commissioner for Human Rights report on the situation of human rights in Belarus in the run-up to the 2020 presidential election and its aftermath (Human Rights Council Resolution 49/36);

(7) engage with member countries of the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe and the European Union with respect to the implications of Belarus's political and security alignment for transatlantic security; and

(8) work within the Department and among partnering countries to sustain focus on the political situation in Belarus.

(d) ROLE.—The position of Special Envoy—

(1) shall be a full-time position;

(2) may not be combined with any other position within the Department;

(3) shall only exist as long as United States diplomatic operations in Belarus at United States Embassy Minsk have been suspended; and

(4) shall oversee the operations and personnel of the Belarus Affairs Unit.

(e) REPORT ON ACTIVITIES.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary, in consultation with the Special Envoy, shall submit a report to the appropriate congressional committees that describes the activities undertaken pursuant to subsection (c) during the reporting period.

(f) SUNSET.—The position of Special Envoy for Belarus Affairs and the authorities provided by this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 6407. OVERSEAS PLACEMENT OF SPECIAL APPOINTMENT POSITIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on current special appointment positions at United States diplomatic missions that do not exercise significant authority, and all positions under schedule B or schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, at United States diplomatic missions. The report shall include the title and responsibilities of each position, the expected duration of the position, the name of the individual currently appointed to the position, and the hiring authority utilized to fill the position.

SEC. 6408. RESOURCES FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

Section 302(d) of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741(d)) is amended—

(1) in the subsection heading, by striking ''RESOURCE GUIDANCE'' and inserting ''RESOURCES FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD'';

(2) in paragraph (1), by striking the paragraph heading and all that follows through ''Not later than'' and inserting the following:

''(1) RESOURCE GUIDANCE.—

''(A) IN GENERAL.—Not later than'';

(3) in paragraph (2), by redesignating subparagraphs (A), (B), (C), (D), and (E) and clauses (i), (ii), (iii), (iv), and (v), respectively, and moving such clauses (as so redesignated) 2 ems to the right;

(4) by redesignating paragraph (2) as subparagraph (B) and moving such subparagraph (as so redesignated) 2 ems to the right;

(5) in subparagraph (B), as redesignated by paragraph (4), by striking ''paragraph (1)'' and inserting ''subparagraph (A)''; and

(6) by adding at the end the following:

''(2) TRAVEL ASSISTANCE.—

''(A) FAMILY ADVOCACY.—For the purpose of facilitating meetings between the United States Government and the family members of United States nationals unlawfully or wrongfully detained abroad, the Secretary shall provide financial assistance to cover the costs of travel to Washington, D.C., including travel by air, train, bus, or other transit as appropriate, to any individual who—

''(i) is—

''(I) a family member of a United States national unlawfully or wrongfully detained abroad as determined by the Secretary under subsection (a); or

''(II) an appropriate individual who—

''(aa) is approved by the Special Presidential Envoy for Hostage Affairs; and

''(bb) does not represent in any legal capacity a United States national unlawfully or wrongfully detained abroad or the family of such United States national;

''(ii) has a permanent address that is more than 50 miles from Washington, D.C.; and

''(iii) requests such assistance.

''(B) TRAVEL AND LODGING.—

''(i) IN GENERAL.—For each such United States national unlawfully or wrongfully detained abroad, the financial assistance described in subparagraph (A) shall be provided for not more than 2 trips per fiscal year, unless the Special Presidential Envoy for Hostage Affairs determines that a third trip is warranted.

''(ii) LIMITATIONS.—Any trip described in clause (i) shall—

''(I) consist of not more than 2 family members or other individuals approved in accordance with subparagraph (A)(i)(II), unless the Special Presidential Envoy for Hostage Affairs determines that circumstances warrant an additional family member or other individual approved in accordance with subparagraph (A)(i)(II) and approves assistance to such third family member or other individual; and

''(II) not exceed more than 2 nights lodging, which shall not exceed the applicable government rate.

''(C) RETURN TRAVEL.—If other United States Government assistance is unavailable, the Secretary may provide to a United States national unlawfully or wrongfully detained abroad as determined by the Secretary under subsection (a), compensation and assistance, as necessary, for return travel to the United States upon release of such United States national.

''(3) SUPPORT.—The Secretary shall seek to make available operational psychologists and clinical social workers, to support the mental health and well-being of—

''(A) any United States national unlawfully or wrongfully detained abroad; and

''(B) any family member of such United States national, with regard to the psychological, social, and mental health effects of such unlawful or wrongful detention.

''(4) NOTIFICATION REQUIREMENT.—The Secretary shall notify the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives of any amount spent above $250,000 for any fiscal year to carry out paragraphs (2) and (3).

''(5) REPORT.—Not later than 90 days after the end of each fiscal year, the Secretary shall submit to the Committees on Foreign Relations and Appropriations of the Senate and the Committee on Foreign Affairs and Appropriations of the House of Representatives a report that includes—

''(A) a detailed description of expenditures made pursuant to paragraphs (2) and (3);

''(B) a detailed description of support provided pursuant to paragraph (3) and the individuals providing such support; and

''(C) the number and location of visits outside of Washington, D.C., during the prior fiscal year made by the Special Presidential Envoy for Hostage Affairs to family members of each United States national unlawfully or wrongfully detained abroad.

''(6) SUNSET.—The authority and requirements under paragraphs (2), (3), (4), and (5) shall terminate on December 31, 2027.

''(7) FAMILY MEMBER DEFINED.—In this subsection, the term 'family member' means a spouse, father, mother, child, brother, sister, grandparent, grandchild, aunt, uncle, nephew, niece, cousin, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-

law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.''.

TITLE LXV—ECONOMIC DIPLOMACY

SEC. 6501. REPORT ON RECRUITMENT, RETENTION, AND PROMOTION OF FOREIGN SERVICE ECONOMIC OFFICERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees regarding the recruitment, retention, and promotion of economic officers in the Foreign Service.

(b) ELEMENTS.—The report required under subsection (b) shall include—

(1) an overview of the key challenges the Department faces in—

(A) recruiting individuals to serve as economic officers in the Foreign Service; and

(B) retaining individuals serving as economic officers in the Foreign Service, particularly at the level of GS–14 of the General Schedule and higher;

(2) an overview of the key challenges in recruiting and retaining qualified individuals to serve in economic positions in the Civil Service;

(3) a comparison of promotion rates for economic officers in the Foreign Service relative to other officers in the Foreign Service;

(4) a summary of the educational history and training of current economic officers in the Foreign Service and Civil Service officers serving in economic positions;

(5) the identification, disaggregated by region, of hard-to-fill posts and proposed incentives to improve staffing of economic officers in the Foreign Service at such posts;

(6) a summary and analysis of the factors that lead to the promotion of—

(A) economic officers in the Foreign Service; and

(B) individuals serving in economic positions in the Civil Service; and

(7) a summary and analysis of current Department-funded or run training opportunities and externally-funded programs, including the Secretary's Leadership Seminar at Harvard Business School, for—

(A) economic officers in the Foreign Service; and

(B) individuals serving in economic positions in the Civil Service.

SEC. 6502. MANDATE TO REVISE DEPARTMENT OF STATE METRICS FOR SUCCESSFUL ECONOMIC AND COMMERCIAL DIPLOMACY.

(a) MANDATE TO REVISE DEPARTMENT OF STATE PERFORMANCE MEASURES FOR ECONOMIC AND COMMERCIAL DIPLOMACY.—The Secretary shall, as part of the Department's next regularly scheduled review on metrics and performance measures, include revisions of Department performance measures for economic and commercial diplomacy, by identifying outcome-oriented, and not process-oriented, performance metrics, including metrics that—

(1) measure how Department efforts advanced specific economic and commercial objectives and led to successes for the United States or other private sector actors overseas; and

(2) focus on customer satisfaction with Department services and assistance.

(b) PLAN FOR ENSURING COMPLETE DATA FOR PERFORMANCE MEASURES.—As part of the review required under subsection (a), the Secretary shall include a plan for ensuring that—

(1) the Department, both at its main headquarters and at domestic and overseas posts, maintains and fully updates data on performance measures; and

(2) Department leadership and the appropriate congressional committees can evaluate the extent to which the Department is advancing United States economic and commercial interests abroad through meeting performance targets.

(c) REPORT ON PRIVATE SECTOR SURVEYS.—The Secretary shall prepare a report that lists and describes all the methods through which the Department conducts surveys of the private sector to measure private sector satisfaction with assistance and services provided by the Department to advance private sector economic and commercial goals in foreign markets.

(d) REPORT.—Not later than 90 days after conducting the review pursuant to subsection (a), the Secretary shall submit to the appropriate congressional committees—

(1) the revised performance metrics required under subsection (a); and

(2) the report required under subsection (c).

SEC. 6503. CHIEF OF MISSION ECONOMIC RESPONSIBILITIES.

Section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) is amended by adding at the end the following:

''(e) EMBASSY ECONOMIC TEAM.—

''(1) COORDINATION AND SUPERVISION.—Each chief of mission shall coordinate and supervise the implementation of all United States economic policy interests within the host country in which the diplomatic mission is located, among all United States Government departments and agencies present in such country.

''(2) ACCOUNTABILITY.—The chief of mission is responsible for the performance of the diplomatic mission in advancing United States economic policy interests within the host country.

''(3) MISSION ECONOMIC TEAM.—The chief of mission shall designate appropriate embassy staff to form a mission economic team that—

''(A) monitors notable economic, commercial, and investment-related developments in the host country; and

''(B) develops plans and strategies for advancing United States economic and commercial interests in the host country, including—

''(i) tracking legislative, regulatory, judicial, and policy developments that could affect United States economic, commercial, and investment interests;

''(ii) advocating for best practices with respect to policy and regulatory developments;

''(iii) conducting regular analyses of market systems, trends, prospects, and opportunities for value-addition, including risk assessments and constraints analyses of key sectors and of United States strategic competitiveness, and other reporting on commercial opportunities and investment climate; and

''(iv) providing recommendations for responding to developments that may adversely affect United States economic and commercial interests.''.

SEC. 6504. DIRECTION TO EMBASSY DEAL TEAMS.

(a) PURPOSES.—The purposes of deal teams at United States embassies and consulates are—

(1) to promote a private sector-led approach—

(A) to advance economic growth and job creation that is tailored, as appropriate, to specific economic sectors; and

(B) to advance strategic partnerships;

(2) to prioritize efforts—

(A) to identify commercial and investment opportunities;

(B) to advocate for improvements in the business and investment climate;

(C) to engage and consult with private sector partners; and

(D) to report on the activities described in subparagraphs (A) through (C), in accordance with the applicable requirements under sections 706 and 707 of the Championing American Business Through Diplomacy Act of 2019 (22 U.S.C. 9902 and 9903);

(3)(A)(i) to identify trade and investment opportunities for United States companies in foreign markets; or

(ii) to assist with existing trade and investment opportunities already identified by United States companies; and

(B) to deploy United States Government economic and other tools to help such United States companies to secure their objectives;

(4) to identify and facilitate opportunities for entities in a host country to increase exports to, or investment in, the United States in order to grow two-way trade and investment;

(5) to modernize, streamline, and improve access to resources and services designed to promote increased trade and investment opportunities;

(6) to identify and secure United States or allied government support of strategic projects, such as ports, railways, energy production and distribution, critical minerals development, telecommunications networks, and other critical infrastructure projects vulnerable to predatory investment by an authoritarian country or entity in such country where support or investment serves an important United States interest;

(7) to coordinate across the Unites States Government to ensure the appropriate and most effective use of United States Government tools to support United States economic, commercial, and investment objectives; and

(8) to coordinate with the multi-agency DC Central Deal Team, established in February 2020, on the matters described in paragraphs (1) through (7) and other relevant matters.

(b) CLARIFICATION.—A deal team may be composed of the personnel comprising the mission economic team formed pursuant to section 207(e)(3) of the Foreign Service Act of 1980, as added by section 6503.

(c) RESTRICTIONS.—A deal team may not provide support for, or assist a United States person with a transaction involving, a government, or an entity owned or controlled by a government, if the Secretary determines that such government—

(1) has repeatedly provided support for acts of international terrorism, as described in—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115–232);

(B) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other relevant provision of law; or

(2) has engaged in an activity that would trigger a restriction under section 116(a) or 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a) and 2304(a)(2)) or any other relevant provision of law.

(d) FURTHER RESTRICTIONS.—

(1) PROHIBITION ON SUPPORT OF SANCTIONED PERSONS.—Deal teams may not carry out activities prohibited under United States sanctions laws or regulations, including dealings with persons on the list of specially designated persons and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, except to the extent otherwise authorized by the Secretary of the Treasury or the Secretary.

(2) PROHIBITION ON SUPPORT OF ACTIVITIES SUBJECT TO SANCTIONS.—Any person receiving support from a deal team must be in compliance with all United States sanctions laws and regulations as a condition for receiving such assistance.

(e) CHIEF OF MISSION AUTHORITY AND ACCOUNTABILITY.—The chief of mission to a foreign country—

(1) is the designated leader of a deal team in such country; and

(2) shall be held accountable for the performance and effectiveness of United States deal teams in such country.

(f) GUIDANCE CABLE.—The Department shall send out regular guidance on Deal Team efforts by an All Diplomatic and Consular Posts (referred to in this section as ''ALDAC'') that—

(1) describes the role of deal teams; and

(2) includes relevant and up-to-date information to enhance the effectiveness of deal teams in a country.

(g) CONFIDENTIALITY OF INFORMATION.—

(1) IN GENERAL.—In preparing the cable required under subsection (f), the Secretary shall protect from disclosure any proprietary information of a United States person marked as business confidential information unless the person submitting such information—

(A) had notice, at the time of submission, that such information would be released by; or

(B) subsequently consents to the release of such information.

(2) TREATMENT AS TRADE SECRETS.—Proprietary information obtained by the United States Government from a United States person pursuant to the activities of deal teams shall be—

(A) considered to be trade secrets and commercial or financial information (as such terms are used under section 552b(c)(4) of title 5, United States Code); and

(B) exempt from disclosure without the express approval of the person.

(h) SUNSET.—The requirements under subsections (f) through (h) shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 6505. ESTABLISHMENT OF A "DEAL TEAM OF THE YEAR" AWARD.

(a) ESTABLISHMENT.—The Secretary shall establish a new award, to be known as the ''Deal Team of the Year Award'', and annually present the award to a deal team at one United States mission in each region to recognize outstanding achievements in supporting a United States company or companies pursuing commercial deals abroad or in identifying new deal prospects for United States companies.

(b) AWARD CONTENT.—

(1) DEPARTMENT OF STATE.—Each member of a deal team receiving an award pursuant to subsection (a) shall receive a certificate that is signed by the Secretary and—

(A) in the case of a member of the Foreign Service, is included in the next employee evaluation report; or

(B) in the case of a Civil Service employee, is included in the next annual performance review.

(2) OTHER FEDERAL AGENCIES.—If an award is presented pursuant to subsection (a) to a Federal Government employee who is not employed by the Department, the employing agency may determine whether to provide such employee any recognition or benefits in addition to the recognition or benefits provided by the Department.

(c) ELIGIBILITY.—Any interagency economics team at a United States overseas mission under chief of mission authority that assists United States companies with identifying, navigating, and securing trade and investment opportunities in a foreign country or that facilitates beneficial foreign investment into the United States is eligible for an award under this section.

(d) REPORT.—Not later than the last day of the fiscal year in which awards are presented pursuant to subsection (a), the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) each mission receiving a Deal Team of the Year Award.

(2) the names and agencies of each awardee within the recipient deal teams; and

(3) a detailed description of the reason such deal teams received such award.

TITLE LXVI—PUBLIC DIPLOMACY

SEC. 6601. PUBLIC DIPLOMACY OUTREACH.

(a) COORDINATION OF RESOURCES.—The Administrator of the United States Agency for International Development and the Secretary shall direct public affairs sections at United States embassies and USAID Mission Program Officers at USAID missions to coordinate, enhance and prioritize resources for public diplomacy and awareness campaigns around United States diplomatic and development efforts, including through—

(1) the utilization of new media technology for maximum public engagement; and

(2) enact coordinated comprehensive community outreach to increase public awareness and understanding and appreciation of United States diplomatic and development efforts.

(b) DEVELOPMENT OUTREACH AND COORDINATION OFFICERS.—USAID should prioritize hiring of additional Development Outreach and Coordination officers in USAID missions to support the purposes of subsection (a).

(c) BEST PRACTICES.—The Secretary and the Administrator of USAID shall identify 10 countries in which Embassies and USAID missions have successfully executed efforts, including monitoring and evaluation of such efforts, described in (a) and develop best practices to be turned into Department and USAID guidance.

SEC. 6602. MODIFICATION ON USE OF FUNDS FOR RADIO FREE EUROPE/RADIO LIBERTY.

In section 308(h) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207(h)) is amended—

(1) by striking subparagraphs (1), (3), and (5); and

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

SEC. 6603. INTERNATIONAL BROADCASTING.

(a) VOICE OF AMERICA.—Section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) is amended by adding at the end the following:

''(d) VOICE OF AMERICA OPERATIONS AND STRUCTURE.—

''(1) OPERATIONS.—The Director of the Voice of America (VOA)—

''(A) shall direct and supervise the operations of VOA, including making all major decisions relating its staffing; and

''(B) may utilize any authorities made available to the United States Agency for Global Media or to its Chief Executive Officer under this Act or under any other Act to carry out its operations in an effective manner.

''(2) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of VOA shall submit to the Committee on Foreign Relations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Homeland Security of the House of Representatives a plan to ensure that the personnel structure of VOA is sufficient to effectively carry out the principles described in subsection (c).''.

(b) APPOINTMENT OF CHIEF EXECUTIVE OFFICER.—Section 304 of such Act (22 U.S.C. 6203) is amended—

(1) in subsection (a), by striking ''as an entity described in section 104 of title 5, United States Code'' and inserting ''under the direction of the International Broadcasting Advisory Board''; and

(2) in subsection (b)(1), by striking the second sentence and inserting the following: ''Notwithstanding any other provision of law, when a vacancy arises, until such time as a Chief Executive Officer, to whom sections 3345 through 3349b of title 5, United States Code, shall not apply, is appointed and confirmed by the Senate, an acting Chief Executive Officer shall be appointed by the International Broadcasting Advisory Board and shall continue to serve and exercise the authorities and powers under this title as the sole means of filling such vacancy, for the duration of the vacancy. In the absence of a quorum on the International Broadcasting Advisory Board, the first principal deputy of the United States Agency for Global Media shall serve as acting Chief Executive Officer.''.

(c) CHIEF EXECUTIVE OFFICER AUTHORITIES.—Section 305(a)(1) of such Act (22 U.S.C. 6204(a)(1)) is amended by striking ''To supervise all'' and inserting ''To oversee, coordinate, and provide strategic direction for''.

(d) INTERNATIONAL BROADCASTING ADVISORY BOARD.—Section 306(a) of such Act (22 U.S.C. 6205(a)) is amended by striking ''advise the Chief Executive Officer of'' and inserting ''oversee and advise the Chief Executive Officer and''.

(e) RADIO FREE AFRICA; RADIO FREE AMERICAS.—Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the United States Agency for Global Media shall submit a report to 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 that details the financial and other resources that would be required to establish and operate 2 nonprofit organizations, modeled after Radio Free Europe/Radio Liberty and Radio Free Asia, for the purposes of providing accurate, uncensored, and reliable news and information to—

(1) the region of Africa, with respect to Radio Free Africa; and

(2) the region of Latin America and the Caribbean, with respect to Radio Free Americas.

SEC. 6604. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PROGRAM.

(a) IN GENERAL.—The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is amended by adding at the end the following:

''SEC. 115. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PROGRAM.

''(a) ESTABLISHMENT.—There is established the John Lewis Civil Rights Fellowship Program (referred to in this section as the 'Fellowship Program') within the J. William Fulbright Educational Exchange Program.

''(b) PURPOSES.—The purposes of the Fellowship Program are—

''(1) to honor the legacy of Representative John Lewis by promoting a greater understanding of the history and tenets of nonviolent civil rights movements; and

''(2) to advance foreign policy priorities of the United States by promoting studies, research, and international exchange in the subject of nonviolent movements that established and protected civil rights around the world.

''(c) ADMINISTRATION.—The Bureau of Educational and Cultural Affairs (referred to in this section as the 'Bureau') shall administer the Fellowship Program in accordance with policy guidelines established by the Board, in consultation with the binational Fulbright Commissions and United States Embassies.

''(d) SELECTION OF FELLOWS.—

''(1) IN GENERAL.—The Board shall annually select qualified individuals to participate in the Fellowship Program. The Bureau may determine the number of fellows selected

each year, which, whenever feasible, shall be not fewer than 25.

''(2) OUTREACH.—

''(A) IN GENERAL.—To the extent practicable, the Bureau shall conduct outreach at institutions, including—

''(i) minority serving institutions, including historically Black colleges and universities; and

''(ii) other appropriate institutions, as determined by the Bureau.

''(B) DEFINITIONS.—In this paragraph:

''(i) HISTORICALLY BLACK COLLEGE AND UNIVERSITY.—The term 'historically Black college and university' has the meaning given the term 'part B institution' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

''(ii) MINORITY SERVING INSTITUTION.—The term 'minority-serving institution' means an eligible institution under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(e) FELLOWSHIP ORIENTATION.—Annually, the Bureau shall organize and administer a fellowship orientation, which shall—

''(1) be held in Washington, D.C., or at another location selected by the Bureau; and

''(2) include programming to honor the legacy of Representative John Lewis.

''(f) STRUCTURE.—

''(1) WORK PLAN.—To carry out the purposes described in subsection (b)—

''(A) each fellow selected pursuant to subsection (d) shall arrange an internship or research placement—

''(i) with a nongovernmental organization, academic institution, or other organization approved by the Bureau; and

''(ii) in a country with an operational Fulbright U.S. Student Program; and

''(B) the Bureau shall, for each fellow, approve a work plan that identifies the target objectives for the fellow, including specific duties and responsibilities relating to those objectives.

''(2) CONFERENCES; PRESENTATIONS.—Each fellow shall—

''(A) attend a fellowship orientation organized and administered by the Bureau under subsection (e);

''(B) not later than the date that is 1 year after the end of the fellowship period, attend a fellowship summit organized and administered by the Bureau, which—

''(i) whenever feasible, shall be held in Atlanta, Georgia, or another location of importance to the civil rights movement in the United States; and

''(ii) may coincide with other events facilitated by the Bureau; and

''(C) at such summit, give a presentation on lessons learned during the period of fellowship.

''(3) FELLOWSHIP PERIOD.—Each fellowship under this section shall continue for a period determined by the Bureau, which, whenever feasible, shall be not fewer than 10 months.

''(g) FELLOWSHIP AWARD.—The Bureau shall provide each fellow under this section with an allowance that is equal to the amount needed for—

''(1) the reasonable costs of the fellow during the fellowship period; and

''(2) travel and lodging expenses related to attending the orientation and summit required under subsection (e)(2).

''(h) ANNUAL REPORT.—Not later than 1 year after the date of the completion of the Fellowship Program by the initial cohort of fellows selected under subsection (d), and annually thereafter, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the implementation of the Fellowship Program, including—

''(1) a description of the demographics of the cohort of fellows who completed a fellowship during the preceding 1-year period;

''(2) a description of internship and research placements, and research projects selected by such cohort, under the Fellowship Program, including feedback from—

''(A) such cohort on implementation of the Fellowship Program; and

''(B) the Secretary on lessons learned; and

''(3) an analysis of trends relating to the diversity of each cohort of fellows and the topics of projects completed since the establishment of the Fellowship Program.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS TO THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961.—Section 112(a) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460(a)) is amended—

(1) in paragraph (8), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (9), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(10) the John Lewis Civil Rights Fellowship Program established under section 115, which provides funding for international internships and research placements for early- to mid-career individuals from the United States to study nonviolent civil rights movements in self-arranged placements with universities or nongovernmental organizations in foreign countries.''.

SEC. 6605. DOMESTIC ENGAGEMENT AND PUBLIC AFFAIRS.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop a strategy to explain to the American people the value of the work of the Department and United States foreign policy to advancing the national security of the United States. The strategy shall include—

(1) tools to inform the American people about the non-partisan importance of United States diplomacy and foreign relations and to utilize public diplomacy to meet the United States' national security priorities;

(2) efforts to reach the widest possible audience of Americans, including those who historically have not had exposure to United States foreign policy efforts and priorities;

(3) additional staffing and resource needs including—

(A) domestic positions within the Bureau of Global Public Affairs to focus on engagement with the American people as outlined in paragraph (1);

(B) positions within the Bureau of Educational and Cultural Affairs to enhance program and reach the widest possible audience;

(C) increasing the number of fellowship and detail programs that place Foreign Service and civil service employees outside the Department for a limited time, including Pearson Fellows, Reta Joe Lewis Local Diplomats, Brookings Fellows, and Georgetown Fellows; and

(D) recommendations for increasing participation in the Hometown Diplomats program and evaluating this program as well as other opportunities for Department officers to engage with American audiences while traveling within the United States.

SEC. 6606. EXTENSION OF GLOBAL ENGAGEMENT CENTER.

Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended by striking ''on the date that is 8 years after the date of the enactment of this Act'' and inserting ''on September 30, 2026''.

SEC. 6607. PAPERWORK REDUCTION ACT.

Section 5603(d) 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) United States Information and Educational Exchange Act of 1948 (Public Law 80–402).''.

SEC. 6608. MODERNIZATION AND ENHANCEMENT STRATEGY.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees for—

(1) modernizing and increasing the operational and programming capacity of American Spaces and American Corners throughout the world, including by leveraging public-private partnerships;

(2) providing salaries to locally employed staff of American Spaces and American Corners; and

(3) providing opportunities for United States businesses and nongovernmental organizations to better utilize American Spaces.

TITLE LXVII—OTHER MATTERS

SEC. 6701. INTERNSHIPS OF UNITED STATES NATIONALS AT INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—The Secretary of State is authorized to bolster efforts to increase the number of United States citizens representative of the American people occupying positions in the United Nations system, agencies, and commissions, and in other international organizations, including by awarding grants to educational institutions and students.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that identifies—

(1) the number of United States citizens who are involved in internship programs at international organizations;

(2) the distribution of the individuals described in paragraph (1) among various international organizations; and

(3) grants, programs, and other activities that are being utilized to recruit and fund United States citizens to participate in internship programs at international organizations.

(c) ELIGIBILITY.—An individual referred to in subsection (a) is an individual who—

(1) is enrolled at or received their degree within two years from—

(A) an institution of higher education; or

(B) an institution of higher education based outside the United States, as determined by the Secretary of State; and

(2) is a citizen of the United States.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,500,000 for the Department of State for fiscal year 2024 to carry out the grant program authorized under subsection (a).

SEC. 6702. TRAINING FOR INTERNATIONAL ORGANIZATIONS.

(a) TRAINING PROGRAMS.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding at the end of the following new subsection:

''(e) TRAINING IN MULTILATERAL DIPLOMACY.—

''(1) IN GENERAL.—The Secretary, in consultation with other senior officials as appropriate, shall establish training courses on—

''(A) the conduct of diplomacy at international organizations and other multilateral institutions; and

''(B) broad-based multilateral negotiations of international instruments.

''(2) REQUIRED TRAINING.—Members of the Service, including appropriate chiefs of mission and other officers who are assigned to United States missions representing the

United States to international organizations and other multilateral institutions or who are assigned in other positions that have as their primary responsibility formulation of policy related to such organizations and institutions, or participation in negotiations of international instruments, shall receive specialized training in the areas described in paragraph (1) prior to the beginning of service for such assignment or, if receiving such training at that time is not practical, within the first year of beginning such assignment.''.

(b) TRAINING FOR DEPARTMENT EMPLOYEES.—The Secretary of State shall ensure that employees of the Department of State who are assigned to positions described in paragraph (2) of subsection (e) of section 708 of the Foreign Service Act of 1980 (as added by subsection (a) of this section), including members of the civil service or general service, or who are seconded to international organizations for a period of at least one year, receive training described in such subsection and participate in other such courses as the Secretary may recommend to build or augment identifiable skills that would be useful for such Department officials representing United States interests at these institutions and organizations.

SEC. 6703. MODIFICATION TO TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS.

Section 112b of title 1, United States Code, as most recently amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476), is further amended—

(1) by redesignating subsections (h) through (l) as subsections (i) through (m), respectively; and

(2) by inserting after subsection (g) the following:

''(h)(1) If the Secretary is aware or has reason to believe that the requirements of subsection (a), (b), or (c) have not been fulfilled with respect to an international agreement or qualifying non-binding instrument, the Secretary shall—

''(A) immediately bring the matter to the attention of the office or agency responsible for the agreement or qualifying non-binding instrument; and

''(B) request the office or agency to provide within 7 days the text or other information necessary to fulfill the requirements of the relevant subsection.

''(2) Upon receiving the text or other information requested pursuant to paragraph (1), the Secretary shall—

''(A) fulfill the requirements of subsection (a), (b), or (c), as the case may be, with respect to the agreement or qualifying non-binding instrument concerned—

''(i) by including such text or other information in the next submission required by subsection (a)(1);

''(ii) by providing such information 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 before provision of the submission described in clause (i); or

''(iii) in relation to subsection (b), by making the text of the agreement or qualifying non-binding instrument and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to the agreement or instrument available to the public on the website of the Department of State within 15 days of receiving the text or other information requested pursuant to paragraph (1); and

''(B) provide 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, either in the next submission required by subsection (a)(1) or before such submission, a written statement explaining the reason for the delay in fulfilling the requirements of subsection (a), (b), or (c), as the case may be.''.

SEC. 6704. REPORT ON PARTNER FORCES UTILIZING UNITED STATES SECURITY ASSISTANCE IDENTIFIED AS USING HUNGER AS A WEAPON OF WAR.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States recognizes the link between armed conflict and conflict-induced food insecurity;

(2) Congress recognizes and condemns the role of nefarious security actors, including state and non-state armed groups, who have utilized hunger as a weapon of war, including through the unanimous adoption of House of Representatives Resolution 922 and Senate Resolution 669 relating to ''[c]ondemning the use of hunger as a weapon of war and recognizing the effect of conflict on global food security and famine''; and

(3) the United States should use the diplomatic and humanitarian tools at our disposal to not only fight global hunger, mitigate the spread of conflict, and promote critical, lifesaving assistance, but also hold perpetrators using hunger as a weapon of war to account.

(b) DEFINITIONS.—In this paragraph:

(1) HUNGER AS A WEAPON OF WAR.—The term ''hunger as a weapon of war'' means—

(A) intentional starvation of civilians;

(B) intentional and reckless destruction, removal, looting, or rendering useless objects necessary for food production and distribution, such as farmland, markets, mills, food processing and storage facilities, food stuffs, crops, livestock, agricultural assets, waterways, water systems, drinking water facilities and supplies, and irrigation networks;

(C) undue denial of humanitarian access and deprivation of objects indispensable to people's survival, such as food supplies and nutrition resources; and

(D) willful interruption of market systems for populations in need, including through the prevention of travel and manipulation of currency exchange.

(2) SECURITY ASSISTANCE.—The term ''security assistance'' means assistance meeting the definition of ''security assistance'' under section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator of the United States Agency for International Development, and the Secretary of Defense shall submit a report to the appropriate congressional committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives regarding—

(1) United States-funded security assistance and cooperation; and

(2) whether the governments and entities receiving such assistance have or are currently using hunger as a weapon of war.

(d) ELEMENTS.—The report required under subsection (c) shall—

(1) identify countries receiving United States-funded security assistance or participating in security programs and activities, including in coordination with the Department of Defense, that are currently experiencing famine-like conditions as a result of conflict;

(2) describe the actors and actions taken by such actors in the countries identified pursuant to paragraph (1) who are utilizing hunger as a weapon of war; and

(3) describe any current or existing plans to continue providing United States-funded security assistance to recipient countries.

(e) FORM.—The report required under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6705. INFRASTRUCTURE PROJECTS AND INVESTMENTS BY THE UNITED STATES AND PEOPLE'S REPUBLIC OF CHINA.

Not later than 1 year after the date of the enactment of this Act, the Secretary, in coordination with the Administrator of the United States Agency for International Development and the Chief Executive Officer of the Development Finance Corporation, shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report regarding the opportunities and costs of infrastructure projects in Middle East, African, and Latin American and Caribbean countries, which shall—

(1) describe the nature and total funding of United States infrastructure investments and construction in Middle East, African, and Latin American and Caribbean countries, and that of United States allies and partners in the same regions;

(2) describe the nature and total funding of infrastructure investments and construction by the People's Republic of China in Middle East, African, and Latin American and Caribbean countries;

(3) assess the national security threats posed by the infrastructure investment gap between the People's Republic of China and the United States and United States allies and partners, including—

(A) infrastructure, such as ports;

(B) access to critical and strategic minerals;

(C) digital and telecommunication infrastructure;

(D) threats to supply chains; and

(E) general favorability towards the People's Republic of China and the United States and United States' allies and partners among Middle East, African, and Latin American and Caribbean countries;

(4) assess the opportunities and challenges for companies based in the United States to invest in infrastructure projects in Middle East, African, and Latin American and Caribbean countries;

(5) describe options for the United States Government to undertake to increase support for United States businesses engaged in large-scale infrastructure projects in Middle East, African, and Latin American and Caribbean countries; and

(6) identify regional infrastructure priorities, ranked according to United States national interests, in Middle East, African, and Latin American and Caribbean countries.

SEC. 6706. SPECIAL ENVOYS.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a review of all special envoy positions to determine—

(1) which special envoy positions are needed to accomplish the mission of the Department;

(2) which special envoy positions could be absorbed into the Department's existing bureau structure;

(3) which special envoy positions were established by an Act of Congress; and

(4) which special envoy positions were created by the Executive Branch without explicit congressional approval.

(b) REPORT.—Not later than 60 days after the completion of the review required under subsection (a), the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) a list of every special envoy position in the Department;

(2) a detailed justification of the need for each special envoy, if warranted;

(3) a list of the special envoy positions that could be absorbed into the Department's existing bureau structure without compromising the mission of the Department;

(4) a list of the special envoy positions that were created by an Act of Congress; and

(5) a list of the special envoy positions that are not expressly authorized by statute.

SEC. 6707. US–ASEAN CENTER.

(a) DEFINED TERM.—In this section, the term ''ASEAN'' means the Association of Southeast Asian Nations.

(b) ESTABLISHMENT.—The Secretary is authorized to enter into a public-private partnership for the purposes of establishing a US–ASEAN Center in the United States to support United States economic and cultural engagement with Southeast Asia.

(c) FUNCTIONS.—Notwithstanding any other provision of law, the US–ASEAN Center established pursuant to subsection (b) may—

(1) provide grants for research to support and elevate the importance of the US–ASEAN partnership;

(2) facilitate activities to strengthen US–ASEAN trade and investment;

(3) expand economic and technological relationships between ASEAN countries and the United States into new areas of cooperation;

(4) provide training to United States citizens and citizens of ASEAN countries that improve people-to-people ties;

(5) develop educational programs to increase awareness for the United States and ASEAN countries on the importance of relations between the United States and ASEAN countries; and

(6) carry out other activities the Secretary considers necessary to strengthen ties between the United States and ASEAN countries and achieve the objectives of the US–ASEAN Center.

SEC. 6708. BRIEFINGS ON THE UNITED STATES-EUROPEAN UNION TRADE AND TECHNOLOGY COUNCIL.

It is the sense of Congress that the United States-European Union Trade and Technology Council is an important forum for the United States and in the European Union to engage on transatlantic trade, investment, and engagement on matters related to critical and emerging technology and that the Department should provide regular updates to the appropriate congressional committees on the deliverables and policy initiatives announced at United States-European Union Trade and Technology Council ministerials

SEC. 6709. MODIFICATION AND REPEAL OF REPORTS.

(a) COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—

(1) IN GENERAL.—The Secretary shall examine the production of the 2023 and subsequent annual Country Reports on Human Rights Practices by the Assistant Secretary for Democracy, Human Rights, and Labor as required under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d), 2304(b)) to maximize—

(A) cost and personnel efficiencies;

(B) the potential use of data and analytic tools and visualization; and

(C) advancement of the modernization agenda for the Department announced by the Secretary on October 27, 2021.

(2) TRANSNATIONAL REPRESSION AMENDMENTS TO ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended by adding at the end the following new paragraph:

''(13) Wherever applicable, a description of the nature and extent of acts of transnational repression that occurred during the preceding year, including identification of—

''(A) incidents in which a government harassed, intimidated, or killed individuals outside of their internationally recognized borders and the patterns of such repression among repeat offenders;

''(B) countries in which such transnational repression occurs and the role of the governments of such countries in enabling, preventing, mitigating, and responding to such acts;

''(C) the tactics used by the governments of countries identified pursuant to subparagraph (A), including the actions identified and any new techniques observed;

''(D) in the case of digital surveillance and harassment, the type of technology or platform, including social media, smart city technology, health tracking systems, general surveillance technology, and data access, transfer, and storage procedures, used by the governments of countries identified pursuant to subparagraph (A) for such actions; and

''(E) groups and types of individuals targeted by acts of transnational repression in each country in which such acts occur.''.

(b) ELIMINATION OF OBSOLETE REPORTS.—

(1) ANNUAL REPORTS RELATING TO FUNDING MECHANISMS FOR TELECOMMUNICATIONS SECURITY AND SEMICONDUCTORS.—Division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(A) in section 9202(a)(2) (47 U.S.C. 906(a)(2))—

(i) by striking subparagraph (C); and

(ii) by redesignating subparagraph (D) as subparagraph (C); and

(B) in section 9905 (15 U.S.C. 4655)—

(i) by striking subsection (c); and

(ii) by redesignating subsection (d) as subsection (c).

(2) REPORTS RELATING TO FOREIGN ASSISTANCE TO COUNTER RUSSIAN INFLUENCE AND MEDIA ORGANIZATIONS CONTROLLED BY RUSSIA.—The Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44) is amended—

(A) in section 254(e)—

(i) in paragraph (1)—

(I) by striking ''IN GENERAL.—'';

(II) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and moving such paragraphs 2 ems to the left; and

(ii) by striking paragraph (2); and

(B) by striking section 255.

(3) ANNUAL REPORT ON PROMOTING THE RULE OF LAW IN THE RUSSIAN FEDERATION.—Section 202 of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112–208) is amended by striking subsection (a).

(4) ANNUAL REPORT ON ADVANCING FREEDOM AND DEMOCRACY.—Section 2121 of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2007 (title XXI of Public Law 110–53) is amended by striking subsection (c).

(5) ANNUAL REPORTS ON UNITED STATES-VIETNAM HUMAN RIGHTS DIALOGUE MEETINGS.—Section 702 of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2151n note) is repealed.

SEC. 6710. MODIFICATION OF BUILD ACT OF 2018 TO PRIORITIZE PROJECTS THAT ADVANCE NATIONAL SECURITY.

Section 1412 of the Build Act of 2018 (22 U.S.C. 9612) is amended by adding at the end the following subsection:

''(d) PRIORITIZATION OF NATIONAL SECURITY INTERESTS.—The Corporation shall prioritize the provision of support under title II in projects that advance core national security interests of the United States with respect to the People's Republic of China.''.

SEC. 6711. PERMITTING FOR INTERNATIONAL BRIDGES.

The International Bridge Act of 1972 (33 U.S.C. 535 et seq.) is amended by inserting after section 5 the following:

''SEC. 6. PERMITTING FOR INTERNATIONAL BRIDGES.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE APPLICANT.—The term 'eligible applicant' means an entity that has submitted an application for a Presidential permit during the period beginning on December 1, 2020, and ending on December 31, 2024, for any of the following:

''(A) 1 or more international bridges in Webb County, Texas.

''(B) An international bridge in Cameron County, Texas.

''(C) An international bridge in Maverick County, Texas.

''(2) PRESIDENTIAL PERMIT.—

''(A) IN GENERAL.—The term 'Presidential permit' means—

''(i) an approval by the President to construct, maintain, and operate an international bridge under section 4; or

''(ii) an approval by the President to construct, maintain, and operate an international bridge pursuant to a process described in Executive Order 13867 (84 Fed. Reg. 15491; relating to Issuance of Permits With Respect to Facilities and Land Transportation Crossings at the International Boundaries of the United States) (or any successor Executive Order).

''(B) INCLUSION.—The term 'Presidential permit' includes an amendment to an approval described in clause (i) or (ii) of subparagraph (A).

''(3) SECRETARY.—The term 'Secretary' means the Secretary of State.

''(b) APPLICATION.—An eligible applicant for a Presidential permit to construct, maintain, and operate an international bridge shall submit an application for the permit to the Secretary.

