

In the Senate of the United States,

November 16, 2020.

Resolved, That the bill from the House of Representatives (H.R. 6395) entitled “An Act to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Defense Au-*
3 *thorization Act for Fiscal Year 2021”.*

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

6 *(a) DIVISIONS.—This Act is organized into six divi-*
7 *sions as follows:*

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

3 (2) *Division B—Military Construction Author-*
4 *izations.*

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

7 (4) *Division D—Funding Tables.*

8 (5) *Division E—Additional Provisions.*

9 (6) *Division F—Intelligence Authorization Act*
10 *for Fiscal Year 2021.*

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

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Integrated air and missile defense assessment.

Sec. 112. Report and limitation on Integrated Visual Augmentation System ac-
quisition.

Sec. 113. Modifications to requirement for an interim cruise missile defense capa-
bility.

Subtitle C—Navy Programs

Sec. 121. Contract authority for Columbia-class submarine program.

Sec. 122. Limitation on Navy medium and large unmanned surface vessels.

Sec. 123. Extension of prohibition on availability of funds for Navy waterborne
security barriers.

Sec. 124. Procurement authorities for certain amphibious shipbuilding programs.

Sec. 125. Fighter force structure acquisition strategy.

Sec. 126. Treatment of systems added by Congress in future President's budget re-
quests.

- Sec. 127. Report on carrier wing composition.*
Sec. 128. Report on strategy to use ALQ-249 Next Generation Jammer to ensure full spectrum electromagnetic superiority.

Subtitle D—Air Force Programs

- Sec. 141. Economic order quantity contracting authority for F-35 joint strike fighter program.*
Sec. 142. Minimum aircraft levels for major mission areas.
Sec. 143. Minimum operational squadron level.
Sec. 144. Minimum Air Force bomber aircraft level.
Sec. 145. F-35 gun system.
Sec. 146. Prohibition on funding for Close Air Support Integration Group.
Sec. 147. Limitation on divestment of KC-10 and KC-135 aircraft.
Sec. 148. Limitation on retirement of U-2 and RQ-4 aircraft.
Sec. 149. Limitation on divestment of F-15C aircraft in the European theater.
Sec. 150. Air base defense development and acquisition strategy.
Sec. 151. Required solution for KC-46 aircraft remote visual system limitations.
Sec. 152. Analysis of requirements and Advanced Battle Management System capabilities.
Sec. 153. Studies on measures to assess cost-per-effect for key mission areas.
Sec. 154. Plan for operational test and utility evaluation of systems for Low-Cost Attributable Aircraft Technology program.
Sec. 155. Prohibition on retirement or divestment of A-10 aircraft.

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

- Sec. 171. Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air Force: annual plan and certification.*
Sec. 172. Authority to use F-35 aircraft withheld from delivery to Government of Turkey.
Sec. 173. Transfer from Commander of United States Strategic Command to Chairman of the Joint Chiefs of Staff of responsibilities and functions relating to electromagnetic spectrum operations.
Sec. 174. Cryptographic modernization schedules.
Sec. 175. Prohibition on purchase of armed overwatch aircraft.
Sec. 176. Special operations armed overwatch.
Sec. 177. Autonomic Logistics Information System redesign strategy.
Sec. 178. Contract aviation services in a country or in airspace in which a Special Federal Aviation Regulation applies.
Sec. 179. F-35 aircraft munitions.
Sec. 180. Airborne intelligence, surveillance, and reconnaissance acquisition roadmap for United States Special Operations Command.
Sec. 181. Requirement to accelerate the fielding and development of counter unmanned aerial systems across the joint force.
Sec. 182. Joint All Domain Command and Control requirements.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

- Sec. 201. Authorization of appropriations.*

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Designation and activities of senior officials for critical technology areas supportive of the National Defense Strategy.*

- Sec. 212. Governance of fifth-generation wireless networking in the Department of Defense.*
- Sec. 213. Application of artificial intelligence to the defense reform pillar of the National Defense Strategy.*
- Sec. 214. Extension of authorities to enhance innovation at Department of Defense laboratories.*
- Sec. 215. Updates to Defense Quantum Information Science and Technology Research and Development program.*
- Sec. 216. Program of part-time and term employment at Department of Defense science and technology reinvention laboratories of faculty and students from institutions of higher education.*
- Sec. 217. Improvements to Technology and National Security Fellowship of Department of Defense.*
- Sec. 218. Department of Defense research, development, and deployment of technology to support water sustainment.*
- Sec. 219. Development and testing of hypersonic capabilities.*
- Sec. 220. Disclosure requirements for recipients of Department of Defense research and development grants.*

Subtitle C—Plans, Reports, and Other Matters

- Sec. 231. Assessment on United States national security emerging biotechnology efforts and capabilities and comparison with adversaries.*
- Sec. 232. Independent comparative analysis of efforts by China and the United States to recruit and retain researchers in national security-related fields.*
- Sec. 233. Department of Defense demonstration of virtualized radio access network and massive multiple input multiple output radio arrays for fifth generation wireless networking.*
- Sec. 234. Independent technical review of Federal Communications Commission Order 20–48.*
- Sec. 235. Report on micro nuclear reactor programs.*
- Sec. 236. Modification to Test Resource Management Center strategic plan reporting cycle and contents.*
- Sec. 237. Limitation on contract awards for certain unmanned vessels.*
- Sec. 238. Documentation relating to the Advanced Battle Management System.*
- Sec. 239. Armed Services Vocational Aptitude Battery Test special purpose adjunct to address computational thinking.*
- Sec. 240. Report on use of testing facilities to research and develop hypersonic technology.*
- Sec. 241. Study and plan on the use of additive manufacturing and three-dimensional bioprinting in support of the warfighter.*
- Sec. 242. Element in annual reports on cyber science and technology activities on work with academic consortia on high priority cybersecurity research activities in Department of Defense capabilities.*

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

- Sec. 301. Authorization of appropriations.*

Subtitle B—Energy and Environment

- Sec. 311. Modifications and technical corrections to ensure restoration of contamination by perfluorooctane sulfonate and perfluorooctanoic acid.*

- Sec. 312. Readiness and Environmental Protection Integration Program technical edits and clarification.*
- Sec. 313. Survey and market research of technologies for phase out by Department of Defense of use of fluorinated aqueous film-forming foam.*
- Sec. 314. Modification of authority to carry out military installation resilience projects.*
- Sec. 315. Native American Indian lands environmental mitigation program.*
- Sec. 316. Energy resilience and energy security measures on military installations.*
- Sec. 317. Modification to availability of energy cost savings for Department of Defense.*
- Sec. 318. Long-duration demonstration initiative and joint program.*
- Sec. 319. Pilot program on alternative fuel vehicle purchasing.*
- Sec. 320. Extension of real-time sound monitoring at Navy installations where tactical fighter aircraft operate.*
- Sec. 321. Study on impacts of transboundary flows, spills, or discharges of pollution or debris from the Tijuana River on personnel, activities, and installations of Department of Defense.*
- Sec. 322. Increase in funding for study by Centers for Disease Control and Prevention relating to perfluoroalkyl and polyfluoroalkyl substance contamination in drinking water.*

Subtitle C—Logistics and Sustainment

- Sec. 331. Repeal of statutory requirement for notification to Director of Defense Logistics Agency three years prior to implementing changes to any uniform or uniform component.*
- Sec. 332. Clarification of limitation on length of overseas forward deployment of currently deployed naval vessels.*

Subtitle D—Reports

- Sec. 351. Report on impact of permafrost thaw on infrastructure, facilities, and operations of the Department of Defense.*
- Sec. 352. Plans and reports on emergency response training for military installations.*
- Sec. 353. Report on implementation by Department of Defense of requirements relating to renewable fuel pumps.*
- Sec. 354. Report on effects of extreme weather on Department of Defense.*