''(c) RECOMMENDATION.—

''(1) IN GENERAL.—Not later than 60 days after the date on which the Secretary receives an application under subsection (b), the Secretary shall make a recommendation to the President—

''(A) to grant the Presidential permit; or

''(B) to deny the Presidential permit.

''(2) CONSIDERATION.—The sole basis for a recommendation under paragraph (1) shall be whether the international bridge is in the foreign policy interests of the United States.

''(d) PRESIDENTIAL ACTION.—

''(1) IN GENERAL.—The President shall grant or deny the Presidential permit for an application under subsection (b) by not later than 60 days after the earlier of—

''(A) the date on which the Secretary makes a recommendation under subsection (c)(1); and

''(B) the date on which the Secretary is required to make a recommendation under subsection (c)(1).

''(2) NO ACTION.—

''(A) IN GENERAL.—Subject to subparagraph (B), if the President does not grant or deny the Presidential permit for an application under subsection (b) by the deadline described in paragraph (1), the Presidential permit shall be considered to have been granted as of that deadline.

''(B) REQUIREMENT.—As a condition on a Presidential permit considered to be granted under subparagraph (A), the eligible applicant shall complete all applicable environmental documents required pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.).

''(e) DOCUMENT REQUIREMENTS.—Notwithstanding any other provision of law, the Secretary shall not require an eligible applicant for a Presidential permit—

''(1) to include in the application under subsection (b) environmental documents prepared pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.); or

''(2) to have completed any environmental review under Public Law 91–190 (42 U.S.C. 4321 et seq.) prior to the President granting a Presidential permit under subsection (d).

''(f) RULES OF CONSTRUCTION.—Nothing in this section—

''(1) prohibits the President from granting a Presidential permit conditioned on the eligible applicant completing all environmental documents pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.);

''(2) prohibits the Secretary from requesting a list of all permits and approvals from Federal, State, and local agencies that the eligible applicant believes are required in connection with the international bridge, or a brief description of how those permits and approvals will be acquired; or

''(3) exempts an eligible applicant from the requirement to complete all environmental documents pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.) prior to construction of an international bridge.''.

TITLE LXVIII—AUKUS MATTERS

SEC. 6801. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—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) AUKUS PARTNERSHIP.—

(A) IN GENERAL.—The term ''AUKUS partnership'' means the enhanced trilateral security partnership between Australia, the United Kingdom, and the United States announced in September 2021.

(B) PILLARS.—The AUKUS partnership includes the following two pillars:

(i) Pillar One is focused on developing a pathway for Australia to acquire conventionally armed, nuclear-powered submarines.

(ii) Pillar Two is focused on enhancing trilateral collaboration on advanced defense capabilities, including hypersonic and counter hypersonic capabilities, quantum technologies, undersea technologies, and artificial intelligence.

(3) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means subchapter M of chapter I of title 22, Code of Federal Regulations (or successor regulations).

Subtitle A—Outlining the AUKUS Partnership

SEC. 6811. STATEMENT OF POLICY ON THE AUKUS PARTNERSHIP.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the AUKUS partnership is integral to United States national security, increasing United States and allied capability in the undersea domain of the Indo-Pacific, and developing cutting edge military capabilities;

(2) the transfer of conventionally armed, nuclear-powered submarines to Australia, if implemented appropriately, will position the United States and its allies to maintain peace and security in the Indo-Pacific;

(3) the transfer of conventionally armed, nuclear-powered submarines to Australia will be safely implemented with the highest nonproliferation standards in alignment with—

(A) safeguards established by the International Atomic Energy Agency; and

(B) the Additional Protocol to the Agreement between Australia and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Vienna September 23, 1997;

(4) the United States will enter into a mutual defense agreement with Australia, modeled on the 1958 bilateral mutual defense agreement with the United Kingdom, for the sole purpose of facilitating the transfer of naval nuclear propulsion technology to Australia;

(5) working with the United Kingdom and Australia to develop and provide joint advanced military capabilities to promote security and stability in the Indo-Pacific will have tangible impacts on United States military effectiveness across the world;

(6) in order to better facilitate cooperation under Pillar 2 of the AUKUS partnership, it is imperative that every effort be made to streamline United States export controls consistent with necessary and reciprocal security safeguards on United States technology at least comparable to those of the United States;

(7) the trade authorization mechanism for the AUKUS partnership administered by the Department is a critical first step in reimagining the United States export control system to carry out the AUKUS partnership and expedite technology sharing and defense trade among the United States, Australia, and the United Kingdom; and

(8) the vast majority of United States defense trade with Australia is conducted through the Foreign Military Sales (FMS) process, the preponderance of defense trade with the United Kingdom is conducted through Direct Commercial Sales (DCS), and efforts to streamline United States export controls should focus on both Foreign Military Sales and Direct Commercial Sales.

SEC. 6812. SENIOR ADVISOR FOR THE AUKUS PARTNERSHIP AT THE DEPARTMENT OF STATE.

(a) IN GENERAL.—There shall be a Senior Advisor for the AUKUS partnership at the Department, who—

(1) shall report directly to the Secretary; and

(2) may not hold another position in the Department concurrently while holding the position of Senior Advisor for the AUKUS partnership.

(b) DUTIES.—The Senior Advisor shall—

(1) be responsible for coordinating efforts related to the AUKUS partnership across the Department, including the bureaus engaged in nonproliferation, defense trade, security assistance, and diplomatic relations in the Indo-Pacific;

(2) serve as the lead within the Department for implementation of the AUKUS partnership in interagency processes, consulting with counterparts in the Department of Defense, the Department of Commerce, the Department of Energy, the Office of Naval Reactors, and any other relevant agencies;

(3) lead diplomatic efforts related to the AUKUS partnership with other governments to explain how the partnership will enhance security and stability in the Indo-Pacific; and

(4) consult regularly with the appropriate congressional committees, and keep such committees fully and currently informed, on issues related to the AUKUS partnership, including in relation to the AUKUS Pillar 1 objective of supporting Australia's acquisition of conventionally armed, nuclear-powered submarines and the Pillar 2 objective of jointly developing advanced military capabilities to support security and stability in the Indo-Pacific, as affirmed by the President of the United States, the Prime Minister of the United Kingdom, and the Prime Minister of Australia on April 5, 2022.

(c) PERSONNEL TO SUPPORT THE SENIOR ADVISOR.—The Secretary shall ensure that the Senior Advisor is adequately staffed, including through encouraging details, or assignment of employees of the Department, with expertise related to the implementation of the AUKUS partnership, including staff with expertise in—

(1) nuclear policy, including nonproliferation;

(2) defense trade and security cooperation, including security assistance; and

(3) relations with respect to political-military issues in the Indo-Pacific and Europe.

(d) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and not later than 90 days after a Senior Advisor assumes such position, the Secretary shall notify the appropriate congressional committees of the number of full-time equivalent positions, relevant expertise, and duties of any employees of the Department or detailees supporting the Senior Advisor.

(e) SUNSET.—

(1) IN GENERAL.—The position of the Senior Advisor for the AUKUS partnership shall terminate on the date that is 8 years after the date of the enactment of this Act.

(2) RENEWAL.—The Secretary may renew the position of the Senior Advisor for the AUKUS partnership for 1 additional period of 4 years, following notification to the appropriate congressional committees of the renewal.

Subtitle B—Authorization for AUKUS Submarine Training

SEC. 6823. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY TRAINING.

(a) IN GENERAL.—The President may transfer or export directly to private individuals in Australia defense services that may be transferred to the Government of Australia under the Arms Export Control Act (22 U.S.C. 2751 et seq.) to support the development of the submarine industrial base of Australia necessary for submarine security activities between Australia, the United Kingdom, and the United States, including if such individuals are not officers, employees, or agents of the Government of Australia.

(b) SECURITY CONTROLS.—

(1) IN GENERAL.—Any defense service transferred or exported under subsection (a) shall be subject to appropriate security controls to ensure that any sensitive information conveyed by such transfer or export is protected from disclosure to persons unauthorized by the United States to receive such information.

(2) CERTIFICATION.—Not later than 30 days before the first transfer or export of a defense service under subsection (a), and annually thereafter, the President shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the controls described in paragraph (1) will protect the information described in such paragraph for the defense services so transferred or exported.

(c) APPLICATION OF REQUIREMENTS FOR RETRANSFER AND REEXPORT.—Any person who receives any defense service transferred or exported under subsection (a) may retransfer or reexport such service to other persons only in accordance with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

Subtitle C—Streamlining and Protecting Transfers of United States Military Technology From Compromise

SEC. 6831. PRIORITY FOR AUSTRALIA AND THE UNITED KINGDOM IN FOREIGN MILITARY SALES AND DIRECT COMMERCIAL SALES.

(a) IN GENERAL.—The President shall institute policies and procedures for letters of request from Australia and the United Kingdom to transfer defense articles and services under section 21 of the Arms Export Control Act (22 U.S.C. 2761) related to AUKUS to receive expedited consideration and processing relative to all other letters of request other than from Taiwan and Ukraine.

(b) TECHNOLOGY TRANSFER POLICY FOR AUSTRALIA, CANADA, AND THE UNITED KINGDOM.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, shall create an anticipatory release policy for the transfer of technologies described in paragraph (2) to Australia, the United Kingdom, and Canada through Foreign Military Sales and Direct Commercial Sales that are not covered by an exemption under the International Traffic in Arms Regulations.

(2) CAPABILITIES DESCRIBED.—The capabilities described in this paragraph are—

(A) Pillar One-related technologies associated with submarine and associated combat systems; and

(B) Pillar Two-related technologies, including hypersonic missiles, cyber capabilities, artificial intelligence, quantum technologies, undersea capabilities, and other advanced technologies.

(3) EXPEDITED DECISION-MAKING.—Review of a transfer under the policy established under paragraph (1) shall be subject to an expedited decision-making process.

(c) INTERAGENCY POLICY AND GUIDANCE.—The Secretary and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to requests for Foreign Military Sales and Direct Commercial Sales, including by incorporating the anticipatory release provisions of this section.

SEC. 6832. IDENTIFICATION AND PRE-CLEARANCE OF PLATFORMS, TECHNOLOGIES, AND EQUIPMENT FOR SALE TO AUSTRALIA AND THE UNITED KINGDOM THROUGH FOREIGN MILITARY SALES AND DIRECT COMMERCIAL SALES.

Not later than 90 days after the date of the enactment of this Act, and on a biennial basis thereafter for 8 years, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes a list of advanced military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Australia, the United Kingdom and Canada through the Foreign Military Sales and Direct Commercial Sales programs without regard to whether a letter of request or license to purchase such platforms, technologies, or equipment has been received from any of such country. Each list may include items that are not related to the AUKUS partnership but may not include items that are not covered by an exemption under the International Traffic in Arms Regulations except unmanned aerial or hypersonic systems.

SEC. 6833. EXPORT CONTROL EXEMPTIONS AND STANDARDS.

(a) IN GENERAL.—Section 38 of the Arms Export Control Act of 1976 (22 U.S.C. 2778) is amended by adding at the end the following new subsection:

''(l) AUKUS DEFENSE TRADE COOPERATION.—

''(1) EXEMPTION FROM LICENSING AND APPROVAL REQUIREMENTS.—Subject to paragraph (2) and notwithstanding any other provision of this section, the Secretary of State may exempt from the licensing or other approval requirements of this section exports and transfers (including reexports, retransfers, temporary imports, and brokering activities) of defense articles and defense services between or among the United States, the United Kingdom, and Australia that—

''(A) are not excluded by those countries;

''(B) are not referred to in subsection(j)(1)(C)(ii); and

''(C) involve only persons or entities that are approved by—

''(i) the Secretary of State; and

''(ii) the Ministry of Defense, the Ministry of Foreign Affairs, or other similar authority within those countries.

''(2) LIMITATION.—The authority provided in subparagraph (1) shall not apply to any activity, including exports, transfers, reexports, retransfers, temporary imports, or brokering, of United States defense articles and defense services involving any country or a person or entity of any country other than the United States, the United Kingdom, and Australia.''.

(b) REQUIRED STANDARDS OF EXPORT CONTROLS.—The Secretary may only exercise the authority under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, with respect to the United Kingdom or Australia 30 days after the Secretary submits to the appropriate congressional committees an unclassified certification and detailed unclassified assessment (which may include a classified annex) that the country concerned has implemented standards for a system of export controls that satisfies the elements of section 38(j)(2) of the Arms Export Control Act (22 U.S.C. 2778(j)(2)) for United States-origin defense articles and defense services, and for controlling the provision of military training, that are comparable to those standards administered by the United States in effect on the date of the enactment of this Act.

(c) CERTAIN REQUIREMENTS NOT APPLICABLE.—

(1) IN GENERAL.—Paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) shall not apply to any export or transfer that is the subject of an exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section.

(2) QUARTERLY REPORTS.—The Secretary shall—

(A) require all exports and transfers that would be subject to the requirements of paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) but for the application of subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, to be reported to the Secretary; and

(B) submit such reports to the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives on a quarterly basis.

(d) SUNSET.—Any exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, shall terminate on the date that is 15 years after the date of the enactment of this Act. The Secretary of State may renew such exemption for 5 years upon a certification to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that such exemption is in the vital national interest of the United States with a detailed justification for such certification.

(e) REPORTS.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until no exemptions under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, remain in effect, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the operation of exemptions issued under such subsection (l)(1), including whether any changes to such exemptions are likely to be made in the coming year.

(B) INITIAL REPORT.—The first report submitted under subparagraph (A) shall also include an assessment of key recommendations the United States Government has provided to the Governments of Australia and the United Kingdom to revise laws, regulations, and policies of such countries that are required to implement the AUKUS partnership.

(2) REPORT ON EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall report on the practical application of a possible ''fast track'' decision-making process for applications, classified or unclassified, to export defense articles and defense services to Australia, the United Kingdom, and Canada.

SEC. 6834. EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES TO AUSTRALIA, THE UNITED KINGDOM, AND CANADA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall initiate a rulemaking to establish an expedited decision-making process, classified or unclassified, for applications to export to Australia, the United Kingdom, and Canada commercial, advanced-technology defense articles and defense services that are not covered by an exemption under the International Traffic in Arms Regulations.

(b) ELIGIBILITY.—To qualify for the expedited decision-making process described in subsection (a), an application shall be for an export of defense articles or defense services that will take place wholly within or between the physical territory of Australia, Canada, or the United Kingdom and the United States and with governments or corporate entities from such countries.

(c) AVAILABILITY OF EXPEDITED PROCESS.—The expedited decision-making process described in subsection (a) shall be available for both classified and unclassified items, and the process must satisfy the following criteria to the extent practicable:

(1) Any licensing application to export defense articles and services that is related to a government to government agreement must be approved, returned, or denied within 30 days of submission.

(2) For all other licensing requests, any review shall be completed not later than 45 calendar days after the date of application.

SEC. 6835. UNITED STATES MUNITIONS LIST.

(a) EXEMPTION FOR THE GOVERNMENTS OF THE UNITED KINGDOM AND AUSTRALIA FROM CERTIFICATION AND CONGRESSIONAL NOTIFICATION REQUIREMENTS APPLICABLE TO CERTAIN TRANSFERS.—Section 38(f)(3) of the Arms Export Control Act (22 U.S.C. 2778(f)(3)) is amended by inserting '', the United Kingdom, or Australia'' after ''Canada''.

(b) UNITED STATES MUNITIONS LIST PERIODIC REVIEWS.—

(1) IN GENERAL.—The Secretary, acting through authority delegated by the President to carry out periodic reviews of items on the United States Munitions List under section 38(f) of the Arms Export Control Act

(22 U.S.C. 2778(f)) and in coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the Director of the Office of Management and Budget, shall carry out such reviews not less frequently than every 3 years.

(2) SCOPE.—The periodic reviews described in paragraph (1) shall focus on matters including—

(A) interagency resources to address current threats faced by the United States;

(B) the evolving technological and economic landscape;

(C) the widespread availability of certain technologies and items on the United States Munitions List; and

(D) risks of misuse of United States-origin defense articles.

(3) CONSULTATION.—The Department of State may consult with the Defense Trade Advisory Group (DTAG) and other interested parties in conducting the periodic review described in paragraph (1).

Subtitle D—Other AUKUS Matters

SEC. 6841. REPORTING RELATED TO THE AUKUS PARTNERSHIP.

(a) REPORT ON INSTRUMENTS.—

(1) IN GENERAL.—Not later than 30 days after the signature, conclusion, or other finalization of any non-binding instrument related to the AUKUS partnership, the President shall submit to the appropriate congressional committees the text of such instrument.

(2) NON-DUPLICATION OF EFFORTS; RULE OF CONSTRUCTION.—To the extent the text of a non-binding instrument is submitted to the appropriate congressional committees pursuant to subsection (a), such text does not need to be submitted to Congress pursuant to section 112b(a)(1)(A)(ii) of title 1, United States Code, as amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476). Paragraph (1) shall not be construed to relieve the executive branch of any other requirement of section 112b of title 1, United States Code, as amended so amended, or any other provision of law.

(3) DEFINITIONS.—In this section:

(A) IN GENERAL.—The term ''text'', with respect to a 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 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 non-binding instrument.

(B) CONTEMPORANEOUSLY AND IN CONJUNCTION WITH.—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.

(b) REPORT ON AUKUS PARTNERSHIP.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and biennially thereafter, the Secretary, in coordination with the Secretary of Defense and other appropriate heads of agencies, shall submit to the appropriate congressional committees a report on the AUKUS partnership.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following elements:

(A) STRATEGY.—

(i) An identification of the defensive military capability gaps and capacity shortfalls that the AUKUS partnership seeks to offset.

(ii) An explanation of the total cost to the United States associated with Pillar One of the AUKUS partnership.

(iii) A detailed explanation of how enhanced access to the industrial base of Australia is contributing to strengthening the United States strategic position in Asia.

(iv) A detailed explanation of the military and strategic benefit provided by the improved access provided by naval bases of Australia.

(v) A detailed assessment of how Australia's sovereign conventionally armed nuclear attack submarines contribute to United States defense and deterrence objectives in the Indo-Pacific region.

(B) IMPLEMENT THE AUKUS PARTNERSHIP.—

(i) Progress made on achieving the Optimal Pathway established for Australia's development of conventionally armed, nuclear-powered submarines, including the following elements:

(I) A description of progress made by Australia, the United Kingdom, and the United States to conclude an Article 14 arrangement with the International Atomic Energy Agency.

(II) A description of the status of efforts of Australia, the United Kingdom, and the United States to build the supporting infrastructure to base conventionally armed, nuclear-powered attack submarines.

(III) Updates on the efforts by Australia, the United Kingdom, and the United States to train a workforce that can build, sustain, and operate conventionally armed, nuclear-powered attack submarines.

(IV) A description of progress in establishing submarine support facilities capable of hosting rotational forces in western Australia by 2027.

(V) A description of progress made in improving United States submarine production capabilities that will enable the United States to meet—

(aa) its objectives of providing up to five Virginia Class submarines to Australia by the early to mid-2030's; and

(bb) United States submarine production requirements.

(ii) Progress made on Pillar Two of the AUKUS partnership, including the following elements:

(I) An assessment of the efforts of Australia, the United Kingdom, and the United States to enhance collaboration across the following eight trilateral lines of effort:

(aa) Underseas capabilities.

(bb) Quantum technologies.

(cc) Artificial intelligence and autonomy.

(dd) Advanced cyber capabilities.

(ee) Hypersonic and counter-hypersonic capabilities.

(ff) Electronic warfare.

(gg) Innovation.

(hh) Information sharing.

(II) An assessment of any new lines of effort established.

DIVISION G—UNIDENTIFIED ANOMALOUS PHENOMENA DISCLOSURE

SEC. 9001. SHORT TITLE.

This division may be cited as the ''Unidentified Anomalous Phenomena Disclosure Act of 2023'' or the ''UAP Disclosure Act of 2023''.

SEC. 9002. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) All Federal Government records related to unidentified anomalous phenomena should be preserved and centralized for historical and Federal Government purposes.

(2) All Federal Government records concerning unidentified anomalous phenomena should carry a presumption of immediate disclosure and all records should be eventually disclosed to enable the public to become fully informed about the history of the Federal Government's knowledge and involvement surrounding unidentified anomalous phenomena.

(3) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of such records.

(4) Legislation is necessary because credible evidence and testimony indicates that Federal Government unidentified anomalous phenomena records exist that have not been declassified or subject to mandatory declassification review as set forth in Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) due in part to exemptions under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), as well as an over-broad interpretation of ''transclassified foreign nuclear information'', which is also exempt from mandatory declassification, thereby preventing public disclosure under existing provisions of law.

(5) Legislation is necessary because section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), as implemented by the Executive branch of the Federal Government, has proven inadequate in achieving the timely public disclosure of Government unidentified anomalous phenomena records that are subject to mandatory declassification review.

(6) Legislation is necessary to restore proper oversight over unidentified anomalous phenomena records by elected officials in both the executive and legislative branches of the Federal Government that has otherwise been lacking as of the enactment of this Act.

(7) Legislation is necessary to afford complete and timely access to all knowledge gained by the Federal Government concerning unidentified anomalous phenomena in furtherance of comprehensive open scientific and technological research and development essential to avoiding or mitigating potential technological surprise in furtherance of urgent national security concerns and the public interest.

(b) PURPOSES.—The purposes of this division are—

(1) to provide for the creation of the unidentified anomalous phenomena Records Collection at the National Archives and Records Administration; and

(2) to require the expeditious public transmission to the Archivist and public disclosure of such records.

SEC. 9003. DEFINITIONS.

In this division:

(1) ARCHIVIST.—The term ''Archivist'' means the Archivist of the United States.

(2) CLOSE OBSERVER.—The term ''close observer'' means anyone who has come into close proximity to unidentified anomalous phenomena or non-human intelligence.

(3) COLLECTION.—The term ''Collection'' means the Unidentified Anomalous Phenomena Records Collection established under section 9004.

(4) CONTROLLED DISCLOSURE CAMPAIGN PLAN.—The term ''Controlled Disclosure Campaign Plan'' means the Controlled Disclosure Campaign Plan required by section 9009(c)(3).

(5) CONTROLLING AUTHORITY.—The term ''controlling authority'' means any Federal, State, or local government department, office, agency, committee, commission, commercial company, academic institution, or private sector entity in physical possession of technologies of unknown origin or biological evidence of non-human intelligence.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Government Ethics.

(7) EXECUTIVE AGENCY.—The term ''Executive agency'' means an Executive agency, as defined in subsection 552(f) of title 5, United States Code.

(8) GOVERNMENT OFFICE.—The term ''Government office'' means any department, office, agency, committee, or commission of the Federal Government and any independent office or agency without exception that has possession or control, including via contract or other agreement, of unidentified anomalous phenomena records.

(9) IDENTIFICATION AID.—The term ''identification aid'' means the written description prepared for each record, as required in section 9004.

(10) LEADERSHIP OF CONGRESS.—The term ''leadership of Congress'' 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.

(11) LEGACY PROGRAM.—The term ''legacy program'' means all Federal, State, and local government, commercial industry, academic, and private sector endeavors to collect, exploit, or reverse engineer technologies of unknown origin or examine biological evidence of living or deceased non-human intelligence that pre-dates the date of the enactment of this Act.

(12) NATIONAL ARCHIVES.—The term ''National Archives'' means the National Archives and Records Administration and all components thereof, including presidential archival depositories established under section 2112 of title 44, United States Code.

(13) NON-HUMAN INTELLIGENCE.—The term ''non-human intelligence'' means any sentient intelligent non-human lifeform regardless of nature or ultimate origin that may be presumed responsible for unidentified anomalous phenomena or of which the Federal Government has become aware.

(14) ORIGINATING BODY.—The term ''originating body'' means the Executive agency, Federal Government commission, committee of Congress, or other Governmental entity that created a record or particular information within a record.

(15) PROSAIC ATTRIBUTION.—The term ''prosaic attribution'' means having a human (either foreign or domestic) origin and operating according to current, proven, and generally understood scientific and engineering principles and established laws-of-nature and not attributable to non-human intelligence.

(16) PUBLIC INTEREST.—The term ''public interest'' means the compelling interest in the prompt public disclosure of unidentified anomalous phenomena records for historical and Governmental purposes and for the purpose of fully informing the people of the United States about the history of the Federal Government's knowledge and involvement surrounding unidentified anomalous phenomena.

(17) RECORD.—The term ''record'' includes a book, paper, report, memorandum, directive, email, text, or other form of communication, or map, photograph, sound or video recording, machine-readable material, computerized, digitized, or electronic information, including intelligence, surveillance, reconnaissance, and target acquisition sensor data, regardless of the medium on which it is stored, or other documentary material, regardless of its physical form or characteristics.

(18) REVIEW BOARD.—The term ''Review Board'' means the Unidentified Anomalous Phenomena Records Review Board established by section 9007.

(19) TECHNOLOGIES OF UNKNOWN ORIGIN.—The term ''technologies of unknown origin'' means any materials or meta-materials, ejecta, crash debris, mechanisms, machinery, equipment, assemblies or sub-assemblies, engineering models or processes, damaged or intact aerospace vehicles, and damaged or intact ocean-surface and undersea craft associated with unidentified anomalous phenomena or incorporating science and technology that lacks prosaic attribution or known means of human manufacture.

(20) TEMPORARILY NON-ATTRIBUTED OBJECTS.—

(A) IN GENERAL.—The term ''temporarily non-attributed objects'' means the class of objects that temporarily resist prosaic attribution by the initial observer as a result of environmental or system limitations associated with the observation process that nevertheless ultimately have an accepted human origin or known physical cause. Although some unidentified anomalous phenomena may at first be interpreted as temporarily non-attributed objects, they are not temporarily non-attributed objects, and the two categories are mutually exclusive.

(B) INCLUSION.—The term ''temporarily non-attributed objects'' includes—

(i) natural celestial, meteorological, and undersea weather phenomena;

(ii) mundane human-made airborne objects, clutter, and marine debris;

(iii) Federal, State, and local government, commercial industry, academic, and private sector aerospace platforms;

(iv) Federal, State, and local government, commercial industry, academic, and private sector ocean-surface and undersea vehicles; and

(v) known foreign systems.

(21) THIRD AGENCY.—The term ''third agency'' means a Government agency that originated a unidentified anomalous phenomena record that is in the possession of another Government agency.

(22) UNIDENTIFIED ANOMALOUS PHENOMENA.—

(A) IN GENERAL.—The term ''unidentified anomalous phenomena'' means any object operating or judged capable of operating in outer-space, the atmosphere, ocean surfaces, or undersea lacking prosaic attribution due to performance characteristics and properties not previously known to be achievable based upon commonly accepted physical principles. Unidentified anomalous phenomena are differentiated from both attributed and temporarily non-attributed objects by one or more of the following observables:

(i) Instantaneous acceleration absent apparent inertia.

(ii) Hypersonic velocity absent a thermal signature and sonic shockwave.

(iii) Transmedium (such as space-to-ground and air-to-undersea) travel.

(iv) Positive lift contrary to known aerodynamic principles.

(v) Multispectral signature control.

(vi) Physical or invasive biological effects to close observers and the environment.

(B) INCLUSIONS.—The term ''unidentified anomalous phenomena'' includes what were previously described as—

(i) flying discs;

(ii) flying saucers;

(iii) unidentified aerial phenomena;

(iv) unidentified flying objects (UFOs); and

(v) unidentified submerged objects (USOs).

(23) UNIDENTIFIED ANOMALOUS PHENOMENA RECORD.—The term ''unidentified anomalous phenomena record'' means a record that is related to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence (and all equivalent subjects by any other name with the specific and sole exclusion of temporarily non-attributed objects) that was created or made available for use by, obtained by, or otherwise came into the possession of—

(A) the Executive Office of the President;

(B) the Department of Defense and its progenitors, the Department of War and the Department of the Navy;

(C) the Department of the Army;

(D) the Department of the Navy;

(E) the Department of the Air Force, specifically the Air Force Office of Special Investigations;

(F) the Department of Energy and its progenitors, the Manhattan Project, the Atomic Energy Commission, and the Energy Research and Development Administration;

(G) the Office of the Director of National Intelligence;

(H) the Central Intelligence Agency and its progenitor, the Office of Strategic Services;

(I) the National Reconnaissance Office;

(J) the Defense Intelligence Agency;

(K) the National Security Agency;

(L) the National Geospatial-Intelligence Agency;

(M) the National Aeronautics and Space Administration:

(N) the Federal Bureau of Investigation;

(O) the Federal Aviation Administration;

(P) the National Oceanic and Atmospheric Administration;

(Q) the Library of Congress;

(R) the National Archives and Records Administration;

(S) any Presidential library;

(T) any Executive agency;

(U) any independent office or agency;

(V) any other department, office, agency, committee, or commission of the Federal Government;

(W) any State or local government department, office, agency, committee, or commission that provided support or assistance or performed work, in connection with a Federal inquiry into unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence; and

(X) any private sector person or entity formerly or currently under contract or some other agreement with the Federal Government.

SEC. 9004. UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS COLLECTION AT THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—(A) Not later than 60 days after the date of the enactment of this Act, the Archivist shall commence establishment of a collection of records in the National Archives to be known as the ''Unidentified Anomalous Phenomena Records Collection''.

(B) In carrying out subparagraph (A), the Archivist shall ensure the physical integrity and original provenance (or if indeterminate, the earliest historical owner) of all records in the Collection.

(C) The Collection shall consist of record copies of all Government, Government-provided, or Government-funded records relating to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence (or equivalent subjects by any other name with the specific and sole exclusion of temporarily non-attributed objects), which shall be transmitted to the National Archives in accordance with section 2107 of title 44, United States Code.

(D) The Archivist shall prepare and publish a subject guidebook and index to the Collection.

(2) CONTENTS.—The Collection shall include the following:

(A) All unidentified anomalous phenomena records, regardless of age or date of creation—

(i) that have been transmitted to the National Archives or disclosed to the public in

an unredacted form prior to the date of the enactment of this Act;

(ii) that are required to be transmitted to the National Archives; and

(iii) that the disclosure of which is postponed under this Act.

(B) A central directory comprised of identification aids created for each record transmitted to the Archivist under section 9005.

(C) All Review Board records as required by this Act.

(b) DISCLOSURE OF RECORDS.—All unidentified anomalous phenomena records transmitted to the National Archives for disclosure to the public shall—

(1) be included in the Collection; and

(2) be available to the public—

(A) for inspection and copying at the National Archives within 30 days after their transmission to the National Archives; and

(B) digitally via the National Archives online database within a reasonable amount of time not to exceed 180 days thereafter.

(c) FEES FOR COPYING.—

(1) IN GENERAL.—The Archivist shall—

(A) charge fees for copying unidentified anomalous phenomena records; and

(B) grant waivers of such fees pursuant to the standards established by section 552(a)(4) of title 5, United States Code.

(2) AMOUNT OF FEES.—The amount of a fee charged by the Archivist pursuant to paragraph (1)(A) for the copying of an unidentified anomalous phenomena record shall be such amount as the Archivist determines appropriate to cover the costs incurred by the National Archives in making and providing such copy, except that in no case may the amount of the fee charged exceed the actual expenses incurred by the National Archives in making and providing such copy.

(d) ADDITIONAL REQUIREMENTS.—

(1) USE OF FUNDS.—The Collection shall be preserved, protected, archived, digitized, and made available to the public at the National Archives and via the official National Archives online database using appropriations authorized, specified, and restricted for use under the terms of this Act.

(2) SECURITY OF RECORDS.—The National Security Program Office at the National Archives, in consultation with the National Archives Information Security Oversight Office, shall establish a program to ensure the security of the postponed unidentified anomalous phenomena records in the protected, and yet-to-be disclosed or classified portion of the Collection.

(e) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing legislative oversight jurisdiction in the Senate with respect to the Collection.

(2) HOUSE OF REPRESENTATIVES.—The Committee on Oversight and Accountability of the House of Representatives shall have continuing legislative oversight jurisdiction in the House of Representatives with respect to the Collection.

SEC. 9005. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES, AND PUBLIC DISCLOSURE OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS BY GOVERNMENT OFFICES.

(a) IDENTIFICATION, ORGANIZATION, AND PREPARATION FOR TRANSMISSION.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, each head of a Government office shall—

(A) identify and organize records in the possession of the Government office or under the control of the Government office relating to unidentified anomalous phenomena; and

(B) prepare such records for transmission to the Archivist for inclusion in the Collection.

(2) PROHIBITIONS.—(A) No unidentified anomalous phenomena record shall be destroyed, altered, or mutilated in any way.

(B) No unidentified anomalous phenomena record made available or disclosed to the public prior to the date of the enactment of this Act may be withheld, redacted, postponed for public disclosure, or reclassified.

(C) No unidentified anomalous phenomena record created by a person or entity outside the Federal Government (excluding names or identities consistent with the requirements of section 9006) shall be withheld, redacted, postponed for public disclosure, or reclassified.

(b) CUSTODY OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS PENDING REVIEW.—During the review by the heads of Government offices under subsection (c) and pending review activity by the Review Board, each head of a Government office shall retain custody of the unidentified anomalous phenomena records of the office for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of the records for purposes of conducting an independent and impartial review;

(2) transfer is necessary for an administrative hearing or other Review Board function; or

(3) it is a third agency record described in subsection (c)(2)(C).

(c) REVIEW BY HEADS OF GOVERNMENT OFFICES.—

(1) IN GENERAL.—Not later than 300 days after the date of the enactment of this Act, each head of a Government office shall review, identify, and organize each unidentified anomalous phenomena record in the custody or possession of the office for—

(A) disclosure to the public;

(B) review by the Review Board; and

(C) transmission to the Archivist.

(2) REQUIREMENTS.—In carrying out paragraph (1), the head of a Government office shall—

(A) determine which of the records of the office are unidentified anomalous phenomena records;

(B) determine which of the unidentified anomalous phenomena records of the office have been officially disclosed or made publicly available in a complete and unredacted form;

(C)(i) determine which of the unidentified anomalous phenomena records of the office, or particular information contained in such a record, was created by a third agency or by another Government office; and

(ii) transmit to a third agency or other Government office those records, or particular information contained in those records, or complete and accurate copies thereof;

(D)(i) determine whether the unidentified anomalous phenomena records of the office or particular information in unidentified anomalous phenomena records of the office are covered by the standards for postponement of public disclosure under this division; and

(ii) specify on the identification aid required by subsection (d) the applicable postponement provision contained in section 9006;

(E) organize and make available to the Review Board all unidentified anomalous phenomena records identified under subparagraph (D) the public disclosure of, which in-whole or in-part, may be postponed under this division;

(F) organize and make available to the Review Board any record concerning which the office has any uncertainty as to whether the record is an unidentified anomalous phenomena record governed by this division;

(G) give precedence of work to—

(i) the identification, review, and transmission of unidentified anomalous phenomena records not already publicly available or disclosed as of the date of the enactment of this Act;

(ii) the identification, review, and transmission of all records that most unambiguously and definitively pertain to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence;

(iii) the identification, review, and transmission of unidentified anomalous phenomena records that on the date of the enactment of this Act are the subject of litigation under section 552 of title 5, United States Code; and

(iv) the identification, review, and transmission of unidentified anomalous phenomena records with earliest provenance when not inconsistent with clauses (i) through (iii) and otherwise feasible; and

(H) make available to the Review Board any additional information and records that the Review Board has reason to believe the Review Board requires for conducting a review under this division.

(3) PRIORITY OF EXPEDITED REVIEW FOR DIRECTORS OF CERTAIN ARCHIVAL DEPOSITORIES.—The Director of each archival depository established under section 2112 of title 44, United States Code, shall have as a priority the expedited review for public disclosure of unidentified anomalous phenomena records in the possession and custody of the depository, and shall make such records available to the Review Board as required by this division.

(d) IDENTIFICATION AIDS.—

(1) IN GENERAL.—(A) Not later than 45 days after the date of the enactment of this Act, the Archivist, in consultation with the heads of such Government offices as the Archivist considers appropriate, shall prepare and make available to all Government offices a standard form of identification, or finding aid, for use with each unidentified anomalous phenomena record subject to review under this division whether in hardcopy (physical), softcopy (electronic), or digitized data format as may be appropriate.

(B) The Archivist shall ensure that the identification aid program is established in such a manner as to result in the creation of a uniform system for cataloging and finding every unidentified anomalous phenomena record subject to review under this division where ever and how ever stored in hardcopy (physical), softcopy (electronic), or digitized data format.

(2) REQUIREMENTS FOR GOVERNMENT OFFICES.—Upon completion of an identification aid using the standard form of identification prepared and made available under subparagraph (A) of paragraph (1) for the program established pursuant to subparagraph (B) of such paragraph, the head of a Government office shall—

(A) attach a printed copy to each physical unidentified anomalous phenomena record, and an electronic copy to each softcopy or digitized data unidentified anomalous phenomena record, the identification aid describes;

(B) transmit to the Review Board a printed copy for each physical unidentified anomalous phenomena record and an electronic copy for each softcopy or digitized data unidentified anomalous phenomena record the identification aid describes; and

(C) attach a printed copy to each physical unidentified anomalous phenomena record, and an electronic copy to each softcopy or digitized data unidentified anomalous phenomena record the identification aid describes, when transmitted to the Archivist.

(3) RECORDS OF THE NATIONAL ARCHIVES THAT ARE PUBLICLY AVAILABLE.—Unidentified anomalous phenomena records which are in the possession of the National Archives on the date of the enactment of this Act, and which have been publicly available in their entirety without redaction, shall be made available in the Collection without any additional review by the Review Board or another authorized office under this division, and shall not be required to have such an identification aid unless required by the Archivist.

(e) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each head of a Government office shall—

(1) transmit to the Archivist, and make immediately available to the public, all unidentified anomalous phenomena records of the Government office that can be publicly disclosed, including those that are publicly available on the date of the enactment of this Act, without any redaction, adjustment, or withholding under the standards of this division; and

(2) transmit to the Archivist upon approval for postponement by the Review Board or upon completion of other action authorized by this division, all unidentified anomalous phenomena records of the Government office the public disclosure of which has been postponed, in whole or in part, under the standards of this division, to become part of the protected, yet-to-be disclosed, or classified portion of the Collection.

(f) CUSTODY OF POSTPONED UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.—An unidentified anomalous phenomena record the public disclosure of which has been postponed shall, pending transmission to the Archivist, be held for reasons of security and preservation by the originating body until such time as the information security program has been established at the National Archives as required in section 9004(d)(2).

(g) PERIODIC REVIEW OF POSTPONED UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.—

(1) IN GENERAL.—All postponed or redacted records shall be reviewed periodically by the originating agency and the Archivist consistent with the recommendations of the Review Board in the Controlled Disclosure Campaign Plan under section 9009(c)(3)(B).

(2) REQUIREMENTS.—(A) A periodic review under paragraph (1) shall address the public disclosure of additional unidentified anomalous phenomena records in the Collection under the standards of this division.

(B) All postponed unidentified anomalous phenomena records determined to require continued postponement shall require an unclassified written description of the reason for such continued postponement relevant to these specific records. Such description shall be provided to the Archivist and published in the Federal Register upon determination.

(C) The time and release requirements specified in the Controlled Disclosure Campaign Plan shall be revised or amended only if the Review Board is still in session and concurs with the rationale for postponement, subject to the limitations in section 9009(d)(1).

(D) The periodic review of postponed unidentified anomalous phenomena records shall serve to downgrade and declassify security classified information.

(E) Each unidentified anomalous phenomena record shall be publicly disclosed in full, and available in the Collection, not later than the date that is 25 years after the date of the first creation of the record by the originating body, unless the President certifies, as required by this division, that—

(i) continued postponement is made necessary by an identifiable harm to the military defense, intelligence operations, law enforcement, or conduct of foreign relations; and

(ii) the identifiable harm is of such gravity that it outweighs the public interest in disclosure.

(h) REQUIREMENTS FOR EXECUTIVE AGENCIES.—

(1) IN GENERAL.—Executive agencies shall—

(A) transmit digital records electronically in accordance with section 2107 of title 44, United States Code;

(B) charge fees for copying unidentified anomalous phenomena records; and

(C) grant waivers of such fees pursuant to the standards established by section 552(a)(4) of title 5, United States Code.

(2) AMOUNT OF FEES.—The amount of a fee charged by the head of an Executive agency pursuant to paragraph (1)(B) for the copying of an unidentified anomalous phenomena record shall be such amount as the head determines appropriate to cover the costs incurred by the Executive agency in making and providing such copy, except that in no case may the amount of the fee charged exceed the actual expenses incurred by the Executive agency in making and providing such copy.

SEC. 9006. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.