Subtitle E—Other Matters

- Sec. 371. Prohibition on divestiture of manned intelligence, surveillance, and reconnaissance aircraft operated by United States Special Operations Command.*
- Sec. 372. Information on overseas construction projects in support of contingency operations using funds for operation and maintenance.*
- Sec. 373. Provision of protection to the National Museum of the Marine Corps, the National Museum of the United States Army, the National Museum of the United States Navy, and the National Museum of the United States Air Force.*
- Sec. 374. Inapplicability of congressional notification and dollar limitation requirements for advance billings for certain background investigations.*
- Sec. 375. Repeal of sunset for minimum annual purchase amount for carriers participating in the Civil Reserve Air Fleet.*

- Sec. 376. Improvement of the Operational Energy Capability Improvement Fund of the Department of Defense.*
- Sec. 377. Commission on the naming of items of the Department of Defense that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America.*
- Sec. 378. Modifications to review of proposed actions by Military Aviation and Installation Assurance Clearinghouse.*
- Sec. 379. Adjustment in availability of appropriations for unusual cost overruns and for changes in scope of work.*
- Sec. 380. Requirement that Secretary of Defense implement security and emergency response recommendations relating to active shooter or terrorist attacks on installations of Department of Defense.*
- Sec. 381. Clarification of food ingredient requirements for food or beverages provided by the Department of Defense.*

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.*
- Sec. 402. End strength level matters.*

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.*
- Sec. 412. End strengths for Reserves on active duty in support of the reserves.*
- Sec. 413. End strengths for military technicians (dual status).*
- Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.*
- Sec. 415. Separate authorization by Congress of minimum end strengths for non-temporary military technicians (dual status) and maximum end strengths for temporary military technicians (dual status).*

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.*

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

- Sec. 501. Repeal of codified specification of authorized strengths of certain commissioned officers on active duty.*
- Sec. 502. Temporary expansion of availability of enhanced constructive service credit in a particular career field upon original appointment as a commissioned officer.*
- Sec. 503. Requirement for promotion selection board recommendation of higher placement on promotion list of officers of particular merit.*
- Sec. 504. Special selection review boards for review of promotion of officers subject to adverse information identified after recommendation for promotion and related matters.*
- Sec. 505. Number of opportunities for consideration for promotion under alternative promotion authority.*
- Sec. 506. Mandatory retirement for age.*
- Sec. 507. Clarifying and improving restatement of rules on the retired grade of commissioned officers.*

Sec. 508. Repeal of authority for original appointment of regular Navy officers designated for engineering duty, aeronautical engineering duty, and special duty.

Subtitle B—Reserve Component Management

Sec. 511. Exclusion of certain reserve general and flag officers on active duty from limitations on authorized strengths.

Subtitle C—General Service Authorities

Sec. 516. Increased access to potential recruits.

Sec. 517. Temporary authority to order retired members to active duty in high-demand, low-density assignments during war or national emergency.

Sec. 518. Certificate of Release or Discharge from Active Duty (DD Form 214) matters.

Sec. 519. Evaluation of barriers to minority participation in certain units of the Armed Forces.

Sec. 520. Reports on diversity and inclusion in the Armed Forces.

Subtitle D—Military Justice and Related Matters

PART I—INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT AND RELATED MATTERS

Sec. 521. Modification of time required for expedited decisions in connection with applications for change of station or unit transfer of members who are victims of sexual assault or related offenses.

Sec. 522. Defense Advisory Committee for the Prevention of Sexual Misconduct.

Sec. 523. Report on ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to perform duties.

Sec. 524. Briefing on Special Victims' Counsel program.

Sec. 525. Accountability of leadership of the Department of Defense for discharging the sexual harassment policies and programs of the Department.

Sec. 526. Safe-to-report policy applicable across the Armed Forces.

Sec. 527. Additional bases for provision of advice by the Defense Advisory Committee for the Prevention of Sexual Misconduct.

Sec. 528. Additional matters for reports of the Defense Advisory Committee for the Prevention of Sexual Misconduct.

Sec. 529. Policy on separation of victim and accused at military service academies and degree-granting military educational institutions.

Sec. 530. Briefing on placement of members of the Armed Forces in academic status who are victims of sexual assault onto Non-Rated Periods.

PART II—OTHER MILITARY JUSTICE MATTERS

Sec. 531. Right to notice of victims of offenses under the Uniform Code of Military Justice regarding certain post-trial motions, filings, and hearings.

Sec. 532. Consideration of the evidence by Courts of Criminal Appeals.

Sec. 533. Preservation of records of the military justice system.

- Sec. 534. Comptroller General of the United States report on implementation by the Armed Forces of recent GAO recommendations and statutory requirements on assessment of racial, ethnic, and gender disparities in the military justice system.*
- Sec. 535. Briefing on mental health support for vicarious trauma for certain personnel in the military justice system.*
- Sec. 536. Guardian ad litem program for minor dependents of members of the Armed Forces.*

Subtitle E—Member Education, Training, Transition, and Resilience

- Sec. 541. Training on religious accommodation for members of the Armed Forces.*
- Sec. 542. Additional elements with 2021 certifications on the Ready, Relevant Learning initiative of the Navy.*
- Sec. 543. Report on standardization and potential merger of law enforcement training for military and civilian personnel across the Department of Defense.*
- Sec. 544. Quarterly reports on implementation of recommendations of the Comprehensive Review of Special Operations Forces Culture and Ethics.*
- Sec. 545. Information on nominations and applications for military service academies.*
- Sec. 546. Pilot programs in connection with Senior Reserve Officers' Training Corps units at Historically Black Colleges and Universities and minority institutions.*
- Sec. 547. Expansion of Junior Reserve Officers' Training Corps Program.*
- Sec. 548. Department of Defense STARBASE Program.*

Subtitle F—Decorations and Awards

- Sec. 551. Award or presentation of decorations favorably recommended following determination on merits of proposals for decorations not previously submitted in a timely fashion.*
- Sec. 552. Honorary promotion matters.*

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

PART I—DEFENSE DEPENDENTS' EDUCATION MATTERS

- Sec. 561. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.*
- Sec. 562. Impact aid for children with severe disabilities.*
- Sec. 563. Staffing of Department of Defense Education Activity schools to maintain maximum student-to-teacher ratios.*
- Sec. 564. Matters in connection with free appropriate public education for dependents of members of the Armed Forces with special needs.*
- Sec. 565. Pilot program on expanded eligibility for Department of Defense Education Activity Virtual High School program.*
- Sec. 566. Pilot program on expansion of eligibility for enrollment at domestic dependent elementary and secondary schools.*
- Sec. 567. Comptroller General of the United States report on the structural condition of Department of Defense Education Activity schools.*

PART II—MILITARY FAMILY READINESS MATTERS

- Sec. 571. Responsibility for allocation of certain funds for military child development programs.*
- Sec. 572. Improvements to Exceptional Family Member Program.*
- Sec. 573. Procedures of the Office of Special Needs for the development of individualized services plans for military families with special needs.*
- Sec. 574. Restatement and clarification of authority to reimburse members for spouse relicensing costs pursuant to a permanent change of station.*
- Sec. 575. Improvements to Department of Defense tracking of and response to incidents of child abuse involving military dependents on military installations.*
- Sec. 576. Military child care and child development center matters.*
- Sec. 577. Expansion of financial assistance under My Career Advancement Account program.*

Subtitle H—Other Matters

- Sec. 586. Removal of personally identifying and other information of certain persons from investigative reports, the Department of Defense Central Index of Investigations, and other records and databases.*
- Sec. 587. National emergency exception for timing requirements with respect to certain surveys of members of the Armed Forces.*
- Sec. 588. Sunset and transfer of functions of the Physical Disability Board of Review.*
- Sec. 589. Extension of reporting deadline for the annual report on the assessment of the effectiveness of activities of the federal voting assistance program.*
- Sec. 590. Pilot programs on remote provision by National Guard to State governments and National Guards of other States of cybersecurity technical assistance in training, preparation, and response to cyber incidents.*
- Sec. 591. Plan on performance of funeral honors details by members of other Armed Forces when members of the Armed Force of the deceased are unavailable.*
- Sec. 592. Limitation on implementation of Army Combat Fitness Test.*
- Sec. 593. Report on impact of children of certain Filipino World War II veterans on national security, foreign policy, and economic and humanitarian interests of the United States.*