Disclosure of unidentified anomalous phenomena records or particular information in unidentified anomalous phenomena records to the public may be postponed subject to the limitations of this division if there is clear and convincing evidence that—

(1) the threat to the military defense, intelligence operations, or conduct of foreign relations of the United States posed by the public disclosure of the unidentified anomalous phenomena record is of such gravity that it outweighs the public interest in disclosure, and such public disclosure would reveal—

(A) an intelligence agent whose identity currently requires protection;

(B) an intelligence source or method which is currently utilized, or reasonably expected to be utilized, by the Federal Government and which has not been officially disclosed, the disclosure of which would interfere with the conduct of intelligence activities; or

(C) any other matter currently relating to the military defense, intelligence operations, or conduct of foreign relations of the United States, the disclosure of which would demonstrably and substantially impair the national security of the United States;

(2) the public disclosure of the unidentified anomalous phenomena record would reveal the name or identity of a living person who provided confidential information to the Federal Government and would pose a substantial risk of harm to that person;

(3) the public disclosure of the unidentified anomalous phenomena record could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(4) the public disclosure of the unidentified anomalous phenomena record would compromise the existence of an understanding of confidentiality currently requiring protection between a Federal Government agent and a cooperating individual or a foreign government, and public disclosure would be so harmful that it outweighs the public interest.

SEC. 9007. ESTABLISHMENT AND POWERS OF THE UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established as an independent agency a board to be known as the ''Unidentified Anomalous Phenomena Records Review Board''.

(b) APPOINTMENT.—

(1) IN GENERAL.—The President, by and with the advice and consent of the Senate, shall appoint, without regard to political affiliation, 9 citizens of the United States to serve as members of the Review Board to ensure and facilitate the review, transmission to the Archivist, and public disclosure of government records relating to unidentified anomalous phenomena.

(2) PERIOD FOR NOMINATIONS.—(A) The President shall make nominations to the Review Board not later than 90 calendar days after the date of the enactment of this Act.

(B) If the Senate votes not to confirm a nomination to the Review Board, the President shall make an additional nomination not later than 30 days thereafter.

(3) CONSIDERATION OF RECOMMENDATIONS.—(A) The President shall make nominations to the Review Board after considering persons recommended by the following:

(i) The majority leader of the Senate.

(ii) The minority leader of the Senate.

(iii) The Speaker of the House of Representatives.

(iv) The minority leader of the House of Representatives.

(v) The Secretary of Defense.

(vi) The National Academy of Sciences.

(vii) Established nonprofit research organizations relating to unidentified anomalous phenomena.

(viii) The American Historical Association.

(ix) Such other persons and organizations as the President considers appropriate.

(B) If an individual or organization described in subparagraph (A) does not recommend at least 2 nominees meeting the qualifications stated in paragraph (5) by the date that is 45 days after the date of the enactment of this Act, the President shall consider for nomination the persons recommended by the other individuals and organizations described in such subparagraph.

(C) The President may request an individual or organization described in subparagraph (A) to submit additional nominations.

(4) QUALIFICATIONS.—Persons nominated to the Review Board—

(A) shall be impartial citizens, none of whom shall have had any previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence;

(B) shall be distinguished persons of high national professional reputation in their respective fields who are capable of exercising the independent and objective judgment necessary to the fulfillment of their role in ensuring and facilitating the review, transmission to the public, and public disclosure of records related to the government's understanding of, and activities associated with unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence and who possess an appreciation of the value of such material to the public, scholars, and government; and

(C) shall include at least—

(i) 1 current or former national security official;

(ii) 1 current or former foreign service official;

(iii) 1 scientist or engineer;

(iv) 1 economist;

(v) 1 professional historian; and

(vi) 1 sociologist.

(5) MANDATORY CONFLICTS OF INTEREST REVIEW.—

(A) IN GENERAL.—The Director shall conduct a review of each individual nominated and appointed to the position of member of the Review Board to ensure the member does

not have any conflict of interest during the term of the service of the member.

(B) REPORTS.—During the course of the review under subparagraph (A), if the Director becomes aware that the member being reviewed possesses a conflict of interest to the mission of the Review Board, the Director shall, not later than 30 days after the date on which the Director became aware of the conflict of interest, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the conflict of interest.

(c) SECURITY CLEARANCES.—

(1) IN GENERAL.—All Review Board nominees shall be granted the necessary security clearances and accesses, including any and all relevant Presidential, departmental, and agency special access programs, in an accelerated manner subject to the standard procedures for granting such clearances.

(2) QUALIFICATION FOR NOMINEES.—All nominees for appointment to the Review Board under subsection (b) shall qualify for the necessary security clearances and accesses prior to being considered for confirmation by the Committee on Homeland Security and Governmental Affairs of the Senate.

(d) CONSIDERATION BY THE SENATE.—Nominations for appointment under subsection (b) shall be referred to the Committee on Homeland Security and Governmental Affairs of the Senate for consideration.

(e) VACANCY.—A vacancy on the Review Board shall be filled in the same manner as specified for original appointment within 30 days of the occurrence of the vacancy.

(f) REMOVAL OF REVIEW BOARD MEMBER.—

(1) IN GENERAL.—No member of the Review Board shall be removed from office, other than—

(A) by impeachment and conviction; or

(B) by the action of the President for inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the member's duties.

(2) NOTICE OF REMOVAL.—(A) If a member of the Review Board is removed from office, and that removal is by the President, not later than 10 days after the removal, the President shall submit to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report specifying the facts found and the grounds for the removal.

(B) The President shall publish in the Federal Register a report submitted under subparagraph (A), except that the President may, if necessary to protect the rights of a person named in the report or to prevent undue interference with any pending prosecution, postpone or refrain from publishing any or all of the report until the completion of such pending cases or pursuant to privacy protection requirements in law.

(3) JUDICIAL REVIEW.—(A) A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) The member may be reinstated or granted other appropriate relief by order of the court.

(g) COMPENSATION OF MEMBERS.—

(1) IN GENERAL.—A member of the Review Board, other than the Executive Director under section 9008(c)(1), shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Review Board.

(h) DUTIES OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall consider and render decisions on a determination by a Government office to seek to postpone the disclosure of unidentified anomalous phenomena records.

(2) CONSIDERATIONS AND RENDERING OF DECISIONS.—In carrying out paragraph (1), the Review Board shall consider and render decisions—

(A) whether a record constitutes a unidentified anomalous phenomena record; and

(B) whether a unidentified anomalous phenomena record or particular information in a record qualifies for postponement of disclosure under this division.

(i) POWERS.—

(1) IN GENERAL.—The Review Board shall have the authority to act in a manner prescribed under this division, including authority—

(A) to direct Government offices to complete identification aids and organize unidentified anomalous phenomena records;

(B) to direct Government offices to transmit to the Archivist unidentified anomalous phenomena records as required under this division, including segregable portions of unidentified anomalous phenomena records and substitutes and summaries of unidentified anomalous phenomena records that can be publicly disclosed to the fullest extent;

(C)(i) to obtain access to unidentified anomalous phenomena records that have been identified and organized by a Government office;

(ii) to direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records, or testimony from individuals which the Review Board has reason to believe are required to fulfill its functions and responsibilities under this division; and

(iii) request the Attorney General to subpoena private persons to compel testimony, records, and other information relevant to its responsibilities under this division;

(D) require any Government office to account in writing for the destruction of any records relating to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence;

(E) receive information from the public regarding the identification and public disclosure of unidentified anomalous phenomena records;

(F) hold hearings, administer oaths, and subpoena witnesses and documents;

(G) use the Federal Acquisition Service in the same manner and under the same conditions as other Executive agencies; and

(H) use the United States mails in the same manner and under the same conditions as other Executive agencies.

(2) ENFORCEMENT OF SUBPOENA.—A subpoena issued under paragraph (1)(C)(iii) may be enforced by any appropriate Federal court acting pursuant to a lawful request of the Review Board.

(j) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code. Witnesses, close observers, and whistleblowers providing information directly to the Review Board shall also be afforded the protections provided to such persons specified under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)).

(k) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing legislative oversight jurisdiction in the Senate with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board, and shall have access to any records held or created by the Review Board.

(2) HOUSE OF REPRESENTATIVES.—Unless otherwise determined appropriate by the House of Representatives, the Committee on Oversight and Accountability of the House of Representatives shall have continuing legislative oversight jurisdiction in the House of Representatives with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board, and shall have access to any records held or created by the Review Board.

(3) DUTY TO COOPERATE.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction described in this subsection.

(4) SECURITY CLEARANCES.—The Chairmen and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and staff of such committees designated by such Chairmen and Ranking Members, shall be granted all security clearances and accesses held by the Review Board, including to relevant Presidential and department or agency special access and compartmented access programs.

(l) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(m) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(n) TERMINATION AND WINDING DOWN.—

(1) IN GENERAL.—The Review Board and the terms of its members shall terminate not later than September 30, 2030, unless extended by Congress.

(2) REPORTS.—Upon its termination, the Review Board shall submit to the President and Congress reports, including a complete and accurate accounting of expenditures during its existence and shall complete all other reporting requirements under this division.

(3) TRANSFER OF RECORDS.—Upon termination and winding down, the Review Board shall transfer all of its records to the Archivist for inclusion in the Collection, and no record of the Review Board shall be destroyed.

SEC. 9008. UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) APPOINTMENT.—Not later than 45 days after the date of the enactment of this Act, the President shall appoint 1 citizen of the United States, without regard to political affiliation, to the position of Executive Director of the Review Board. This position counts as 1 of the 9 Review Board members under section 9007(b)(1).

(2) QUALIFICATIONS.—The person appointed as Executive Director shall be a private citizen of integrity and impartiality who—

(A) is a distinguished professional; and

(B) is not a present employee of the Federal Government; and

(C) has had no previous or current involvement with any legacy program or controlling

authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence.

(3) MANDATORY CONFLICTS OF INTEREST REVIEW.—

(A) IN GENERAL.—The Director shall conduct a review of each individual appointed to the position of Executive Director to ensure the Executive Director does not have any conflict of interest during the term of the service of the Executive Director.

(B) REPORTS.—During the course of the review under subparagraph (A), if the Director becomes aware that the Executive Director possesses a conflict of interest to the mission of the Review Board, the Director shall, not later than 30 days after the date on which the Director became aware of the conflict of interest, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the conflict of interest.

(4) SECURITY CLEARANCES.—(A) A candidate for Executive Director shall be granted all the necessary security clearances and accesses, including to relevant Presidential and department or agency special access and compartmented access programs in an accelerated manner subject to the standard procedures for granting such clearances.

(B) A candidate shall qualify for the necessary security clearances and accesses prior to being appointed by the President.

(5) FUNCTIONS.—The Executive Director shall—

(A) serve as principal liaison to the Executive Office of the President and Congress;

(B) serve as Chairperson of the Review Board;

(C) be responsible for the administration and coordination of the Review Board's review of records;

(D) be responsible for the administration of all official activities conducted by the Review Board;

(E) exercise tie-breaking Review Board authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure; and

(F) retain right-of-appeal directly to the President for decisions pertaining to executive branch unidentified anomalous phenomena records for which the Executive Director and Review Board members may disagree.

(6) REMOVAL.—The Executive Director shall not be removed for reasons other for cause on the grounds of inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the responsibilities of the Executive Director or the staff of the Review Board.

(b) STAFF.—

(1) IN GENERAL.—The Review Board, without regard to the civil service laws, may appoint and terminate additional personnel as are necessary to enable the Review Board and its Executive Director to perform the duties of the Review Board.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a person appointed to the staff of the Review Board shall be a citizen of integrity and impartiality who has had no previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence.

(B) CONSULTATION WITH DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS.—In their consideration of persons to be appointed as staff of the Review Board under paragraph (1), the Review Board shall consult with the Director—

(i) to determine criteria for possible conflicts of interest of staff of the Review Board, consistent with ethics laws, statutes, and regulations for employees of the executive branch of the Federal Government; and

(ii) ensure that no person selected for such position of staff of the Review Board possesses a conflict of interests in accordance with the criteria determined pursuant to clause (i).

(3) SECURITY CLEARANCES.—(A) A candidate for staff shall be granted the necessary security clearances (including all necessary special access program clearances) in an accelerated manner subject to the standard procedures for granting such clearances.

(B)(i) The Review Board may offer conditional employment to a candidate for a staff position pending the completion of security clearance background investigations. During the pendency of such investigations, the Review Board shall ensure that any such employee does not have access to, or responsibility involving, classified or otherwise restricted unidentified anomalous phenomena record materials.

(ii) If a person hired on a conditional basis under clause (i) is denied or otherwise does not qualify for all security clearances necessary to carry out the responsibilities of the position for which conditional employment has been offered, the Review Board shall immediately terminate the person's employment.

(4) SUPPORT FROM NATIONAL DECLASSIFICATION CENTER.—The Archivist shall assign one representative in full-time equivalent status from the National Declassification Center to advise and support the Review Board disclosure postponement review process in a nonvoting staff capacity.

(c) COMPENSATION.—Subject to such rules as may be adopted by the Review Board, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates—

(1) the Executive Director shall be compensated at a rate not to exceed the rate of basic pay for level II of the Executive Schedule and shall serve the entire tenure as one full-time equivalent; and

(2) the Executive Director shall appoint and fix compensation of such other personnel as may be necessary to carry out this division.

(d) ADVISORY COMMITTEES.—

(1) AUTHORITY.—The Review Board may create advisory committees to assist in fulfilling the responsibilities of the Review Board under this division.

(2) FACA.—Any advisory committee created by the Review Board shall be subject to chapter 10 of title 5, United States Code.

(e) SECURITY CLEARANCE REQUIRED.—An individual employed in any position by the Review Board (including an individual appointed as Executive Director) shall be required to qualify for any necessary security clearance prior to taking office in that position, but may be employed conditionally in accordance with subsection (b)(3)(B) before qualifying for that clearance.

SEC. 9009. REVIEW OF RECORDS BY THE UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD.

(a) CUSTODY OF RECORDS REVIEWED BY REVIEW BOARD.—Pending the outcome of a review of activity by the Review Board, a Government office shall retain custody of its unidentified anomalous phenomena records for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of records for reasons of conducting an independent and impartial review; or

(2) such transfer is necessary for an administrative hearing or other official Review Board function.

(b) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date of its appointment, publish a schedule in the Federal Register for review of all unidentified anomalous phenomena records;

(2) not later than 180 days after the date of the enactment of this Act, begin its review of unidentified anomalous phenomena records under this division; and

(3) periodically thereafter as warranted, but not less frequently than semiannually, publish a revised schedule in the Federal Register addressing the review and inclusion of any unidentified anomalous phenomena records subsequently discovered.

(c) DETERMINATIONS OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all unidentified anomalous phenomena records be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that—

(A) a Government record is not an unidentified anomalous phenomena record; or

(B) a Government record, or particular information within an unidentified anomalous phenomena record, qualifies for postponement of public disclosure under this division.

(2) REQUIREMENTS.—In approving postponement of public disclosure of a unidentified anomalous phenomena record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of such a record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this division, which of the following alternative forms of disclosure shall be made by the originating body:

(i) Any reasonably segregable particular information in a unidentified anomalous phenomena record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a unidentified anomalous phenomena record.

(3) CONTROLLED DISCLOSURE CAMPAIGN PLAN.—With respect to unidentified anomalous phenomena records, particular information in unidentified anomalous phenomena records, recovered technologies of unknown origin, and biological evidence for nonhuman intelligence the public disclosure of which is postponed pursuant to section 9006, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall create and transmit to the President, the Archivist, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Accountability of the House of Representatives a Controlled Disclosure Campaign Plan, with classified appendix, containing—

(A) a description of actions by the Review Board, the originating body, the President, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board with regard to specific unidentified anomalous phenomena records; and

(B) a benchmark-driven plan, based upon a review of the proceedings and in conformity with the decisions reflected therein, recommending precise requirements for periodic review, downgrading, and declassification as well as the exact time or specified occurrence following which each postponed item may be appropriately disclosed to the public under this division.

(4) NOTICE FOLLOWING REVIEW AND DETERMINATION.—(A) Following its review and a determination that a unidentified anomalous phenomena record shall be publicly disclosed in the Collection or postponed for disclosure and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination of the Review Board and publish a copy of the determination in the Federal Register within 14 days after the determination is made.

(B) Contemporaneous notice shall be made to the President for Review Board determinations regarding unidentified anomalous phenomena records of the executive branch of the Federal Government, and to the oversight committees designated in this division in the case of records of the legislative branch of the Federal Government. Such notice shall contain a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards contained in section 9006.

(d) PRESIDENTIAL AUTHORITY OVER REVIEW BOARD DETERMINATION.—

(1) PUBLIC DISCLOSURE OR POSTPONEMENT OF DISCLOSURE.—After the Review Board has made a formal determination concerning the public disclosure or postponement of disclosure of an unidentified anomalous phenomena record of the executive branch of the Federal Government or information within such a record, or of any information contained in a unidentified anomalous phenomena record, obtained or developed solely within the executive branch of the Federal Government, the President shall—

(A) have the sole and nondelegable authority to require the disclosure or postponement of such record or information under the standards set forth in section 9006; and

(B) provide the Review Board with both an unclassified and classified written certification specifying the President's decision within 30 days after the Review Board's determination and notice to the executive branch agency as required under this division, stating the justification for the President's decision, including the applicable grounds for postponement under section 9006, accompanied by a copy of the identification aid required under section 9004.

(2) PERIODIC REVIEW.—(A) Any unidentified anomalous phenomena record postponed by the President shall henceforth be subject to the requirements of periodic review, downgrading, declassification, and public disclosure in accordance with the recommended timeline and associated requirements specified in the Controlled Disclosure Campaign Plan unless these conflict with the standards set forth in section 9006.

(B) This paragraph supersedes all prior declassification review standards that may previously have been deemed applicable to unidentified anomalous phenomena records.

(3) RECORD OF PRESIDENTIAL POSTPONEMENT.—The Review Board shall, upon its receipt—

(A) publish in the Federal Register a copy of any unclassified written certification, statement, and other materials transmitted by or on behalf of the President with regard to postponement of unidentified anomalous phenomena records; and

(B) revise or amend recommendations in the Controlled Disclosure Campaign Plan accordingly.

(e) NOTICE TO PUBLIC.—Every 30 calendar days, beginning on the date that is 60 calendar days after the date on which the Review Board first approves the postponement of disclosure of a unidentified anomalous phenomena record, the Review Board shall publish in the Federal Register a notice that summarizes the postponements approved by the Review Board or initiated by the President, the Senate, or the House of Representatives, including a description of the subject, originating agency, length or other physical description, and each ground for postponement that is relied upon to the maximum extent classification restrictions permitting.

(f) REPORTS BY THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall report its activities to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, the President, the Archivist, and the head of any Government office whose records have been the subject of Review Board activity.

(2) FIRST REPORT.—The first report shall be issued on the date that is 1 year after the date of enactment of this Act, and subsequent reports every 1 year thereafter until termination of the Review Board.

(3) CONTENTS.—A report under paragraph (1) shall include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its personnel.

(B) The progress made on review, transmission to the Archivist, and public disclosure of unidentified anomalous phenomena records.

(C) The estimated time and volume of unidentified anomalous phenomena records involved in the completion of the Review Board's performance under this division.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to operate as required by this division.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorized by this division, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional legislative authority needs.

(4) COPIES AND BRIEFS.—Coincident with the reporting requirements in paragraph (2), or more frequently as warranted by new information, the Review Board shall provide copies to, and fully brief, at a minimum the President, the Archivist, leadership of Congress, the Chairmen and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and the Chairs and Chairmen, as the case may be, and Ranking Members and Vice Chairmen, as the case may be, of such other committees as leadership of Congress determines appropriate on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures, specifically addressing—

(A) recommendations for periodic review, downgrading, and declassification as well as the exact time or specified occurrence following which specific unidentified anomalous phenomena records and material may be appropriately disclosed;

(B) the rationale behind each postponement determination and the recommended means to achieve disclosure of each postponed item;

(C) any other findings that the Review Board chooses to offer; and

(D) an addendum containing copies of reports of postponed records to the Archivist required under subsection (c)(3) made since the date of the preceding report under this subsection.

(5) NOTICE.—At least 90 calendar days before completing its work, the Review Board shall provide written notice to the President and Congress of its intention to terminate its operations at a specified date.

(6) BRIEFING THE ALL-DOMAIN ANOMALY RESOLUTION OFFICE.—Coincident with the provision in paragraph (5), if not accomplished earlier under paragraph (4), the Review Board shall brief the All-domain Anomaly Resolution Office established pursuant to section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor, as subsequently designated by Act of Congress, on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures.

SEC. 9010. DISCLOSURE OF RECOVERED TECHNOLOGIES OF UNKNOWN ORIGIN AND BIOLOGICAL EVIDENCE OF NON-HUMAN INTELLIGENCE.

(a) EXERCISE OF EMINENT DOMAIN.—The Federal Government shall exercise eminent domain over any and all recovered technologies of unknown origin and biological evidence of non-human intelligence that may be controlled by private persons or entities in the interests of the public good.

(b) AVAILABILITY TO REVIEW BOARD.—Any and all such material, should it exist, shall be made available to the Review Board for personal examination and subsequent disclosure determination at a location suitable to the controlling authority of said material and in a timely manner conducive to the objectives of the Review Board in accordance with the requirements of this division.

(c) ACTIONS OF REVIEW BOARD.—In carrying out subsection (b), the Review Board shall consider and render decisions—

(1) whether the material examined constitutes technologies of unknown origin or biological evidence of non-human intelligence beyond a reasonable doubt;

(2) whether recovered technologies of unknown origin, biological evidence of non-human intelligence, or a particular subset of material qualifies for postponement of disclosure under this division; and

(3) what changes, if any, to the current disposition of said material should the Federal Government make to facilitate full disclosure.

(d) REVIEW BOARD ACCESS TO TESTIMONY AND WITNESSES.—The Review Board shall have access to all testimony from unidentified anomalous phenomena witnesses, close observers and legacy program personnel and whistleblowers within the Federal Government's possession as of and after the date of the enactment of this Act in furtherance of Review Board disclosure determination responsibilities in section 9007(h) and subsection (c) of this section.

(e) SOLICITATION OF ADDITIONAL WITNESSES.—The Review Board shall solicit additional unidentified anomalous phenomena witness and whistleblower testimony and afford protections under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)) if deemed beneficial in fulfilling Review Board responsibilities under this division.

SEC. 9011. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) INFORMATION HELD UNDER SEAL OF A COURT.—The Review Board may request the Attorney General to petition any court in the United States or abroad to release any information relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence that is held under seal of the court.

(2) INFORMATION HELD UNDER INJUNCTION OF SECRETARY OF GRAND JURY.—(A) The Review

Board may request the Attorney General to petition any court in the United States to release any information relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence that is held under the injunction of secrecy of a grand jury.

(B) A request for disclosure of unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence materials under this division shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(2) the Secretary of State should contact any foreign government that may hold material relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence and seek disclosure of such material; and

(3) all heads of Executive agencies should cooperate in full with the Review Board to seek the disclosure of all material relevant to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence consistent with the public interest.

SEC. 9012. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this division requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other provision of law (except section 6103 of the Internal Revenue Code of 1986 specifying confidentiality and disclosure of tax returns and tax return information), judicial decision construing such provision of law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this division shall be construed to eliminate or limit any right to file requests with any executive agency or seek judicial review of the decisions pursuant to section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this division shall be construed to preclude judicial review, under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this division.

(d) EXISTING AUTHORITY.—Nothing in this division revokes or limits the existing authority of the President, any executive agency, the Senate, or the House of Representatives, or any other entity of the Federal Government to publicly disclose records in its possession.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this division establishes a procedure to be followed in the Senate or the House of Representatives, such provision is adopted—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 9013. TERMINATION OF EFFECT OF DIVISION.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this division that pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated pursuant to section 9007(n).

(b) OTHER PROVISIONS.—(1) The remaining provisions of this division shall continue in effect until such time as the Archivist certifies to the President and Congress that all unidentified anomalous phenomena records have been made available to the public in accordance with this division.

(2) In facilitation of the provision in paragraph (1), the All-domain Anomaly Resolution Office established pursuant to section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor as subsequently designated by Act of Congress, shall develop standardized unidentified anomalous phenomena declassification guidance applicable to any and all unidentified anomalous phenomena records generated by originating bodies subsequent to termination of the Review Board consistent with the requirements and intent of the Controlled Disclosure Campaign Plan with respect to unidentified anomalous phenomena records originated prior to Review Board termination.

SEC. 9014. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out the provisions of this division $20,000,000 for fiscal year 2024.

SEC. 9015. SEVERABILITY.

If any provision of this division or the application thereof to any person or circumstance is held invalid, the remainder of this division and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

DIVISION H—ARCHITECT OF THE CAPITOL APPOINTMENT ACT OF 2023

SEC. 10001. SHORT TITLE.

This division may be cited as the ''Architect of the Capitol Appointment Act of 2023''.

SEC. 10002. APPOINTMENT AND TERM OF SERVICE OF ARCHITECT OF THE CAPITOL.

(a) APPOINTMENT.—The Architect of the Capitol shall be appointed, without regard to political affiliation and solely on the basis of fitness to perform the duties of the office, upon a majority vote of a congressional commission (referred to in this section as the ''commission'') consisting of the Speaker of the House of Representatives, the majority leader of the Senate, the minority leaders of the House of Representatives and Senate, the chair and ranking minority member of the Committee on Appropriations of the House of Representatives, the chairman and ranking minority member of the Committee on Appropriations of the Senate, the chair and ranking minority member of the Committee on House Administration of the House of Representatives, and the chairman and ranking minority member of the Committee on Rules and Administration of the Senate.

(b) TERM OF SERVICE.—The Architect of the Capitol shall be appointed for a term of 10 years and, upon a majority vote of the members of the commission, may be reappointed for additional 10-year terms.

(c) REMOVAL.—The Architect of the Capitol may be removed from office at any time upon a majority vote of the members of the commission.

(d) CONFORMING AMENDMENTS.—

(1) Section 319 of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 1801) is repealed.

(2) The matter under the heading ''FOR THE CAPITOL:'' under the heading ''DEPARTMENT OF THE INTERIOR.'' of the Act of February 14, 1902 (32 Stat. 19, chapter 17; incorporated in 2 U.S.C. 1811) is amended by striking '', and he shall be appointed by the President''.

(e) EFFECTIVE DATE.—This section, and the amendments made by this section, shall apply with respect to appointments made on or after the date of enactment of this Act.

SEC. 10003. APPOINTMENT OF DEPUTY ARCHITECT OF THE CAPITOL; VACANCY IN ARCHITECT OR DEPUTY ARCHITECT.

Section 1203 of title I of division H of the Consolidated Appropriations Resolution, 2003 (2 U.S.C. 1805) is amended—

(1) in subsection (a)—

(A) by inserting ''(in this section referred to as the 'Architect')'' after ''The Architect of the Capitol''; and

(B) by inserting ''(in this section referred to as the 'Deputy Architect')'' after ''Deputy Architect of the Capitol'';

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

''(b) DEADLINE.—The Architect shall appoint a Deputy Architect under subsection (a) not later than 120 days after—

''(1) the date on which the Architect is appointed under section 10002 of the Architect of the Capitol Appointment Act of 2023, if there is no Deputy Architect on the date of the appointment; or

''(2) the date on which a vacancy arises in the office of the Deputy Architect.'';

(4) in subsection (c), as so redesignated, by striking ''of the Capitol'' each place it appears; and

(5) by adding at the end the following:

''(d) FAILURE TO APPOINT.—If the Architect does not appoint a Deputy Architect on or before the applicable date specified in subsection (b), the congressional commission described in section 10002(a) of the Architect of the Capitol Appointment Act of 2023 shall appoint the Deputy Architect by a majority vote of the members of the commission.

''(e) NOTIFICATION.—If the position of Deputy Architect becomes vacant, the Architect shall immediately notify the members of the congressional commission described in section 10002(a) of the Architect of the Capitol Appointment Act of 2023.''.

SEC. 10004. DEPUTY ARCHITECT OF THE CAPITOL TO SERVE AS ACTING IN CASE OF ABSENCE, DISABILITY, OR VACANCY.

(a) IN GENERAL.—The Deputy Architect of the Capitol (in this section referred to as the ''Deputy Architect'') shall act as Architect of the Capitol (in this section referred to as the ''Architect'') if the Architect is absent or disabled or there is no Architect.

(b) ABSENCE, DISABILITY, OR VACANCY IN OFFICE OF DEPUTY ARCHITECT.—For purposes of subsection (a), if the Deputy Architect is also absent or disabled or there is no Deputy Architect, the congressional commission described in section 10002(a) shall designate, by a majority vote of the members of the commission, an individual to serve as acting Architect until—

(1) the end of the absence or disability of the Architect or the Deputy Architect; or

(2) in the case of vacancies in both positions, an Architect has been appointed under section 10002(a).

(c) AUTHORITY.—An officer serving as acting Architect under subsection (a) or (b) shall perform all the duties and exercise all the authorities of the Architect, including the authority to delegate the duties and authorities of the Architect in accordance with the matter under the heading ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' under the heading ''ARCHITECT OF THE CAPITOL'' of the Legislative Appropriation Act, 1956 (2 U.S.C. 1803).

(d) CONFORMING AMENDMENT.—The matter under the heading ''SALARIES'' under the heading ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' under the heading ''ARCHITECT OF THE CAPITOL'' of the Legislative Branch Appropriation Act, 1971 (2 U.S.C. 1804) is amended by striking '': *Provided*,'' and all that follows through ''no Architect''.

DIVISION I—FAIR DEBT COLLECTION PRACTICES FOR SERVICEMEMBERS

SEC. 11001. SHORT TITLE.

This division may be cited as the ''Fair Debt Collection Practices for Servicemembers Act''.

SEC. 11002. ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF SERVICEMEMBERS.

(a) COMMUNICATION IN CONNECTION WITH DEBT COLLECTION.—Section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692c) is amended by adding at the end the following:

''(e) COMMUNICATIONS CONCERNING SERVICEMEMBER DEBTS.—

''(1) DEFINITION.—In this subsection, the term 'covered member' means—

''(A) a covered member or a dependent as defined in section 987(i) of title 10, United States Code; and

''(B)(i) an individual who was separated, discharged, or released from duty described in such section 987(i)(1), but only during the 365-day period beginning on the date of separation, discharge, or release; or

''(ii) a person, with respect to an individual described in clause (i), described in subparagraph (A), (D), (E), or (I) of section 1072(2) of title 10, United States Code.

''(2) PROHIBITIONS.—A debt collector may not, in connection with the collection of any debt of a covered member—

''(A) threaten to have the covered member reduced in rank;

''(B) threaten to have the covered member's security clearance revoked; or

''(C) threaten to have the covered member prosecuted under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).''.

(b) UNFAIR PRACTICES.—Section 808 of the Fair Debt Collection Practices Act (15 U.S.C. 1692f) is amended by adding at the end the following:

''(9) The representation to any covered member (as defined under section 805(e)(1)) that failure to cooperate with a debt collector will result in—

''(A) a reduction in rank of the covered member;

''(B) a revocation of the covered member's security clearance; or

''(C) prosecution under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).''.

SEC. 11003. GAO STUDY.

The Comptroller General of the United States shall conduct a study and submit a report to Congress on the impact of this division on—

(1) the timely delivery of information to a covered member (as defined in section 805(e) of the Fair Debt Collection Practices Act, as added by this division);

(2) military readiness; and

(3) national security, including the extent to which covered members with security clearances would be impacted by uncollected debt.

DIVISION J—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2023

SEC. 11001. SHORT TITLE.

This division may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2023''.

SEC. 11002. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the status of a responsible Federal official under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 11003. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2024 through 2030''.

SEC. 11004. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including college housing assistance'' after ''self-sufficiency and other services,''.

SEC. 11005. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 11006. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$7,000''.

SEC. 11007. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 11008. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 11009. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project

under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 11010. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 11011. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 11012. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 11013. AMENDMENTS FOR BLOCK GRANTS FOR AFFORDABLE HOUSING ACTIVITIES.

Section 802(e) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4222(e)) is amended by—

(1) by striking ''The Director'' and inserting the following:

''(1) IN GENERAL.—The Director''; and

(2) by adding at the end the following:

''(2) SUBAWARDS.—Notwithstanding any other provision of law, including provisions of State law requiring competitive procurement, the Director may make subawards to subrecipients, except for for-profit entities, using amounts provided under this title to carry out affordable housing activities upon a determination by the Director that such subrecipients have adequate capacity to carry out activities in accordance with this Act.''.

SEC. 11014. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2024 through 2030.''.

SEC. 11015. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that is developed, acquired, or assisted under the block grant program established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed by more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.

SEC. 11016. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS AND SPECIAL ACTIVITIES BY INDIAN TRIBES.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITION.—In this subsection, the term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—An Indian tribe, a tribally designated housing entity, or a tribal organization shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a)(1).

''(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—An Indian tribe receiving a grant under paragraph (1) of section 106(a)(1) shall be authorized to directly carry out activities described in paragraph (15) of such section 106(a)(1).''.

SEC. 11017. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a) is amended—

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

''(a) AUTHORITY.—To provide access to sources of private financing to Indian families, Indian housing authorities, and Indian Tribes, who otherwise could not acquire housing financing because of the unique legal status of Indian lands and the unique nature of tribal economies, and to expand homeownership opportunities to Indian families, Indian housing authorities and Indian tribes on fee simple lands, the Secretary may guarantee not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under subsection (b) made to an Indian family, Indian housing authority, or Indian Tribe on trust land and fee simple land.''; and

(2) in subsection (b)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(iii) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government, including any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(iv) by adding at the end the following:

''(B) DIRECT GUARANTEE PROCESS.—

''(i) AUTHORIZATION.—The Secretary may authorize qualifying lenders to participate in a direct guarantee process for approving loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this subparagraph was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

''(C) REVIEW OF MORTGAGEES.—

''(i) IN GENERAL.—The Secretary may periodically review the mortgagees originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the mortgagee with other mortgagees originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;

''(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(iii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

''(I) may terminate the approval of a mortgagee to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.''; and

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (h)(1)(B), the term of the loan shall not exceed 40 years''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2024 through 2030.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2024 through 2030''.

SEC. 11018. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended—

(1) in subsection (b), by inserting '', and to expand homeownership opportunities to Native Hawaiian families who are eligible to receive a homestead under the Hawaiian Homes Commission Act, 1920 (42 Stat. 108) on fee simple lands in the State of Hawaii'' after ''markets'';

(2) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) in subparagraph (B)—

(I) by redesignating clause (iv) as clause (v); and

(II) by adding after clause (iii) the following:

''(iv) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government, including any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(ii) by adding at the end the following:

''(C) INDEMNIFICATION.—

''(i) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this section was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this section to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(ii) DIRECT GUARANTEE ENDORSEMENT.—The Secretary may, dependent on the availability of systems development and staffing resources, delegate to eligible lenders the authority to directly endorse loans under this section.

''(iii) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation was involved in the direct guarantee endorsement process by a lender under this section, the Secretary shall require the approved direct guarantee endorsement lender to indemnify the Secretary for any loss or potential loss, regardless of whether the fraud or misrepresentation caused or may cause the loan default.

''(iv) IMPLEMENTATION.—The Secretary may implement any requirements described in this subparagraph by regulation, notice, or Dear Lender Letter.''.

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (i)(1)(B), the term of the loan shall not exceed 40 years'';

(3) in subsection (d)—

(A) in paragraph (1), by adding at the end the following:

''(C) EXCEPTION.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii), subparagraphs (A) and (B) of this paragraph shall not apply.'';

(B) by amending paragraph (2) to read as follows:

''(2) STANDARD FOR APPROVAL.—

''(A) APPROVAL.—The Secretary may approve a loan for guarantee under this section and issue a certificate under this subsection only if the Secretary determines that there is a reasonable prospect of repayment of the loan.

''(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii)—

''(i) subparagraph (A) shall not apply; and

''(ii) the direct guarantee endorsement lender may issue a certificate under this paragraph as evidence of the guarantee in accordance with requirements prescribed by the Secretary.''; and

(C) in paragraph (3)(A), by inserting ''or, where applicable, the direct guarantee endorsement lender,'' after ''Secretary'' and

(4) in subsection (j)(5)(B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2024 through 2030.''.

SEC. 11019. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may, in consultation with the Bureau of Indian Affairs and relevant Tribal law enforcement agencies, make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing communities funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents;

(8) sports programs and sports activities that serve primarily youths from housing communities funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those communities; and

(9) other programs for youth in school settings that address drug prevention and positive alternatives for youth, including education and activities related to science, technology, engineering, and math.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall publish on the website of the Department a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, as specified in the program requirements published in a notice by the Secretary, which may include—

(A) the use of on-site monitoring, independent public audit requirements, certification by Tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2);

(B) entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section; and

(C) adopting enforcement authority that is substantially similar to the authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each fiscal years 2024 through 2030 to carry out this section.

SEC. 11020. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

''(E) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(bb) submit a report describing the results of the review under item (aa) to—

''(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

''(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

''(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

''(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.''.

SEC. 11021. CONTINUUM OF CARE.

(a) DEFINITIONS.—In this section—

(1) the terms ''collaborative applicant'' and ''eligible entity'' have the meanings given those terms in section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360); and

(2) the terms ''Indian tribe'' and ''tribally designated housing entity'' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(b) NONAPPLICATION OF CIVIL RIGHTS LAWS.—With respect to the funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading ''Homeless Assistance Grants'' in the Department of Housing and Urban Development Appropriations Act, 2021 (Public Law 116–260) and under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications by or awards for projects to be carried out—

(1) on or off reservation or trust lands for awards made to Indian tribes or tribally designated housing entities; or

(2) on reservation or trust lands for awards made to eligible entities.

(c) CERTIFICATION.—With respect to funds made available for the Continuum of Care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) under the heading ''Homeless Assistance Grants'' under section 231 of the Department of Housing and Urban Development Appropriations Act, 2020 (42 U.S.C. 11364a)—

(1) applications for projects to be carried out on reservations or trust land shall contain a certification of consistency with an approved Indian housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112), notwithstanding section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706) and section 403 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361);

(2) Indian tribes and tribally designated housing entities that are recipients of awards for projects on reservations or trust land shall certify that they are following an approved housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112); and

(3) a collaborative applicant for a Continuum of Care whose geographic area includes only reservation and trust land is not required to meet the requirement in section 402(f)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360a(f)(2)).

SEC. 11022. LEVERAGING.

All funds provided under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal housing program, provided that such grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

DIVISION K—FORT BELKNAP INDIAN COMMUNITY WATER RIGHTS SETTLEMENT ACT OF 2023

SEC. 11001. SHORT TITLE.

This division may be cited as the ''Fort Belknap Indian Community Water Rights Settlement Act of 2023''.

SEC. 11002. PURPOSES.

The purposes of this division are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; and

(B) the United States, acting as trustee for the Fort Belknap Indian Community and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Fort Belknap Indian Community and the State, to the extent that the Compact is consistent with this division;

(3) to authorize and direct the Secretary—

(A) to execute the Compact; and

(B) to take any other actions necessary to carry out the Compact in accordance with this division;

(4) to authorize funds necessary for the implementation of the Compact and this division; and

(5) to authorize the exchange and transfer of certain Federal and State land.

SEC. 11003. DEFINITIONS.

In this division:

(1) ALLOTTEE.—The term ''allottee'' means an individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BLACKFEET TRIBE.—The term ''Blackfeet Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

(3) CERCLA.—The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of Reclamation.

(5) COMPACT.—The term ''Compact'' means—

(A) the Fort Belknap-Montana water rights compact dated April 16, 2001, as contained in section 85–20–1001 of the Montana Code Annotated (2021); and

(B) any appendix (including appendix amendments), part, or amendment to the Compact that is executed to make the Compact consistent with this division.

(6) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 11011(f).

(7) FORT BELKNAP INDIAN COMMUNITY.—The term ''Fort Belknap Indian Community'' means the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation of Montana, a federally recognized Indian Tribal entity included on the list published by the Secretary pursuant to section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

(8) FORT BELKNAP INDIAN COMMUNITY COUNCIL.—The term ''Fort Belknap Indian Community Council'' means the governing body of the Fort Belknap Indian Community.

(9) FORT BELKNAP INDIAN IRRIGATION PROJECT.—

(A) IN GENERAL.—The term ''Fort Belknap Indian Irrigation Project'' means the Federal Indian irrigation project constructed and operated by the Bureau of Indian Affairs, consisting of the Milk River unit, including—

(i) the Three Mile unit; and

(ii) the White Bear unit.

(B) INCLUSIONS.—The term ''Fort Belknap Indian Irrigation Project'' includes any addition to the Fort Belknap Indian Irrigation Project constructed pursuant to this division, including expansion of the Fort Belknap Indian Irrigation Project, the Pumping Plant, delivery Pipe and Canal, the Fort Belknap Reservoir and Dam, and the Peoples Creek Flood Protection Project.

(10) IMPLEMENTATION FUND.—The term ''Implementation Fund'' means the Fort Belknap Indian Community Water Settlement Implementation Fund established by section 11013(a).

(11) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(12) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(13) MALTA IRRIGATION DISTRICT.—The term ''Malta Irrigation District'' means the public corporation—

(A) created on December 28, 1923, pursuant to the laws of the State relating to irrigation districts; and

(B) headquartered in Malta, Montana.

(14) MILK RIVER.—The term ''Milk River'' means the mainstem of the Milk River and each tributary of the Milk River between the headwaters of the Milk River and the confluence of the Milk River with the Missouri River, consisting of—

(A) Montana Water Court Basins 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and 40O; and

(B) the portion of the Milk River and each tributary of the Milk River that flows through the Canadian Provinces of Alberta and Saskatchewan.

(15) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(16) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River, including tributaries.

(17) OPERATIONS AND MAINTENANCE.—The term ''operations and maintenance'' means the Bureau of Indian Affairs operations and maintenance activities related to costs described in section 171.500 of title 25, Code of Federal Regulations (or a successor regulation).

(18) OPERATIONS, MAINTENANCE, AND REPLACEMENT.—The term ''operations, maintenance, and replacement'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to repairing, replacing, or rehabilitating a feature of a project.

(19) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM.—The term ''Pick-Sloan Missouri River Basin Program'' means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665)).

(20) PMM.—The term ''PMM'' means the Principal Meridian, Montana.

(21) RESERVATION.—

(A) IN GENERAL.—The term ''Reservation'' means the area of the Fort Belknap Reservation in the State, as modified by this division.

(B) INCLUSIONS.—The term ''Reservation'' includes—

(i) all land and interests in land established by—

(I) the Agreement with the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation, ratified by the Act of May 1,

1888 (25 Stat. 113, chapter 212), as modified by the Agreement with the Indians of the Fort Belknap Reservation of October 9, 1895 (ratified by the Act of June 10, 1896) (29 Stat. 350, chapter 398);

(II) the Act of March 3, 1921 (41 Stat. 1355, chapter 135); and

(III) Public Law 94–114 (25 U.S.C. 5501 et seq.);

(ii) the land known as the ''Hancock lands'' purchased by the Fort Belknap Indian Community pursuant to the Fort Belknap Indian Community Council Resolution No. 234–89 (October 2, 1989); and

(iii) all land transferred to the United States to be held in trust for the benefit of the Fort Belknap Indian Community under section 11006.

(22) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(23) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(24) STATE.—The term ''State'' means the State of Montana.

(25) TRIBAL WATER CODE.—The term ''Tribal water code'' means the Tribal water code enacted by the Fort Belknap Indian Community pursuant to section 11005(g).

(26) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Fort Belknap Indian Community, as described in Article III of the Compact and this division, including the allocation of water to the Fort Belknap Indian Community from Lake Elwell under section 11007.

(27) TRUST FUND.—The term ''Trust Fund'' means the Aaniiih Nakoda Settlement Trust Fund established for the Fort Belknap Indian Community under section 11012(a).

SEC. 11004. RATIFICATION OF COMPACT.

(a) RATIFICATION OF COMPACT.—

(1) IN GENERAL.—As modified by this division, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed to the extent that the amendment is executed to make the Compact consistent with this division.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this division, the Secretary shall execute the Compact, including all appendices to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this division precludes the Secretary from approving any modification to an appendix to the Compact that is consistent with this division, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this division, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Compact and this division, the Fort Belknap Indian Community shall prepare any necessary environmental documents, except for any environmental documents required under section 11008, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities described in paragraph (2) shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 11005. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this division.

(3) CONFLICT.—In the event of a conflict between the Compact and this division, this division shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this division, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this division;

(2) the availability of funding under this division and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), and this division to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Fort Belknap Indian Community and allottees in accordance with this division; and

(2) shall not be subject to loss through nonuse, forfeiture, or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF THE ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), relating to the use of water for irrigation purposes, shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the Tribal water code or other applicable Tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the Tribal water code or other applicable Tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF THE SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF THE FORT BELKNAP INDIAN COMMUNITY.—

(1) IN GENERAL.—The Fort Belknap Indian Community shall have the authority to allocate, distribute, and lease the Tribal water rights for use on the Reservation in accordance with the Compact, this division, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Fort Belknap Indian Community may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, this division, and applicable Federal law—

(A) subject to the approval of the Secretary; or

(B) pursuant to Tribal water leasing regulations consistent with the requirements of subsection (f).

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the Tribal water code.

(f) TRIBAL WATER LEASING REGULATIONS.—

(1) IN GENERAL.—At the discretion of the Fort Belknap Indian Community, any water lease of the Fort Belknap Indian Community of the Tribal water rights for use on or off the Reservation shall not require the approval of the Secretary if the lease—

(A) is executed under tribal regulations, approved by the Secretary under this subsection;

(B) is in accordance with the Compact; and

(C) does not exceed a term of 100 years, except that a lease may include an option to renew for 1 additional term of not to exceed 100 years.

(2) AUTHORITY OF THE SECRETARY OVER TRIBAL WATER LEASING REGULATIONS.—

(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any Tribal water leasing regulations issued in accordance with paragraph (1).

(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any Tribal water leasing regulations issued in accordance with paragraph (1) if the Tribal water leasing regulations—

(i) provide for an environmental review process that includes—

(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

(II) a process for ensuring that—

(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Fort Belknap Indian Community; and

(bb) the Fort Belknap Indian Community provides responses to relevant and substantive public comments on those impacts prior to its approval of a water lease; and

(ii) are consistent with this division and the Compact.

(3) REVIEW PROCESS.—

(A) IN GENERAL.—Not later than 120 days after the date on which Tribal water leasing regulations under paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the Tribal water leasing regulations described in subparagraph (A), the Secretary shall include written documentation with the disapproval notification that describes the basis for this disapproval.

(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(4) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (2) and (3), if the Fort Belknap Indian Community carries out a project or activity funded by a Federal agency, the Fort Belknap Indian Community—

(A) shall have the authority to rely on the environmental review process of the applicable Federal agency; and

(B) shall not be required to carry out a tribal environmental review process under this subsection.

(5) DOCUMENTATION.—If the Fort Belknap Indian Community issues a lease pursuant to Tribal water leasing regulations under paragraph (1), the Fort Belknap Indian Community shall provide the Secretary and the State a copy of the lease, including any amendments or renewals to the lease.

(6) LIMITATION OF LIABILITY.—

(A) IN GENERAL.—The United States shall not be liable in any claim relating to the negotiation, execution, or approval of any lease or exchange agreement or storage agreement, including any claims relating to the terms included in such an agreement, made pursuant to Tribal water leasing regulations under paragraph (1).

(B) OBLIGATIONS.—The United States shall have no trust obligation or other obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease or exchange agreement or storage agreement; or

(ii) the expenditure of those funds.

(g) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding Article IV.A.2. of the Compact, not later than 4 years after the date on which the Fort Belknap Indian Community approves the Compact in accordance with section 11011(f)(1), the Fort Belknap Indian Community shall enact a Tribal water code that provides for—

(A) the administration, management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this division; and

(B) the establishment by the Fort Belknap Indian Community of the conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this division.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the Tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Fort Belknap Indian Community provide water for irrigation use in accordance with this division, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (36 Stat. 856, chapter 431; 25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Fort Belknap Indian Community of any request of an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision;

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the Tribal water code, including to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under Tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B);

(E) a process by which an owner of fee land within the boundaries of the Reservation may apply for use of a portion of the Tribal water rights; and

(F) a process for the establishment of a controlled Groundwater area and for the management of that area in cooperation with establishment of a contiguous controlled Groundwater area off the Reservation established pursuant to Section B.2. of Article IV of the Compact and State law.

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this Act and ending on the date on which a Tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with the Compact and this division.

(B) APPROVAL.—The Tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the Tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the Tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the Tribal water code or an amendment to the Tribal water code by not later than 180 days after the date on which the Tribal water code or amendment to the Tribal water code is submitted to the Secretary.

(ii) EXTENSIONS.—The deadline described in clause (i) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(h) ADMINISTRATION.—

(1) NO ALIENATION.—The Fort Belknap Indian Community shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this division for the allocation, distribution, leasing, or other arrangement entered into pursuant to this division shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(i) EFFECT.—Except as otherwise expressly provided in this section, nothing in this division—

(1) authorizes any action by an allottee against any individual or entity, or against the Fort Belknap Indian Community, under Federal, State, Tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

(j) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM POWER RATES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary, in cooperation with the Secretary of Energy, shall make available the Pick-Sloan Missouri River Basin Program irrigation project pumping power rates to the Fort Belknap Indian Community, the Fort Belknap Indian Irrigation Project, and any projects funded under this division.

(2) AUTHORIZED PURPOSES.—The power rates made available under paragraph (1) shall be authorized for the purposes of wheeling, administration, and payment of irrigation project pumping power rates, including project use power for gravity power.

SEC. 11006. EXCHANGE AND TRANSFER OF LAND.

(a) EXCHANGE OF ELIGIBLE LAND AND STATE LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE LAND.—The term ''eligible land'' means—

(i) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) that are administered by the Secretary, acting through the Director of the Bureau of Land Management; and

(ii) land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a)) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(B) SECRETARY CONCERNED.—The term ''Secretary concerned'' means, as applicable—

(i) the Secretary, with respect to the eligible land administered by the Bureau of Land Management; and

(ii) the Secretary of Agriculture, with respect to eligible land managed by the Forest Service.

(2) NEGOTIATIONS AUTHORIZED.—

(A) IN GENERAL.—The Secretary concerned shall offer to enter into negotiations with the State for the purpose of exchanging eligible land described in paragraph (4) for the State land described in paragraph (3).

(B) REQUIREMENTS.—Any exchange of land made pursuant to this subsection shall be subject to the terms and conditions of this subsection.

(C) PRIORITY.—

(i) IN GENERAL.—In carrying out this paragraph, the Secretary and the Secretary of Agriculture shall, during the 5-year period beginning on the date of enactment of this Act, give priority to an exchange of eligible land located within the State for State land.

(ii) SECRETARY OF AGRICULTURE.—The responsibility of the Secretary of Agriculture under clause (i), during the 5-year period described in that clause, shall be limited to negotiating with the State an acceptable package of land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a))).

(3) STATE LAND.—The Secretary is authorized to accept the following parcels of State land located on and off the Reservation:

(A) 717.56 acres in T. 26 N., R. 22 E., sec. 16.
(B) 707.04 acres in T. 27 N., R. 22 E., sec. 16.
(C) 640 acres in T. 27 N., R. 21 E., sec. 36.
(D) 640 acres in T. 26 N., R. 23 E., sec. 16.
(E) 640 acres in T. 26 N., R. 23 E., sec. 36.
(F) 640 acres in T. 26 N., R. 26 E., sec. 16.
(G) 640 acres in T. 26 N., R. 22 E., sec. 36.
(H) 640 acres in T. 27 N., R. 23 E., sec. 16.
(I) 640 acres in T. 27 N., R. 25 E., sec. 36.
(J) 640 acres in T. 28 N., R. 22 E., sec. 36.
(K) 640 acres in T. 28 N., R. 23 E., sec. 16.
(L) 640 acres in T. 28 N., R. 24 E., sec. 36.
(M) 640 acres in T. 28 N., R. 25 E., sec. 16.
(N) 640 acres in T. 28 N., R. 25 E., sec. 36.
(O) 640 acres in T. 28 N., R. 26 E., sec. 16.

(P) 94.96 acres in T. 28 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act, comprised of—
(i) 30.68 acres in lot 5;
(ii) 26.06 acres in lot 6;
(iii) 21.42 acres in lot 7; and
(iv) 16.8 acres in lot 8.
(Q) 652.32 acres in T. 29 N., R. 22 E., sec. 16, excluding the 73.36 acres under lease by individuals who are not members of the Fort Belknap Indian Community, on the date of enactment of this Act.
(R) 640 acres in T. 29 N., R. 22 E., sec. 36.
(S) 640 acres in T. 29 N., R. 23 E., sec. 16.
(T) 640 acres in T. 29 N., R. 24 E., sec. 16.
(U) 640 acres in T. 29 N., R. 24 E., sec. 36.
(V) 640 acres in T. 29 N., R. 25 E., sec. 16.
(W) 640 acres in T. 29 N., R. 25 E., sec. 36.
(X) 640 acres in T. 29 N., R. 26 E., sec. 16.
(Y) 663.22 acres in T. 30 N., R. 22 E., sec. 16, excluding the 58.72 acres under lease by individuals who are not members of the Fort Belknap Indian Community on the date of enactment of this Act.
(Z) 640 acres in T. 30 N., R. 22 E., sec. 36.
(AA) 640 acres in T. 30 N., R. 23 E., sec. 16.
(BB) 640 acres in T. 30 N., R. 23 E., sec. 36.
(CC) 640 acres in T. 30 N., R. 24 E., sec. 16.
(DD) 640 acres in T. 30 N., R. 24 E., sec. 36.
(EE) 640 acres in T. 30 N., R. 25 E., sec. 16.
(FF) 275.88 acres in T. 30 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act.
(GG) 640 acres in T. 31 N., R. 22 E., sec. 36.
(HH) 640 acres in T. 31 N., R. 23 E., sec. 16.
(II) 640 acres in T. 31 N., R. 23 E., sec. 36.
(JJ) 34.04 acres in T. 31 N., R. 26 E., sec. 16, lot 4.
(KK) 640 acres in T. 25 N., R. 22 E., sec. 16.

(4) ELIGIBLE LAND.—
(A) IN GENERAL.—Subject to valid existing rights, the reservation of easements or rights-of-way deemed necessary to be retained by the Secretary concerned, and the requirements of this subsection, the Secretary is authorized and directed to convey to the State any eligible land within the State identified in the negotiations authorized by paragraph (2) and agreed to by the Secretary concerned.
(B) EXCEPTIONS.—The Secretary concerned shall exclude from any conveyance any parcel of eligible land that is—
(i) included within the National Landscape Conservation System established by section 2002(a) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(a)), without regard to whether that land has been identified as available for disposal in a land use plan;
(ii) designated as wilderness by Congress;
(iii) within a component of the National Wild and Scenic Rivers System; or
(iv) designated in the Forest Land and Resource Management Plan as a Research Natural Area.
(C) ADMINISTRATIVE RESPONSIBILITY.—The Secretary shall be responsible for meeting all substantive and any procedural requirements necessary to complete the exchange and the conveyance of the eligible land.

(5) LAND INTO TRUST.—On completion of the land exchange authorized by this subsection, the Secretary shall, as soon as practicable after the enforceability date, take the land received by the United States pursuant to this subsection into trust for the benefit of the Fort Belknap Indian Community.

(6) TERMS AND CONDITIONS.—
(A) EQUAL VALUE.—The values of the eligible land and State land exchanged under this subsection shall be equal, except that the Secretary concerned may—
(i) exchange land that is of approximately equal value if such an exchange complies with the requirements of section 206(h) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(h)) (and any regulations implementing that section) without regard to the monetary limitation described in paragraph (1)(A) of that section; and
(ii) make or accept an equalization payment, or waive an equalization payment, if such a payment or waiver of a payment complies with the requirements of section 206(b) of that Act (43 U.S.C. 1716(b)) (and any regulations implementing that section).
(B) IMPACTS ON LOCAL GOVERNMENTS.—In identifying eligible land to be exchanged with the State, the Secretary concerned and the State may—
(i) consider the financial impacts of exchanging specific eligible land on local governments; and
(ii) attempt to minimize the financial impact of the exchange on local governments.
(C) EXISTING AUTHORIZATIONS.—
(i) ELIGIBLE LAND CONVEYED TO THE STATE.—
(I) IN GENERAL.—Any eligible land conveyed to the State under this subsection shall be subject to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.
(II) ASSUMPTION BY STATE.—The State shall assume all benefits and obligations of the Forest Service or the Bureau of Land Management, as applicable, under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I).
(ii) STATE LAND CONVEYED TO THE UNITED STATES.—
(I) IN GENERAL.—Any State land conveyed to the United States under this subsection and taken into trust for the benefit of the Fort Belknap Indian Community subject shall be to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.
(II) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—
(aa) assume all benefits and obligations of the State under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I); and
(bb) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-way, after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the benefit of the Fort Belknap Indian Community.
(D) PERSONAL PROPERTY.—
(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred to the United States under this subsection shall—
(I) remain the property of the holder; and
(II) be removed not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.
(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—
(I) become the property of the Fort Belknap Indian Community; and
(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.
(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable for costs incurred by the Fort Belknap Indian Community in removing and disposing of the personal property under clause (ii)(II).

(7) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of land owned by the State under paragraph (3), the State may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the State parcels to be exchanged.

(8) ASSISTANCE.—The Secretary shall provide $10,000,000 of financial or other assistance to the State and the Fort Belknap Indian Community as may be necessary to obtain the appraisals, and to satisfy administrative requirements, necessary to accomplish the exchanges under paragraph (2).

(b) FEDERAL LAND TRANSFERS.—
(1) IN GENERAL.—Subject to valid existing rights and the requirements of this subsection, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be held by the United States in trust for the benefit of the Fort Belknap Indian Community as part of the Reservation on the enforceability date.
(2) FEDERAL LAND.—
(A) BUREAU OF LAND MANAGEMENT PARCELS.—
(i) 59.46 acres in T. 25 N., R. 22 E., sec. 4, comprised of—
(I) 19.55 acres in lot 10;
(II) 19.82 acres in lot 11; and
(III) 20.09 acres in lot 16.
(ii) 324.24 acres in the N½ of T. 25 N., R. 22 E., sec. 5.
(iii) 403.56 acres in T. 25 N., R. 22 E., sec. 9, comprised of—
(I) 20.39 acres in lot 2;
(II) 20.72 acres in lot 7;
(III) 21.06 acres in lot 8;
(IV) 40.00 acres in lot 9;
(V) 40.00 acres in lot 10;
(VI) 40.00 acres in lot 11;
(VII) 40.00 acres in lot 12;
(VIII) 21.39 acres in lot 13; and
(IX) 160 acres in SW¼.
(iv) 70.63 acres in T. 25 N., R. 22 E., sec. 13, comprised of—
(I) 18.06 acres in lot 5;
(II) 18.25 acres in lot 6;
(III) 18.44 acres in lot 7; and
(IV) 15.88 acres in lot 8.
(v) 71.12 acres in T. 25 N., R. 22 E., sec. 14, comprised of—
(I) 17.65 acres in lot 5;
(II) 17.73 acres in lot 6;
(III) 17.83 acres in lot 7; and
(IV) 17.91 acres in lot 8.
(vi) 103.29 acres in T. 25 N., R. 22 E., sec. 15, comprised of—
(I) 21.56 acres in lot 6;
(II) 29.50 acres in lot 7;
(III) 17.28 acres in lot 8;
(IV) 17.41 acres in lot 9; and
(V) 17.54 acres in lot 10.
(vii) 160 acres in T. 26 N., R. 21 E., sec. 1, comprised of—
(I) 80 acres in the S½ of the NW¼; and
(II) 80 acres in the W½ of the SW¼.
(viii) 567.50 acres in T. 26 N., R. 21 E., sec. 2, comprised of—
(I) 82.54 acres in the E½ of the NW¼;
(II) 164.96 acres in the NE¼; and
(III) 320 acres in the S½.
(ix) 240 acres in T. 26 N., R. 21 E., sec. 3, comprised of—
(I) 40 acres in the SE¼ of the NW¼;
(II) 160 acres in the SW¼; and
(III) 40 acres in the SW¼ of the SE¼.
(x) 120 acres in T. 26 N., R. 21 E., sec. 4, comprised of—
(I) 80 acres in the E½ of the SE¼; and
(II) 40 acres in the NW¼ of the SE¼.

(xi) 200 acres in T. 26 N., R. 21 E., sec. 5, comprised of—
(I) 160 acres in the SW¼; and
(II) 40 acres in the SW¼ of the NW¼.
(xii) 40 acres in the SE¼ of the SE¼ of T. 26 N., R. 21 E., sec. 6.
(xiii) 240 acres in T. 26 N., R. 21 E., sec. 8, comprised of—
(I) 40 acres in the NE¼ of the SW¼;
(II) 160 acres in the NW¼; and
(III) 40 acres in the NW¼ of the SE¼.
(xiv) 320 acres in the E½ of T. 26 N., R. 21 E., sec. 9.
(xv) 640 acres in T. 26 N., R. 21 E., sec. 10.
(xvi) 600 acres in T. 26 N., R. 21 E., sec. 11, comprised of—
(I) 320 acres in the N½;
(II) 80 acres in the N½ of the SE¼;
(III) 160 acres in the SW¼; and
(IV) 40 acres in the SW¼ of the SE¼.
(xvii) 525.81 acres in T. 26 N., R. 22 E., sec. 21, comprised of—
(I) 6.62 acres in lot 1;
(II) 5.70 acres in lot 2;
(III) 56.61 acres in lot 5;
(IV) 56.88 acres in lot 6;
(V) 320 acres in the W½; and
(VI) 80 acres in the W½ of the SE¼.
(xviii) 719.58 acres in T. 26 N., R. 22 E., sec. 28.
(xix) 560 acres in T. 26 N., R. 22 E., sec. 29, comprised of—
(I) 320 acres in the N½;
(II) 160 acres in the N½ of the S½; and
(III) 80 acres in the S½ of the SE¼.
(xx) 400 acres in T. 26 N., R. 22 E., sec. 32, comprised of—
(I) 320 acres in the S½; and
(II) 80 acres in the S½ of the NW¼.
(xxi) 455.51 acres in T. 26 N., R. 22 E., sec. 33, comprised of—
(I) 58.25 acres in lot 3;
(II) 58.5 acres in lot 4;
(III) 58.76 acres in lot 5;
(IV) 40 acres in the NW¼ of the NE¼;
(V) 160 acres in the SW¼; and
(VI) 80 acres in the W½ of the SE¼.
(xxii) 88.71 acres in T. 27 N., R. 21 E., sec. 1, comprised of—
(I) 24.36 acres in lot 1;
(II) 24.35 acres in lot 2; and
(III) 40 acres in the SW¼ of the SW¼.
(xxiii) 80 acres in T. 27 N., R. 21 E., sec. 3, comprised of—
(I) 40 acres in lot 11; and
(II) 40 acres in lot 12.
(xxiv) 80 acres in T. 27 N., R. 21 E., sec. 11, comprised of—
(I) 40 acres in the NW¼ of the SW¼; and
(II) 40 acres in the SW¼ of the NW¼.
(xxv) 200 acres in T. 27 N., R. 21 E., sec. 12, comprised of—
(I) 80 acres in the E½ of the SW¼;
(II) 40 acres in the NW¼ of the NW¼; and
(III) 80 acres in the S½ of the NW¼.
(xxvi) 40 acres in the SE¼ of the NE¼ of T. 27 N., R. 21 E., sec. 23.
(xxvii) 320 acres in T. 27 N., R. 21 E., sec. 24, comprised of—
(I) 80 acres in the E½ of the NW¼;
(II) 160 acres in the NE¼;
(III) 40 acres in the NE¼ of the SE¼; and
(IV) 40 acres in the SW¼ of the SW¼.
(xxviii) 120 acres in T. 27 N., R. 21 E., sec. 25, comprised of—
(I) 80 acres in the S½ of the NE¼; and
(II) 40 acres in the SE¼ of the NW¼.
(xxix) 40 acres in the NE¼ of the SE¼ of T. 27 N., R. 21 E., sec. 26.
(xxx) 160 acres in the NW¼ of T. 27 N., R. 21 E., sec. 27.
(xxxi) 40 acres in the SW¼ of the SW¼ of T. 27 N., R. 21 E., sec. 29.
(xxxii) 40 acres in the SW¼ of the NE¼ of T. 27 N., R. 21 E., sec 30.
(xxxiii) 120 acres in T. 27 N., R. 21 E., sec. 33, comprised of—
(I) 40 acres in the SE¼ of the NE¼; and
(II) 80 acres in the N½ of the SE¼.
(xxxiv) 440 acres in T. 27 N., R. 21 E., sec. 34, comprised of—
(I) 160 acres in the N½ of the S½;
(II) 160 acres in the NE¼;
(III) 80 acres in the S½ of the NW¼; and
(IV) 40 acres in the SE¼ of the SE¼.
(xxxv) 133.44 acres in T. 27 N., R. 22 E., sec. 4, comprised of—
(I) 28.09 acres in lot 5;
(II) 25.35 acres in lot 6;
(III) 40 acres in lot 10; and
(IV) 40 acres in lot 15.
(xxxvi) 160 acres in T. 27 N., R. 22 E., sec. 7, comprised of—
(I) 40 acres in the NE¼ of the NE¼;
(II) 40 acres in the NW¼ of the SW¼; and
(III) 80 acres in the W½ of the NW¼.
(xxxvii) 120 acres in T. 27 N., R. 22 E., sec. 8, comprised of—
(I) 80 acres in the E½ of the NW¼; and
(II) 40 acres in the NE¼ of the SW¼.
(xxxviii) 40 acres in the SW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 9.
(xxxix) 40 acres in the NE¼ of the SW¼ of T. 27 N., R. 22 E., sec. 17.
(xl) 40 acres in the NW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 19.
(xli) 40 acres in the SE¼ of the NW¼ of T. 27 N., R22 E., sec. 20.
(xlii) 80 acres in the W½ of the SE¼ of T. 27 N., R. 22 E., sec. 31.
(xliii) 52.36 acres in the SE¼ of the SE¼ of T. 27 N., R. 22 E., sec. 33.
(xliv) 40 acres in the NE¼ of the SW¼ of T. 28 N., R. 22 E., sec. 29.
(xlv) 40 acres in the NE¼ of the NE¼ of T. 26 N., R. 21 E., sec. 7.
(xlvi) 40 acres in the SW¼ of the NW¼ of T. 26 N., R. 21 E., sec. 12.
(xlvii) 42.38 acres in the NW¼ of the NE¼ of T. 26 N., R. 22 E., sec. 6.
(xlviii) 320 acres in the E½ of T. 26 N., R. 22 E., sec. 17.
(xlix) 80 acres in the E½ of the NE¼ of T. 26 N., R. 22 E., sec. 20.
(l) 240 acres in T. 26 N., R. 22 E., sec. 30, comprised of—
(I) 80 acres in the E½ of the NE¼;
(II) 80 acres in the N½ of the SE¼;
(III) 40 acres in the SE¼ of the NW¼; and
(IV) 40 acres in the SW¼ of the NE¼.

(B) BUREAU OF INDIAN AFFAIRS.—The parcels of approximately 3,519.3 acres of trust land that have been converted to fee land, judicially foreclosed on, acquired by the Department of Agriculture, and transferred to the Bureau of Indian Affairs, described in clauses (i) through (iii).

(i) PARCEL 1.—The land described in this clause is 640 acres in T. 29 N., R. 26 E., comprised of—
(I) 160 acres in the SW¼ of sec. 27;
(II) 160 acres in the NE¼ of sec. 33; and
(III) 320 acres in the W½ of sec. 34.

(ii) PARCEL 2.—The land described in this clause is 320 acres in the N½ of T. 30 N., R. 23 E., sec. 28.

(iii) PARCEL 3.—The land described in this clause is 2,559.3 acres, comprised of—
(I) T. 28 N., R. 24 E., including—
(aa) of sec. 16—
(AA) 5 acres in the E½, W½, E½, W½, W½, NE¼;
(BB) 10 acres in the E½, E½, W½, W½, NE¼;
(CC) 40 acres in the E½, W½, NE¼;
(DD) 40 acres in the W½, E½, NE¼;
(EE) 20 acres in the W½, E½, E½, NE¼;
(FF) 5 acres in the W½, W½, E½, E½, E½, NE¼; and
(GG) 160 acres in the SE¼;
(bb) 640 acres in sec. 21;
(cc) 320 acres in the S½ of sec. 22; and
(dd) 320 acres in the W½ of sec. 27;
(II) T. 29 N., R. 25 E., PMM, including—
(aa) 320 acres in the S½ of sec. 1; and
(bb) 320 acres in the N½ of sec. 12;
(III) 39.9 acres in T. 29 N., R. 26 E., PMM, sec. 6, lot 2;
(IV) T. 30 N., R. 26 E., PMM, including—
(aa) 39.4 acres in sec. 3, lot 2;
(bb) 40 acres in the SW¼ of the SW¼ of sec. 4;
(cc) 80 acres in the E½ of the SE¼ of sec. 5;
(dd) 80 acres in the S½ of the SE¼ of sec. 7; and
(ee) 40 acres in the N½, N½, NE¼ of sec. 18; and
(V) 40 acres in T. 31 N., R. 26 E., PMM, the NW¼ of the SE¼ of sec. 31.

(3) TERMS AND CONDITIONS.—

(A) EXISTING AUTHORIZATIONS.—

(i) IN GENERAL.—Federal land transferred under this subsection shall be conveyed and taken into trust subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, and rights-of-way requests an earlier termination in accordance with existing law.

(ii) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—
(I) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, and rights-of-way described in clause (i); and
(II) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-ways after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the Fort Belknap Indian Community.

(B) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred under this subsection shall—
(I) remain the property of the holder; and
(II) be removed from the land not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—
(I) become the property of the Fort Belknap Indian Community; and
(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable to the Fort Belknap Indian Community for costs incurred by the Fort Belknap Indian Community in removing and disposing of the property under clause (ii)(II).

(C) EXISTING ROADS.—If any road within the Federal land transferred under this subsection is necessary for customary access to private land, the Bureau of Indian Affairs shall offer the owner of the private land to apply for a right-of-way along the existing road, at the expense of the landowner.

(D) LIMITATION ON THE TRANSFER OF WATER RIGHTS.—Water rights that transfer with the land described in paragraph (2) shall not become part of the Tribal water rights, unless those rights are recognized and ratified in the Compact.

(4) WITHDRAWAL OF FEDERAL LAND.—

(A) IN GENERAL.—Subject to valid existing rights, effective on the date of enactment of this Act, all Federal land within the parcels described in paragraph (2) is withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(B) EXPIRATION.—The withdrawals pursuant to subparagraph (A) shall terminate on the date that the Secretary takes the land into trust for the benefit of the Fort Belknap Indian Community pursuant to paragraph (1).

(C) NO NEW RESERVATION OF FEDERAL WATER RIGHTS.—Nothing in this paragraph establishes a new reservation in favor of the United States or the Fort Belknap Indian Community with respect to any water or water right on the land withdrawn by this paragraph.

(5) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in paragraph (2), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels.

(6) SURVEY.—

(A) IN GENERAL.—Unless the United States or the Fort Belknap Indian Community request an additional survey for the transferred land or a technical correction is made under paragraph (5), the description of land under this subsection shall be controlling.

(B) ADDITIONAL SURVEY.—If the United States or the Fort Belknap Indian Community requests an additional survey, that survey shall control the total acreage to be transferred into trust under this subsection.

(C) ASSISTANCE.—The Secretary shall provide such financial or other assistance as may be necessary—

(i) to conduct additional surveys under this subsection; and

(ii) to satisfy administrative requirements necessary to accomplish the land transfers under this subsection.

(7) DATE OF TRANSFER.—The Secretary shall complete all land transfers under this subsection and shall take the land into trust for the benefit of the Fort Belknap Indian Community as expeditiously as practicable after the enforceability date, but not later than 10 years after the enforceability date.

(c) TRIBALLY OWNED FEE LAND.—Not later than 10 years after the enforceability date, the Secretary shall take into trust for the benefit of the Fort Belknap Indian Community all fee land owned by the Fort Belknap Indian Community on or adjacent to the Reservation to become part of the Reservation, provided that—

(1) the land is free from any liens, encumbrances, or other infirmities; and

(2) no evidence exists of any hazardous substances on, or other environmental liability with respect to, the land.

(d) DODSON LAND.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the enforceability date, but not later than 10 years after the enforceability date, the Dodson Land described in paragraph (3) shall be taken into trust by the United States for the benefit of the Fort Belknap Indian Community as part of the Reservation.

(2) RESTRICTIONS.—The land taken into trust under paragraph (1) shall be subject to a perpetual easement, reserved by the United States for use by the Bureau of Reclamation, its contractors, and its assigns for—

(A) the right of ingress and egress for Milk River Project purposes;

(B) the right to—

(i) seep, flood, and overflow the transferred land for Milk River Project purposes;

(ii) conduct routine and non-routine operation, maintenance, and replacement activities on the Milk River Project facilities, including modification to the headworks at the upstream end of the Dodson South Canal in support of Dodson South Canal enlargement, to include all associated access, construction, and material storage necessary to complete those activities; and

(iii) prohibit the construction of permanent structures on the transferred land, except—

(I) as provided in the cooperative agreement under paragraph (4); and

(II) to meet the requirements of the Milk River Project.

(3) DESCRIPTION OF DODSON LAND.—

(A) IN GENERAL.—The Dodson Land referred to in paragraphs (1) and (2) is the approximately 2,500 acres of land owned by the United States that is, as of the date of enactment of this Act, under the jurisdiction of the Bureau of Reclamation and located at the northeastern corner of the Reservation (which extends to the point in the middle of the main channel of the Milk River), where the Milk River Project facilities, including the Dodson Diversion Dam, headworks to the Dodson South Canal, and Dodson South Canal, are located, and more particularly described as follows:

(i) Supplemental Plat of T. 30 N., R. 26 E., PMM, secs. 1 and 2.

(ii) Supplemental Plat of T. 31 N., R. 25 E., PMM, sec. 13.

(iii) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 18, 19, 20, and 29.

(iv) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 26, 27, 35, and 36.

(B) CLARIFICATION.—The supplemental plats described in clauses (i) through (iv) of subparagraph (A) are official plats, as documented by retracement boundary surveys of the General Land Office, approved on March 11, 1938, and on record at the Bureau of Land Management.

(C) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in subparagraph (A), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels to be transferred.

(4) COOPERATIVE AGREEMENT.—Not later than 3 years after the enforceability date, the Bureau of Reclamation, the Malta Irrigation District, the Bureau of Indian Affairs, and the Fort Belknap Indian Community shall negotiate and enter into a cooperative agreement that identifies the uses to which the Fort Belknap Indian Community may put the land described in paragraph (3), provided that the cooperative agreement may be amended by mutual agreement of the Fort Belknap Indian Community, Bureau of Reclamation, the Malta Irrigation District, and the Bureau of Indian Affairs, including to modify the perpetual easement to narrow the boundaries of the easement or to terminate the perpetual easement and cooperative agreement.

(e) LAND STATUS.—All land held in trust by the United States for the benefit of the Fort Belknap Indian Community under this section shall be—

(1) beneficially owned by the Fort Belknap Indian Community; and

(2) part of the Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for the benefit of an Indian Tribe.

SEC. 11007. STORAGE ALLOCATION FROM LAKE ELWELL.

(a) STORAGE ALLOCATION OF WATER TO FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall allocate to the Fort Belknap Indian Community 20,000 acre-feet per year of water stored in Lake Elwell for use by the Fort Belknap Indian Community for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation for the benefit of the Fort Belknap Indian Community, as measured and diverted at the outlet works of the Tiber Dam or through direct pumping from Lake Elwell.

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Fort Belknap Indian Community under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Fort Belknap Indian Community under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Fort Belknap Indian Community shall administer the water allocated under subsection (a) in accordance with the Compact and this division.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving the allocation under this section, the Fort Belknap Indian Community shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this division.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Fort Belknap Indian Community, and not the United States, shall be entitled to all consideration due to the Fort Belknap Indian Community under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Fort Belknap Indian Community shall have the same storage rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Fort Belknap Indian Community shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, regardless of whether that water is delivered for use by the Fort Belknap Indian Community or under a lease, contract, exchange, or by agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(G) the Fort Belknap Indian Community shall not be required to make payments to the United States for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H); and

(H) for each acre-foot of stored water leased or transferred by the Fort Belknap Indian Community for industrial purposes—

(i) the Fort Belknap Indian Community shall pay annually to the United States an amount necessary to cover the proportional share of the annual operations, maintenance,

and replacement costs allocable to the quantity of water leased or transferred by the Fort Belknap Indian Community for industrial purposes; and

(ii) the annual payments of the Fort Belknap Indian Community shall be reviewed and adjusted, as appropriate, to reflect the actual operations, maintenance, and replacement costs for Tiber Dam.

(d) AGREEMENT BY FORT BELKNAP INDIAN COMMUNITY.—The Fort Belknap Indian Community may use, lease, contract, exchange, or enter into other agreements for the use of the water allocated to the Fort Belknap Indian Community under subsection (a) if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any water allocated to the Fort Belknap Indian Community under that subsection.

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 11008. MILK RIVER PROJECT MITIGATION.

(a) IN GENERAL.—In complete satisfaction of the Milk River Project mitigation requirements provided for in Article VI.B. of the Compact, the Secretary, acting through the Commissioner—

(1) in cooperation with the State and the Blackfeet Tribe, shall carry out appropriate activities concerning the restoration of the St. Mary Canal and associated facilities, including activities relating to the—

(A) planning and design to restore the St. Mary Canal and appurtenances to convey 850 cubic-feet per second; and

(B) rehabilitating, constructing, and repairing of the St. Mary Canal and appurtenances; and

(2) in cooperation with the State and the Fort Belknap Indian Community, shall carry out appropriate activities concerning the enlargement of Dodson South Canal and associated facilities, including activities relating to the—

(A) planning and design to enlarge Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; and

(B) rehabilitating, constructing, and enlarging the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second.

(b) FUNDING.—The total amount of obligations incurred by the Secretary, prior to any adjustments provided for in section 11014(b), shall not exceed $300,000,000 to carry out activities described in subsection (c)(1).

(c) SATISFACTION OF MITIGATION REQUIREMENT.—Notwithstanding any provision of the Compact, the mitigation required by Article VI.B. of the Compact shall be deemed satisfied if—

(1) the Secretary has—

(A) restored the St. Mary Canal and associated facilities to convey 850 cubic-feet per second; and

(B) enlarged the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; or

(2) the Secretary—

(A) has expended all of the available funding provided pursuant to section 11014(a)(1)(D) to rehabilitate the St. Mary Canal and enlarge the Dodson South Canal; and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

(d) NONREIMBURSABILITY OF COSTS.—The costs to the Secretary of carrying out this section shall be nonreimbursable.

SEC. 11009. FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall rehabilitate, modernize, and expand the Fort Belknap Indian Irrigation Project, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, which shall include—

(1) planning, studies, and designing of the existing and expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project;

(2) the rehabilitation, modernization, and construction of the existing Milk River unit; and

(3) construction of the expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project.

(b) LEAD AGENCY.—The Bureau of Indian Affairs, in coordination with the Bureau of Reclamation, shall serve as the lead agency with respect to any activities carried out under this section.

(c) CONSULTATION WITH THE FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall consult with the Fort Belknap Indian Community on appropriate changes to the final design and costs of any activity under this section.

(d) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section, prior to any adjustment provided for in section 11014(b), shall not exceed $415,832,153.

(e) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(f) ADMINISTRATION.—The Secretary and the Fort Belknap Indian Community shall negotiate the cost of any oversight activity carried out by the Bureau of Indian Affairs or the Bureau of Reclamation under any agreement entered into under subsection (j), subject to the condition that the total cost for the oversight shall not exceed 3 percent of the total project costs for each project.

(g) PROJECT MANAGEMENT COMMITTEE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall facilitate the formation of a project management committee composed of representatives of the Bureau of Indian Affairs, the Bureau of Reclamation, and the Fort Belknap Indian Community—

(1) to review and make recommendations relating to cost factors, budgets, and implementing the activities for rehabilitating, modernizing, and expanding the Fort Belknap Indian Irrigation Project; and

(2) to improve management of inherently governmental activities through enhanced communication.

(h) PROJECT EFFICIENCIES.—If the total cost of planning, studies, design, rehabilitation, modernization, and construction activities relating to the projects described in subsection (a) results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under section 11012(b)(2).

(i) TREATMENT.—Any activities carried out pursuant to this section that result in improvements, additions, or modifications to the Fort Belknap Indian Irrigation Project shall—

(1) become a part of the Fort Belknap Indian Irrigation Project; and

(2) be recorded in the inventory of the Secretary relating to the Fort Belknap Indian Irrigation Project.

(j) APPLICABILITY OF ISDEAA.—At the request of the Fort Belknap Indian Community, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into agreements with the Fort Belknap Indian Community to carry out all or a portion of this section.

(k) EFFECT.—Nothing in this section—

(1) alters any applicable law under which the Bureau of Indian Affairs collects assessments or carries out the operations and maintenance of the Fort Belknap Indian Irrigation Project; or

(2) impacts the availability of amounts under section 11014.