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Reorganization of certain allowances other than travel and transportation allowances.*
- Sec. 602. Hazardous duty pay for members of the Armed Forces performing duty in response to the Coronavirus Disease 2019.*
- Sec. 603. Compensation and credit for retired pay purposes for maternity leave taken by members of the reserve components.*

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. One-year extension of certain expiring bonus and special pay authorities.*
- Sec. 612. Increase in special and incentive pays for officers in health professions.*

Subtitle C—Disability Pay, Retired Pay, and Survivor Benefits

- Sec. 621. Inclusion of drill or training foregone due to emergency travel or duty restrictions in computations of entitlement to and amounts of retired pay for non-regular service.*
- Sec. 622. Modernization and clarification of payment of certain Reserves while on duty.*
- Sec. 623. Relief of Richard W. Collins III.*

Subtitle D—Other Matters

- Sec. 631. Permanent authority for and enhancement of the Government lodging program.*
- Sec. 632. Approval of certain activities by retired and reserve members of the uniformed services.*

TITLE VII—HEALTH CARE PROVISIONS*Subtitle A—TRICARE and Other Health Care Benefits*

- Sec. 701. Authority for Secretary of Defense to manage provider type referral and supervision requirements under TRICARE program.*
- Sec. 702. Removal of Christian Science providers as authorized providers under the TRICARE program.*
- Sec. 703. Waiver of fees charged to certain civilians for emergency medical treatment provided at military medical treatment facilities.*
- Sec. 704. Mental health resources for members of the Armed Forces and their dependents during the COVID-19 pandemic.*
- Sec. 705. Transitional health benefits for certain members of the National Guard serving under orders in response to the coronavirus (COVID-19).*
- Sec. 706. Extramedical maternal health providers demonstration project.*
- Sec. 707. Pilot program on receipt of non-generic prescription maintenance medications under TRICARE pharmacy benefits program.*

Subtitle B—Health Care Administration

- Sec. 721. Modifications to transfer of Army Medical Research and Development Command and public health commands to Defense Health Agency.*
- Sec. 722. Delay of applicability of administration of TRICARE dental plans through Federal Employees Dental and Vision Insurance Program.*
- Sec. 723. Authority of Secretary of Defense to waive requirements during national emergencies for purposes of provision of health care.*

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- Sec. 741. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.*
- Sec. 742. Membership of Board of Regents of Uniformed Services University of the Health Sciences.*
- Sec. 743. Military Health System Clinical Quality Management Program.*
- Sec. 744. Modifications to pilot program on civilian and military partnerships to enhance interoperability and medical surge capability and capacity of National Disaster Medical System.*

- Sec. 745. Study on force mix options and service models to enhance readiness of medical force of the Armed Forces to provide combat casualty care.*
- Sec. 746. Comptroller General study on delivery of mental health services to members of the reserve components of the Armed Forces.*
- Sec. 747. Review and report on prevention of suicide among members of the Armed Forces stationed at remote installations outside the contiguous United States.*
- Sec. 748. Audit of medical conditions of tenants in privatized military housing.*
- Sec. 749. Comptroller General study on prenatal and postpartum mental health conditions among members of the Armed Forces and their dependents.*
- Sec. 750. Plan for evaluation of flexible spending account options for members of the uniformed services and their families.*
- Sec. 751. Assessment of receipt by civilians of emergency medical treatment at military medical treatment facilities.*
- Sec. 752. Report on billing practices for health care from Department of Defense.*
- Sec. 753. Access of veterans to Individual Longitudinal Exposure Record.*
- Sec. 754. Study on the incidence of cancer diagnosis and mortality among military aviators and aviation support personnel.*

Subtitle D—Mental Health Services From Department of Veterans Affairs for Members of Reserve Components

- Sec. 761. Short title.*
- Sec. 762. Expansion of eligibility for readjustment counseling and related outpatient services from Department of Veterans Affairs to include members of reserve components of the Armed Forces.*
- Sec. 763. Provision of mental health services from Department of Veterans Affairs to members of reserve components of the Armed Forces.*
- Sec. 764. Inclusion of members of reserve components in mental health programs of Department of Veterans Affairs.*
- Sec. 765. Report on mental health and related services provided by Department of Veterans Affairs to members of the Armed Forces.*

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

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- Sec. 801. Policy recommendations for implementation of Executive Order 13806 (Assessing and Strengthening the Manufacturing and Defense Industrial Base and Supply Chain Resiliency).*
- Sec. 802. Assessment of national security innovation base.*
- Sec. 803. Improving implementation of policy pertaining to the national technology and industrial base.*
- Sec. 804. Modification of framework for modernizing acquisition processes to ensure integrity of industrial base.*
- Sec. 805. Assessments of industrial base capabilities and capacity.*
- Sec. 806. Analyses of certain materials and technology sectors for action to address sourcing and industrial capacity.*
- Sec. 807. Microelectronics manufacturing strategy.*
- Sec. 808. Additional requirements pertaining to printed circuit boards.*
- Sec. 809. Statement of policy with respect to supply of strategic minerals and metals for Department of Defense purposes.*
- Sec. 810. Report on strategic and critical minerals and metals.*

- Sec. 811. Stabilization of shipbuilding industrial base workforce.*
- Sec. 812. Miscellaneous limitations on the procurement of goods other than United States goods.*
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- Sec. 814. Modification to small purchase threshold exception to sourcing requirements for certain articles.*

Subtitle B—Acquisition Policy and Management

- Sec. 831. Report on acquisition risk assessment and mitigation as part of Adaptive Acquisition Framework implementation.*
- Sec. 832. Comptroller General report on implementation of software acquisition reforms.*

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

- Sec. 841. Authority to acquire innovative commercial products and services using general solicitation competitive procedures.*
- Sec. 842. Truth in Negotiations Act threshold for Department of Defense contracts.*
- Sec. 843. Revision of proof required when using an evaluation factor for defense contractors employing or subcontracting with members of the selected reserve of the reserve components of the Armed Forces.*
- Sec. 844. Contract authority for advanced development of initial or additional prototype units.*
- Sec. 845. Definition of business system deficiencies for contractor business systems.*
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- Sec. 861. Implementation of modular open systems architecture requirements.*
- Sec. 862. Sustainment reviews.*
- Sec. 863. Recommendations for future direct selections.*
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- Sec. 873. Reporting requirements.*

Subtitle F—Provisions Related to Software-Driven Capabilities

- Sec. 881. Inclusion of software in government performance of acquisition functions.*
- Sec. 882. Balancing security and innovation in software development and acquisition.*
- Sec. 883. Comptroller General report on intellectual property acquisition and licensing.*
- Sec. 884. Pilot program exploring the use of consumption-based solutions to address software-intensive warfighting capability.*

Subtitle G—Other Matters

- Sec. 891. Safeguarding defense-sensitive United States intellectual property, technology, and other data and information.*
- Sec. 892. Domestic comparative testing activities.*
- Sec. 893. Repeal of apprenticeship program.*

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- Sec. 902. Redesignation and codification in law of Office of Economic Adjustment.*
- Sec. 903. Modernization of process used by the Department of Defense to identify, task, and manage Congressional reporting requirements.*
- Sec. 904. Inclusion of Vice Chief of the National Guard Bureau as an advisor to the Joint Requirements Oversight Council.*
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- Sec. 911. Termination of position of Chief Management Officer of the Department of Defense.*
- Sec. 912. Report on assignment of responsibilities, duties, and authorities of Chief Management Officer to other officers or employees of the Department of Defense.*
- Sec. 913. Performance Improvement Officer of the Department of Defense.*
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- Sec. 915. Assignment of responsibilities and duties of Chief Management Officer to officers or employees of the Department of Defense to be designated.*
- Sec. 916. Definition of enterprise business operations for title 10, United States Code.*
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- Sec. 931A. Office of the Chief of Space Operations.*
- Sec. 932. Amendments to Department of the Air Force provisions in title 10, United States Code.*
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- Sec. 942. Transfers of military and civilian personnel to the Space Force.*
- Sec. 943. Limitation on transfer of military installations to the jurisdiction of the Space Force.*
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- Sec. 945. Temporary exemption from authorized daily average of members in pay grades E-8 and E-9.*
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- Sec. 951. Annual report on establishment of field operating agencies.*
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- Sec. 1002. Application of Financial Improvement and Audit Remediation Plan to fiscal years following fiscal year 2020.*
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Subtitle B—Counterdrug Activities