(l) SATISFACTION OF FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM REQUIREMENT.—The obligations of the Secretary under subsection (a) shall be deemed satisfied if the Secretary—

(1) has rehabilitated, modernized, and expanded the Fort Belknap Indian Irrigation Project in accordance with subsection (a); or

(2)(A) has expended all of the available funding provided pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 11014(a); and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

SEC. 11010. SATISFACTION OF CLAIMS.

(a) IN GENERAL.—The benefits provided under this division shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Fort Belknap Indian Community against the United States that is waived and released by the Fort Belknap Indian Community under section 11011(a).

(b) ALLOTTEES.—The benefits realized by the allottees under this division shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released by the United States (acting as trustee for the allottees) under section 11011(a)(2); and

(2) any claims of the allottees against the United States similar to the claims described in section 11011(a)(2) that the allottee asserted or could have asserted.

SEC. 11011. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AND UNITED STATES AS TRUSTEE FOR THE FORT BELKNAP INDIAN COMMUNITY.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), and the United States, acting as trustee for the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Fort Belknap Indian Community, or the United States acting as trustee for the Fort Belknap Indian Community, asserted or

could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(2) WAIVER AND RELEASE OF CLAIMS BY THE UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the United States, acting as trustee for the allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(3) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) first arising before the enforceability date relating to—

(i) water rights within the State that the United States, acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a general stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this division;

(ii) foregone benefits from nontribal use of water, on and off the Reservation (including water from all sources and for all uses);

(iii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State;

(iv) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(v) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of the Fort Belknap Indian Irrigation Project and other Federal land and facilities (including damages, losses, or injuries to Tribal fisheries, fish habitat, wildlife, and wildlife habitat);

(vi) a failure to provide for operation and maintenance, or deferred maintenance, for the Fort Belknap Indian Irrigation Project or any other irrigation system or irrigation project;

(vii) the litigation of claims relating to any water rights of the Fort Belknap Indian Community in the State;

(viii) the negotiation, execution, or adoption of the Compact (including appendices) and this division;

(ix) the taking or acquisition of land or resources of the Fort Belknap Indian Community for the construction or operation of the Fort Belknap Indian Irrigation Project or the Milk River Project; and

(x) the allocation of water of the Milk River and the St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448); and

(B) relating to damage, loss, or injury to water, water rights, land, or natural resources due to mining activities in the Little Rockies Mountains prior to the date of trust acquisition, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights.

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) OBJECTIONS IN MONTANA WATER COURT.—Nothing in this division or the Compact prohibits the Fort Belknap Indian Community, a member of the Fort Belknap Indian Community, an allottee, or the United States in any capacity from objecting to any claim to a water right filed in any general stream adjudication in the Montana Water Court.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community, and the United States, acting as trustee for the Fort Belknap Indian Community and the allottees shall retain—

(1) all claims relating to—

(A) the enforcement of water rights recognized under the Compact, any final court decree relating to those water rights, or this division or to water rights accruing on or after the enforceability date;

(B) the quality of water under—

(i) CERCLA, including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(C) damage, loss, or injury to land or natural resources that are—

(i) not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights); and

(ii) not described in subsection (a)(3); and

(D) an action to prevent any person or party (as defined in sections 29 and 30 of Article II of the Compact) from interfering with the enjoyment of the Tribal water rights;

(2) all claims relating to off-Reservation hunting rights, fishing rights, gathering rights, or other rights;

(3) all claims relating to the right to use and protect water rights acquired after the date of enactment of this Act;

(4) all claims relating to the allocation of waters of the Milk River and the Milk River Project between the Fort Belknap Indian Community and the Blackfeet Tribe, pursuant to section 3705(e)(3) of the Blackfeet Water Rights Settlement Act (Public Law 114–322; 130 Stat. 1818);

(5) all claims relating to the enforcement of this division, including the required transfer of land under section 11006; and

(6) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this division or the Compact.

(e) EFFECT OF COMPACT AND DIVISION.—Nothing in the Compact or this division—

(1) affects the authority of the Fort Belknap Indian Community to enforce the laws of the Fort Belknap Indian Community, including with respect to environmental protections;

(2) affects the ability of the United States, acting as sovereign, to carry out any activity authorized by law, including—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) CERCLA; and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) affects the ability of the United States to act as trustee for any other Indian Tribe or an allottee of any other Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law relating to health, safety, or the environment; or

(C) to conduct judicial review of any Federal agency action;

(5) waives any claim of a member of the Fort Belknap Indian Community in an individual capacity that does not derive from a right of the Fort Belknap Indian Community;

(6) revives any claim adjudicated in the decision in Gros Ventre Tribe v. United States, 469 F.3d 801 (9th Cir. 2006); or

(7) revives any claim released by an allottee or member of the Fort Belknap Indian Community in the settlement in Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) the eligible members of the Fort Belknap Indian Community have voted to approve this division and the Compact by a majority of votes cast on the day of the vote;

(2)(A) the Montana Water Court has approved the Compact in a manner from which no further appeal may be taken; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate district court of the United States has approved the Compact as a consent decree from which no further appeal may be taken;

(3) all of the amounts authorized to be appropriated under section 11014 have been appropriated and deposited in the designated accounts;

(4) the Secretary and the Fort Belknap Indian Community have executed the allocation agreement described in section 11007(c)(1);

(5) the State has provided the required funding into the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund pursuant to section 11014(a)(3); and

(6) the waivers and releases under subsection (a) have been executed by the Fort Belknap Indian Community and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the enforceability date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitations or time-based equitable defense that expired before the date of enactment of this Act.

(h) EXPIRATION.—

(1) IN GENERAL.—This division shall expire in any case in which—

(A) the amounts authorized to be appropriated by this division have not been made available to the Secretary by not later than—

(i) January 21, 2034; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary; or

(B) the Secretary fails to publish a statement of findings under subsection (f) by not later than—

(i) January 21, 2035; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this division expires under paragraph (1)—

(A) the waivers and releases under subsection (a) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Compact under section 11004 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this division shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this division, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this division shall be returned to the Federal Government, unless otherwise agreed to by the Fort Belknap Indian Community and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this division that were expended or withdrawn, or any funds made available to carry out this division from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Fort Belknap Indian Community; or

(bb) any user of the Tribal water rights; or

(II) any other matter described in subsection (a)(3); or

(ii) in any future settlement of water rights of the Fort Belknap Indian Community or an allottee.

SEC. 11012. AANIIIH NAKODA SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund for the Fort Belknap Indian Community, to be known as the ''Aaniiih Nakoda Settlement Trust Fund'', to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account.

(2) The Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account.

(3) The Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1), the amounts made available pursuant to paragraphs (1)(A) and (2)(A)(i) of section 11014(a);

(2) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the amounts made available pursuant to section 11014(a)(2)(A)(ii); and

(3) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the amounts made available pursuant to paragraphs (1)(B) and (2)(A)(iii) of section 11014(a).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of the funds into the accounts in the Trust Fund pursuant to subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in accordance with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the amounts deposited under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund shall be available for use in accordance with subsections (e) and (g).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, earned on those amounts shall be made available—

(A) to the Fort Belknap Indian Community by the Secretary beginning on the enforceability date; and

(B) subject to the uses and restrictions in this section.

(2) EXCEPTIONS.—Notwithstanding paragraph (1)—

(A) amounts deposited in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for uses described in subparagraph (A) and (B) of subsection (g)(1);

(B) amounts deposited in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2) shall be made available to the Fort Belknap Indian Community on the date on which the amounts are deposited and the Fort Belknap Indian Community has satisfied the requirements of section 11011(f)(1), for the uses described in subsection (g)(2)(A); and

(C) amounts deposited in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for the uses described in subsection (g)(3)(A).

(f) WITHDRAWALS.—

(1) AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Fort Belknap Indian Community may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Fort Belknap Indian Community in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Fort Belknap Indian Community spend all amounts withdrawn from the Trust Fund, and any investment earnings accrued through the investments under the Tribal management plan, in accordance with this division.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary—

(i) to enforce the Tribal management plan; and

(ii) to ensure that amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community under this paragraph are used in accordance with this division.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Fort Belknap Indian Community may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under this paragraph, the Fort Belknap Indian Community shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Fort Belknap Indian Community elects to withdraw pursuant to this paragraph, subject to the condition that the funds shall be used for the purposes described in this division.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Fort Belknap Indian Community in accordance with subsections (e) and (g).

(D) APPROVAL.—On receipt of an expenditure plan under this paragraph, the Secretary shall approve the expenditure plan if the Secretary determines that the expenditure plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this division.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan under this paragraph to ensure that amounts disbursed under this paragraph are used in accordance with this division.

(g) USES.—Amounts from the Trust Fund shall be used by the Fort Belknap Indian Community for the following purposes:

(1) FORT BELKNAP INDIAN COMMUNITY TRIBAL IRRIGATION AND OTHER WATER RESOURCES DEVELOPMENT ACCOUNT.—Amounts in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be used to pay the cost of activities relating to—

(A) planning, studies, and design of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019;

(B) environmental compliance;

(C) construction of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir;

(D) wetlands restoration and development;

(E) stock watering infrastructure; and

(F) on farm development support and reacquisition of fee lands within the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(2) FORT BELKNAP INDIAN COMMUNITY WATER RESOURCES AND WATER RIGHTS ADMINISTRATION, OPERATION, AND MAINTENANCE ACCOUNT.—Amounts in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities described in subparagraphs (A) through (C) as follows:

(A) $9,000,000 shall be used for the establishment, operation, and capital expenditures in connection with the administration of the Tribal water resources and water rights development, including the development or enactment of a Tribal water code.

(B) Only investment earnings, including interest, on $29,299,059 shall be used and be available to pay the costs of activities for administration, operations, and regulation of the Tribal water resources and water rights department, in accordance with the Compact and this division.

(C) Only investment earnings, including interest, on $28,331,693 shall be used and be available to pay the costs of activities relating to a portion of the annual assessment costs for the Fort Belknap Indian Community and Tribal members, including allottees, under the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(3) FORT BELKNAP INDIAN COMMUNITY CLEAN AND SAFE DOMESTIC WATER AND SEWER SYSTEMS, AND LAKE ELWELL PROJECT ACCOUNT.—Amounts in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities relating to—

(A) planning, studies, design, and environmental compliance of domestic water supply, and sewer collection and treatment systems, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, including the Lake Elwell Project water delivery to the southern part of the Reservation;

(B) construction of domestic water supply, sewer collection, and treatment systems;

(C) construction, in accordance with applicable law, of infrastructure for delivery of Lake Elwell water diverted from the Missouri River to the southern part of the Reservation; and

(D) planning, studies, design, environmental compliance, and construction of a Tribal wellness center for a work force health and wellbeing project.

(h) LIABILITY.—The Secretary shall not be liable for any expenditure or investment of amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community pursuant to subsection (f).

(i) PROJECT EFFICIENCIES.—If the total cost of the activities described in subsection (g) results in cost savings and is less than the amounts authorized to be obligated under any of paragraphs (1) through (3) of that subsection required to carry out those activities, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Trust Fund to be used in accordance with that subsection.

(j) ANNUAL REPORT.—The Fort Belknap Indian Community shall submit to the Secretary an annual expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan described in this section.

(k) NO PER CAPITA PAYMENTS.—No principal or interest amount in any account established by this section shall be distributed to any member of the Fort Belknap Indian Community on a per capita basis.

(l) EFFECT.—Nothing in this division entitles the Fort Belknap Indian Community to judicial review of a determination of the Secretary regarding whether to approve a Tribal management plan under subsection (f)(1) or an expenditure plan under subsection (f)(2), except as provided under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

SEC. 11013. FORT BELKNAP INDIAN COMMUNITY WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account to be known as the ''Fort Belknap Indian Community Water Settlement Implementation Fund'', to be managed and distributed by the Secretary, for use by the Secretary for carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The Fort Belknap Indian Irrigation Project System Account.

(2) The Milk River Project Mitigation Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1), the amount made available pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 11014(a); and

(2) in the Milk River Project Mitigation Account established under subsection (b)(2), the amount made available pursuant to section 11014(a)(1)(D).

(d) USES.—

(1) FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM ACCOUNT.—The Fort Belknap Indian Irrigation Project Rehabilitation Account established under subsection (b)(1) shall be used to carry out section 11009, except as provided in subsection (h) of that section.

(2) MILK RIVER PROJECT MITIGATION ACCOUNT.—The Milk River Project Mitigation Account established under subsection (b)(2) may only be used to carry out section 11008.

(e) MANAGEMENT.—

(1) IN GENERAL.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

(2) EXCEPTION.—Notwithstanding paragraph (1), amounts deposited in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1) shall be available to the Secretary on the date on which the amounts are deposited for uses described in paragraphs (1) and (2) of section 11009(a).

(f) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (d).

SEC. 11014. FUNDING.

(a) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(A) for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1), $89,643,100, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(B) for deposit in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 11012(b)(3), $331,885,220, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(C) for deposit in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 11013(b)(1), such sums as are necessary, but not more than $187,124,469, for the Secretary to carry out section 11009, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury; and

(D) for deposit in the Milk River Project Mitigation Account of the Implementation Fund established under section 11013(b)(2), such sums as are necessary, but not more than $300,000,000, for the Secretary to carry out obligations of the Secretary under section 11008, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) MANDATORY APPROPRIATIONS.—

(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall deposit—

(i) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1), $29,881,034, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(ii) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account of the Trust Fund established under section 11012(b)(2), $66,630,752;

(iii) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 11012(b)(3), $110,628,407; and

(iv) in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 11013(b)(1), $228,707,684.

(B) AVAILABILITY.—Amounts deposited in the accounts under subparagraph (A) shall be available without further appropriation.

(3) STATE COST SHARE.—The State shall contribute $5,000,000, plus any earned interest, payable to the Secretary for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1) on approval of a final decree by the Montana Water Court for the purpose of activities relating to the Upper Peoples Creek Dam and Reservoir under subparagraphs (A) through (C) of section 11012(g)(1).

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amounts authorized to be appropriated under paragraphs (1) and (2) of subsection (a) and this subsection shall be—

(A) increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after the date of enactment of this Act as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend; and

(B) adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be

captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(2) REPETITION.—The adjustment process under paragraph (1) shall be repeated for each subsequent amount appropriated until the amount authorized to be appropriated under subsection (a), as adjusted, has been appropriated.

(3) PERIOD OF INDEXING.—

(A) TRUST FUND.—With respect to the Trust Fund, the period of indexing adjustment under paragraph (1) for any increment of funding shall end on the date on which the funds are deposited into the Trust Fund.

(B) IMPLEMENTATION FUND.—With respect to the Implementation Fund, the period of adjustment under paragraph (1) for any increment of funding shall be annually.

SEC. 11015. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this division waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Fort Belknap Indian Community.

(c) ELIMINATION OF DEBTS OR LIENS AGAINST ALLOTMENTS OF THE FORT BELKNAP INDIAN COMMUNITY MEMBERS WITHIN THE FORT BELKNAP INDIAN IRRIGATION PROJECT.—On the date of enactment of this Act, the Secretary shall cancel and eliminate all debts or liens against the allotments of land held by the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community due to construction assessments and annual operation and maintenance charges relating to the Fort Belknap Indian Irrigation Project.

(d) EFFECT ON CURRENT LAW.—Nothing in this division affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner under this division shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(f) ADDITIONAL FUNDING.—Nothing in this division prohibits the Fort Belknap Indian Community from seeking—

(1) additional funds for Tribal programs or purposes; or

(2) funding from the United States or the State based on the status of the Fort Belknap Indian Community as an Indian Tribe.

(g) RIGHTS UNDER STATE LAW.—Except as provided in section 1 of Article III of the Compact (relating to the closing of certain water basins in the State to new appropriations in accordance with the laws of the State), nothing in this division or the Compact precludes the acquisition or exercise of a right arising under State law (as defined in section 6 of Article II of the Compact) to the use of water by the Fort Belknap Indian Community, or a member or allottee of the Fort Belknap Indian Community, outside the Reservation by—

(1) purchase of the right; or

(2) submitting to the State an application in accordance with State law.

(h) WATER STORAGE AND IMPORTATION.—Nothing in this division or the Compact prevents the Fort Belknap Indian Community from participating in any project to import water to, or to add storage in, the Milk River Basin.

SEC. 11016. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this division, including any obligation or activity under the Compact, if—

(1) adequate appropriations are not provided by Congress expressly to carry out the purposes of this division; or

(2) there are not enough funds available in the Reclamation Water Settlements Fund established by section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)) to carry out the purposes of this division.

DIVISION L—COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

TITLE LXIX—FEDERAL DATA AND INFORMATION SECURITY

Subtitle A—Federal Data Center Enhancement Act of 2023

SEC. 11001. SHORT TITLE.

This subtitle may be cited as the ''Federal Data Center Enhancement Act of 2023''.

SEC. 11002. FEDERAL DATA CENTER CONSOLIDATION INITIATIVE AMENDMENTS.

(a) FINDINGS.—Congress finds the following:

(1) The statutory authorization for the Federal Data Center Optimization Initiative under section 834 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–291) expired at the end of fiscal year 2022.

(2) The expiration of the authorization described in paragraph (1) presents Congress with an opportunity to review the objectives of the Federal Data Center Optimization Initiative to ensure that the initiative is meeting the current needs of the Federal Government.

(3) The initial focus of the Federal Data Center Optimization Initiative, which was to consolidate data centers and create new efficiencies, has resulted in, since 2010—

(A) the consolidation of more than 6,000 Federal data centers; and

(B) cost savings and avoidance of $5,800,000,000.

(4) The need of the Federal Government for access to data and data processing systems has evolved since the date of enactment in 2014 of subtitle D of title VIII of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015.

(5) Federal agencies and employees involved in mission critical functions increasingly need reliable access to secure, reliable, and protected facilities to house mission critical data and data operations to meet the immediate needs of the people of the United States.

(6) As of the date of enactment of this subtitle, there is a growing need for Federal agencies to use data centers and cloud applications that meet high standards for cybersecurity, resiliency, and availability.

(b) MINIMUM REQUIREMENTS FOR NEW DATA CENTERS.—Section 834 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–291) is amended—

(1) in subsection (a), by striking paragraphs (3) and (4) and inserting the following:

''(3) NEW DATA CENTER.—The term 'new data center' means—

''(A)(i) a data center or a portion thereof that is owned, operated, or maintained by a covered agency; or

''(ii) to the extent practicable, a data center or portion thereof—

''(I) that is owned, operated, or maintained by a contractor on behalf of a covered agency on the date on which the contract between the covered agency and the contractor expires; and

''(II) with respect to which the covered agency extends the contract, or enters into a new contract, with the contractor; and

''(B) on or after the date that is 180 days after the date of enactment of the Federal Data Center Enhancement Act of 2023, a data center or portion thereof that is—

''(i) established; or

''(ii) substantially upgraded or expanded.'';

(2) by striking subsection (b) and inserting the following:

''(b) MINIMUM REQUIREMENTS FOR NEW DATA CENTERS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Federal Data Center Enhancement Act of 2023, the Administrator shall establish minimum requirements for new data centers in consultation with the Administrator of General Services and the Federal Chief Information Officers Council.

''(2) CONTENTS.—

''(A) IN GENERAL.—The minimum requirements established under paragraph (1) shall include requirements relating to—

''(i) the availability of new data centers;

''(ii) the use of new data centers;

''(iii) uptime percentage;

''(iv) protections against power failures, including on-site energy generation and access to multiple transmission paths;

''(v) protections against physical intrusions and natural disasters;

''(vi) information security protections required by subchapter II of chapter 35 of title 44, United States Code, and other applicable law and policy; and

''(vii) any other requirements the Administrator determines appropriate.

''(B) CONSULTATION.—In establishing the requirements described in subparagraph (A)(vi), the Administrator shall consult with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director.

''(3) INCORPORATION OF MINIMUM REQUIREMENTS INTO CURRENT DATA CENTERS.—As soon as practicable, and in any case not later than 90 days after the Administrator establishes the minimum requirements pursuant to paragraph (1), the Administrator shall issue guidance to ensure, as appropriate, that covered agencies incorporate the minimum requirements established under that paragraph into the operations of any data center of a covered agency existing as of the date of enactment of the Federal Data Center Enhancement Act of 2023.

''(4) REVIEW OF REQUIREMENTS.—The Administrator, in consultation with the Administrator of General Services and the Federal Chief Information Officers Council, shall review, update, and modify the minimum requirements established under paragraph (1), as necessary.

''(5) REPORT ON NEW DATA CENTERS.—During the development and planning lifecycle of a new data center, if the head of a covered agency determines that the covered agency is likely to make a management or financial decision relating to any data center, the head of the covered agency shall—

''(A) notify—

''(i) the Administrator;

''(ii) Committee on Homeland Security and Governmental Affairs of the Senate; and

''(iii) Committee on Oversight and Accountability of the House of Representatives; and

''(B) describe in the notification with sufficient detail how the covered agency intends to comply with the minimum requirements established under paragraph (1).

''(6) USE OF TECHNOLOGY.—In determining whether to establish or continue to operate an existing data center, the head of a covered agency shall—

''(A) regularly assess the application portfolio of the covered agency and ensure that each at-risk legacy application is updated, replaced, or modernized, as appropriate, to take advantage of modern technologies; and

''(B) prioritize and, to the greatest extent possible, leverage commercial cloud environments rather than acquiring, overseeing, or managing custom data center infrastructure.

''(7) PUBLIC WEBSITE.—

''(A) IN GENERAL.—The Administrator shall maintain a public-facing website that includes information, data, and explanatory statements relating to the compliance of covered agencies with the requirements of this section.

''(B) PROCESSES AND PROCEDURES.—In maintaining the website described in subparagraph (A), the Administrator shall—

''(i) ensure covered agencies regularly, and not less frequently than biannually, update the information, data, and explanatory statements posed on the website, pursuant to guidance issued by the Administrator, relating to any new data centers and, as appropriate, each existing data center of the covered agency; and

''(ii) ensure that all information, data, and explanatory statements on the website are maintained as open Government data assets.''; and

(3) in subsection (c), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The head of a covered agency shall oversee and manage the data center portfolio and the information technology strategy of the covered agency in accordance with Federal cybersecurity guidelines and directives, including—

''(A) information security standards and guidelines promulgated by the Director of the National Institute of Standards and Technology;

''(B) applicable requirements and guidance issued by the Director of the Office of Management and Budget pursuant to section 3614 of title 44, United States Code; and

''(C) directives issued by the Secretary of Homeland Security under section 3553 of title 44, United States Code.''.

(c) EXTENSION OF SUNSET.—Section 834(e) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–291) is amended by striking ''2022'' and inserting ''2026''.

(d) GAO REVIEW.—Not later than 1 year after the date of the enactment of this subtitle, and annually thereafter, the Comptroller General of the United States shall review, verify, and audit the compliance of covered agencies with the minimum requirements established pursuant to section 834(b)(1) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–291) for new data centers and subsection (b)(3) of that section for existing data centers, as appropriate.

TITLE LXX—STEMMING THE FLOW OF ILLICIT NARCOTICS

Subtitle A—Enhancing DHS Drug Seizures Act

SEC. 11101. SHORT TITLE.

This subtitle may be cited as the ''Enhancing DHS Drug Seizures Act''.

SEC. 11102. COORDINATION AND INFORMATION SHARING.

(a) PUBLIC-PRIVATE PARTNERSHIPS.—

(1) STRATEGY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall develop a strategy to strengthen existing and establish new public-private partnerships with shipping, chemical, and pharmaceutical industries to assist with early detection and interdiction of illicit drugs and precursor chemicals.

(2) CONTENTS.—The strategy required under paragraph (1) shall contain goals and objectives for employees of the Department of Homeland Security to ensure the tactics, techniques, and procedures gained from the public-private partnerships described in paragraph (1) are included in policies, best practices, and training for the Department.

(3) IMPLEMENTATION PLAN.—Not later than 180 days after developing the strategy required under paragraph (1), the Secretary of Homeland Security shall develop an implementation plan for the strategy, which shall outline departmental lead and support roles, responsibilities, programs, and timelines for accomplishing the goals and objectives of the strategy.

(4) BRIEFING.—The Secretary of Homeland Security shall provide annual briefings to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding the progress made in addressing the implementation plan developed pursuant to paragraph (3).

(b) ASSESSMENT OF DRUG TASK FORCES.—

(1) IN GENERAL.—The Secretary of Homeland Security shall conduct an assessment of the counterdrug task forces in which the Department of Homeland Security, including components of the Department, participates in or leads, which shall include—

(A) areas of potential overlap;

(B) opportunities for sharing information and best practices;

(C) how the Department's processes for ensuring accountability and transparency in its vetting and oversight of partner agency task force members align with best practices; and

(D) corrective action plans for any capability limitations and deficient or negative findings identified in the report for any such task forces led by the Department.

(2) COORDINATION.—In conducting the assessment required under paragraph (1), with respect to counterdrug task forces that include foreign partners, the Secretary of Homeland Security shall coordinate with the Secretary of State.

(3) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that contains a summary of the results of the assessment conducted pursuant to paragraph (1).

(B) FOREIGN PARTNERS.—If the report submitted under subparagraph (A) includes information about counterdrug forces that include foreign partners, the Secretary of Homeland Security shall submit the report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(4) CORRECTIVE ACTION PLAN.—The Secretary of Homeland Security shall—

(A) implement the corrective action plans described in paragraph (1)(D) immediately after the submission of the report pursuant to paragraph (2); and

(B) provide annual briefings to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding the progress made in implementing the corrective action plans.

(c) COMBINATION OF BRIEFINGS.—The Secretary of Homeland Security may combine the briefings required under subsections (a)(4) and (b)(3)(B) and provide such combined briefings through fiscal year 2026.

SEC. 11103. DANGER PAY FOR DEPARTMENT OF HOMELAND SECURITY PERSONNEL DEPLOYED ABROAD.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by inserting after section 881 the following:

''SEC. 881A. DANGER PAY ALLOWANCE.

''(a) AUTHORIZATION.—An employee of the Department, while stationed in a foreign area, may be granted a danger pay allowance, not to exceed 35 percent of the basic pay of such employee, for any period during which such foreign area experiences a civil insurrection, a civil war, ongoing terrorist acts, or wartime conditions that threaten physical harm or imminent danger to the health or well-being of such employee.

''(b) NOTICE.—Before granting or terminating a danger pay allowance to any employee pursuant to subsection (a), the Secretary, after consultation with the Secretary of State, shall notify the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives of—

''(1) the intent to make such payments and the circumstances justifying such payments; or

''(2) the intent to terminate such payments and the circumstances justifying such termination.''.

SEC. 11104. IMPROVING TRAINING TO FOREIGN-VETTED LAW ENFORCEMENT OR NATIONAL SECURITY UNITS.

The Secretary of Homeland Security, or the designee of the Secretary, may, with the concurrence of the Secretary of State, provide training to foreign-vetted law enforcement or national security units and may waive reimbursement for salary expenses of such Department of Homeland Security personnel, in accordance with an agreement with the Department of Defense pursuant to section 1535 of title 31, United States Code.

SEC. 11105. ENHANCING THE OPERATIONS OF U.S. CUSTOMS AND BORDER PROTECTION IN FOREIGN COUNTRIES.

Section 411(f) of the Homeland Security Act of 2002 (6 U.S.C. 211(f)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) PERMISSIBLE ACTIVITIES.—

''(A) IN GENERAL.—Employees of U.S. Customs and Border Protection and other customs officers designated in accordance with the authorities granted to officers and agents of Air and Marine Operations may, with the concurrence of the Secretary of State, provide the support described in subparagraph (B) to authorities of the government of a foreign country if an arrangement has been entered into between the Government of the United States and the government of such country that permits such support by such employees and officers.

''(B) SUPPORT DESCRIBED.—The support described in this subparagraph is support for—

''(i) the monitoring, locating, tracking, and deterrence of—

''(I) illegal drugs to the United States;

''(II) the illicit smuggling of persons and goods into the United States;

''(III) terrorist threats to the United States; and

''(IV) other threats to the security or economy of the United States;

''(ii) emergency humanitarian efforts; and

''(iii) law enforcement capacity-building efforts.

''(C) PAYMENT OF CLAIMS.—

''(i) IN GENERAL.—Subject to clauses (ii) and (iv), the Secretary, with the concurrence of the Secretary of State, may expend funds that have been appropriated or otherwise made available for the operating expenses of the Department to pay claims for money damages against the United States, in accordance with the first paragraph of section 2672 of title 28, United States Code, which arise in a foreign country in connection with U.S. Customs and Border Protection operations in such country.

''(ii) SUBMISSION DEADLINE.—A claim may be allowed under clause (i) only if it is presented not later than 2 years after it accrues.

''(iii) REPORT.—Not later than 90 days after the date on which the expenditure authority under clause (i) expires pursuant to clause (iv), the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs and the Committee on Foreign Relations of the Senate and the Committee on Homeland Security and Committee on Foreign Affairs of the House of Representatives that describes, for each of the payments made pursuant to clause (i)—

''(I) the foreign entity that received such payment;

''(II) the amount paid to such foreign entity;

''(III) the country in which such foreign entity resides or has its principal place of business; and

''(IV) a detailed account of the circumstances justify such payment.

''(iv) SUNSET.—The expenditure authority under clause (i) shall expire on the date that is 5 years after the date of the enactment of the Enhancing DHS Drug Seizures Act.''.

SEC. 11106. DRUG SEIZURE DATA IMPROVEMENT.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a study to identify any opportunities for improving drug seizure data collection.

(b) ELEMENTS.—The study required under subsection (a) shall—

(1) include a survey of the entities that use drug seizure data; and

(2) address—

(A) any additional data fields or drug type categories that should be added to U.S. Customs and Border Protection's SEACATS, U.S. Border Patrol's e3 portal, and any other systems deemed appropriate by the Commissioner of U.S. Customs and Border Protection, in accordance with the first recommendation in the Government Accountability Office's report GAO–22–104725, entitled ''Border Security: CBP Could Improve How It Categorizes Drug Seizure Data and Evaluates Training'';

(B) how all the Department of Homeland Security components that collect drug seizure data can standardize their data collection efforts and deconflict drug seizure reporting;

(C) how the Department of Homeland Security can better identify, collect, and analyze additional data on precursor chemicals, synthetic drugs, novel psychoactive substances, and analogues that have been seized by U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

(D) how the Department of Homeland Security can improve its model of anticipated drug flow into the United States.

(c) IMPLEMENTATION OF FINDINGS.—Following the completion of the study required under subsection (a)—

(1) the Secretary of Homeland Security, in accordance with the Office of National Drug Control Policy's 2022 National Drug Control Strategy, shall modify Department of Homeland Security drug seizure policies and training programs, as appropriate, consistent with the findings of such study; and

(2) the Commissioner of U.S. Customs and Border Protection, in consultation with the Director of U.S. Immigration and Customs Enforcement, shall make any necessary updates to relevant systems to include the results of confirmatory drug testing results.

SEC. 11107. DRUG PERFORMANCE MEASURES.

Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall develop and implement a plan to ensure that components of the Department of Homeland Security develop and maintain outcome-based performance measures that adequately assess the success of drug interdiction efforts and how to utilize the existing drug-related metrics and performance measures to achieve the missions, goals, and targets of the Department.

SEC. 11108. PENALTIES FOR HINDERING IMMIGRATION, BORDER, AND CUSTOMS CONTROLS.

(a) PERSONNEL AND STRUCTURES.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by inserting after section 274D the following:

''SECTION 274E. DESTROYING OR EVADING BORDER CONTROLS.

''(a) IN GENERAL.—It shall be unlawful to knowingly and without lawful authorization—

''(1)(A) destroy or significantly damage any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control an international border of, or a port of entry to, the United States; or

''(B) otherwise construct, excavate, or make any structure intended to defeat, circumvent or evade such a fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal Government to control an international border of, or a port of entry to, the United States; and

''(2) in carrying out an act described in paragraph (1), have the intent to knowingly and willfully—

''(A) secure a financial gain;

''(B) further the objectives of a criminal organization; and

''(C) violate—

''(i) section 274(a)(1)(A)(i);

''(ii) the customs and trade laws of the United States (as defined in section 2(4) of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125));

''(iii) any other Federal law relating to transporting controlled substances, agriculture, or monetary instruments into the United States; or

''(iv) any Federal law relating to border controls measures of the United States.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 274D the following:

''Sec. 274E. Destroying or evading border controls.''.

Subtitle B—Non-Intrusive Inspection Expansion Act

SEC. 11111. SHORT TITLE.

This subtitle may be cited as the ''Non-Intrusive Inspection Expansion Act''.

SEC. 11112. USE OF NON-INTRUSIVE INSPECTION SYSTEMS AT LAND PORTS OF ENTRY.

(a) FISCAL YEAR 2026.—Using non-intrusive inspection systems acquired through previous appropriations Acts, beginning not later than September 30, 2026, U.S. Customs and Border Protection shall use non-intrusive inspection systems at land ports of entry to scan, cumulatively, at ports of entry where systems are in place by the deadline, not fewer than—

(1) 40 percent of passenger vehicles entering the United States; and

(2) 90 percent of commercial vehicles entering the United States.

(b) SUBSEQUENT FISCAL YEARS.—Beginning in fiscal year 2027, U.S. Customs and Border Protection shall use non-intrusive inspection systems at land ports of entry to reach the next projected benchmark for incremental scanning of passenger and commercial vehicles entering the United States at such ports of entry.

(c) BRIEFING.—Not later than May 30, 2026, the Commissioner of U.S. Customs and Border Protection shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding the progress made during the first half of fiscal year 2026 in achieving the scanning benchmarks described in subsection (a).

(d) REPORT.—If the scanning benchmarks described in subsection (a) are not met by the end of fiscal year 2026, not later than 120 days after the end of that fiscal year, the Commissioner of U.S. Customs and Border Protection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that—

(1) analyzes the causes for not meeting such requirements;

(2) identifies any resource gaps and challenges; and

(3) details the steps that will be taken to ensure compliance with such requirements in the subsequent fiscal year.

SEC. 11113. NON-INTRUSIVE INSPECTION SYSTEMS FOR OUTBOUND INSPECTIONS.

(a) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall submit a strategy to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives for increasing sustained outbound inspection operations at land ports of entry that includes—

(1) the number of existing and planned outbound inspection lanes at each port of entry;

(2) infrastructure limitations that limit the ability of U.S. Customs and Border Protection to deploy non-intrusive inspection systems for outbound inspections;

(3) the number of additional non-intrusive inspection systems that are necessary to increase scanning capacity for outbound inspections; and

(4) plans for funding and acquiring the systems described in paragraph (3).

(b) IMPLEMENTATION.—Beginning not later than September 30, 2026, U.S. Customs and Border Protection shall use non-intrusive inspection systems at land ports of entry to scan not fewer than 10 percent of all vehicles exiting the United States through land ports of entry.

SEC. 11114. GAO REVIEW AND REPORT.

(a) REVIEW.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the use by U.S. Customs and Border Protection of non-intrusive inspection systems for border security.

(2) ELEMENTS.—The review required under paragraph (1) shall—

(A) identify—

(i) the number and types of non-intrusive inspection systems deployed by U.S. Customs and Border Protection; and

(ii) the locations to which such systems have been deployed; and

(B) examine the manner in which U.S. Customs and Border Protection—

(i) assesses the effectiveness of such systems; and

(ii) uses such systems in conjunction with other border security resources and assets, such as border barriers and technology, to detect and interdict drug smuggling and trafficking at the southwest border of the United States.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives containing the findings of the review conducted pursuant to subsection (a).

Subtitle C—Securing America's Ports of Entry Act of 2023

SEC. 11121. SHORT TITLE.

This subtitle may be cited as the ''Securing America's Ports of Entry Act of 2023''.

SEC. 11122. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.

(a) OFFICERS.—Subject to appropriations, the Commissioner of U.S. Customs and Border Protection shall hire, train, and assign not fewer than 600 new U.S. Customs and Border Protection officers above the current attrition level during every fiscal year until the total number of U.S. Customs and Border Protection officers equals and sustains the requirements identified each year in the Workload Staffing Model.

(b) SUPPORT STAFF.—The Commissioner is authorized to hire, train, and assign support staff, including technicians and Enterprise Services mission support, to perform non-law enforcement administrative functions to support the new U.S. Customs and Border Protection officers hired pursuant to subsection (a).

(c) TRAFFIC FORECASTS.—In calculating the number of U.S. Customs and Border Protection officers needed at each port of entry through the Workload Staffing Model, the Commissioner shall—

(1) rely on data collected regarding the inspections and other activities conducted at each such port of entry;

(2) consider volume from seasonal surges, other projected changes in commercial and passenger volumes, the most current commercial forecasts, and other relevant information;

(3) consider historical volume and forecasts prior to the COVID–19 pandemic and the impact on international travel; and

(4) incorporate personnel requirements for increasing the rate of outbound inspection operations at land ports of entry.

(d) GAO REPORT.—If the Commissioner does not hire the 600 additional U.S. Customs and Border Protection officers authorized under subsection (a) during fiscal year 2024, or during any subsequent fiscal year in which the hiring requirements set forth in the Workload Staffing Model have not been achieved, the Comptroller General of the United States shall—

(1) conduct a review of U.S. Customs and Border Protection hiring practices to determine the reasons that such requirements were not achieved and other issues related to hiring by U.S. Customs and Border Protection; and

(2) submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Finance of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Ways and Means of the House of Representatives that describes the results of the review conducted pursuant to paragraph (1).

SEC. 11123. PORTS OF ENTRY INFRASTRUCTURE ENHANCEMENT REPORT.

Not later than 90 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Finance of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Ways and Means of the House of Representatives that identifies—

(1) infrastructure improvements at ports of entry that would enhance the ability of U.S. Customs and Border Protection officers to interdict opioids and other drugs that are being illegally transported into the United States, including a description of circumstances at specific ports of entry that prevent the deployment of technology used at other ports of entry;

(2) detection equipment that would improve the ability of such officers to identify opioids, including precursors and derivatives, that are being illegally transported into the United States; and

(3) safety equipment that would protect such officers from accidental exposure to such drugs or other dangers associated with the inspection of potential drug traffickers.

SEC. 11124. REPORTING REQUIREMENTS.

(a) TEMPORARY DUTY ASSIGNMENTS.—

(1) QUARTERLY REPORT.—The Commissioner of U.S. Customs and Border Protection shall submit a quarterly report to the appropriate congressional committees that includes, for the reporting period—

(A) the number of temporary duty assignments;

(B) the number of U.S. Customs and Border Protection officers required for each temporary duty assignment;

(C) the ports of entry from which such officers were reassigned;

(D) the ports of entry to which such officers were reassigned;

(E) the ports of entry at which reimbursable service agreements have been entered into that may be affected by temporary duty assignments;

(F) the duration of each temporary duty assignment;

(G) the cost of each temporary duty assignment; and

(H) the extent to which the temporary duty assignments within the reporting period were in support of the other U.S. Customs and Border Protection activities or operations along the southern border of the United States, including the specific costs associated with such temporary duty assignments.

(2) NOTICE.—Not later than 10 days before redeploying employees from 1 port of entry to another, absent emergency circumstances—

(A) the Commissioner shall notify the director of the port of entry from which employees will be reassigned of the intended redeployments; and

(B) the port director shall notify impacted facilities (including airports, seaports, and land ports) of the intended redeployments.

(3) STAFF BRIEFING.—The Commissioner shall brief all affected U.S. Customs and Border Protection employees regarding plans to mitigate vulnerabilities created by any planned staffing reductions at ports of entry.

(b) REPORTS ON U.S. CUSTOMS AND BORDER PROTECTION AGREEMENTS.—Section 907(a) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4451(a)) is amended—

(1) in paragraph (3), by striking ''and an assessment'' and all that follows and inserting a period;

(2) by redesignating paragraphs (4) through (12) as paragraphs (5) through (13), respectively;

(3) by inserting after paragraph (3) the following:

''(4) A description of the factors that were considered before entering into the agreement, including an assessment of how the agreement provides economic benefits and security benefits (if applicable) at the port of entry to which the agreement relates.''; and

(4) in paragraph (5), as redesignated by paragraph (2), by inserting after ''the report'' the following: '', including the locations of such services and the total hours of reimbursable services under the agreement, if any''.

(c) ANNUAL WORKLOAD STAFFING MODEL REPORT.—As part of the Annual Report on Staffing required under section 411(g)(5)(A) of the Homeland Security Act of 2002 (6 U.S.C. 211(g)(5)(A)), the Commissioner shall include—

(1) information concerning the progress made toward meeting the U.S. Customs and Border Protection officer and support staff hiring targets set forth in section 2, while accounting for attrition;

(2) an update to the information provided in the Resource Optimization at the Ports of Entry report, which was submitted to Congress on September 12, 2017, pursuant to the Department of Homeland Security Appropriations Act, 2017 (division F of Public Law 115–31); and

(3) a summary of the information included in the reports required under subsection (a) and section 907(a) of the Trade Facilitation and Trade Enforcement Act of 2015, as amended by subsection (b).