- Sec. 1011. Codification of authority for joint task forces of the Department of Defense to support law enforcement agencies conducting counterterrorism or counter-transnational organized crime activities.*

Subtitle C—Naval Vessels and Shipyards

- Sec. 1021. Modification of authority to purchase used vessels with funds in the National Defense Sealift Fund.*
- Sec. 1022. Waiver during war or threat to national security of restrictions on overhaul, repair, or maintenance of vessels in foreign shipyards.*
- Sec. 1023. Modification of waiver authority on prohibition on use of funds for retirement of certain legacy maritime mine countermeasure platforms.*
- Sec. 1024. Extension of authority for reimbursement of expenses for certain Navy mess operations afloat.*
- Sec. 1025. Sense of Congress on actions necessary to achieve a 355-ship Navy.*

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- Sec. 1031. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.*
- Sec. 1032. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1033. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.*
- Sec. 1034. Extension of prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*

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- Sec. 1041. Inclusion of disaster-related emergency preparedness activities among law enforcement activities authorities for sale or donation of excess personal property of the Department of Defense.*
- Sec. 1042. Expenditure of funds for Department of Defense clandestine activities that support operational preparation of the environment.*
- Sec. 1043. Clarification of authority of military commissions under chapter 47A of title 10, United States Code, to punish contempt.*
- Sec. 1044. Prohibition on actions to infringe upon First Amendment rights of peaceable assembly and petition for redress of grievances.*
- Sec. 1045. Arctic planning, research, and development.*
- Sec. 1046. Consideration of security risks in certain telecommunications architecture for future overseas basing decisions of the Department of Defense.*
- Sec. 1047. Foreign military training programs.*
- Sec. 1048. Reporting of adverse events relating to consumer products on military installations.*
- Sec. 1049. Inclusion of United States Naval Sea Cadet Corps among youth and charitable organizations authorized to receive assistance from the National Guard.*
- Sec. 1050. Department of Defense policy for the regulation of dangerous dogs.*
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*TITLE LVII—HEALTH CARE PROVISIONS**Subtitle A—TRICARE and Other Health Care Provisions*

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- Sec. 5801. Report on use of domestic nonavailability determinations.*
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- Sec. 5891. Listing of other transaction authority consortia.*
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- Sec. 6082. Estimate of damages from Federal Communications Commission Order 20–48.*
- Sec. 6083. Diesel emissions reduction.*
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- Sec. 6085. Legal assistance for veterans and surviving spouses and dependents.*
- Sec. 6086. Silver Star Service Banner Day.*
- Sec. 6087. Established Program to Stimulate Competitive Research.*
- Sec. 6088. Subpoena authority.*
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- Sec. 6090. Comptroller General of the United States report on handling by Department of Veterans Affairs of disability-related benefits claims by veterans with type 1 diabetes who were exposed to a herbicide agent.*
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- Sec. 6096A. Definitions.*
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- Sec. 6231. Clarification and expansion of sanctions relating to construction of Nord Stream 2 or TurkStream pipeline projects.*
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- Sec. 9308. Data collection on attrition in intelligence community.*
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- Sec. 9321. Assessment by the Comptroller General of the United States on efforts of the intelligence community and the Department of Defense to identify and mitigate risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People’s Republic of China.*
- Sec. 9322. Report on use by intelligence community of hiring flexibilities and expedited human resources practices to assure quality and diversity in the workforce of the intelligence community.*
- Sec. 9323. Report on signals intelligence priorities and requirements.*
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TITLE XCIV—SECURITY CLEARANCES AND TRUSTED WORKFORCE

- Sec. 9401. Exclusivity, consistency, and transparency in security clearance procedures, and right to appeal.*
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- Sec. 9403. Federal policy on sharing of derogatory information pertaining to contractor employees in the trusted workforce.*

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- Sec. 9501. Report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, certain allies of the United States.*
- Sec. 9502. Report on threats posed by use by foreign governments and entities of commercially available cyber intrusion and surveillance technology.*
- Sec. 9503. Reports on recommendations of the Cyberspace Solarium Commission.*
- Sec. 9504. Assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.*
- Sec. 9505. Combating Chinese influence operations in the United States and strengthening civil liberties protections.*
- Sec. 9506. Annual report on corrupt activities of senior officials of the Chinese Communist Party.*
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- Sec. 9508. Report on biosecurity risk and disinformation by the Chinese Communist Party and the Government of the People’s Republic of China.*
- Sec. 9509. Report on effect of lifting of United Nations arms embargo on Islamic Republic of Iran.*
- Sec. 9510. Report on Iranian activities relating to nuclear nonproliferation.*
- Sec. 9511. Sense of Congress on Third Option Foundation.*

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

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

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

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

15 ***DIVISION A—DEPARTMENT OF***
16 ***DEFENSE AUTHORIZATIONS***
17 ***TITLE I—PROCUREMENT***
18 ***Subtitle A—Authorization of***
19 ***Appropriations***

20 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

21 *Funds are hereby authorized to be appropriated for fis-*
22 *cal year 2021 for procurement for the Army, the Navy and*
23 *the Marine Corps, the Air Force, and Defense-wide activi-*
24 *ties, as specified in the funding table in section 4101.*

Subtitle B—Army Programs

SEC. 111. INTEGRATED AIR AND MISSILE DEFENSE ASSESSMENT.

(a) ASSESSMENT BY SECRETARY OF THE ARMY.—

(1) IN GENERAL.—The Secretary of the Army shall conduct a classified assessment of the capability and capacity of current and planned integrated air and missile defense (IAMD) capabilities to meet combatant commander requirements for major operations against great-power competitors and other global operations in support of the National Defense Strategy.

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

(A) Analysis and characterization of current and emerging threats, including the following:

(i) Cruise, hypersonic, and ballistic missiles.

(ii) Unmanned aerial systems.

(iii) Rockets.

(iv) Other indirect fire.

(v) Specific and meaningfully varied examples within each of subclauses (I) through (IV).

1 *(B) Analysis of current and planned inte-*
2 *grated air and missile defense capabilities to*
3 *counter the threats analyzed and characterized*
4 *under subparagraph (A), including the following:*

5 *(i) Projected timelines for development,*
6 *procurement, and fielding of planned inte-*
7 *grated air and missile defense capabilities.*

8 *(ii) Projected capability gaps.*

9 *(iii) Opportunities for acceleration or*
10 *need for incorporation of interim capabili-*
11 *ties to address current and projected gaps.*

12 *(C) Analysis of current and planned capac-*
13 *ity to meet major contingency plan requirements*
14 *and ongoing global operations of the combatant*
15 *commands, including the following:*

16 *(i) Current and planned numbers of*
17 *integrated air and missile defense systems*
18 *and formations, including munitions.*

19 *(ii) Capacity gaps in addressing com-*
20 *batant command requirements.*

21 *(iii) Operations tempo stress on inte-*
22 *grated air and missile defense formations*
23 *and personnel.*

1 (iv) *Plans of the Secretary to continue*
2 *to increase integrated air and missile de-*
3 *fense personnel and formations.*

4 (D) *Assessment of integrated air and mis-*
5 *sile defense architecture and enabling command*
6 *and control systems, including the following:*

7 (i) *A description of the integrated air*
8 *and missile defense architecture and compo-*
9 *nent counter unmanned aerial systems (C-*
10 *UAS) sub-architecture.*

11 (ii) *Identification of the enabling com-*
12 *mand and control (C2) systems.*

13 (iii) *Inter-connectivity of the enabling*
14 *command and control systems.*

15 (iv) *Compatibility of the enabling com-*
16 *mand and control systems with planned*
17 *Joint All Domain Command and Control*
18 *(JADC2) architecture.*

19 (E) *Assessment of proponency within the*
20 *Army of integrated air and missile defense and*
21 *counter unmanned aerial systems, including the*
22 *following:*

23 (i) *A description of the current*
24 *proponency structure.*

1 (ii) *Adequacy of the current*
2 *proponency structure to facilitate Army ex-*
3 *ecutive agency integrated air and missile*
4 *defense and counter unmanned aerial sys-*
5 *tems functions for the Department of De-*
6 *fense.*

7 (iii) *Benefits of establishing integrated*
8 *air and missile defense and counter un-*
9 *manned aerial systems centers of excellence*
10 *to help focus Army and joint force efforts to*
11 *achieving a functional integrated air and*
12 *missile defense capability and capacity to*
13 *meet requirements of the combatant com-*
14 *mands.*

15 (3) *CHARACTERIZATION.—*

16 (A) *IN GENERAL.—In carrying out para-*
17 *graph (2)(A), the Secretary shall avoid broad*
18 *characterizations that do not sufficiently distin-*
19 *guish between distinctly different threats in the*
20 *same general class.*

21 (B) *EXAMPLE.—An example of a broad*
22 *characterization to be avoided under such para-*
23 *graph is “cruise missiles”, since such character-*
24 *ization does not sufficiently distinguish between*
25 *current cruise missiles and emerging hypersonic*

1 *cruise missiles, which may require different ca-*
2 *pabilities to counter them.*

3 (4) *REPORT AND INTERIM BRIEFING.*—

4 (A) *INTERIM BRIEFING.*—*Not later than De-*
5 *cember 15, 2020, the Secretary shall provide the*
6 *Committee on Armed Services of the Senate and*
7 *Committee on Armed Services of the House of*
8 *Representatives a briefing on the assessment*
9 *being conducted by the Secretary under para-*
10 *graph (1).*

11 (B) *REPORT.*—*Not later than February 15,*
12 *2021, the Secretary shall submit to the Com-*
13 *mittee on Armed Services of the Senate and*
14 *Committee on Armed Services of the House of*
15 *Representatives a report on the findings of the*
16 *Secretary with respect to the assessment con-*
17 *ducted under paragraph (1).*

18 (b) *REVIEW BY VICE CHAIRMAN OF THE JOINT CHIEFS*
19 *OF STAFF.*—

20 (1) *REVIEW.*—*The Vice Chairman of the Joint*
21 *Chiefs of Staff shall review the assessment being con-*
22 *ducted under subsection (a)(1) for potential gaps in*
23 *capability and capacity to meet requirements of the*
24 *National Defense Strategy.*

1 (2) *REPORT*.—Not later than April 15, 2021, the
2 Vice Chairman of the Joint Chiefs of Staff shall sub-
3 mit to the Committee on Armed Services of the Senate
4 and Committee on Armed Services of the House of
5 Representatives a report on the finding of the Vice
6 Chairman with respect to the review conducted under
7 paragraph (1).

8 **SEC. 112. REPORT AND LIMITATION ON INTEGRATED VIS-**
9 **UAL AUGMENTATION SYSTEM ACQUISITION.**

10 (a) *REPORT REQUIRED*.—

11 (1) *IN GENERAL*.—Not later than August 15,
12 2021, the Secretary of the Army shall submit to the
13 congressional defense committees a report on the Inte-
14 grated Visual Augmentation System (IVAS) subse-
15 quent to the completion of operational testing.

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

18 (A) Certification of the IVAS acquisition
19 strategy, to include production model costs, full
20 rate production schedule, and identification of
21 any changes resulting from operational testing.

22 (B) Certification of technology levels being
23 utilized in the full rate production model.

1 (C) *Certification of operational suitability*
2 *and soldier acceptability of the production model*
3 *IVAS.*

4 (b) *LIMITATION ON USE OF FUNDS.—Not more than*
5 *50 percent of the amounts authorized to be appropriated*
6 *by this Act for fiscal year 2021 for procurement of the Inte-*
7 *grated Visual Augmentation System may be obligated or*
8 *expended until the Secretary submits to the congressional*
9 *defense committees the report required under subsection (a).*

10 **SEC. 113. MODIFICATIONS TO REQUIREMENT FOR AN IN-**
11 **TERIM CRUISE MISSILE DEFENSE CAPA-**
12 **BILITY.**

13 (a) *PLAN.—Not later than January 15, 2021, the Sec-*
14 *retary of the Army shall submit to the congressional defense*
15 *committees the plan, including a timeline, to operationally*
16 *deploy or forward station the two batteries of interim cruise*
17 *missile defense capability procured pursuant to section 112*
18 *of the John S. McCain National Defense Authorization Act*
19 *for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1660)*
20 *in an operational theater or theaters.*

21 (b) *MODIFICATION OF WAIVER.—Section 112(b)(4) of*
22 *the John S. McCain National Defense Authorization Act for*
23 *Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1661)*
24 *is amended to read as follows:*

1 “(4) *WAIVER.*—*The Secretary of the Army may*
2 *waive the deadlines specified in paragraph (1):*

3 “(A) *For the deadline specified in para-*
4 *graph (1)(A), if the Secretary determines that*
5 *sufficient funds have not been appropriated to*
6 *enable the Secretary to meet such deadline.*

7 “(B) *For the deadline specified in para-*
8 *graph (1)(B), if the Secretary submits to the con-*
9 *gressional defense committees a certification*
10 *that—*

11 “(i) *allocating resources toward pro-*
12 *urement of an integrated enduring capa-*
13 *bility would provide robust tiered and lay-*
14 *ered protection to the joint force; or*

15 “(ii) *additional time is required to*
16 *complete training and preparation for oper-*
17 *ational capability.”.*

18 ***Subtitle C—Navy Programs***

19 ***SEC. 121. CONTRACT AUTHORITY FOR COLUMBIA-CLASS*** 20 ***SUBMARINE PROGRAM.***

21 “(a) *CONTRACT AUTHORITY.*—*The Secretary of the*
22 *Navy may enter into a contract, beginning with fiscal year*
23 *2021, for the procurement of up to two Columbia-class sub-*
24 *marines.*

1 (b) *INCREMENTAL FUNDING.*—*With respect to a con-*
2 *tract entered into under subsection (a), the Secretary of the*
3 *Navy may use incremental funding to make payments*
4 *under the contract.*

5 (c) *LIABILITY.*—*Any contract entered into under sub-*
6 *section (a) shall provide that—*

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

10 (2) *total liability of the Federal Government for*
11 *termination of any contract entered into shall be lim-*
12 *ited to the total amount of funding obligated to the*
13 *contract at time of termination.*

14 **SEC. 122. LIMITATION ON NAVY MEDIUM AND LARGE UN-**
15 **MANNED SURFACE VESSELS.**

16 (a) *MILESTONE B APPROVAL REQUIREMENTS.*—*Mile-*
17 *stone B approval may not be granted for a covered program*
18 *unless such program accomplishes prior to and incorporates*
19 *into such approval—*

20 (1) *qualification by the Senior Technical Author-*
21 *ity of—*

22 (A) *at least two different main propulsion*
23 *engines and ancillary equipment, including the*
24 *fuel and lube oil systems; and*

1 (B) at least two different electrical genera-
2 tors and ancillary equipment;

3 (2) final results of test programs of engineering
4 development models or prototypes for critical systems
5 specified by the Senior Technical Authority in their
6 final form, fit, and function and in a realistic envi-
7 ronment; and

8 (3) a determination by the milestone decision
9 authority of the minimum number of vessels, discrete
10 test events, performance parameters to be tested, and
11 schedule required to complete initial operational test
12 and evaluation and demonstrate operational suit-
13 ability and operational effectiveness.