(d) CBP ONE MOBILE APPLICATION.—During the 2-year period beginning on the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall publish a monthly report on the use of the CBP One mobile application, including, with respect to each reporting period—

(1) the number of application registration attempts made through CBP One pursuant to the Circumvention of Lawful Pathways final rule (88 Fed. Reg. 31314 (May 16, 2023)) that resulted in a system error, disaggregated by error type;

(2) the total number of noncitizens who successfully registered appointments through CBP One pursuant to such rule;

(3) the total number of appointments made through CBP One pursuant to such rule that went unused;

(4) the total number of individuals who have been granted parole with a Notice to Appear subsequent to appointments scheduled for such individuals through CBP One pursuant to such rule; and

(5) the total number of noncitizens who have been issued a Notice to Appear and have been transferred to U.S. Immigration and Customs Enforcement custody subsequent to appointments scheduled for such noncitizens through CBP One pursuant to such rule.

(e) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Finance of the Senate;

(4) the Committee on Homeland Security of the House of Representatives

(5) the Committee on Appropriations of the House of Representatives; and

(6) the Committee on Ways and Means of the House of Representatives.

SEC. 11125. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this subtitle—

(1) $136,292,948 for fiscal year 2024; and

(2) $156,918,590 for each of the fiscal years 2025 through 2029.

Subtitle D—Border Patrol Enhancement Act

SEC. 11131. SHORT TITLE.

This subtitle may be cited as the ''Border Patrol Enhancement Act''.

SEC. 11132. AUTHORIZED STAFFING LEVEL FOR THE UNITED STATES BORDER PATROL.

(a) DEFINED TERM.—In this subtitle, the term ''validated personnel requirements determination model'' means a determination of the number of United States Border Patrol agents needed to meet the critical mission requirements of the United States Border Patrol to maintain an orderly process for migrants entering the United States, that has been validated by a qualified research entity pursuant to subsection (c).

(b) UNITED STATES BORDER PATROL PERSONNEL REQUIREMENTS DETERMINATION MODEL.—

(1) COMPLETION; NOTICE.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall complete a personnel requirements determination model for United States Border Patrol that builds on the 5-year United States Border Patrol staffing and deployment plan referred to on page 33 of House of Representatives Report 112–91 (May 26, 2011) and submit a notice of completion to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Director of the Office of Personnel Management; and

(D) the Comptroller General of the United States.

(2) CERTIFICATION.—Not later than 30 days after the completion of the personnel requirements determination model described in paragraph (1), the Commissioner shall submit a copy of such model, an explanation of its development, and a strategy for obtaining independent verification of such model, to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Office of Personnel Management; and

(D) the Comptroller General of the United States.

(c) INDEPENDENT STUDY OF PERSONNEL REQUIREMENTS DETERMINATION MODEL.—

(1) REQUIREMENT FOR STUDY.—Not later than 90 days after the completion of the personnel requirements determination model pursuant to subsection (b)(1), the Secretary of Homeland Security shall select an entity that is technically, managerially, and financially independent from the Department of Homeland Security to conduct an independent verification and validation of the model.

(2) REPORTS.—

(A) TO SECRETARY.—Not later than 1 year after the completion of the personnel requirements determination model under subsection (b)(1), the entity performing the independent verification and validation of the model shall submit a report to the Secretary of Homeland Security that includes—

(i) the results of the study conducted pursuant to paragraph (1); and

(ii) any recommendations regarding the model that such entity considers to be appropriate.

(B) TO CONGRESS.—Not later than 30 days after receiving the report described in subparagraph (A), the Secretary of Homeland Security shall submit such report, along with any additional views or recommendations regarding the personnel requirements determination model, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(d) AUTHORITY TO HIRE ADDITIONAL PERSONNEL.—Beginning on the date that is 180 days after receiving a report from a qualified research entity pursuant to subsection (c)(2) that validates the personnel requirements determination model and after implementing any recommendations to improve or update such model, the Secretary of Homeland Security may hire, train, and assign 600 or more United States Border Patrol agents above the attrition level during every fiscal year until the number of active agents meets the level recommended by the validated personnel requirements determination model.

SEC. 11133. ESTABLISHMENT OF HIGHER RATES OF REGULARLY SCHEDULED OVERTIME PAY FOR UNITED STATES BORDER PATROL AGENTS CLASSIFIED AT GS–12.

Section 5550 of title 5, United States Code, is amended by adding at the end the following:

''(h) SPECIAL OVERTIME PAY FOR GS–12 BORDER PATROL AGENTS.—

''(1) IN GENERAL.—Notwithstanding paragraphs (1)(F), (2)(C), and (3)(C) of subsection (b), a border patrol agent encumbering a position at grade GS–12 shall receive a special overtime payment under this subsection for hours of regularly scheduled work described in paragraph (2)(A)(ii) or (3)(A)(ii) of subsection (b), as applicable, that are credited to the agent through actual performance of work, crediting under rules for canine agents under subsection (b)(1)(F), or substitution of overtime hours in the same work period under subsection (f)(2)(A), except that no such payment may be made for periods of absence resulting in an hours obligation under paragraph (3) or (4) of subsection (f).

''(2) COMPUTATION.—The special overtime payment authorized under paragraph (1) shall be computed by multiplying the credited hours by 50 percent of the border patrol agent's hourly rate of basic pay, rounded to the nearest cent.

''(3) LIMITATIONS.—The special overtime payment authorized under paragraph (1)—

''(A) is not considered basic pay for retirement under section 8331(3) or 8401(4) or for any other purpose;

''(B) is not payable during periods of paid leave or other paid time off; and

''(C) is not considered in computing an agent's lump-sum annual leave payment under sections 5551 and 5552.''.

SEC. 11134. GAO ASSESSMENT OF RECRUITING EFFORTS, HIRING REQUIREMENTS, AND RETENTION OF LAW ENFORCEMENT PERSONNEL.

The Comptroller General of the United States shall—

(1) conduct an assessment of U.S. Customs and Border Protection's—

(A) efforts to recruit law enforcement personnel;

(B) hiring process and job requirements relating to such recruitment; and

(C) retention of law enforcement personnel, including the impact of employee compensation on such retention efforts; and

(2) not later than 2 years after the date of the enactment of this Act, submit a report containing the results of such assessment to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

SEC. 11135. CONTINUING TRAINING.

(a) IN GENERAL.—The Commissioner shall require all United States Border Patrol agents and other employees or contracted employees designated by the Commissioner, to participate in annual continuing training to maintain and update their understanding of—

(1) Department of Homeland Security policies, procedures, and guidelines;

(2) the fundamentals of law, ethics, and professional conduct;

(3) applicable Federal law and regulations;

(4) precedential legal rulings, including Federal Circuit Court and United States Supreme Court opinions relating to the duty of care and treatment of persons in the custody of the United States Border Patrol that the Commissioner determines are relevant to active duty agents;

(5) applicable migration trends that the Commissioner determines are relevant;

(6) best practices for coordinating with community stakeholders; and

(7) any other information that the Commissioner determines to be relevant to active duty agents.

(b) TRAINING SUBJECTS.—Continuing training under this subsection shall include training regarding—

(1) non-lethal use of force policies available to United States Border Patrol agents and de-escalation strategies and methods;

(2) identifying, screening, and responding to vulnerable populations, such as children, persons with diminished mental capacity, victims of human trafficking, pregnant mothers, victims of gender-based violence, victims of torture or abuse, and the acutely ill;

(3) trends in transnational criminal organization activities that impact border security and migration;

(4) policies, strategies, and programs—

(A) to protect due process, the civil, human, and privacy rights of individuals, and the private property rights of land owners;

(B) to reduce the number of migrant and agent deaths; and

(C) to improve the safety of agents on patrol;

(5) personal resilience;

(6) anti-corruption and officer ethics training;

(7) current migration trends, including updated cultural and societal issues of nations that are a significant source of migrants who are—

(A) arriving at a United States port of entry to seek humanitarian protection; or

(B) encountered at a United States international boundary while attempting to enter without inspection;

(8) the impact of border security operations on natural resources and the environment, including strategies to limit the impact of border security operations on natural resources and the environment;

(9) relevant cultural, societal, racial, and religious training, including cross-cultural communication skills;

(10) training authorized under the Prison Rape Elimination Act of 2003 (42 U.S.C. 15601 et seq.);

(11) risk management and safety training that includes agency protocols for ensuring public safety, personal safety, and the safety of persons in the custody of the Department of Homeland Security;

(12) non-lethal, self-defense training; and

(13) any other training that meets the requirements to maintain and update the subjects identified in subsection (a).

(c) COURSE REQUIREMENTS.—Courses offered under this section—

(1) shall be administered by the United States Border Patrol, in consultation with the Federal Law Enforcement Training Center; and

(2) shall be approved in advance by the Commissioner of U.S. Customs and Border Protection to ensure that such courses satisfy the requirements for training under this section.

(d) ASSESSMENT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that assesses the training and education provided pursuant to this section, including continuing education.

(e) FREQUENCY REQUIREMENTS.—Training offered as part of continuing education under this section shall include—

(1) annual courses focusing on the curriculum described in paragraphs (1) through (6) of subsection (b); and

(2) biannual courses focusing on curriculum described in paragraphs (7) through (12) of subsection (b).

SEC. 11136. REPORTING REQUIREMENTS.

(a) RECRUITMENT AND RETENTION REPORT.—The Comptroller General of the United States shall—

(1) conduct a study of the recruitment and retention of female agents in the United States Border Patrol that examines—

(A) the recruitment, application processes, training, promotion, and other aspects of employment for women in the United States Border Patrol;

(B) the training, complaints system, and redress for sexual harassment and assault; and

(C) additional issues related to recruitment and retention of female Border Patrol agents; and

(2) not later than 1 year after the date of the enactment of this Act, submit a report containing the results of such study and recommendations for addressing any identified deficiencies or opportunities for improvement to—

(A) the Commissioner of U.S. Customs and Border Protection;

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

(C) the Committee on Homeland Security of the House of Representatives.

(b) IMPLEMENTATION REPORT.—Not later than 90 days after receiving the recruitment and retention report required under subsection (a), the Commissioner shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that describes the status of the Commissioner's efforts to implement any recommendations included in recruitment and retention report.

Subtitle E—END FENTANYL Act

SEC. 11141. SHORT TITLES.

This subtitle may be cited as the ''Eradicating Narcotic Drugs and Formulating Effective New Tools to Address National Yearly Losses of Life Act'' or the ''END FENTANYL Act''.

SEC. 11142. ENSURING TIMELY UPDATES TO U.S. CUSTOMS AND BORDER PROTECTION FIELD MANUALS.

(a) IN GENERAL.—Not less frequently than triennially, the Commissioner of U.S. Customs and Border Protection shall review and update, as necessary, the current policies and manuals of the Office of Field Operations related to inspections at ports of entry to ensure the uniform implementation of inspection practices that will effectively respond to technological and methodological changes designed to disguise illegal activity, such as the smuggling of drugs and humans, along the border.

(b) REPORTING REQUIREMENT.—Shortly after each update required under subsection (a), the Commissioner of U.S. Customs and Border Protection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that summarizes the policy and manual changes implemented by such update.

TITLE LXXI—IMPROVING LOBBYING DISCLOSURE REQUIREMENTS

Subtitle A—Lobbying Disclosure Improvement Act

SEC. 11201. SHORT TITLE.

This subtitle may be cited as the ''Lobbying Disclosure Improvement Act''.

SEC. 11202. REGISTRANT DISCLOSURE REGARDING FOREIGN AGENT REGISTRATION EXEMPTION.

Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)) 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:

''(8) a statement as to whether the registrant is exempt under section 3(h) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613(h)).''.

Subtitle B—Disclosing Foreign Influence in Lobbying Act

SEC. 11211. SHORT TITLE.

This subtitle may be cited as the ''Disclosing Foreign Influence in Lobbying Act''.

SEC. 11212. CLARIFICATION OF CONTENTS OF REGISTRATION.

Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)), as amended by section 11202 of this title, is amended—

(1) in paragraph (8), as added by section 11202 of this title, by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(9) notwithstanding paragraph (4), the name and address of each government of a foreign country (including any agency or subdivision of a government of a foreign country, such as a regional or municipal unit of government) and foreign political party, other than the client, that participates in the direction, planning, supervision, or control of any lobbying activities of the registrant.''.

TITLE LXXII—PROTECTING OUR DOMESTIC WORKFORCE AND SUPPLY CHAIN

Subtitle A—Government-wide Study Relating to High-security Leased Space

SEC. 11301. GOVERNMENT-WIDE STUDY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) BENEFICIAL OWNER.—

(A) IN GENERAL.—The term ''beneficial owner'', with respect to a covered entity, means each natural person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

(i) exercises substantial control over the covered entity; or

(ii) owns or controls not less than 25 percent of the ownership interests of, or receives substantial economic benefits from the assets of, the covered entity.

(B) EXCLUSIONS.—The term ''beneficial owner'', with respect to a covered entity, does not include—

(i) a minor;

(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

(iii) a person acting solely as an employee of the covered entity and whose control over or economic benefits from the covered entity derives solely from the employment status of the person;

(iv) a person whose only interest in the covered entity is through a right of inheritance, unless the person also meets the requirements of subparagraph (A); or

(v) a creditor of the covered entity, unless the creditor also meets the requirements of subparagraph (A).

(C) ANTI-ABUSE RULE.—The exclusions under subparagraph (B) shall not apply if, in the determination of the Administrator, an exclusion is used for the purpose of evading, circumventing, or abusing the requirements of this Act.

(3) CONTROL.—The term ''control'', with respect to a covered entity, means—

(A) having the authority or ability to determine how the covered entity is utilized; or

(B) having some decisionmaking power for the use of the covered entity.

(4) COVERED ENTITY.—The term ''covered entity'' means—

(A) a person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group; or

(B) any governmental entity or instrumentality of a government.

(5) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given the term in section 105 of title 5, United States Code.

(6) FEDERAL AGENCY.—The term ''Federal agency'' means—

(A) an Executive agency; and

(B) any establishment in the legislative or judicial branch of the Federal Government.

(7) FEDERAL LESSEE.—

(A) IN GENERAL.—The term ''Federal lessee'' means—

(i) the Administrator;

(ii) the Architect of the Capitol; and

(iii) the head of any other Federal agency that has independent statutory leasing authority.

(B) EXCLUSIONS.—The term ''Federal lessee'' does not include—

(i) the head of an element of the intelligence community; or

(ii) the Secretary of Defense.

(8) FEDERAL TENANT.—

(A) IN GENERAL.—The term ''Federal tenant'' means a Federal agency that is occupying or will occupy a high-security leased space for which a lease agreement has been secured on behalf of the Federal agency.

(B) EXCLUSION.—The term ''Federal tenant'' does not include an element of the intelligence community.

(9) FOREIGN ENTITY.—The term ''foreign entity'' means—

(A) a corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group that is headquartered in or organized under the laws of—

(i) a country that is not the United States; or

(ii) a State, unit of local government, or Indian Tribe that is not located within or a territory of the United States; or

(B) a government or governmental instrumentality that is not—

(i) the United States Government; or

(ii) a State, unit of local government, or Indian Tribe that is located within or a territory of the United States.

(10) FOREIGN PERSON.—The term ''foreign person'' means an individual who is not a United States person.

(11) HIGH-SECURITY LEASED ADJACENT SPACE.—The term ''high-security leased adjacent space'' means a building or office space that shares a boundary with or surrounds a high-security leased space.

(12) HIGH-SECURITY LEASED SPACE.—The term ''high-security leased space'' means a space leased by a Federal lessee that—

(A) will be occupied by Federal employees for nonmilitary activities; and

(B) has a facility security level of III, IV, or V, as determined by the Federal tenant in consultation with the Interagency Security Committee, the Secretary of Homeland Security, and the Administrator.

(13) HIGHEST-LEVEL OWNER.—The term ''highest-level owner'' means an entity that owns or controls—

(A) an immediate owner of the offeror of a lease for a high-security leased adjacent space; or

(B) 1 or more entities that control an immediate owner of the offeror of a lease described in subparagraph (A).

(14) IMMEDIATE OWNER.—The term ''immediate owner'' means an entity, other than the offeror of a lease for a high-security leased adjacent space, that has direct control of that offeror, including—

(A) ownership or interlocking management;

(B) identity of interests among family members;

(C) shared facilities and equipment; and

(D) the common use of employees.

(15) 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).

(16) SUBSTANTIAL ECONOMIC BENEFITS.—The term ''substantial economic benefits'', with respect to a natural person described in paragraph (2)(A)(ii), means having an entitlement to the funds or assets of a covered entity that, as a practical matter, enables the person, directly or indirectly, to control, manage, or direct the covered entity.

(17) UNITED STATES PERSON.—The term ''United States person'' means an individual who—

(A) is a citizen of the United States; or

(B) is an alien lawfully admitted for permanent residence in the United States.

(b) GOVERNMENT-WIDE STUDY.—

(1) COORDINATION STUDY.—The Administrator, in coordination with the Director of the Federal Protective Service, the Secretary of Homeland Security, the Director of the Office of Management and Budget, and any other relevant entities, as determined by the Administrator, shall carry out a Government-wide study examining options to assist agencies (as defined in section 551 of title 5, United States Code) to produce a security assessment process for high-security leased adjacent space before entering into a lease or novation agreement with a covered entity for the purposes of accommodating a Federal tenant located in a high-security leased space.

(2) CONTENTS.—The study required under paragraph (1)—

(A) shall evaluate how to produce a security assessment process that includes a process for assessing the threat level of each occupancy of a high-security leased adjacent space, including through—

(i) site-visits;

(ii) interviews; and

(iii) any other relevant activities determined necessary by the Director of the Federal Protective Service; and

(B) may include a process for collecting and using information on each immediate owner, highest-level owner, or beneficial owner of a covered entity that seeks to enter into a lease with a Federal lessee for a high-security leased adjacent space, including—

(i) name;

(ii) current residential or business street address; and

(iii) an identifying number or document that verifies identity as a United States person, a foreign person, or a foreign entity.

(3) WORKING GROUP.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator, in coordination with the Director of Federal Protective Service, the Secretary of Homeland Security, the Director of the Office of Management and Budget, and any other relevant entities, as determined by the Administrator, shall establish a working group to assist in the carrying out of the study required under paragraph (1).

(B) NO COMPENSATION.—A member of the working group established under subparagraph (A) shall receive no compensation as a result of serving on the working group.

(C) SUNSET.—The working group established under subparagraph (A) shall terminate on the date on which the report required under paragraph (6) is submitted.

(4) PROTECTION OF INFORMATION.—The Administrator shall ensure that any information collected pursuant to the study required under paragraph (1) shall not be made available to the public.

(5) LIMITATION.—Nothing in this subsection requires an entity located in the United States to provide information requested pursuant to the study required under paragraph (1).

(6) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator, in coordination with the Director of Federal Protective Service, the Secretary of Homeland Security, the Director of the Office of Management and Budget, and any other relevant entities, as determined by the Administrator, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(A) the results of the study required under paragraph (1); and

(B) how all applicable privacy laws and rights relating to the First and Fourth Amendments to the Constitution of the United States would be upheld and followed in—

(i) the security assessment process described in subparagraph (A) of paragraph (2); and

(ii) the information collection process described in subparagraph (B) of that paragraph.

(7) LIMITATION.—Nothing in this subsection authorizes a Federal entity to mandate information gathering unless specifically authorized by law.

(8) PROHIBITION.—No information collected pursuant the security assessment process described in paragraph (2)(A) may be used for law enforcement purposes.

(9) NO ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

Subtitle B—Intergovernmental Critical Minerals Task Force

SEC. 11311. SHORT TITLE.

This subtitle may be cited as the ''Intergovernmental Critical Minerals Task Force Act''.

SEC. 11312. FINDINGS.

Congress finds that—

(1) current supply chains of critical minerals pose a great risk to the national security of the United States;

(2) critical minerals are necessary for transportation, technology, renewable energy, military equipment and machinery, and other relevant sectors crucial for the homeland and national security of the United States;

(3) in 2022, the United States was 100 percent import reliant for 12 out of 50 critical minerals and more than 50 percent import reliant for an additional 31 critical mineral commodities classified as ''critical'' by the United States Geological Survey, and the People's Republic of China was the top producing nation for 30 of those 50 critical minerals;

(4) as of July, 2023, companies based in the People's Republic of China that extract critical minerals around the world have received hundreds of charges of human rights violations;

(5) on March 26, 2014, the World Trade Organization ruled that the export restraints by the People's Republic of China on rare earth metals violated obligations under the protocol of accession to the World Trade Organization, which harmed manufacturers and workers in the United States; and

(6) the President has yet to submit to Congress the plans and recommendations that were due on the December 27, 2022, deadline under section 5(a) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604(a)), which are intended to support a coherent national mineral and materials policy, including through intergovernmental and interagency coordination.

SEC. 11313. INTERGOVERNMENTAL CRITICAL MINERALS TASK FORCE.

(a) IN GENERAL.—Section 5 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604) is amended by adding at the end the following:

''(g) INTERGOVERNMENTAL CRITICAL MINERALS TASK FORCE.—

''(1) PURPOSES.—The purposes of the task force established under paragraph (3)(B) are—

''(A) to assess the reliance of the United States on the People's Republic of China, and other covered countries, for critical minerals, and the resulting national security risks associated with that reliance, at each level of the Federal Government, Indian Tribes, and State, local, and territorial governments;

''(B) to make recommendations to the President for the implementation of this Act with regard to critical minerals, including—

''(i) the congressional declarations of policies in section 3; and

''(ii) revisions to the program plan of the President and the initiatives required under this section;

''(C) to make recommendations to secure United States and global supply chains for critical minerals;

''(D) to make recommendations to reduce the reliance of the United States, and partners and allies of the United States, on critical mineral supply chains involving covered countries; and

''(E) to facilitate cooperation, coordination, and mutual accountability among each level of the Federal Government, Indian Tribes, and State, local, and territorial governments, on a holistic response to the dependence on covered countries for critical minerals across the United States.

''(2) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Committees on Homeland Security and Governmental Affairs, Energy and Natural Resources, Armed Services, Environment and Public Works, Commerce, Science, and Transportation, Finance, and Foreign Relations of the Senate; and

''(ii) the Committees on Oversight and Accountability, Natural Resources, Armed

Services, Ways and Means, and Foreign Affairs of the House of Representatives.

''(B) CHAIR.—The term 'Chair' means a member of the Executive Office of the President, designated by the President pursuant to paragraph (3)(A).

''(C) COVERED COUNTRY.—The term 'covered country' means—

''(i) a covered nation (as defined in section 4872(d) of title 10, United States Code); and

''(ii) any other country determined by the task force to be a geostrategic competitor or adversary of the United States with respect to critical minerals.

''(D) CRITICAL MINERAL.—The term 'critical mineral' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

''(E) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(F) TASK FORCE.—The term 'task force' means the task force established under paragraph (3)(B).

''(3) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this subsection, the President shall—

''(A) designate a Chair for the task force; and

''(B) acting through the Executive Office of the President, establish a task force.

''(4) COMPOSITION; MEETINGS.—

''(A) APPOINTMENT.—The Chair, in consultation with key intergovernmental, private, and public sector stakeholders, shall appoint to the task force representatives with expertise in critical mineral supply chains from Federal agencies, Indian Tribes, and State, local, and territorial governments, including not less than 1 representative from each of—

''(i) the Bureau of Indian Affairs;

''(ii) the Bureau of Land Management;

''(iii) the Critical Minerals Subcommittee of the National Science and Technology Council;

''(iv) the Department of Agriculture;

''(v) the Department of Commerce;

''(vi) the Department of Defense;

''(vii) the Department of Energy;

''(viii) the Department of Homeland Security;

''(ix) the Department of the Interior;

''(x) the Department of Labor;

''(xi) the Department of State;

''(xii) the Department of Transportation;

''(xiii) the Environmental Protection Agency;

''(xiv) the Export-Import Bank of the United States;

''(xv) the Forest Service;

''(xvi) the General Services Administration;

''(xvii) the National Science Foundation;

''(xviii) the Office of the United States Trade Representative;

''(xix) the United States International Development Finance Corporation;

''(xx) the United States Geological Survey; and

''(xxi) any other relevant Federal entity, as determined by the Chair.

''(B) CONSULTATION.—The task force shall consult individuals with expertise in critical mineral supply chains, individuals from States whose communities, businesses, and industries are involved in aspects of critical mineral supply chains, including mining and processing operations, and individuals from a diverse and balanced cross-section of—

''(i) intergovernmental consultees, including—

''(I) State governments;

''(II) local governments;

''(III) territorial governments; and

''(IV) Indian Tribes; and

''(ii) other stakeholders, including—

''(I) academic research institutions;

''(II) corporations;

''(III) nonprofit organizations;

''(IV) private sector stakeholders;

''(V) trade associations;

''(VI) mining industry stakeholders; and

''(VII) labor representatives.

''(C) MEETINGS.—

''(i) INITIAL MEETING.—Not later than 90 days after the date on which all representatives of the task force have been appointed, the task force shall hold the first meeting of the task force.

''(ii) FREQUENCY.—The task force shall meet not less than once every 90 days.

''(5) DUTIES.—

''(A) IN GENERAL.—The duties of the task force shall include—

''(i) facilitating cooperation, coordination, and mutual accountability for the Federal Government, Indian Tribes, and State, local, and territorial governments to enhance data sharing and transparency to build more robust and secure domestic supply chains for critical minerals in support of the purposes described in paragraph (1);

''(ii) providing recommendations with respect to—

''(I) increasing capacities for mining, processing, refinement, reuse, and recycling of critical minerals in the United States to facilitate the environmentally responsible production of domestic resources to meet national critical mineral needs, in consultation with Tribal and local communities;

''(II) identifying how statutes, regulations, and policies related to the critical mineral supply chain, such as stockpiling and development finance, could be modified to accelerate environmentally responsible domestic and international production of critical minerals, in consultation with Indian Tribes and local communities;

''(III) strengthening the domestic workforce to support growing critical mineral supply chains with good-paying, safe jobs in the United States;

''(IV) identifying alternative domestic and global sources to critical minerals that the United States currently relies on the People's Republic of China or other covered countries for mining, processing, refining, and recycling, including the availability, cost, and quality of those domestic alternatives;

''(V) identifying critical minerals and critical mineral supply chains that the United States can onshore, at a competitive availability, cost, and quality, for those minerals and supply chains that the United States relies on the People's Republic of China or other covered countries to provide;

''(VI) opportunities for the Federal Government, Indian Tribes, and State, local, and territorial governments to mitigate risks to the national security of the United States with respect to supply chains for critical minerals that the United States currently relies on the People's Republic of China or other covered countries for mining, processing, refining, and recycling; and

''(VII) evaluating and integrating the recommendations of the Critical Minerals Subcommittee of the National Science and Technology Council into the recommendations of the task force.

''(iii) prioritizing the recommendations in clause (ii), taking into consideration economic costs and focusing on the critical mineral supply chains with vulnerabilities posing the most significant risks to the national security of the United States;

''(iv) recommending specific strategies, to be carried out in coordination with the Secretary of State and the Secretary of Commerce, to strengthen international partnerships in furtherance of critical minerals supply chain security with international allies and partners, including a strategy to collaborate with governments of the allies and partners described in subparagraph (B) to develop advanced mining, refining, separation and processing technologies; and

''(v) other duties, as determined by the Chair.

''(B) ALLIES AND PARTNERS.—The allies and partners referred to subparagraph (A) include—

''(i) countries participating in the Quadrilateral Security Dialogue;

''(ii) countries that are—

''(I) signatories to the Abraham Accords; or

''(II) participants in the Negev Forum;

''(iii) countries that are members of the North Atlantic Treaty Organization; and

''(iv) other countries or multilateral partnerships the task force determines to be appropriate.

''(C) REPORT.—The Chair shall—

''(i) not later than 60 days after the date of enactment of this subsection, and every 60 days thereafter until the requirements under subsection (a) are satisfied, brief the appropriate committees of Congress on the status of the compliance of the President with completing the requirements under that subsection.

''(ii) not later than 2 years after the date of enactment of this Act, submit to the appropriate committees of Congress a report, which shall be submitted in unclassified form, but may include a classified annex, that describes any findings, guidelines, and recommendations created in performing the duties under subparagraph (A);

''(iii) not later than 120 days after the date on which the Chair submits the report under clause (ii), publish that report in the Federal Register and on the website of the Office of Management and Budget, except that the Chair shall redact information from the report that the Chair determines could pose a risk to the national security of the United States by being publicly available; and

''(iv) brief the appropriate committees of Congress twice per year.

''(6) SUNSET.—The task force shall terminate on the date that is 90 days after the date on which the task force completes the requirements under paragraph (5)(C).''.

(b) GAO STUDY.—

(1) DEFINITION OF CRITICAL MINERALS.—In this subsection, the term ''critical mineral'' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(2) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study examining the Federal and State regulatory landscape related to improving domestic supply chains for critical minerals in the United States.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report that describes the results of the study under paragraph (2).

Subtitle C—Customs Trade Partnership Against Terrorism Pilot Program Act of 2023

SEC. 11321. SHORT TITLE.

This subtitle may be cited as the ''Customs Trade Partnership Against Terrorism Pilot Program Act of 2023'' or the ''CTPAT Pilot Program Act of 2023''.

SEC. 11322. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives.

(2) CTPAT.—The term ''CTPAT'' means the Customs Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act (6 U.S.C. 961 et seq.).

SEC. 11323. PILOT PROGRAM ON PARTICIPATION OF THIRD-PARTY LOGISTICS PROVIDERS IN CTPAT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall carry out a pilot program to assess whether allowing entities described in subsection (b) to participate in CTPAT would enhance port security, combat terrorism, prevent supply chain security breaches, or otherwise meet the goals of CTPAT.

(2) FEDERAL REGISTER NOTICE.—Not later than one year after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a notice specifying the requirements for the pilot program required by paragraph (1).

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) a non-asset-based third-party logistics provider that—

(A) arranges international transportation of freight and is licensed by the Department of Transportation; and

(B) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2); or

(2) an asset-based third-party logistics provider that—

(A) facilitates cross border activity and is licensed or bonded by the Federal Maritime Commission, the Transportation Security Administration, U.S. Customs and Border Protection, or the Department of Transportation;

(B) manages and executes logistics services using its own warehousing assets and resources on behalf of its customers; and

(C) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2).

(c) REQUIREMENTS.—In carrying out the pilot program required by subsection (a)(1), the Secretary shall—

(1) ensure that—

(A) not more than 10 entities described in paragraph (1) of subsection (b) participate in the pilot program; and

(B) not more than 10 entities described in paragraph (2) of that subsection participate in the program;

(2) provide for the participation of those entities on a voluntary basis;

(3) continue the program for a period of not less than one year after the date on which the Secretary publishes the Federal Register notice required by subsection (a)(2); and

(4) terminate the pilot program not more than 5 years after that date.

(d) REPORT REQUIRED.—Not later than 180 days after the termination of the pilot program under subsection (c)(4), the Secretary shall submit to the appropriate congressional committees a report on the findings of, and any recommendations arising from, the pilot program concerning the participation in CTPAT of entities described in subsection (b), including an assessment of participation by those entities.

SEC. 11324. REPORT ON EFFECTIVENESS OF CTPAT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing the effectiveness of CTPAT.

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

(1) An analysis of—

(A) security incidents in the cargo supply chain during the 5-year period preceding submission of the report that involved criminal activity, including drug trafficking, human smuggling, commercial fraud, or terrorist activity; and

(B) whether those incidents involved participants in CTPAT or entities not participating in CTPAT.

(2) An analysis of causes for the suspension or removal of entities from participating in CTPAT as a result of security incidents during that 5-year period.

(3) An analysis of the number of active CTPAT participants involved in one or more security incidents while maintaining their status as participants.

(4) Recommendations to the Commissioner of U.S. Customs and Border Protection for improvements to CTPAT to improve prevention of security incidents in the cargo supply chain involving participants in CTPAT.

SEC. 11325. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated for the purpose of carrying out this subtitle.

Subtitle D—Military Spouse Employment Act

SEC. 11331. SHORT TITLE.

This subtitle may be cited as the ''Military Spouse Employment Act''.

SEC. 11332. APPOINTMENT OF MILITARY SPOUSES.

Section 3330d of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (3) as paragraph (4);

(B) by inserting after paragraph (2) the following:

''(3) The term 'remote work' refers to a particular type of telework under which an employee is not expected to report to an officially established agency location on a regular and recurring basis.''; and

(C) by adding at the end the following:

''(5) The term 'telework' has the meaning given the term in section 6501.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(3) a spouse of a member of the Armed Forces on active duty, or a spouse of a disabled or deceased member of the Armed Forces, to a position in which the spouse will engage in remote work.''; and

(3) in subsection (c)(1), by striking ''subsection (a)(3)'' and inserting ''subsection (a)(4)''.

SEC. 11333. GAO STUDY AND REPORT.

(a) DEFINITIONS.—In this section—

(1) the terms ''agency'' means an agency described in paragraph (1) or (2) of section 901(b) of title 31, United States Code;

(2) the term ''employee'' means an employee of an agency;

(3) the term ''remote work'' means a particular type of telework under which an employee is not expected to report to an officially established agency location on a regular and recurring basis; and

(4) the term ''telework'' means a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.

(b) REQUIREMENT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and publish a report regarding the use of remote work by agencies, which shall include a discussion of what is known regarding—

(1) the number of employees who are engaging in remote work;

(2) the role of remote work in agency recruitment and retention efforts;

(3) the geographic location of employees who engage in remote work;

(4) the effect that remote work has had on how often employees are reporting to officially established agency locations to perform the duties and responsibilities of the positions of those employees and other authorized activities; and

(5) how the use of remote work has affected Federal office space utilization and spending.

Subtitle E—Designation of Airports

SEC. 11341. DESIGNATION OF ADDITIONAL PORT OF ENTRY FOR THE IMPORTATION AND EXPORTATION OF WILDLIFE AND WILDLIFE PRODUCTS BY THE UNITED STATES FISH AND WILDLIFE SERVICE.

(a) IN GENERAL.—Subject to appropriations and in accordance with subsection (b), the Director of the United States Fish and Wildlife Service shall designate 1 additional port as a ''port of entry designated for the importation and exportation of wildlife and wildlife products'' under section 14.12 of title 50, Code of Federal Regulations.

(b) CRITERIA FOR SELECTING ADDITIONAL DESIGNATED PORT.—The Director shall select the additional port to be designated pursuant to subsection (a) from among the United States airports that handled more than 8,000,000,000 pounds of cargo during 2021, as reported by the Federal Aviation Administration Air Carrier Activity Information System, and based upon the analysis submitted to Congress by the Director pursuant to the Wildlife Trafficking reporting directive under title I of Senate Report 114–281.

DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2024

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2024''.

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

DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2024

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Intelligence Community Management Account.
Sec. 104. Increase in employee compensation and benefits authorized by law.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

Sec. 301. Plan to recruit, train, and retain personnel with experience in financial intelligence and emerging technologies.
Sec. 302. Policy and performance framework for mobility of intelligence community workforce.
Sec. 303. In-State tuition rates for active duty members of the intelligence community.
Sec. 304. Standards, criteria, and guidance for counterintelligence vulnerability assessments and surveys.

Sec. 305. Improving administration of certain post-employment restrictions for intelligence community.
Sec. 306. Mission of the National Counterintelligence and Security Center.
Sec. 307. Prohibition relating to transport of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 308. Department of Energy science and technology risk assessments.
Sec. 309. Congressional oversight of intelligence community risk assessments.
Sec. 310. Inspector General review of dissemination by Federal Bureau of Investigation Richmond, Virginia, field office of certain document.
Sec. 311. Office of Intelligence and Analysis.

Subtitle B—Central Intelligence Agency

Sec. 321. Change to penalties and increased availability of mental health treatment for unlawful conduct on Central Intelligence Agency installations.
Sec. 322. Modifications to procurement authorities of the Central Intelligence Agency.
Sec. 323. Establishment of Central Intelligence Agency standard workplace sexual misconduct complaint investigation procedure.

TITLE IV—MATTERS CONCERNING FOREIGN COUNTRIES

Subtitle A—People's Republic of China

Sec. 401. Intelligence community coordinator for accountability of atrocities of the People's Republic of China.
Sec. 402. Interagency working group and report on the malign efforts of the People's Republic of China in Africa.
Sec. 403. Amendment to requirement for annual assessment by intelligence community working group for monitoring the economic and technological capabilities of the People's Republic of China.
Sec. 404. Assessments of reciprocity in the relationship between the United States and the People's Republic of China.
Sec. 405. Annual briefing on intelligence community efforts to identify and mitigate Chinese Communist Party and Russian foreign malign influence operations against the United States.
Sec. 406. Assessment of threat posed to United States ports by cranes manufactured by countries of concern.

Subtitle B—Other Foreign Countries

Sec. 411. Report on efforts to capture and detain United States citizens as hostages.
Sec. 412. Sense of Congress on priority of fentanyl in National Intelligence Priorities Framework.

TITLE V—MATTERS PERTAINING TO UNITED STATES ECONOMIC AND EMERGING TECHNOLOGY COMPETITION WITH UNITED STATES ADVERSARIES

Subtitle A—General Matters

Sec. 501. Assignment of detailees from intelligence community to Department of Commerce.

Subtitle B—Next-generation Energy, Biotechnology, and Artificial Intelligence

Sec. 511. Expanded annual assessment of economic and technological capabilities of the People's Republic of China.
Sec. 512. Assessment of using civil nuclear energy for intelligence community capabilities.
Sec. 513. Policies established by Director of National Intelligence for artificial intelligence capabilities.

TITLE VI—WHISTLEBLOWER MATTERS

Sec. 601. Submittal to Congress of complaints and information by whistleblowers in the intelligence community.
Sec. 602. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.
Sec. 603. Establishing process parity for adverse security clearance and access determinations.
Sec. 604. Elimination of cap on compensatory damages for retaliatory revocation of security clearances and access determinations.
Sec. 605. Modification and repeal of reporting requirements.

TITLE VII—CLASSIFICATION REFORM

Subtitle A—Classification Reform Act of 2023

Sec. 701. Short title.
Sec. 702. Definitions.
Sec. 703. Classification and declassification of information.
Sec. 704. Transparency officers.

Subtitle B—Sensible Classification Act of 2023

Sec. 711. Short title.
Sec. 712. Definitions.
Sec. 713. Findings and sense of the Senate.
Sec. 714. Classification authority.
Sec. 715. Promoting efficient declassification review.
Sec. 716. Training to promote sensible classification.
Sec. 717. Improvements to Public Interest Declassification Board.
Sec. 718. Implementation of technology for classification and declassification.
Sec. 719. Studies and recommendations on necessity of security clearances.

TITLE VIII—SECURITY CLEARANCE AND TRUSTED WORKFORCE

Sec. 801. Review of shared information technology services for personnel vetting.
Sec. 802. Timeliness standard for rendering determinations of trust for personnel vetting.
Sec. 803. Annual report on personnel vetting trust determinations.
Sec. 804. Survey to assess strengths and weaknesses of Trusted Workforce 2.0.
Sec. 805. Prohibition on denial of eligibility for access to classified information solely because of past use of cannabis.

TITLE IX—ANOMALOUS HEALTH INCIDENTS

Sec. 901. Improved funding flexibility for payments made by the Central Intelligence Agency for qualifying injuries to the brain.
Sec. 902. Clarification of requirements to seek certain benefits relating to injuries to the brain.
Sec. 903. Intelligence community implementation of HAVANA Act of 2021 authorities.
Sec. 904. Report and briefing on Central Intelligence Agency handling of anomalous health incidents.

TITLE X—ELECTION SECURITY

Sec. 1001. Strengthening Election Cybersecurity to Uphold Respect for Elections through Independent Testing Act of 2023.

TITLE XI—OTHER MATTERS

Sec. 1101. Modification of reporting requirement for All-domain Anomaly Resolution Office.
Sec. 1102. Funding limitations relating to unidentified anomalous phenomena.

SEC. 2. DEFINITIONS.

In this Act:

(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.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the conduct of the intelligence and intelligence-related activities of the Federal Government.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 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. 103. 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 2024 the sum of $658,950,000.

(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 2024 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

SEC. 104. 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 II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2024.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 301. PLAN TO RECRUIT, TRAIN, AND RETAIN PERSONNEL WITH EXPERIENCE IN FINANCIAL INTELLIGENCE AND EMERGING TECHNOLOGIES.