14 (b) *QUALIFICATION REQUIREMENTS.*—The qualifica-
15 tion required in subsection (a)(1) shall include a land-based
16 operational demonstration of such equipment in the vessel-
17 representative form, fit, and function for not less than 1,080
18 continuous hours without preventative maintenance, correc-
19 tive maintenance, emergent repair, or any other form of re-
20 pair or maintenance.

21 (c) *REQUIREMENT TO USE QUALIFIED ENGINES AND*
22 *GENERATORS.*—The Secretary of the Navy shall require
23 that covered programs use only main propulsion engines
24 and electrical generators that are qualified under subsection
25 (a)(1).

1 (d) *LIMITATION.*—*The Secretary of the Navy may not*
2 *release a detail design or construction request for proposals*
3 *or obligate funds from a procurement account for a covered*
4 *program until such program receives Milestone B approval*
5 *and the milestone decision authority notifies the congres-*
6 *sional defense committees, in writing, of the actions taken*
7 *to comply with the requirements under this section.*

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

9 (1) *The term “covered program” means a pro-*
10 *gram for—*

11 (A) *medium unmanned surface vessels; or*

12 (B) *large unmanned surface vessels.*

13 (2) *The term “Milestone B approval” has the*
14 *meaning given the term in section 2366(e)(7) of title*
15 *10, United States Code.*

16 (3) *The term “milestone decision authority”*
17 *means the official within the Department of Defense*
18 *designated with the overall responsibility and author-*
19 *ity for acquisition decisions for the program, includ-*
20 *ing authority to approve entry of the program into*
21 *the next phase of the acquisition process.*

22 (4) *The term “Senior Technical Authority” has*
23 *the meaning given the term in section 8669b of title*
24 *10, United States Code.*

1 **SEC. 123. EXTENSION OF PROHIBITION ON AVAILABILITY**
2 **OF FUNDS FOR NAVY WATERBORNE SECU-**
3 **RITY BARRIERS.**

4 *Section 130(a) of the John S. McCain National De-*
5 *fense Authorization Act for Fiscal Year 2019 (Public Law*
6 *115–232; 132 Stat. 1665), as amended by section 126 of*
7 *the National Defense Authorization Act for Fiscal Year*
8 *2020 (Public Law 116–92), is further amended by striking*
9 *“for fiscal year 2019 or fiscal year 2020” and inserting*
10 *“for fiscal years 2019, 2020, or 2021”.*

11 **SEC. 124. PROCUREMENT AUTHORITIES FOR CERTAIN AM-**
12 **PHIBIOUS SHIPBUILDING PROGRAMS.**

13 *(a) CONTRACT AUTHORITY.—*

14 *(1) PROCUREMENT AUTHORIZED.—In fiscal year*
15 *2021, the Secretary of the Navy may enter into one*
16 *or more contracts for the procurement of three San*
17 *Antonio-class amphibious ships and one America-*
18 *class amphibious ship.*

19 *(2) PROCUREMENT IN CONJUNCTION WITH EXIST-*
20 *ING CONTRACTS.—The ships authorized to be procured*
21 *under paragraph (1) may be procured as additions to*
22 *existing contracts covering such programs.*

23 *(b) CERTIFICATION REQUIRED.—A contract may not*
24 *be entered into under subsection (a) unless the Secretary*
25 *of the Navy certifies to the congressional defense committees,*
26 *in writing, not later than 30 days before entry into the con-*

1 *tract, each of the following, which shall be prepared by the*
2 *milestone decision authority for such programs:*

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

6 (2) *The use of such a contract will result in sig-*
7 *nificant savings compared to the total anticipated*
8 *costs of carrying out the program through annual*
9 *contracts. In certifying cost savings under the pre-*
10 *ceding sentence, the Secretary shall include a written*
11 *explanation of—*

12 (A) *the estimated end cost and appropriated*
13 *funds by fiscal year, by hull, without the author-*
14 *ity provided in subsection (a);*

15 (B) *the estimated end cost and appro-*
16 *priated funds by fiscal year, by hull, with the*
17 *authority provided in subsection (a);*

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

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

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

1 (3) *There is a reasonable expectation that*
2 *throughout the contemplated contract period the Sec-*
3 *retary of the Navy will request funding for the con-*
4 *tract at the level required to avoid contract cancella-*
5 *tion.*

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

9 (5) *The estimates of both the cost of the contract*
10 *and the anticipated cost avoidance through the use of*
11 *a contract authorized under subsection (a) are real-*
12 *istic.*

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

15 (7) *During the fiscal year in which such contract*
16 *is to be awarded, sufficient funds will be available to*
17 *perform the contract in such fiscal year, and the fu-*
18 *ture-years defense program (as defined under section*
19 *221 of title 10, United States Code) for such fiscal*
20 *year will include the funding required to execute the*
21 *program without cancellation.*

22 (c) *AUTHORITY FOR ADVANCE PROCUREMENT.—The*
23 *Secretary of the Navy may enter into one or more contracts*
24 *for advance procurement associated with a vessel or vessels*
25 *for which authorization to enter into a contract is provided*

1 *under subsection (a), and for systems and subsystems asso-*
2 *ciated with such vessels in economic order quantities when*
3 *cost savings are achievable.*

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

10 (e) *MILESTONE DECISION AUTHORITY DEFINED.—In*
11 *this section, the term “milestone decision authority” has the*
12 *meaning given the term in section 2366a(d) of title 10,*
13 *United States Code.*

14 **SEC. 125. FIGHTER FORCE STRUCTURE ACQUISITION**
15 **STRATEGY.**

16 (a) *REPORT REQUIRED.—Not later than March 1,*
17 *2021, the Secretary of the Navy shall submit to the congres-*
18 *sional defense committees a report with a fighter force struc-*
19 *ture acquisition strategy that is aligned with the results of*
20 *the independent studies required under section 1064 of the*
21 *National Defense Authorization Act for Fiscal Year 2018*
22 *(Public Law 115–91; 131 Stat. 1576).The strategy shall es-*
23 *tablish a minimum number of F–35 and Next Generation*
24 *Air Dominance (NGAD) aircraft that the Navy and Marine*

1 *Corps would be required to purchase each year to mitigate*
2 *or manage strike fighter shortfalls.*

3 *(b) LIMITATION ON DEVIATION FROM STRATEGY.—The*
4 *Department of the Navy may not deviate from the acquisi-*
5 *tion strategy established under subsection (a) until—*

6 *(1) the Secretary of the Navy receives a waiver*
7 *and justification from the Secretary of Defense; and*

8 *(2) 30 days after the Secretary of the Navy noti-*
9 *fies the congressional defense committees of the pro-*
10 *posed deviation.*

11 **SEC. 126. TREATMENT OF SYSTEMS ADDED BY CONGRESS**
12 **IN FUTURE PRESIDENT'S BUDGET REQUESTS.**

13 *A procurement quantity of a system authorized by*
14 *Congress in a National Defense Authorization Act for a*
15 *given fiscal year that is subsequently appropriated by Con-*
16 *gress in an amount greater than the quantity of such system*
17 *included in the President's annual budget request submitted*
18 *to Congress under section 1105 of title 31, United States*
19 *Code, for such fiscal year shall not be included as a new*
20 *procurement quantity in future annual budget requests.*

21 **SEC. 127. REPORT ON CARRIER WING COMPOSITION.**

22 *(a) REPORT.—Not later than May 1, 2021, the Sec-*
23 *retary of the Navy, in consultation with the Chief of Naval*
24 *Operations and Commandant of the Marine Corps, shall*
25 *submit to the congressional defense committees a report on*

1 *the optimal composition of the carrier air wing in 2030*
 2 *and 2040, as well as alternative force design concepts.*

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

5 (1) *An analysis and justification used to reach*
 6 *the 50–50 mix of 4th and 5th generation aircraft for*
 7 *2030.*

8 (2) *An analysis and justification for the optimal*
 9 *mix of carrier aircraft for 2040.*