(a) IN GENERAL.—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 human capital of the Central Intelligence Agency, the National Security Agency, and the Federal Bureau of Investigation, 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 for the intelligence community to recruit, train, and retain personnel who have skills and experience in financial intelligence and emerging technologies in order to improve analytic tradecraft.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following elements:

(1) An assessment, including measurable benchmarks of progress, of current initiatives of the intelligence community to recruit, train, and retain personnel who have skills and experience in financial intelligence and emerging technologies.

(2) An assessment of whether personnel in the intelligence community who have such skills are currently well integrated into the analytical cadre of the relevant elements of the intelligence community that produce analyses with respect to financial intelligence and emerging technologies.

(3) An identification of challenges to hiring or compensation in the intelligence community that limit progress toward rapidly increasing the number of personnel with such skills, and an identification of hiring or other reforms to resolve such challenges.

(4) A determination of whether the National Intelligence University has the resources and expertise necessary to train existing personnel in financial intelligence and emerging technologies.

(5) A strategy, including measurable benchmarks of progress, to, by January 1, 2025, increase by 10 percent the analytical cadre of personnel with expertise and previous employment in financial intelligence and emerging technologies.

SEC. 302. POLICY AND PERFORMANCE FRAMEWORK FOR MOBILITY OF INTELLIGENCE COMMUNITY WORKFORCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Secretary of Defense and the Director of the Office of Personnel Management as the Director of National Intelligence considers appropriate, develop and implement a policy and performance framework to ensure the timely and effective mobility of employees and contractors of the Federal Government who are transferring employment between elements of the intelligence community.

(b) ELEMENTS.—The policy and performance framework required by subsection (a) shall include processes with respect to the following:

(1) Human resources.

(2) Medical reviews.

(3) Determinations of suitability or eligibility for access to classified information in accordance with 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).

SEC. 303. IN-STATE TUITION RATES FOR ACTIVE DUTY MEMBERS OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 135(d) of the Higher Education Act of 1965 (20 U.S.C. 1015d(d)), as amended by section 6206(a)(4) of the Foreign Service Families Act of 2021 (Public Law 117–81), is further amended—

(1) in paragraph (1), by striking ''or'' after the semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) a member of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) (other than a member of the Armed Forces of the United States) who is on active duty for a period of more than 30 days.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect at each public institution of higher education in a State that receives assistance under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) for the first period of enrollment at such institution that begins after July 1, 2026.

SEC. 304. STANDARDS, CRITERIA, AND GUIDANCE FOR COUNTERINTELLIGENCE VULNERABILITY ASSESSMENTS AND SURVEYS.

Section 904(d)(7)(A) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(d)(7)(A)) is amended to read as follows:

''(A) COUNTERINTELLIGENCE VULNERABILITY ASSESSMENTS AND SURVEYS.—To develop standards, criteria, and guidance for counterintelligence risk assessments and surveys of the vulnerability of the United States to intelligence threats, including with respect to critical infrastructure and critical technologies, in order to identify the areas, programs, and activities that require protection from such threats.''.

SEC. 305. IMPROVING ADMINISTRATION OF CERTAIN POST-EMPLOYMENT RESTRICTIONS FOR INTELLIGENCE COMMUNITY.

Section 304 of the National Security Act of 1947 (50 U.S.C. 3073a) is amended—

(1) in subsection (c)(1)—

(A) by striking ''A former'' and inserting the following:

''(A) IN GENERAL.—A former''; and

(B) by adding at the end the following:

''(B) PRIOR DISCLOSURE TO DIRECTOR OF NATIONAL INTELLIGENCE.—

''(i) IN GENERAL.—In the case of a former employee who occupies a covered post-service position in violation of subsection (a), whether the former employee voluntarily notified the Director of National Intelligence of the intent of the former employee to occupy such covered post-service position before occupying such post-service position may be used in determining whether the violation was knowing and willful for purposes of subparagraph (A).

''(ii) PROCEDURES AND GUIDANCE.—The Director of National Intelligence may establish procedures and guidance relating to the submittal of notice for purposes of clause (i).''; and

(2) in subsection (d)—

(A) in paragraph (1), by inserting ''the restrictions under subsection (a) and'' before ''the report requirements'';

(B) in paragraph (2), by striking ''ceases to occupy'' and inserting ''occupies''; and

(C) in paragraph (3)(B), by striking ''before the person ceases to occupy a covered intelligence position'' and inserting ''when the person occupies a covered intelligence position''.

SEC. 306. MISSION OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

(a) IN GENERAL.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(1) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

(2) by inserting after subsection (c) the following:

''(d) MISSION.—The mission of the National Counterintelligence and Security Center shall include organizing and leading strategic planning for counterintelligence activities of the United States Government by integrating instruments of national power as needed to counter foreign intelligence activities.''.

(b) CONFORMING AMENDMENTS.—

(1) COUNTERINTELLIGENCE ENHANCEMENT ACT OF 2002.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(A) in subsection (e), as redesignated by subsection (a)(1), by striking ''Subject to subsection (e)'' both places it appears and inserting ''Subject to subsection (f)''; and

(B) in subsection (f), as so redesignated—

(i) in paragraph (1), by striking ''subsection (d)(1)'' and inserting ''subsection (e)(1)''; and

(ii) in paragraph (2), by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''.

(2) COUNTERINTELLIGENCE AND SECURITY ENHANCEMENTS ACT OF 1994.—Section 811(d)(1)(B)(ii) of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381(d)(1)(B)(ii)) is amended by striking ''section 904(d)(2) of that Act (50 U.S.C. 3383(d)(2))'' and inserting ''section 904(e)(2) of that Act (50 U.S.C. 3383(e)(2))''.

SEC. 307. PROHIBITION RELATING TO TRANSPORT OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) DEFINITION OF INDIVIDUAL DETAINED AT GUANTANAMO.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).

(b) PROHIBITION ON CHARTERING PRIVATE OR COMMERCIAL AIRCRAFT TO TRANSPORT INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.—No head of an element of the intelligence community may charter any private or commercial aircraft to transport an individual who is or was an individual detained at Guantanamo.

SEC. 308. DEPARTMENT OF ENERGY SCIENCE AND TECHNOLOGY RISK ASSESSMENTS.

(a) DEFINITIONS.—In this section:

(1) COUNTRY OF RISK.—

(A) IN GENERAL.—The term ''country of risk'' means a foreign country determined by the Secretary, in accordance with subparagraph (B), to present a risk of theft of United States intellectual property or a threat to the national security of the United States if nationals of the country, or entities owned

or controlled by the country or nationals of the country, participate in any research, development, demonstration, or deployment activity authorized under this Act or an amendment made by this Act.

(B) DETERMINATION.—In making a determination under subparagraph (A), the Secretary, in coordination with the Director of the Office of Intelligence and Counterintelligence, shall take into consideration—

(i) the most recent World Wide Threat Assessment of the United States Intelligence Community, prepared by the Director of National Intelligence; and

(ii) the most recent National Counterintelligence Strategy of the United States.

(2) COVERED SUPPORT.—The term ''covered support'' means any grant, contract, subcontract, award, loan, program, support, or other activity authorized under this Act or an amendment made by this Act.

(3) ENTITY OF CONCERN.—The term ''entity of concern'' means any entity, including a national, that is—

(A) identified under section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note; Public Law 105–261);

(B) identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note; Public Law 116–283);

(C) on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations;

(D) included in the list required by section 9(b)(3) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116–145; 134 Stat. 656); or

(E) identified by the Secretary, in coordination with the Director of the Office of Intelligence and Counterintelligence and the applicable office that would provide, or is providing, covered support, as posing an unmanageable threat—

(i) to the national security of the United States; or

(ii) of theft or loss of United States intellectual property.

(4) NATIONAL.—The term ''national'' has the meaning given the term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) SCIENCE AND TECHNOLOGY RISK ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall develop and maintain tools and processes to manage and mitigate research security risks, such as a science and technology risk matrix, informed by threats identified by the Director of the Office of Intelligence and Counterintelligence, to facilitate determinations of the risk of loss of United States intellectual property or threat to the national security of the United States posed by activities carried out under any covered support.

(2) CONTENT AND IMPLEMENTATION.—In developing and using the tools and processes developed under paragraph (1), the Secretary shall—

(A) deploy risk-based approaches to evaluating, awarding, and managing certain research, development, demonstration, and deployment activities, including designations that will indicate the relative risk of activities;

(B) assess, to the extent practicable, ongoing high-risk activities;

(C) designate an officer or employee of the Department of Energy to be responsible for tracking and notifying recipients of any covered support of unmanageable threats to United States national security or of theft or loss of United States intellectual property posed by an entity of concern;

(D) consider requiring recipients of covered support to implement additional research security mitigations for higher-risk activities if appropriate; and

(E) support the development of research security training for recipients of covered support on the risks posed by entities of concern.

(3) ANNUAL UPDATES.—The tools and processes developed under paragraph (1) shall be evaluated annually and updated as needed, with threat-informed input from the Office of Intelligence and Counterintelligence, to reflect changes in the risk designation under paragraph (2)(A) of research, development, demonstration, and deployment activities conducted by the Department of Energy.

(c) ENTITY OF CONCERN.—

(1) PROHIBITION.—Except as provided in paragraph (2), no entity of concern, or individual that owns or controls, is owned or controlled by, or is under common ownership or control with an entity of concern, may receive, or perform work under, any covered support.

(2) WAIVER OF PROHIBITION.—

(A) IN GENERAL.—The Secretary may waive the prohibition under paragraph (1) if determined by the Secretary to be in the national interest.

(B) NOTIFICATION TO CONGRESS.—Not less than 2 weeks prior to issuing a waiver under subparagraph (A), the Secretary shall notify Congress of the intent to issue the waiver, including a justification for the waiver.

(3) PENALTY.—

(A) TERMINATION OF SUPPORT.—On finding that any entity of concern or individual described in paragraph (1) has received covered support and has not received a waiver under paragraph (2), the Secretary shall terminate all covered support to that entity of concern or individual, as applicable.

(B) PENALTIES.—An entity of concern or individual identified under subparagraph (A) shall be—

(i) prohibited from receiving or participating in covered support for a period of not less than 1 year but not more than 10 years, as determined by the Secretary; or

(ii) instead of the penalty described in clause (i), subject to any other penalties authorized under applicable law or regulations that the Secretary determines to be in the national interest.

(C) NOTIFICATION TO CONGRESS.—Prior to imposing a penalty under subparagraph (B), the Secretary shall notify Congress of the intent to impose the penalty, including a description of and justification for the penalty.

(4) COORDINATION.—The Secretary shall—

(A) share information about the unmanageable threats described in subsection (a)(3)(E) with other Federal agencies; and

(B) develop consistent approaches to identifying entities of concern.

(d) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(e) REPORT REQUIRED.—Not later than 240 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes—

(A) the tools and processes developed under subsection (b)(1) and any updates to those tools and processes; and

(B) if applicable, the science and technology risk matrix developed under that subsection and how that matrix has been applied;

(2) includes a mitigation plan for managing risks posed by countries of risk with respect to future or ongoing research and development activities of the Department of Energy; and

(3) defines critical research areas, designated by risk, as determined by the Secretary.

SEC. 309. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE COMMUNITY RISK ASSESSMENTS.

(a) RISK ASSESSMENT DOCUMENTS AND MATERIALS.—Except as provided in subsection (b), whenever an element of the intelligence community conducts a risk assessment arising from the mishandling or improper disclosure of classified information, the Director of National Intelligence shall, not later than 30 days after the date of the commencement of such risk assessment—

(1) submit to the congressional intelligence committees copies of such documents and materials as are—

(A) within the jurisdiction of such committees; and

(B) subject to the risk assessment; and

(2) provide such committees a briefing on such documents, materials, and risk assessment.

(b) EXCEPTION.—If the Director determines, with respect to a risk assessment described in subsection (a), that the documents and other materials otherwise subject to paragraph (1) of such subsection (a) are of such a volume that submittal pursuant to such paragraph would be impracticable, the Director shall—

(1) in lieu of submitting copies of such documents and materials, submit a log of such documents and materials; and

(2) pursuant to a request by the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a document or material included in such log, submit to such committee such copy.

SEC. 310. INSPECTOR GENERAL REVIEW OF DISSEMINATION BY FEDERAL BUREAU OF INVESTIGATION RICHMOND, VIRGINIA, FIELD OFFICE OF CERTAIN DOCUMENT.

(a) REVIEW REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall conduct a review of the actions and events, including any underlying policy direction, that served as a basis for the January 23, 2023, dissemination by the field office of the Federal Bureau of Investigation located in Richmond, Virginia, of a document titled ''Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities.''.

(b) SUBMITTAL TO CONGRESS.—The Inspector General of the Department of Justice shall submit the findings of the Inspector General with respect to the review required by subsection (a) to the following:

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary, Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate.

(3) The Committee on the Judiciary, the Committee on Oversight and Accountability, and the Committee on Appropriations of the House of Representatives.

SEC. 311. OFFICE OF INTELLIGENCE AND ANALYSIS.

Section 201 of the Homeland Security Act of 2002 (6 U.S.C. 121) is amended by adding at the end the following:

''(h) PROHIBITION.—

''(1) DEFINITION.—In this subsection, the term 'United States person' means a United States citizen, an alien known by the Office

of Intelligence and Analysis to be a permanent resident alien, an unincorporated association substantially composed of United States citizens or permanent resident aliens, or a corporation incorporated in the United States, except for a corporation directed and controlled by 1 or more foreign governments.

''(2) COLLECTION OF INFORMATION FROM UNITED STATES PERSONS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Office of Intelligence and Analysis may not engage in the collection of information or intelligence targeting any United States person except as provided in subparagraph (B).

''(B) EXCEPTION.—Subparagraph (A) shall not apply to any employee, officer, or contractor of the Office of Intelligence and Analysis who is responsible for collecting information from individuals working for a State, local, or Tribal territory government or a private employer.''.

Subtitle B—Central Intelligence Agency

SEC. 321. CHANGE TO PENALTIES AND INCREASED AVAILABILITY OF MENTAL HEALTH TREATMENT FOR UNLAWFUL CONDUCT ON CENTRAL INTELLIGENCE AGENCY INSTALLATIONS.

Section 15(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(b)) is amended, in the second sentence, by striking ''those specified in section 1315(c)(2) of title 40, United States Code'' and inserting ''the maximum penalty authorized for a Class B misdemeanor under section 3559 of title 18, United States Code''.

SEC. 322. MODIFICATIONS TO PROCUREMENT AUTHORITIES OF THE CENTRAL INTELLIGENCE AGENCY.

Section 3 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3503) is amended—

(1) in subsection (a), by striking ''sections'' and all that follows through ''session)'' and inserting ''sections 3201, 3203, 3204, 3206, 3207, 3302 through 3306, 3321 through 3323, 3801 through 3808, 3069, 3134, 3841, and 4752 of title 10, United States Code'' and

(2) in subsection (d), by striking ''in paragraphs'' and all that follows through ''1947'' and inserting ''in sections 3201 through 3204 of title 10, United States Code, shall not be delegable. Each determination or decision required by sections 3201 through 3204, 3321 through 3323, and 3841 of title 10, United States Code''.

SEC. 323. ESTABLISHMENT OF CENTRAL INTELLIGENCE AGENCY STANDARD WORKPLACE SEXUAL MISCONDUCT COMPLAINT INVESTIGATION PROCEDURE.

(a) WORKPLACE SEXUAL MISCONDUCT DEFINED.—The term ''workplace sexual misconduct''—

(1) means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when—

(A) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(B) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(C) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; and

(2) includes sexual harassment and sexual assault.

(b) STANDARD COMPLAINT INVESTIGATION PROCEDURE.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall—

(1) establish a standard workplace sexual misconduct complaint investigation procedure;

(2) implement the standard workplace sexual misconduct complaint investigation procedure through clear workforce communication and education on the procedure; and

(3) submit the standard workplace sexual misconduct complaint investigation procedure to the congressional intelligence committees.

(c) MINIMUM REQUIREMENTS.—The procedure established pursuant to subsection (b)(1) shall, at a minimum—

(1) identify the individuals and offices of the Central Intelligence Agency to which an employee of the Agency may bring a complaint of workplace sexual misconduct;

(2) detail the steps each individual or office identified pursuant to paragraph (1) shall take upon receipt of a complaint of workplace sexual misconduct and the timeframes within which those steps shall be taken, including—

(A) documentation of the complaint;

(B) referral or notification to another individual or office;

(C) measures to document or preserve witness statements or other evidence; and

(D) preliminary investigation of the complaint;

(3) set forth standard criteria for determining whether a complaint of workplace sexual misconduct will be referred to law enforcement and the timeframe within which such a referral shall occur; and

(4) for any complaint not referred to law enforcement, set forth standard criteria for determining—

(A) whether a complaint has been substantiated; and

(B) for any substantiated complaint, the appropriate disciplinary action.

(d) ANNUAL REPORTS.—On or before April 30 of each year, 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 an annual report that includes, for the preceding calendar year, the following:

(1) The number of workplace sexual misconduct complaints brought to each individual or office of the Central Intelligence Agency identified pursuant to subsection (c)(1), disaggregated by—

(A) complaints referred to law enforcement; and

(B) complaints substantiated.

(2) For each complaint described in paragraph (1) that is substantiated, a description of the disciplinary action taken by the Director.

TITLE IV—MATTERS CONCERNING FOREIGN COUNTRIES

Subtitle A—People's Republic of China

SEC. 401. INTELLIGENCE COMMUNITY COORDINATOR FOR ACCOUNTABILITY OF ATROCITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) ATROCITY.—The term ''atrocity'' means a crime against humanity, genocide, or a war crime.

(2) FOREIGN PERSON.—The term ''foreign person'' means—

(A) any person or entity that is not a United States person; or

(B) any entity not organized under the laws of the United States or of any jurisdiction within the United States.

(3) 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 ACCOUNTABILITY OF ATROCITIES OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) DESIGNATION.—Not later than 90 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 accountability of atrocities of the People's Republic of China (in this section referred to as the ''Coordinator'').

(2) DUTIES.—The Coordinator shall lead the efforts of and coordinate and collaborate with the intelligence community with respect to the following:

(A) Identifying and addressing any gaps in intelligence collection relating to atrocities of the People's Republic of China, including by recommending the modification of the priorities of the intelligence community with respect to intelligence collection and by utilizing informal processes and collaborative mechanisms with key elements of the intelligence community to increase collection on atrocities of the People's Republic of China.

(B) Prioritizing and expanding the intelligence analysis with respect to ongoing atrocities of the People's Republic of China and disseminating within the United States Government intelligence relating to the identification and activities of foreign persons suspected of being involved with or providing support to atrocities of the People's Republic of China, including genocide and forced labor practices in Xinjiang, in order to support the efforts of other Federal agencies, including the Department of State, the Department of Justice, the Department of the Treasury, the Office of Foreign Assets Control, the Department of Commerce, the Bureau of Industry and Security, U.S. Customs and Border Protection, and the National Security Council, to hold the People's Republic of China accountable for such atrocities.

(C) Increasing efforts to declassify and share with the people of the United States and the international community information regarding atrocities of the People's Republic of China in order to expose such atrocities and counter the disinformation and misinformation campaign by the People's Republic of China to deny such atrocities.

(D) Documenting and storing intelligence and other unclassified information that may be relevant to preserve as evidence of atrocities of the People's Republic of China for future accountability, and ensuring that other relevant Federal agencies receive appropriate support from the intelligence community with respect to the collection, analysis, preservation, and, as appropriate, dissemination, of intelligence related to atrocities of the People's Republic of China, which may include the information from the annual report required by section 6504 of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(E) Sharing information with the Forced Labor Enforcement Task Force, established under section 741 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4681), the Department of Commerce, and the Department of the Treasury for the purposes of entity listings and sanctions.

(3) PLAN REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Director 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 and dissemination of intelligence relating to ongoing atrocities of the People's Republic of China, 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, 2024, and annually thereafter until May 1, 2034, the Director shall submit to Congress a report detailing, for the year covered by the report—

(i) the analytical findings, changes in collection, and other activities of the intelligence community with respect to ongoing atrocities of the People's Republic of China;

(ii) the recipients of information shared pursuant to this section for the purpose of—

(I) providing support to Federal agencies to hold the People's Republic of China accountable for such atrocities; and

(II) sharing information with the people of the United States to counter the disinformation and misinformation campaign by the People's Republic of China to deny such atrocities; and

(iii) with respect to clause (ii), 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) SUNSET.—This section shall cease to have effect on the date that is 10 years after the date of the enactment of this Act.

SEC. 402. INTERAGENCY WORKING GROUP AND REPORT ON THE MALIGN EFFORTS OF THE PEOPLE'S REPUBLIC OF CHINA IN AFRICA.

(a) ESTABLISHMENT.—

(1) 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 an interagency working group within the intelligence community to analyze the tactics and capabilities of the People's Republic of China in Africa.

(2) ESTABLISHMENT FLEXIBILITY.—The working group established under paragraph (1) may be—

(A) independently established; or

(B) to avoid redundancy, incorporated into existing working groups or cross-intelligence efforts within the intelligence community.

(b) 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 Foreign Relations and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and twice annually thereafter, the working group established under subsection (a) shall submit to the appropriate committees of Congress a report on the specific tactics and capabilities of the People's Republic of China in Africa.

(3) ELEMENTS.—Each report required by paragraph (2) shall include the following elements:

(A) An assessment of efforts by the Government of the People's Republic of China to exploit mining and reprocessing operations in Africa.

(B) An assessment of efforts by the Government of the People's Republic of China to provide or fund technologies in Africa, including—

(i) telecommunications and energy technologies, such as advanced reactors, transportation, and other commercial products; and

(ii) by requiring that the People's Republic of China be the sole provider of such technologies.

(C) An assessment of efforts by the Government of the People's Republic of China to expand intelligence capabilities in Africa.

(D) A description of actions taken by the intelligence community to counter such efforts.

(E) An assessment of additional resources needed by the intelligence community to better counter such efforts.

(4) FORM.—Each report required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) SUNSET.—The requirements of this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 403. AMENDMENT TO REQUIREMENT FOR ANNUAL ASSESSMENT BY INTELLIGENCE COMMUNITY WORKING GROUP FOR MONITORING THE ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

Section 6503(c)(3)(D) of the Intelligence Authorization Act for Fiscal Year 2023 (division F of Public Law 117–263) is amended by striking ''the top 200'' and inserting ''all the known''.

SEC. 404. ASSESSMENTS OF RECIPROCITY IN THE RELATIONSHIP BETWEEN THE UNITED STATES AND THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Assistant Secretary of State for Intelligence and Research, in consultation with the Director of National Intelligence and such other heads of elements of the intelligence community as the Assistant Secretary considers relevant, shall submit to Congress the following:

(1) A comprehensive assessment that identifies critical areas in the security, diplomatic, economic, financial, technological, scientific, commercial, academic, and cultural spheres in which the United States does not enjoy a reciprocal relationship with the People's Republic of China.

(2) A comprehensive assessment that describes how the lack of reciprocity between the People's Republic of China and the United States in the areas identified in the assessment required by paragraph (1) provides advantages to the People's Republic of China.

(b) FORM OF ASSESSMENTS.—

(1) CRITICAL AREAS.—The assessment required by subsection (a)(1) shall be submitted in unclassified form.

(2) ADVANTAGES.—The assessment required by subsection (a)(2) shall be submitted in classified form.

SEC. 405. ANNUAL BRIEFING ON INTELLIGENCE COMMUNITY EFFORTS TO IDENTIFY AND MITIGATE CHINESE COMMUNIST PARTY AND RUSSIAN FOREIGN MALIGN INFLUENCE OPERATIONS AGAINST THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) CHINESE ENTITIES ENGAGED IN FOREIGN MALIGN INFLUENCE OPERATIONS.—The term ''hinese entities engaged in foreign malign influence operations'' means all of the elements of the Government of the People's Republic of China and the Chinese Communist Party involved in foreign malign influence, such as—

(A) the Ministry of State Security;

(B) other security services of the People's Republic of China;

(C) the intelligence services of the People's Republic of China;

(D) the United Front Work Department and other united front organs;

(E) state-controlled media systems, such as the China Global Television Network (CGTN); and

(F) any entity involved in foreign malign influence operations that demonstrably and intentionally disseminate false information and propaganda of the Government of the People's Republic of China or the Chinese Communist Party.

(2) RUSSIAN MALIGN INFLUENCE ACTORS.—The term ''Russian malign influence actors'' refers to entities or individuals engaged in foreign malign influence operations against the United States who are affiliated with—

(A) the intelligence and security services of the Russian Federation

(B) the Presidential Administration;

(C) any other entity of the Government of the Russian Federation; or

(D) Russian mercenary or proxy groups such as the Wagner Group.

(3) FOREIGN MALIGN INFLUENCE OPERATION.—The term ''foreign malign influence operation'' means a coordinated and often concealed activity that is covered by the definition of the term ''foreign malign influence'' in section 119C of the National Security Act of 1947 (50 U.S.C. 3059) and uses disinformation, press manipulation, economic coercion, targeted investments, corruption, or academic censorship, which are often intended—

(A) to coerce and corrupt United States interests, values, institutions, or individuals; and

(B) to foster attitudes, behavior, decisions, or outcomes in the United States that support the interests of the Government of the People's Republic of China or the Chinese Communist Party.

(b) BRIEFING REQUIRED.—Not later than 120 days after the date of the enactment of this Act and annually thereafter until the date that is 5 years after the date of the enactment of this Act, the Director of the Foreign Malign Influence Center shall, in collaboration with the heads of the elements of the intelligence community, provide Congress a classified briefing on the ways in which the relevant elements of the intelligence community are working internally and coordinating across the intelligence community to identify and mitigate the actions of Chinese and Russian entities engaged in foreign malign influence operations against the United States, including against United States persons.

(c) ELEMENTS.—The classified briefing required by subsection (b) shall cover the following:

(1) The Government of the Russian Federation, the Government of the People's Republic of China, and the Chinese Communist Party tactics, tools, and entities that spread disinformation, misinformation, and malign information and conduct influence operations, information campaigns, or other propaganda efforts.

(2) A description of ongoing foreign malign influence operations and campaigns of the Russian Federation against the United States and an assessment of their objectives and effectiveness in meeting those objectives.

(3) A description of ongoing foreign malign influence operations and campaigns of the People's Republic of China against the United States and an assessment of their objectives and effectiveness in meeting those objectives.

(4) A description of any cooperation, information-sharing, amplification, or other coordination between the Russian Federation and the People's Republic of China in developing or carrying out foreign malign influence operations against the United States.

(5) A description of front organizations, proxies, cut-outs, aligned third-party countries, or organizations used by the Russian Federation or the People's Republic of China to carry out foreign malign influence operations against the United States.

(6) An assessment of the loopholes or vulnerabilities in United States law that Russia and the People's Republic of China exploit to carry out foreign malign influence operations.

(7) The actions of the Foreign Malign Influence Center, in coordination with the Global Engagement Center, relating to early-warning, information sharing, and proactive risk mitigation systems, based on the list of entities identified in subsection (a)(1), to detect, expose, deter, and counter foreign malign influence operations of the Government of the People's Republic of China or the Chinese Communist Party against the United States.

(8) The actions of the Foreign Malign Influence Center to conduct outreach, to identify and counter tactics, tools, and entities described in paragraph (1) by sharing information with allies and partners of the United States, in coordination with the Global Engagement Center, as well as State and local governments, the business community, and civil society in order to expose the political influence operations and information operations of the Government of the Russian Federation and the Government of the People's Republic of China or the Chinese Communist Party carried out against individuals and entities in the United States.

SEC. 406. ASSESSMENT OF THREAT POSED TO UNITED STATES PORTS BY CRANES MANUFACTURED BY COUNTRIES OF CONCERN.

(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 Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(C) the Committee on Armed Services, the Committee on Oversight and Accountability, the Committee on Financial Services, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) COUNTRY OF CONCERN.—The term ''country of concern'' has the meaning given that term in section 1(m)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)(1)).

(b) ASSESSMENT.—The Director of National Intelligence, in coordination with such other heads of the elements of the intelligence community as the Director considers appropriate and the Secretary of Defense, shall conduct an assessment of the threat posed to United States ports by cranes manufactured by countries of concern and commercial entities of those countries, including the Shanghai Zhenhua Heavy Industries Co. (ZPMC).

(c) REPORT AND BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit a report and provide a briefing to the appropriate committees of Congress on the findings of the assessment required by subsection (b).

(2) ELEMENTS.—The report and briefing required by paragraph (1) shall outline the potential for the cranes described in subsection (b) to collect intelligence, disrupt operations at United States ports, and impact the national security of the United States.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle B—Other Foreign Countries

SEC. 411. REPORT ON EFFORTS TO CAPTURE AND DETAIN UNITED STATES CITIZENS AS HOSTAGES.

(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, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on the Judiciary, 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 shall submit to the appropriate committees of Congress a report on efforts by the Maduro regime in Venezuela to detain United States citizens and lawful permanent residents.

(c) ELEMENTS.—The report required by subsection (b) shall include, regarding the arrest, capture, detainment, or imprisonment of United States citizens and lawful permanent residents, the following:

(1) The names, positions, and institutional affiliation of Venezuelan individuals, or those acting on their behalf, who have engaged in such activities.

(2) A description of any role played by transnational criminal organizations, and an identification of such organizations.

(3) Where relevant, an assessment of whether and how United States citizens and lawful permanent residents have been lured to Venezuela.

(4) An analysis of the motive for the arrest, capture, detainment, or imprisonment of United States citizens and lawful permanent residents.

(5) The total number of United States citizens and lawful permanent residents detained or imprisoned in Venezuela as of the date on which the report is submitted.

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 412. SENSE OF CONGRESS ON PRIORITY OF FENTANYL IN NATIONAL INTELLIGENCE PRIORITIES FRAMEWORK.

It is the sense of Congress that the trafficking of illicit fentanyl, including precursor chemicals and manufacturing equipment associated with illicit fentanyl production and organizations that traffic or finance the trafficking of illicit fentanyl, originating from the People's Republic of China and Mexico should be among the highest priorities in the National Intelligence Priorities Framework of the Office of the Director of National Intelligence.

TITLE V—MATTERS PERTAINING TO UNITED STATES ECONOMIC AND EMERGING TECHNOLOGY COMPETITION WITH UNITED STATES ADVERSARIES

Subtitle A—General Matters

SEC. 501. ASSIGNMENT OF DETAILEES FROM INTELLIGENCE COMMUNITY TO DEPARTMENT OF COMMERCE.

(a) AUTHORITY.—In order to better facilitate the sharing of actionable intelligence on foreign adversary intent, capabilities, threats, and operations that pose a threat to the interests or security of the United States, particularly as they relate to the procurement, development, and use of dual-use and emerging technologies, the Director of National Intelligence may assign or facilitate the assignment of members from across the intelligence community to serve as detailees to the Bureau of Industry and Security of the Department of Commerce.

(b) ASSIGNMENT.—Detailees assigned pursuant to subsection (a) shall be drawn from such elements of the intelligence community as the Director considers appropriate, in consultation with the Secretary of Commerce.

(c) EXPERTISE.—The Director shall ensure that detailees assigned pursuant to subsection (a) have subject matter expertise on countries of concern, including China, Iran, North Korea, and Russia, as well as functional areas such as illicit procurement, counterproliferation, emerging and foundational technology, economic and financial intelligence, information and communications technology systems, supply chain vulnerability, and counterintelligence.

(d) DUTY CREDIT.—The detail of an employee of the intelligence community to the Department of Commerce under subsection (a) shall be without interruption or loss of civil service status or privilege.

Subtitle B—Next-generation Energy, Biotechnology, and Artificial Intelligence

SEC. 511. EXPANDED ANNUAL ASSESSMENT OF ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

Section 6503(c)(3) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by adding at the end the following:

''(I) A detailed assessment, prepared in consultation with all elements of the working group—

''(i) of the investments made by the People's Republic of China in—

''(I) artificial intelligence;

''(II) next-generation energy technologies, especially small modular reactors and advanced batteries; and

''(III) biotechnology; and

''(ii) that identifies—

''(I) competitive practices of the People's Republic of China relating to the technologies described in clause (i);

''(II) opportunities to counter the practices described in subclause (I);

''(III) countries the People's Republic of China is targeting for exports of civil nuclear technology;

''(IV) countries best positioned to utilize civil nuclear technologies from the United States in order to facilitate the commercial export of those technologies;

''(V) United States vulnerabilities in the supply chain of these technologies; and

''(VI) opportunities to counter the export by the People's Republic of China of civil nuclear technologies globally.

''(J) An identification and assessment of any unmet resource or authority needs of the working group that affect the ability of the working group to carry out this section.''.

SEC. 512. ASSESSMENT OF USING CIVIL NUCLEAR ENERGY FOR INTELLIGENCE COMMUNITY CAPABILITIES.

(a) ASSESSMENT REQUIRED.—The Director of National Intelligence shall, in consultation with the heads of such other elements of the intelligence community as the Director considers appropriate, conduct an assessment of capabilities identified by the Intelligence Community Continuity Program established pursuant to section E(3) of Intelligence Community Directive 118, or any successor directive, or such other intelligence community facilities or intelligence community capabilities as may be determined by the Director to be critical to United States national security, that have unique energy needs—

(1) to ascertain the feasibility and advisability of using civil nuclear reactors to meet such needs; and

(2) to identify such additional resources, technologies, infrastructure, or authorities needed, or other potential obstacles, to commence use of a nuclear reactor to meet such needs.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate, and the Committee on Oversight and Accountability and the Committee on Appropriations of the House of Representatives a report, which may be in classified form, on the findings of the Director with respect to the assessment conducted pursuant to subsection (a).

SEC. 513. POLICIES ESTABLISHED BY DIRECTOR OF NATIONAL INTELLIGENCE FOR ARTIFICIAL INTELLIGENCE CAPABILITIES.

(a) IN GENERAL.—Section 6702 of the Intelligence Authorization Act for Fiscal Year 2023 (50 U.S.C. 3334m) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) POLICIES.—

''(1) IN GENERAL.—In carrying out subsection (a)(1), not later than 1 year after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2024, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community, the Director of the Office of Management and Budget, and such other officials as the Director of National Intelligence determines appropriate, shall establish the policies described in paragraph (2).

''(2) POLICIES DESCRIBED.—The policies described in this paragraph are policies for the acquisition, adoption, development, use, coordination, and maintenance of artificial intelligence capabilities that—

''(A) establish a lexicon relating to the use of machine learning and artificial intelligence developed or acquired by elements of the intelligence community;

''(B) establish guidelines for evaluating the performance of models developed or acquired by elements of the intelligence community, such as by—

''(i) specifying conditions for the continuous monitoring of artificial intelligence capabilities for performance, including the conditions for retraining or retiring models based on performance;

''(ii) documenting performance objectives, including specifying how performance objectives shall be developed and contractually enforced for capabilities procured from third parties;

''(iii) specifying the manner in which models should be audited, as necessary, including the types of documentation that should be provided to any auditor; and

''(iv) specifying conditions under which models used by elements of the intelligence community should be subject to testing and evaluation for vulnerabilities to techniques meant to undermine the availability, integrity, or privacy of an artificial intelligence capability;

''(C) establish guidelines for tracking dependencies in adjacent systems, capabilities, or processes impacted by the retraining or sunsetting of any model described in subparagraph (B);

''(D) establish documentation requirements for capabilities procured from third parties, aligning such requirements, as necessary, with existing documentation requirements applicable to capabilities developed by elements of the intelligence community;

''(E) establish standards for the documentation of imputed, augmented, or synthetic data used to train any model developed, procured, or used by an element of the intelligence community; and

''(F) provide guidance on the acquisition and usage of models that have previously been trained by a third party for subsequent modification and usage by such an element.

''(3) POLICY REVIEW AND REVISION.—The Director of National Intelligence shall periodically review and revise each policy established under paragraph (1).''.

(b) CONFORMING AMENDMENT.—Section 6712(b)(1) of such Act (50 U.S.C. 3024 note) is amended by striking ''section 6702(b)'' and inserting ''section 6702(c)''.

TITLE VI—WHISTLEBLOWER MATTERS

SEC. 601. SUBMITTAL TO CONGRESS OF COMPLAINTS AND INFORMATION BY WHISTLEBLOWERS IN THE INTELLIGENCE COMMUNITY.

(a) AMENDMENTS TO CHAPTER 4 OF TITLE 5.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 416 of title 5, United States Code, is amended by adding at the end the following:

''(i) APPOINTMENT OF SECURITY OFFICERS.—Each Inspector General under this section, including the designees of the Inspector General of the Department of Defense pursuant to subsection (b)(3), shall appoint within their offices security officers to provide, on a permanent basis, confidential, security-related guidance and direction to employees and contractors described in subsection (b)(1) who intend to report to Congress complaints or information, so that such employees and contractors can obtain direction on how to report to Congress in accordance with appropriate security practices.''.

(2) PROCEDURES.—Subsection (e) of such section is amended—

(A) in paragraph (1), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the intelligence committees'';

(B) by amending paragraph (2) to read as follows:

''(2) LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the employee may contact an intelligence committee or another committee of jurisdiction directly as described in paragraph (1) of this subsection or in subsection (b)(4) only if the employee—

''(i) before making such a contact, furnishes to the head of the establishment, through the Inspector General (or designee), a statement of the employee's complaint or information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(ii)(I) obtains and follows, from the head of the establishment, through the Inspector General (or designee), procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(II) obtains and follows such procedural direction from the applicable security officer appointed under subsection (i).

''(B) LACK OF PROCEDURAL DIRECTION.—If an employee seeks procedural direction under subparagraph (A)(ii) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subparagraph.''; and

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

''(3) COMMITTEE MEMBERS AND STAFF.—An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subsection (b) of such section is amended by adding at the end the following:

''(4) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subject to paragraphs (2) and (3) of subsection (e), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress.''.

(b) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 103H(j) of the National Security Act of 1947 (50 U.S.C. 3033(j)) is amended by adding at the end the following:

''(5) The Inspector General shall appoint within the Office of the Inspector General security officers as required by section 416(i) of title 5, United States Code.''.

(2) PROCEDURES.—Subparagraph (D) of section 103H(k)(5) of such Act (50 U.S.C. 3033(k)(5)) is amended—

(A) in clause (i), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the congressional intelligence committees'';

(B) by amending clause (ii) to read as follows:

''(ii)(I) Except as provided in subclause (II), an employee may contact a congressional intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

''(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(bb)(AA) obtains and follows, from the Director, through the Inspector General, procedural direction on how to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 416(i) of title 5, United States Code.

''(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact a congressional intelligence committee or any other committee of jurisdiction of the Senate or the

House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.'';

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

''(iii) An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting ''(i)'' before ''An employee of''; and

(B) by adding at the end the following:

''(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(I) in lieu of reporting such complaint or information under clause (i); or

''(II) in addition to reporting such complaint or information under clause (i).''.

(c) AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended by adding at the end the following:

''(I) The Inspector General shall appoint within the Office of the Inspector General security officers as required by section 416(i) of title 5, United States Code.''.

(2) PROCEDURES.—Subparagraph (D) of such section is amended—

(A) in clause (i), by inserting ''or any other committee of jurisdiction of the Senate or the House of Representatives'' after ''either or both of the intelligence committees'';

(B) by amending clause (ii) to read as follows:

''(ii)(I) Except as provided in subclause (II), an employee may contact an intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

''(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

''(bb)(AA) obtains and follows, from the Director, through the Inspector General, procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

''(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 416(i) of title 5, United States Code.

''(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.'';

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

''(iii) An employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.''.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subparagraph (A) of such section is amended—

(A) by inserting ''(i)'' before ''An employee of''; and

(B) by adding at the end the following:

''(ii) Subject to clauses (ii) and (iii) of subparagraph (D), an employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

''(I) in lieu of reporting such complaint or information under clause (i); or

''(II) in addition to reporting such complaint or information under clause (i).''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall be construed to revoke or diminish any right of an individual provided by section 2303 of title 5, United States Code.

SEC. 602. PROHIBITION AGAINST DISCLOSURE OF WHISTLEBLOWER IDENTITY AS REPRISAL AGAINST WHISTLEBLOWER DISCLOSURE BY EMPLOYEES AND CONTRACTORS IN INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) is amended—

(1) in subsection (a)(3) of such section—

(A) in subparagraph (I), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subparagraph (J) as subparagraph (K); and

(C) by inserting after subparagraph (I) the following:

''(J) a knowing and willful disclosure revealing the identity or other personally identifiable information of an employee or contractor employee so as to identify the employee or contractor employee as an employee or contractor employee who has made a lawful disclosure described in subsection (b) or (c); or'';

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following:

''(f) PERSONNEL ACTIONS INVOLVING DISCLOSURE OF WHISTLEBLOWER IDENTITY.—A personnel action described in subsection (a)(3)(J) shall not be considered to be in violation of subsection (b) or (c) under the following circumstances:

''(1) The personnel action was taken with the express consent of the employee or contractor employee.