10 (3) *A plan for incorporating unmanned aerial*
 11 *vehicles and associated communication capabilities to*
 12 *effectively implement the future force design.*

13 **SEC. 128. REPORT ON STRATEGY TO USE ALQ-249 NEXT**
 14 **GENERATION JAMMER TO ENSURE FULL**
 15 **SPECTRUM ELECTROMAGNETIC SUPERI-**
 16 **ORITY.**

17 (a) *REPORT.—Not later than July 30, 2021, the Sec-*
 18 *retary of the Navy, in consultation with the Vice Chairman*
 19 *of the Joint Chiefs, shall submit to the congressional defense*
 20 *committees report with a strategy to ensure full spectrum*
 21 *electromagnetic superiority using the ALQ-249 Next Gen-*
 22 *eration Jammer.*

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

1 (1) *A description of the current procurement*
2 *strategy of the ALQ–249 and the analysis of its capa-*
3 *bility to meet the RF frequency ranges required in a*
4 *National Defense Strategy (NDS) conflict.*

5 (2) *An assessment of the ALQ–249’s compat-*
6 *ibility and ability to synchronize non-kinetic fires*
7 *using other Joint Electronic Warfare (EW) platforms.*

8 (3) *A future model of an interlinked/inter-*
9 *dependent electronic warfare menu of options for com-*
10 *manders at tactical, operational, and strategic levels.*

11 ***Subtitle D—Air Force Programs***

12 ***SEC. 141. ECONOMIC ORDER QUANTITY CONTRACTING AU-*** 13 ***THORITY FOR F-35 JOINT STRIKE FIGHTER*** 14 ***PROGRAM.***

15 (a) *AUTHORITY FOR ADVANCE PROCUREMENT AND*
16 *ECONOMIC ORDER QUANTITY.—The Secretary of Defense*
17 *may enter into one or more contracts, beginning with the*
18 *fiscal year 2020 program year, for the procurement of eco-*
19 *nomics order quantities of material and equipment for the*
20 *F–35 aircraft program for use in procurement contracts to*
21 *be awarded for such program during fiscal years 2021*
22 *through 2023.*

23 (b) *LIMITATION.—The total amount obligated in fiscal*
24 *year 2021 under all contracts entered into under subsection*
25 *(a) shall not exceed \$493,000,000.*

1 (c) *PRELIMINARY FINDINGS.*—*Before entering into a*
2 *contract under subsection (a), the Secretary shall make each*
3 *of the following findings with respect to such contract:*

4 (1) *The use of such a contract will result in sig-*
5 *nificant savings of the total anticipated costs of car-*
6 *rying out the program through annual contracts.*

7 (2) *The minimum need for the property to be*
8 *procured is expected to remain substantially un-*
9 *changed during the contemplated contract period in*
10 *terms of production rate, procurement rate, and total*
11 *quantities.*

12 (3) *There is a reasonable expectation that,*
13 *throughout the contemplated contract period, the Sec-*
14 *retary will request funding for the contract at the*
15 *level required to avoid contract cancellation.*

16 (4) *There is a stable design for the property to*
17 *be procured, and the technical risks associated with*
18 *such property are not excessive.*

19 (5) *The estimates of both the cost of the contract*
20 *and the anticipated cost avoidance through the use of*
21 *an economic order quantity contract are realistic.*

22 (6) *Entering into the contract will promote the*
23 *national security interests of the United States.*

24 (d) *CERTIFICATION REQUIREMENT.*—*Except as pro-*
25 *vided in subsection (e), the Secretary of Defense may not*

1 *enter into a contract under subsection (a) until 30 days*
2 *after the Secretary certifies to the congressional defense com-*
3 *mittees, in writing, that each of the following conditions*
4 *is satisfied:*

5 (1) *A sufficient number of end items of the sys-*
6 *tem being acquired under such contract have been de-*
7 *livered at or within the most recently available esti-*
8 *mates of the program acquisition unit cost or pro-*
9 *curement unit cost for such system to determine that*
10 *the estimates of the unit costs are realistic.*

11 (2) *During the fiscal year in which such contract*
12 *is to be awarded, sufficient funds will be available to*
13 *perform the contract in such fiscal year, and the fu-*
14 *ture-years defense program submitted to Congress*
15 *under section 221 of title 10, United States Code, for*
16 *that fiscal year will include the funding required to*
17 *execute the program without cancellation.*

18 (3) *The contract is a fixed-price type contract.*

19 (4) *The proposed contract provides for produc-*
20 *tion at not less than minimum economic rates given*
21 *the existing tooling and facilities.*

22 (5) *The Secretary has determined that each of*
23 *the conditions described in paragraphs (1) through*
24 *(6) of subsection (c) will be met by such contract and*

1 *has provided the basis for such determination to the*
2 *congressional defense committees.*

3 *(6) The determination under paragraph (5) was*
4 *made after the completion of a cost analysis per-*
5 *formed by the Director of Cost Assessment and Pro-*
6 *gram Evaluation for the purpose of section 2334(f)(2)*
7 *of title 10, United States Code, and the analysis sup-*
8 *ports that determination.*

9 *(e) EXCEPTION.—Notwithstanding subsection (d), the*
10 *Secretary of Defense may enter into a contract under sub-*
11 *section (a) on or after December 1, 2020, if—*

12 *(1) the Director of Cost Assessment and Program*
13 *Evaluation has not completed a cost analysis of the*
14 *preliminary findings made by the Secretary under*
15 *subsection (c) with respect to the contract;*

16 *(2) the Secretary certifies to the congressional de-*
17 *fense committees, in writing, that each of the condi-*
18 *tions described in paragraphs (1) through (5) of sub-*
19 *section (d) is satisfied; and*

20 *(3) a period of 30 days has elapsed following the*
21 *date on which the Secretary submits the certification*
22 *under paragraph (2).*

1 **SEC. 142. MINIMUM AIRCRAFT LEVELS FOR MAJOR MISSION**
2 **AREAS.**

3 (a) *MINIMUM LEVELS.*—*Except as provided under*
4 *subsection (b), the Secretary of the Air Force shall maintain*
5 *the following minima, based on Primary Mission Aircraft*
6 *Inventory (PMAI):*

7 (1) *1,182 Fighter aircraft.*

8 (2) *190 Attack Remotely Piloted Aircraft (RPA).*

9 (3) *92 Bomber aircraft.*

10 (4) *412 Tanker aircraft.*

11 (5) *230 Tactical airlift aircraft.*

12 (6) *235 Strategic airlift aircraft.*

13 (7) *84 Strategic Intelligence, Surveillance, and*
14 *Reconnaissance (ISR) aircraft.*

15 (8) *106 Combat Search and Rescue (CSAR) air-*
16 *craft.*

17 (b) *EXCEPTIONS.*—*The Secretary of the Air Force may*
18 *reduce the number of aircraft in the PMAI of the Air Force*
19 *below the minima specified in subsection (a) only if—*

20 (1) *the Secretary certifies to the congressional de-*
21 *fense committees that such reduction is justified by*
22 *the results of the new capability and requirements*
23 *studies; and*

24 (2) *a period of 30 days has elapsed following the*
25 *date on which the certification is made to the congres-*
26 *sional defense committees under paragraph (1).*

1 (c) *APPLICABILITY.*—*The limitation in subsection (a)*
2 *shall not apply to aircraft that the Secretary of the Air*
3 *Force determines, on a case-by-case basis, to be no longer*
4 *mission capable because of mishaps, other damage, or being*
5 *uneconomical to repair.*

6 **SEC. 143. MINIMUM OPERATIONAL SQUADRON LEVEL.**

7 *As soon as practicable after the date of the enactment*
8 *of this Act and subject to the availability of appropriations,*
9 *the Secretary of the Air Force shall seek to achieve a min-*
10 *imum of not fewer than 386 available operational squad-*
11 *rons, or equivalent organizational units, within the Air*
12 *Force. In addition to the operational squadrons, the Sec-*
13 *retary shall strive to achieve the following primary mission*
14 *aircraft inventory (PMAI) numbers:*

15 (1) *1,680 Fighter aircraft.*

16 (2) *199 Persist attack remotely piloted aircraft*
17 *(RPA).*

18 (3) *225 Bomber aircraft.*

19 (4) *500 Air refueling aircraft.*

20 (5) *286 Tactical airlift aircraft.*

21 (6) *284 Strategic airlift aircraft.*

22 (7) *55 Command and control aircraft.*

23 (8) *105 Combat search and rescue (CSAR) air-*
24 *craft.*

1 (9) 30 Intelligence, surveillance, and reconnais-
2 sance (ISR) aircraft.