''(2) An Inspector General with oversight responsibility for a covered intelligence community element determines that—

''(A) the personnel action was unavoidable under section 103H(g)(3)(A) of this Act (50 U.S.C. 3033(g)(3)(A)), section 17(e)(3)(A) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(3)(A)), section 407(b) of title 5, United States Code, or section 420(b)(2)(B) of such title;

''(B) the personnel action was made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; or

''(C) the personnel action was required by statute or an order from a court of competent jurisdiction.''.

(b) APPLICABILITY TO DETAILEES.—Subsection (a) of section 1104 of such Act (50 U.S.C. 3234) is amended by adding at the end the following:

''(5) EMPLOYEE.—The term 'employee', with respect to an agency or a covered intelligence community element, includes an individual who has been detailed to such agency or covered intelligence community element.''.

(c) HARMONIZATION OF ENFORCEMENT.—Subsection (g) of such section, as redesignated by subsection (a)(2) of this section, is amended to read as follows:

''(g) ENFORCEMENT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the President shall provide for the enforcement of this section.

''(2) HARMONIZATION WITH OTHER ENFORCEMENT.—To the fullest extent possible, the President shall provide for enforcement of this section in a manner that is consistent with the enforcement of section 2302(b)(8) of title 5, United States Code, especially with respect to policies and procedures used to adjudicate alleged violations of such section.''.

SEC. 603. ESTABLISHING PROCESS PARITY FOR ADVERSE SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) CONTRIBUTING FACTOR.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 604. ELIMINATION OF CAP ON COMPENSATORY DAMAGES FOR RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.

Section 3001(j)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)(B)) is amended, in the second sentence, by striking ''not to exceed $300,000''.

SEC. 605. MODIFICATION AND REPEAL OF REPORTING REQUIREMENTS.

(a) MODIFICATION OF FREQUENCY OF WHISTLEBLOWER NOTIFICATIONS TO INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.—Section 5334(a) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116–92; 50 U.S.C. 3033 note) is amended by striking ''in real time'' and inserting ''monthly''.

(b) REPEAL OF REQUIREMENT FOR INSPECTORS GENERAL REVIEWS OF ENHANCED PERSONNEL SECURITY PROGRAMS.—

(1) IN GENERAL.—Section 11001 of title 5, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) TECHNICAL CORRECTIONS.—Subsection (d) of section 11001 of such title, as redesignated by paragraph (1)(B), is amended—

(A) in paragraph (3), by adding ''and'' after the semicolon at the end; and

(B) in paragraph (4), by striking ''; and'' and inserting a period.

TITLE VII—CLASSIFICATION REFORM

Subtitle A—Classification Reform Act of 2023

SEC. 701. SHORT TITLE.

This subtitle may be cited as the ''Classification Reform Act of 2023''.

SEC. 702. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term ''agency'' means any Executive agency as defined in section 105 of title 5, United States Code, any military department as defined in section 102 of such title, and any other entity in the executive branch of the Federal Government that comes into the possession of classified information.

(2) CLASSIFY, CLASSIFIED, CLASSIFICATION.—The terms ''classify'', ''classified'', and ''classification'' refer to the process by which information is determined to require protection from unauthorized disclosure pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703 in order to protect the national security of the United States.

(3) CLASSIFIED INFORMATION.—The term ''classified information'' means information that has been classified under Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703.

(4) DECLASSIFY, DECLASSIFIED, DECLASSIFICATION.—The terms ''declassify'', ''declassified'', and ''declassification'' refer to the process by which information that has been classified is determined to no longer require protection from unauthorized disclosure pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or previous and successor executive orders or similar directives, or section 703.

(5) INFORMATION.—The term ''information'' means any knowledge that can be communicated, or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the United States Government.

SEC. 703. CLASSIFICATION AND DECLASSIFICATION OF INFORMATION.

(a) IN GENERAL.—The President may, in accordance with this section, protect from unauthorized disclosure any information owned by, produced by or for, or under the control of the executive branch of the Federal Government when there is a demonstrable need to do so in order to protect the national security of the United States.

(b) ESTABLISHMENT OF STANDARDS AND PROCEDURES FOR CLASSIFICATION AND DECLASSIFICATION.—

(1) GOVERNMENTWIDE PROCEDURES.—

(A) CLASSIFICATION.—The President shall, to the extent necessary, establish categories of information that may be classified and procedures for classifying information under subsection (a).

(B) DECLASSIFICATION.—At the same time the President establishes categories and procedures under subparagraph (A), the President shall establish procedures for declassifying information that was previously classified.

(C) MINIMUM REQUIREMENTS.—The procedures established pursuant to subparagraphs (A) and (B) shall—

(i) provide that information may be classified under this section, and may remain classified under this section, only if the harm to national security that might reasonably be expected from disclosure of such information outweighs the public interest in disclosure of such information;

(ii) establish standards and criteria for the classification of information;

(iii) establish standards, criteria, and timelines for the declassification of information classified under this section;

(iv) provide for the automatic declassification of classified records with permanent historical value;

(v) provide for the timely review of materials submitted for pre-publication;

(vi) narrow the criteria for classification set forth under section 1.4 of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), as in effect on the day before the date of the enactment of this Act;

(vii) narrow the exemptions from automatic declassification set forth under section 3.3(b) of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), as in effect on the day before the date of the enactment of this Act;

(viii) provide a clear and specific definition of ''harm to national security'' as it pertains to clause (i); and

(ix) provide a clear and specific definition of ''intelligence sources and methods'' as it pertains to the categories and procedures under subparagraph (A).

(2) AGENCY STANDARDS AND PROCEDURES.—

(A) IN GENERAL.—The head of each agency shall establish a single set of consolidated standards and procedures to permit such agency to classify and declassify information created by such agency in accordance with the categories and procedures established by the President under this section and otherwise to carry out this section.

(B) SUBMITTAL TO CONGRESS.—Each agency head shall submit to Congress the standards and procedures established by such agency head under subparagraph (A).

(c) CONFORMING AMENDMENT TO FOIA.—Section 552(b)(1) of title 5, United States Code, is amended to read as follows:

''(1)(A) specifically authorized to be classified under section 703 of the Intelligence Authorization Act for Fiscal Year 2024, or specifically authorized under criteria established by an Executive order to be kept secret in the interest of national security; and

''(B) are in fact properly classified pursuant to that section or Executive order;''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (a) and (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(2) RELATION TO PRESIDENTIAL DIRECTIVES.—Presidential directives regarding classifying, safeguarding, and declassifying national security information, including Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, in effect on the day before the date of the enactment of this Act, as well as procedures issued pursuant to such Presidential directives, shall remain in effect until superseded by procedures issues pursuant to subsection (b).

SEC. 704. TRANSPARENCY OFFICERS.

(a) DESIGNATION.—The Attorney General, the Secretary of Defense, the Secretary of State, the Secretary of the Treasury, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, and the head of any other department, agency, or element of the executive branch of the Federal Government determined by the Privacy and Civil Liberties Oversight Board established by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee) to be appropriate for coverage under this section, shall each designate at least 1 senior officer to serve as the principal advisor to assist such head of a department, agency, or element and other officials of the department, agency, or element of the head in identifying records of significant public interest and prioritizing appropriate review of such records in order to facilitate the public disclosure of such records in redacted or unredacted form.

(b) DETERMINING PUBLIC INTEREST IN DISCLOSURE.—In assisting the head of a department, agency, or element and other officials of such department, agency, or element in identifying records of significant public interest under subsection (a), the senior officer designated by the head under such subsection shall consider whether—

(1) or not disclosure of the information would better enable United States citizens to hold Federal Government officials accountable for their actions and policies;

(2) or not disclosure of the information would assist the United States criminal justice system in holding persons responsible for criminal acts or acts contrary to the Constitution;

(3) or not disclosure of the information would assist Congress or any committee or subcommittee thereof, in carrying out its oversight responsibilities with regard to the executive branch of the Federal Government or in adequately informing itself of executive branch policies and activities in order to carry out its legislative responsibilities;

(4) the disclosure of the information would assist Congress or the public in understanding the interpretation of the Federal Government of a provision of law, including Federal regulations, Presidential directives, statutes, case law, and the Constitution of the United States; or

(5) or not disclosure of the information would bring about any other significant benefit, including an increase in public awareness or understanding of Government activities or an enhancement of Federal Government efficiency.

(c) PERIODIC REPORTS.—

(1) IN GENERAL.—Each senior officer designated under subsection (a) shall periodically, but not less frequently than annually, submit a report on the activities of the officer, including the documents determined to be in the public interest for disclosure under subsection (b), to—

(A) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate;

(B) the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the head of the department, agency, or element of the senior officer.

(2) FORM.—Each report submitted pursuant to paragraph (1) shall be submitted, to the greatest extent possible, in unclassified form, with a classified annex as may be necessary.

Subtitle B—Sensible Classification Act of 2023

SEC. 711. SHORT TITLE.

This subtitle may be cited as the ''Sensible Classification Act of 2023''.

SEC. 712. DEFINITIONS.

In this subtitle:

(1) AGENCY.—The term ''agency'' has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code.

(2) CLASSIFICATION.—The term ''classification'' means the act or process by which information is determined to be classified information.

(3) CLASSIFIED INFORMATION.—The term ''classified information'' means information that has been determined pursuant to Executive Order 12958 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

(4) DECLASSIFICATION.—The term ''declassification'' means the authorized change in the status of information from classified information to unclassified information.

(5) DOCUMENT.—The term ''document'' means any recorded information, regardless of the nature of the medium or the method or circumstances of recording.

(6) DOWNGRADE.—The term ''downgrade'' means a determination by a declassification authority that information classified and safeguarded at a specified level shall be classified and safeguarded at a lower level.

(7) INFORMATION.—The term ''information'' means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the United States Government.

(8) ORIGINATE, ORIGINATING, AND ORIGINATED.—The term ''originate'', ''originating'', and ''originated'', with respect to classified information and an authority, means the authority that classified the information in the first instance.

(9) RECORDS.—The term ''records'' means the records of an agency and Presidential papers or Presidential records, as those terms are defined in title 44, United States Code, including those created or maintained by a government contractor, licensee, certificate holder, or grantee that are subject to the sponsoring agency's control under the terms of the contract, license, certificate, or grant.

(10) SECURITY CLEARANCE.—The term ''security clearance'' means an authorization to access classified information.

(11) UNAUTHORIZED DISCLOSURE.—The term ''unauthorized disclosure'' means a communication or physical transfer of classified information to an unauthorized recipient.

(12) UNCLASSIFIED INFORMATION.—The term ''unclassified information'' means information that is not classified information.

SEC. 713. FINDINGS AND SENSE OF THE SENATE.

(a) FINDINGS.—The Senate makes the following findings:

(1) According to a report released by the Office of the Director of Intelligence in 2020 titled ''Fiscal Year 2019 Annual Report on Security Clearance Determinations'', more than 4,000,000 individuals have been granted eligibility for a security clearance.

(2) At least 1,300,000 of such individuals have been granted access to information classified at the Top Secret level.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the classification system of the Federal Government is in urgent need of reform;

(2) the number of people with access to classified information is exceedingly high and must be justified or reduced;

(3) reforms are necessary to reestablish trust between the Federal Government and the people of the United States; and

(4) classification should be limited to the minimum necessary to protect national security while balancing the public's interest in disclosure.

SEC. 714. CLASSIFICATION AUTHORITY.

(a) IN GENERAL.—The authority to classify information originally may be exercised only by—

(1) the President and, in the performance of executive duties, the Vice President;

(2) the head of an agency or an official of any agency authorized by the President pursuant to a designation of such authority in the Federal Register; and

(3) an official of the Federal Government to whom authority to classify information originally has been delegated pursuant to subsection (c).

(b) SCOPE OF AUTHORITY.—An individual authorized by this section to classify information originally at a specified level may also classify the information originally at a lower level.

(c) DELEGATION OF ORIGINAL CLASSIFICATION AUTHORITY.—An official of the Federal Government may be delegated original classification authority subject to the following:

(1) Delegation of original classification authority shall be limited to the minimum required to administer this section. Agency heads shall be responsible for ensuring that designated subordinate officials have a demonstrable and continuing need to exercise this authority.

(2) Authority to originally classify information at the level designated as ''Top Secret'' may be delegated only by the President, in the performance of executive duties, the Vice President, or an agency head or official designated pursuant to subsection (a)(2).

(3) Authority to originally classify information at the level designated as ''Secret'' or ''Confidential'' may be delegated only by the President, in the performance of executive duties, the Vice President, or an agency head or official designated pursuant to subsection (a)(2), or the senior agency official described in section 5.4(d) of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, provided that official has been delegated ''Top Secret'' original classification authority by the agency head.

(4) Each delegation of original classification authority shall be in writing and the authority shall not be redelegated except as provided by paragraphs (1), (2), and (3). Each delegation shall identify the official by name or position title.

(d) TRAINING REQUIRED.—

(1) IN GENERAL.—An individual may not be delegated original classification authority under this section unless the individual has first received training described in paragraph (2).

(2) TRAINING DESCRIBED.—Training described in this paragraph is training on original classification that includes instruction on the proper safeguarding of classified information and of the criminal, civil, and administrative sanctions that may be brought against an individual who fails to protect classified information from unauthorized disclosure.

(e) EXCEPTIONAL CASES.—

(1) IN GENERAL.—When an employee, contractor, licensee, certificate holder, or grantee of an agency who does not have original classification authority originates information believed by that employee, contractor, licensee, certificate holder, or grantee to require classification, the information shall be protected in a manner consistent with Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order.

(2) TRANSMITTAL.—An employee, contractor, licensee, certificate holder, or grantee described in paragraph (1), who originates information described in such paragraph, shall promptly transmit such information to—

(A) the agency that has appropriate subject matter interest and classification authority with respect to this information; or

(B) if it is not clear which agency has appropriate subject matter interest and classification authority with respect to the information, the Director of the Information Security Oversight Office.

(3) AGENCY DECISIONS.—An agency that receives information pursuant to paragraph (2)(A) or (4) shall decide within 30 days whether to classify this information.

(4) INFORMATION SECURITY OVERSIGHT OFFICE ACTION.—If the Director of the Information Security Oversight Office receives information under paragraph (2)(B), the Director shall determine the agency having appropriate subject matter interest and classification authority and forward the information, with appropriate recommendations, to that agency for a classification determination.

SEC. 715. PROMOTING EFFICIENT DECLASSIFICATION REVIEW.

(a) IN GENERAL.—Whenever an agency is processing a request pursuant to section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') or the mandatory declassification review provisions of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, and identifies responsive classified records that are more than 25 years of age as of December 31 of the year in which the request is received, the head of the agency shall review the record and process the record for declassification and release by the National Declassification Center of the National Archives and Records Administration.

(b) APPLICATION.—Subsection (a) shall apply—

(1) regardless of whether or not the record described in such subsection is in the legal custody of the National Archives and Records Administration; and

(2) without regard for any other provisions of law or existing agreements or practices between agencies.

SEC. 716. TRAINING TO PROMOTE SENSIBLE CLASSIFICATION.

(a) DEFINITIONS.—In this section:

(1) OVER-CLASSIFICATION.—The term ''over-classification'' means classification at a level that exceeds the minimum level of classification that is sufficient to protect the national security of the United States.

(2) SENSIBLE CLASSIFICATION.—The term ''sensible classification'' means classification at a level that is the minimum level of classification that is sufficient to protect the national security of the United States.

(b) TRAINING REQUIRED.—Each head of an agency with classification authority shall conduct training for employees of the agency with classification authority to discourage over-classification and to promote sensible classification.

SEC. 717. IMPROVEMENTS TO PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 703 of the Public Interest Declassification Act of 2000 (50 U.S.C. 3355a) is amended—

(1) in subsection (c), by adding at the end the following:

''(5) A member of the Board whose term has expired may continue to serve until a successor is appointed and sworn in.''; and

(2) in subsection (f)—

(A) by inserting ''(1)'' before ''Any employee''; and

(B) by adding at the end the following:

''(2)(A) In addition to any employees detailed to the Board under paragraph (1), the Board may hire not more than 12 staff members.

''(B) There are authorized to be appropriated to carry out subparagraph (A) such sums as are necessary for fiscal year 2024 and each fiscal year thereafter.''.

SEC. 718. IMPLEMENTATION OF TECHNOLOGY FOR CLASSIFICATION AND DECLASSIFICATION.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Office of Electronic Government (in this section referred to as the ''Administrator'') shall, in consultation with the Secretary of Defense, the Director of the Central Intelligence Agency, the Director of National Intelligence, the Public Interest Declassification Board, the Director of the Information Security Oversight Office, and the head of the National Declassification Center of the National Archives and Records Administration—

(1) research a technology-based solution—

(A) utilizing machine learning and artificial intelligence to support efficient and effective systems for classification and declassification; and

(B) to be implemented on an interoperable and federated basis across the Federal Government; and

(2) submit to the President a recommendation regarding a technology-based solution described in paragraph (1) that should be adopted by the Federal Government.

(b) STAFF.—The Administrator may hire sufficient staff to carry out subsection (a).

(c) REPORT.—Not later than 540 days after the date of the enactment of this Act, the President shall submit to Congress a classified report on the technology-based solution recommended by the Administrator under subsection (a)(2) and the President's decision regarding its adoption.

SEC. 719. STUDIES AND RECOMMENDATIONS ON NECESSITY OF SECURITY CLEARANCES.

(a) AGENCY STUDIES ON NECESSITY OF SECURITY CLEARANCES.—

(1) STUDIES REQUIRED.—The head of each agency that grants security clearances to personnel of such agency shall conduct a study on the necessity of such clearances.

(2) REPORTS REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, each head of an agency that conducts a study under paragraph (1) shall submit to Congress a report on the findings of the agency head with respect to such study, which the agency head may classify as appropriate.

(B) REQUIRED ELEMENTS.—Each report submitted by the head of an agency under subparagraph (A) shall include, for such agency, the following:

(i) The number of personnel eligible for access to information up to the ''Top Secret'' level.

(ii) The number of personnel eligible for access to information up to the ''Secret'' level.

(iii) Information on any reduction in the number of personnel eligible for access to classified information based on the study conducted under paragraph (1).

(iv) A description of how the agency head will ensure that the number of security clearances granted by such agency will be kept to the minimum required for the conduct of agency functions, commensurate with the size, needs, and mission of the agency.

(3) INDUSTRY.—This subsection shall apply to the Secretary of Defense in the Secretary's capacity as the Executive Agent for the National Industrial Security Program, and the Secretary shall treat contractors, licensees, and grantees as personnel of the Department of Defense for purposes of the studies and reports required by this subsection.

(b) DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF SENSITIVE COMPARTMENTED INFORMATION.—The Director of National Intelligence shall—

(1) review the number of personnel eligible for access to sensitive compartmented information; and

(2) submit to Congress a report on how the Director will ensure that the number of such personnel is limited to the minimum required.

(c) AGENCY REVIEW OF SPECIAL ACCESS PROGRAMS.—Each head of an agency who is authorized to establish a special access program by Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information), or successor order, shall—

(1) review the number of personnel of the agency eligible for access to such special access programs; and

(2) submit to Congress a report on how the agency head will ensure that the number of such personnel is limited to the minimum required.

(d) SECRETARY OF ENERGY REVIEW OF Q AND L CLEARANCES.—The Secretary of Energy shall—

(1) review the number of personnel of the Department of Energy granted Q and L access; and

(2) submit to Congress a report on how the Secretary will ensure that the number of such personnel is limited to the minimum required

(e) INDEPENDENT REVIEWS.—Not later than 180 days after the date on which a study is completed under subsection (a) or a review is completed under subsections (b) through (d), the Director of the Information Security Oversight Office of the National Archives and Records Administration, the Director of National Intelligence, and the Public Interest Declassification Board shall each review the study or review, as the case may be.

TITLE VIII—SECURITY CLEARANCE AND TRUSTED WORKFORCE

SEC. 801. REVIEW OF SHARED INFORMATION TECHNOLOGY SERVICES FOR PERSONNEL VETTING.

(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) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a review of the extent to which the intelligence community can use information technology services shared among the intelligence community for purposes of personnel vetting, including with respect to human resources, suitability, and security.

SEC. 802. TIMELINESS STANDARD FOR RENDERING DETERMINATIONS OF TRUST FOR PERSONNEL VETTING.

(a) TIMELINESS STANDARD.—

(1) IN GENERAL.—The President shall, acting through the Security Executive Agent and the Suitability and Credentialing Executive Agent, establish and publish in such public venue as the President considers appropriate, new timeliness performance standards for processing personnel vetting trust determinations in accordance with the Federal personnel vetting performance management standards.

(2) QUINQUENNIAL REVIEWS.—Not less frequently than once every 5 years, the President shall, acting through the Security Executive Agent and the Suitability and Credentialing Executive Agent—

(A) review the standards established pursuant to paragraph (1); and

(B) pursuant to such review—

(i) update such standards as the President considers appropriate; and

(ii) publish in the Federal Register such updates as may be made pursuant to clause (i).

(3) CONFORMING AMENDMENT.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) is amended by striking subsection (g).

(b) QUARTERLY REPORTS ON IMPLEMENTATION.—

(1) IN GENERAL.—Not less frequently than quarterly, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly make available to the public a quarterly report on the compliance of Executive agencies (as defined in section 105 of title 5, United States Code) with the standards established pursuant to subsection (a).

(2) DISAGGREGATION.—Each report made available pursuant to paragraph (1) shall disaggregate, to the greatest extent practicable, data by appropriate category of personnel risk and between Government and contractor personnel.

(c) COMPLEMENTARY STANDARDS FOR INTELLIGENCE COMMUNITY.—The Director of National Intelligence may, in consultation with the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to 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) establish for the intelligence community standards complementary to those established pursuant to subsection (a).

SEC. 803. ANNUAL REPORT ON PERSONNEL VETTING TRUST DETERMINATIONS.

(a) DEFINITION OF PERSONNEL VETTING TRUST DETERMINATION.—In this section, the term ''personnel vetting trust determination'' means any determination made by an executive branch agency as to whether an individual can be trusted to perform job functions or to be granted access necessary for a position.

(b) ANNUAL REPORT.—Not later than March 30, 2024, and annually thereafter for 5 years, the Director of National Intelligence, acting as the Security Executive Agent, and the Director of the Office of Personnel Management, acting as the Suitability and Credentialing Executive Agent, in coordination with the Security, Suitability, and Credentialing Performance Accountability Council, shall jointly make available to the public a report on specific types of personnel vetting trust determinations made during the fiscal year preceding the fiscal year in which the report is made available, disaggregated, to the greatest extent possible, by the following:

(1) Determinations of eligibility for national security-sensitive positions, separately noting—

(A) the number of individuals granted access to national security information; and

(B) the number of individuals determined to be eligible for but not granted access to national security information.

(2) Determinations of suitability or fitness for a public trust position.

(3) Status as a Government employee, a contractor employee, or other category.

(c) ELIMINATION OF REPORT REQUIREMENT.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) is amended by striking subsection (h).

SEC. 804. SURVEY TO ASSESS STRENGTHS AND WEAKNESSES OF TRUSTED WORKFORCE 2.0.

Not later than 1 year after the date of the enactment of this Act, and once every 2 years thereafter until 2029, the Comptroller General of the United States shall administer a survey to such sample of Federal agencies, Federal contractors, and other persons that require security clearances to access classified information as the Comptroller General considers appropriate to assess—

(1) the strengths and weaknesses of the implementation of the Trusted Workforce 2.0 initiative; and

(2) the effectiveness of vetting Federal personnel while managing risk during the onboarding of such personnel.

SEC. 805. PROHIBITION ON DENIAL OF ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION SOLELY BECAUSE OF PAST USE OF CANNABIS.

(a) DEFINITIONS.—In this section:

(1) CANNABIS.—The term ''cannabis'' has the meaning given the term ''marihuana'' in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term ''eligibility for access to classified information'' has the meaning given the term in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a)).

(b) PROHIBITION.—Notwithstanding any other provision of law, the head of an element of the intelligence community may not make a determination to deny eligibility for access to classified information to an individual based solely on the use of cannabis by the individual prior to the submission of the application for a security clearance by the individual.

TITLE IX—ANOMALOUS HEALTH INCIDENTS

SEC. 901. IMPROVED FUNDING FLEXIBILITY FOR PAYMENTS MADE BY THE CENTRAL INTELLIGENCE AGENCY FOR QUALIFYING INJURIES TO THE BRAIN.

Section 19A(d) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)) is amended by striking paragraph (3) and inserting the following new paragraph:

''(3) FUNDING.—

''(A) IN GENERAL.—Payment under paragraph (2) in a fiscal year may be made using any funds—

''(i) appropriated in advance specifically for payments under such paragraph; or

''(ii) reprogrammed in accordance with section 504 of the National Security Act of 1947 (50 U.S.C. 3094).

''(B) BUDGET.—For each fiscal year, the Director shall include with the budget justification materials submitted to Congress in support of the budget of the President for that fiscal year pursuant to section 1105(a) of title 31, United States Code, an estimate of the funds required in that fiscal year to make payments under paragraph (2).''.

SEC. 902. CLARIFICATION OF REQUIREMENTS TO SEEK CERTAIN BENEFITS RELATING TO INJURIES TO THE BRAIN.

(a) IN GENERAL.—Section 19A(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(5)) is amended—

(1) by striking ''Payments made'' and inserting the following:

''(A) IN GENERAL.—Payments made''; and

(2) by adding at the end the following:

''(B) RELATION TO CERTAIN FEDERAL WORKERS COMPENSATION LAWS.—Without regard to the requirements in sections (b) and (c), covered employees need not first seek benefits provided under chapter 81 of title 5, United States Code, to be eligible solely for payment authorized under paragraph (2) of this subsection.''.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall—

(1) revise applicable regulations to conform with the amendment made by subsection (a); and

(2) 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 copies of such regulations, as revised pursuant to paragraph (1).

SEC. 903. INTELLIGENCE COMMUNITY IMPLEMENTATION OF HAVANA ACT OF 2021 AUTHORITIES.

(a) REGULATIONS.—Except as provided in subsection (c), not later than 180 days after the date of the enactment of this Act, each head of an element of the intelligence community that has not already done so shall—

(1) issue regulations and procedures to implement the authorities provided by section 19A(d) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)) and section 901(i) of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b(i)) to provide payments under such sections, to the degree that such authorities are applicable to the head of the element; and

(2) submit to the congressional intelligence, 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 committees copies of such regulations.

(b) REPORTING.—Not later than 210 days after the date of the enactment of this Act, each head of an 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—

(1) the estimated number of individuals associated with their element that may be eligible for payment under the authorities described in subsection (a)(1);

(2) an estimate of the obligation that the head of the intelligence community element expects to incur in fiscal year 2025 as a result of establishing the regulations pursuant to subsection (a)(1); and

(3) any perceived barriers or concerns in implementing such authorities.

(c) ALTERNATIVE REPORTING.—Not later than 180 days after the date of the enactment of this Act, each head of an element of the intelligence community (other than the Director of the Central Intelligence Agency) who believes that the authorities described in subsection (a)(1) are not currently relevant for individuals associated with their element, or who are not otherwise in position to issue the regulations and procedures required by subsection (a)(1) shall provide written and detailed justification 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 to explain this position.

SEC. 904. REPORT AND BRIEFING ON CENTRAL INTELLIGENCE AGENCY HANDLING OF ANOMALOUS HEALTH INCIDENTS.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''Agency'' means the Central Intelligence Agency.

(2) QUALIFYING INJURY.—The term ''qualifying injury'' has the meaning given such term in section 19A(d)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(1)).

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees a report on the handling of anomalous health incidents by the Agency.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) HAVANA ACT IMPLEMENTATION.—

(A) An explanation of how the Agency determines whether a reported anomalous health incident resulted in a qualifying injury or a qualifying injury to the brain.

(B) The number of participants of the Expanded Care Program of the Central Intelligence Agency who—

(i) have a certified qualifying injury or a certified qualifying injury to the brain; and

(ii) as of September 30, 2023, applied to the Expanded Care Program due to a reported anomalous health incident.

(C) A comparison of the number of anomalous health incidents reported by applicants to the Expanded Care Program that occurred in the United States and that occurred in a foreign country.

(D) The specific reason each applicant was approved or denied for payment under the Expanded Care Program.

(E) The number of applicants who were initially denied payment but were later approved on appeal.

(F) The average length of time, from the time of application, for an applicant to receive a determination from the Expanded Care Program, aggregated by qualifying injuries and qualifying injuries to the brain.

(2) PRIORITY CASES.—

(A) A detailed list of priority cases of anomalous health incidents, including, for each incident, locations, dates, times, and circumstances.

(B) For each priority case listed in accordance with subparagraph (A), a detailed explanation of each credible alternative explanation that the Agency assigned to the incident, including—

(i) how the incident was discovered;

(ii) how the incident was assigned within the Agency; and

(iii) whether an individual affected by the incident is provided an opportunity to appeal the credible alternative explanation.

(C) For each priority case of an anomalous health incident determined to be largely consistent with the definition of ''anomalous health incident'' established by the National Academy of Sciences and for which the Agency does not have a credible alternative explanation, a detailed description of such case.

(3) ANOMALOUS HEALTH INCIDENT SENSORS.—

(A) A list of all types of sensors that the Agency has developed or deployed with respect to reports of anomalous health incidents, including, for each type of sensor, the deployment location, the date and the duration of the employment of such type of sensor, and, if applicable, the reason for removal.

(B) A list of entities to which the Agency has provided unrestricted access to data associated with anomalous health incidents.

(C) A list of requests for support the Agency has received from elements of the Federal

Government regarding sensor development, testing, or deployment, and a description of the support provided in each case.

(D) A description of all emitter signatures obtained by sensors associated with anomalous health incidents in Agency holdings since 2016, including—

(i) the identification of any of such emitters that the Agency prioritizes as a threat; and

(ii) an explanation of such prioritization.

(d) ADDITIONAL SUBMISSIONS.—Concurrent with the submission of the report required by subsection (b), the Director 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—

(1) a template of each form required to apply for the Expanded Care Program, including with respect to payments for a qualifying injury or a qualifying injury to the brain;

(2) copies of internal guidance used by the Agency to adjudicate claims for the Expanded Care Program, including with respect to payments for a qualifying injury to the brain;

(3) the case file of each applicant to the Expanded Care Program who applied due to a reported anomalous health incident, including supporting medical documentation, with name and other identifying information redacted;

(4) copies of all informational and instructional materials provided to employees of and other individuals affiliated with the Agency with respect to applying for the Expanded Care Program; and

(5) copies of Agency guidance provided to employees of and other individuals affiliated with the Agency with respect to reporting and responding to a suspected anomalous health incident, and the roles and responsibilities of each element of the Agency tasked with responding to a report of an anomalous health incident.

(e) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall 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 on the report.

TITLE X—ELECTION SECURITY

SEC. 1001. STRENGTHENING ELECTION CYBERSECURITY TO UPHOLD RESPECT FOR ELECTIONS THROUGH INDEPENDENT TESTING ACT OF 2023.

(a) REQUIRING PENETRATION TESTING AS PART OF THE TESTING AND CERTIFICATION OF VOTING SYSTEMS.—Section 231 of the Help America Vote Act of 2002 (52 U.S.C. 20971) is amended by adding at the end the following new subsection:

''(e) REQUIRED PENETRATION TESTING.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Commission shall provide for the conduct of penetration testing as part of the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories under this section.

''(2) ACCREDITATION.—The Director of the National Institute of Standards and Technology shall recommend to the Commission entities the Director proposes be accredited to carry out penetration testing under this subsection and certify compliance with the penetration testing-related guidelines required by this subsection. The Commission shall vote on the accreditation of any entity recommended. The requirements for such accreditation shall be a subset of the requirements for accreditation of laboratories under subsection (b) and shall only be based on consideration of an entity's competence to conduct penetration testing under this subsection.''.

(b) INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS.—

(1) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by adding at the end the following new part:

''PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PILOT PROGRAM FOR ELECTION SYSTEMS

''SEC. 297. INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PILOT PROGRAM FOR ELECTION SYSTEMS.

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—The Commission, in consultation with the Secretary, shall establish an Independent Security Testing and Coordinated Vulnerability Disclosure Pilot Program for Election Systems (VDP–E) (in this section referred to as the 'program') in order to test for and disclose cybersecurity vulnerabilities in election systems.

''(2) DURATION.—The program shall be conducted for a period of 5 years.

''(3) REQUIREMENTS.—In carrying out the program, the Commission, in consultation with the Secretary, shall—

''(A) establish a mechanism by which an election systems vendor may make their election system (including voting machines and source code) available to cybersecurity researchers participating in the program;

''(B) provide for the vetting of cybersecurity researchers prior to their participation in the program, including the conduct of background checks;

''(C) establish terms of participation that—

''(i) describe the scope of testing permitted under the program;

''(ii) require researchers to—

''(I) notify the vendor, the Commission, and the Secretary of any cybersecurity vulnerability they identify with respect to an election system; and

''(II) otherwise keep such vulnerability confidential for 180 days after such notification;

''(iii) require the good faith participation of all participants in the program;

''(iv) require an election system vendor, within 180 days after validating notification of a critical or high vulnerability (as defined by the National Institute of Standards and Technology) in an election system of the vendor, to—

''(I) send a patch or propound some other fix or mitigation for such vulnerability to the appropriate State and local election officials, in consultation with the researcher who discovered it; and

''(II) notify the Commission and the Secretary that such patch has been sent to such officials;

''(D) in the case where a patch or fix to address a vulnerability disclosed under subparagraph (C)(ii)(I) is intended to be applied to a system certified by the Commission, provide—

''(i) for the expedited review of such patch or fix within 90 days after receipt by the Commission; and

''(ii) if such review is not completed by the last day of such 90 day period, that such patch or fix shall be deemed to be certified by the Commission, subject to any subsequent review of such determination by the Commission; and

''(E) 180 days after the disclosure of a vulnerability under subparagraph (C)(ii)(I), notify the Director of the Cybersecurity and Infrastructure Security Agency of the vulnerability for inclusion in the database of Common Vulnerabilities and Exposures.

''(4) VOLUNTARY PARTICIPATION; SAFE HARBOR.—

''(A) VOLUNTARY PARTICIPATION.—Participation in the program shall be voluntary for election systems vendors and researchers.

''(B) SAFE HARBOR.—When conducting research under this program, such research and subsequent publication shall be considered to be:

''(i) Authorized in accordance with section 1030 of title 18, United States Code (commonly known as the 'Computer Fraud and Abuse Act'), (and similar state laws), and the election system vendor will not initiate or support legal action against the researcher for accidental, good faith violations of the program.

''(ii) Exempt from the anti-circumvention rule of section 1201 of title 17, United States Code (commonly known as the 'Digital Millennium Copyright Act'), and the election system vendor will not bring a claim against a researcher for circumvention of technology controls.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to limit or otherwise affect any exception to the general prohibition against the circumvention of technological measures under subparagraph (A) of section 1201(a)(1) of title 17, United States Code, including with respect to any use that is excepted from that general prohibition by the Librarian of Congress under subparagraphs (B) through (D) of such section 1201(a)(1).

''(5) EXEMPT FROM DISCLOSURE.—Cybersecurity vulnerabilities discovered under the program shall be exempt from section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act).

''(6) DEFINITIONS.—In this subsection:

''(A) CYBERSECURITY VULNERABILITY.—The term 'cybersecurity vulnerability' means, with respect to an election system, any security vulnerability that affects the election system.

''(B) ELECTION INFRASTRUCTURE.—The term 'election infrastructure' means—

''(i) storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office; and

''(ii) related information and communications technology, including—

''(I) voter registration databases;

''(II) election management systems;

''(III) voting machines;

''(IV) electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results); and

''(V) other systems used to manage the election process and to report and display election results on behalf of an election agency.

''(C) ELECTION SYSTEM.—The term 'election system' means any information system that is part of an election infrastructure, including any related information and communications technology described in subparagraph (B)(ii).

''(D) ELECTION SYSTEM VENDOR.—The term 'election system vendor' means any person providing, supporting, or maintaining an election system on behalf of a State or local election official.

''(E) INFORMATION SYSTEM.—The term 'information system' has the meaning given the term in section 3502 of title 44, United States Code.

''(F) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(G) SECURITY VULNERABILITY.—The term 'security vulnerability' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS

''Sec. 297. Independent security testing and coordinated cybersecurity vulnerability disclosure program for election systems.''.

TITLE XI—OTHER MATTERS

SEC. 1101. MODIFICATION OF REPORTING REQUIREMENT FOR ALL-DOMAIN ANOMALY RESOLUTION OFFICE.

Section 1683(k)(1) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(k)(1)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended—

(1) in the heading, by striking ''DIRECTOR OF NATIONAL INTELLIGENCE AND SECRETARY OF DEFENSE'' and inserting ''ALL-DOMAIN ANOMALY RESOLUTION OFFICE''; and

(2) in subparagraph (A), by striking ''Director of National Intelligence and the Secretary of Defense shall jointly'' and inserting ''Director of the Office shall''.

SEC. 1102. FUNDING LIMITATIONS RELATING TO UNIDENTIFIED ANOMALOUS PHENOMENA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) 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.

(3) DIRECTOR.—The term ''Director'' means the Director of the All-domain Anomaly Resolution Office.

(4) UNIDENTIFIED ANOMALOUS PHENOMENA.—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(n)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(b) SENSE OF CONGRESS.—It is the sense of Congress that, due to the increasing potential for technology surprise from foreign adversaries and to ensure sufficient integration across the United States industrial base and avoid technology and security stovepipes—

(1) the United States industrial base must retain its global lead in critical advanced technologies; and

(2) the Federal Government must expand awareness about any historical exotic technology antecedents previously provided by the Federal Government for research and development purposes.

(c) LIMITATIONS.—No amount authorized to be appropriated by this Act may be obligated or expended, directly or indirectly, in part or in whole, for, on, in relation to, or in support of activities involving unidentified anomalous phenomena protected under any form of special access or restricted access limitations that have not been formally, officially, explicitly, and specifically described, explained, and justified to the appropriate committees of Congress, congressional leadership, and the Director, including for any activities relating to the following:

(1) Recruiting, employing, training, equipping, and operations of, and providing security for, government or contractor personnel with a primary, secondary, or contingency mission of capturing, recovering, and securing unidentified anomalous phenomena craft or pieces and components of such craft.

(2) Analyzing such craft or pieces or components thereof, including for the purpose of determining properties, material composition, method of manufacture, origin, characteristics, usage and application, performance, operational modalities, or reverse engineering of such craft or component technology.

(3) Managing and providing security for protecting activities and information relating to unidentified anomalous phenomena from disclosure or compromise.

(4) Actions relating to reverse engineering or replicating unidentified anomalous phenomena technology or performance based on analysis of materials or sensor and observational information associated with unidentified anomalous phenomena.

(5) The development of propulsion technology, or aerospace craft that uses propulsion technology, systems, or subsystems, that is based on or derived from or inspired by inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena craft or materials.

(6) Any aerospace craft that uses propulsion technology other than chemical propellants, solar power, or electric ion thrust.

(d) NOTIFICATION AND REPORTING.—Any person currently or formerly under contract with the Federal Government that has in their possession material or information provided by or derived from the Federal Government relating to unidentified anomalous phenomena that formerly or currently is protected by any form of special access or restricted access shall—

(1) not later than 60 days after the date of the enactment of this Act, notify the Director of such possession; and

(2) not later than 180 days after the date of the enactment of this Act, make available to the Director for assessment, analysis, and inspection—

(A) all such material and information; and

(B) a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena material.

(e) LIABILITY.—No criminal or civil action may lie or be maintained in any Federal or State court against any person for receiving material or information described in subsection (d) if that person complies with the notification and reporting provisions described in such subsection.

(f) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—Consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), independent research and development funding relating to material or information described in subsection (c) shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the Director in accordance with subsection (d).

(2) EFFECTIVE DATE AND APPLICABILITY.—Paragraph (1) shall take effect on the date that is 60 days after the date of the enactment of this Act and shall apply with respect to funding from amounts appropriated before, on, or after such date.

(g) NOTICE TO CONGRESS.—Not later than 30 days after the date on which the Director has received a notification under paragraph (1) of subsection (d) or information or material under paragraph (2) of such subsection, the Director shall provide written notification of such receipt to the appropriate committees of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Accountability of the House of Representatives, and congressional leadership.

NATIONAL AIRBORNE DAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to the consideration of S. Res. 327.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 327) designating August 16, 2023, as ''National Airborne Day''.

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 327) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 27, 2023, under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, SEPTEMBER 6, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, September 6; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Jefferson nomination postcloture; further, that at 11:30 a.m., all postcloture time be considered expired and the Senate vote on confirmation of the nomination; that the Senate recess following the cloture vote on the Wilcox nomination until 2:15 p.m. to allow for