3 (10) 179 Special operations aircraft.

4 (11) 40 Electronic warfare (EW) aircraft.

5 **SEC. 144. MINIMUM AIR FORCE BOMBER AIRCRAFT LEVEL.**

6 *The Secretary of Defense shall submit to the congres-*
7 *sional defense committees recommendations for a minimum*
8 *number of bomber aircraft, including penetrating bombers*
9 *in addition to B-52H aircraft, to enable the Air Force to*
10 *carry out its long-range penetrating strike capability.*

11 **SEC. 145. F-35 GUN SYSTEM.**

12 *The Secretary of the Air Force shall begin the procure-*
13 *ment process for an alternate 25mm ammunition solution*
14 *that provides a true full-spectrum target engagement capa-*
15 *bility for the F-35A aircraft.*

16 **SEC. 146. PROHIBITION ON FUNDING FOR CLOSE AIR SUP-**
17 **PORT INTEGRATION GROUP.**

18 *No funds authorized to be appropriated by this Act*
19 *may be obligated or expended for the Close Air Support In-*
20 *tegration Group (CIG) or its subordinate units at Nellis*
21 *Air Force Base, Nevada, and the Air Force may not utilize*
22 *personnel or equipment in support of the CIG or its subor-*
23 *dinate units.*

1 **SEC. 147. LIMITATION ON DIVESTMENT OF KC-10 AND KC-**
2 **135 AIRCRAFT.**

3 *The Secretary of Defense may not divest KC-10 and*
4 *KC-135 aircraft in excess of the following amounts:*

5 (1) *In fiscal year 2021, 6 KC-10 aircraft, in-*
6 *cluding only 3 from primary mission aircraft inven-*
7 *tory (PMAI).*

8 (2) *In fiscal year 2022, 12 KC-10 aircraft.*

9 (3) *In fiscal year 2023, 12 KC-10 and 14 KC-*
10 *135 aircraft.*

11 **SEC. 148. LIMITATION ON RETIREMENT OF U-2 AND RQ-4**
12 **AIRCRAFT.**

13 (a) *LIMITATION.—The Secretary of the Air Force may*
14 *not take any action that would prevent the Air Force from*
15 *maintaining the fleets of U-2 aircraft or RQ-4 aircraft in*
16 *their current, or improved, configurations and capabilities*
17 *until the Chairman of the Joint Requirements Oversight*
18 *Council certifies in writing to the appropriate committees*
19 *of Congress that the capability to be fielded at the same*
20 *time or before the retirement of the U-2 aircraft or RQ-*
21 *4 aircraft (as the case may be) would result in equal or*
22 *greater capability available to the commanders of the com-*
23 *batant commands and would not result in less capacity*
24 *available to the commanders of the combatant commands.*

1 (b) *WAIVER.*—*The Secretary of Defense may waive the*
 2 *certification requirement under subsection (a) with respect*
 3 *to U-2 aircraft or RQ-4 aircraft if the Secretary—*

4 (1) *determines, after analyzing sufficient and*
 5 *relevant data, that a loss in capacity and capability*
 6 *will not prevent the combatant commanders from ac-*
 7 *complishing their missions at acceptable levels of risk;*
 8 *and*

9 (2) *provides to the appropriate committees of*
 10 *Congress a certification of such determination and*
 11 *supporting analysis.*

12 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 13 *FINED.*—*In this section, the term “appropriate committees*
 14 *of Congress” means—*

15 (1) *the Committee on Armed Services, the Com-*
 16 *mittee on Appropriations, and the Select Committee*
 17 *on Intelligence of the Senate; and*

18 (2) *the Committee on Armed Services, the Com-*
 19 *mittee on Appropriations, and the Permanent Select*
 20 *Committee on Intelligence of the House of Representa-*
 21 *tives.*

22 **SEC. 149. LIMITATION ON DIVESTMENT OF F-15C AIRCRAFT**
 23 **IN THE EUROPEAN THEATER.**

24 (a) *IN GENERAL.*—*The Secretary of the Air Force may*
 25 *not divest F-15C aircraft in the European theater until*

1 *the F-15EX aircraft is integrated into the Air Force and*
 2 *has begun bed down actions in the European theater.*

3 (b) *WAIVER.—The Secretary of Defense, after consulta-*
 4 *tion with the Commander of the United States European*
 5 *Command (EUCOM), may waive the limitation under sub-*
 6 *section (a) if the Secretary certifies to Congress the divest-*
 7 *ment is required for the national defense and that there ex-*
 8 *ists sufficient resources at all times to meet NATO and*
 9 *EUCOM air superiority requirements for the European the-*
 10 *ater.*

11 **SEC. 150. AIR BASE DEFENSE DEVELOPMENT AND ACQUISI-**
 12 **TION STRATEGY.**

13 (a) *STRATEGY REQUIRED.—Not later than March 1,*
 14 *2021, the Chief of Staff of the Air Force (CSAF), in con-*
 15 *sultation with the Chief of Staff of the Army (CSA), shall*
 16 *submit to the congressional defense committees a develop-*
 17 *ment and acquisition strategy to procure a capability to*
 18 *protect air bases and prepositioned sites in contested envi-*
 19 *ronments highlighted in the National Defense Strategy. The*
 20 *strategy should ensure a solution that is effective against*
 21 *current and emerging cruise missile and advanced*
 22 *hypersonic missile threats.*

23 (b) *LIMITATION ON USE OF OPERATION AND MAINTEN-*
 24 *NANCE FUNDS.—Not more than 50 percent of the funds au-*
 25 *thorized to be appropriated by this Act for fiscal year 2021*

1 *for operation and maintenance for the Office of the Sec-*
2 *retary of the Air Force and the Office of the Secretary of*
3 *the Army may be obligated or expended until 15 days after*
4 *submission of the strategy required under subsection (a).*

5 **SEC. 151. REQUIRED SOLUTION FOR KC-46 AIRCRAFT RE-**
6 **MOTE VISUAL SYSTEM LIMITATIONS.**

7 *The Secretary of the Air Force shall develop and im-*
8 *plement a complete, one-time solution to the KC-46 aircraft*
9 *remote visual system (RVS) operational limitations. Not*
10 *later than October 1, 2020, the Secretary shall submit to*
11 *the congressional defense committees an implementation*
12 *strategy for the solution.*

13 **SEC. 152. ANALYSIS OF REQUIREMENTS AND ADVANCED**
14 **BATTLE MANAGEMENT SYSTEM CAPABILI-**
15 **TIES.**

16 *(a) ANALYSIS.—Not later than April 1, 2021, the Sec-*
17 *retary of the Air Force, in consultation with the com-*
18 *manders of the combatant commands, shall develop an*
19 *analysis of current and future moving target indicator re-*
20 *quirements across the combatant commands and oper-*
21 *ational and tactical level command and control capabilities*
22 *the Advanced Battle Management System (ABMS) will re-*
23 *quire when fielded.*

24 *(b) JROC REQUIREMENTS.—*

1 (1) *Number of weapon systems required to meet*
2 *a specified mission goal.*

3 (2) *Number of personnel required to meet a spec-*
4 *ified mission goal.*

5 (3) *Associated operation and maintenance costs*
6 *necessary to facilitate respective operational con-*
7 *structs.*

8 (4) *Basing requirements for respective force con-*
9 *structs.*

10 (5) *Mission support elements required to facili-*
11 *tate specified operations.*

12 (6) *Defensive measures required to facilitate via-*
13 *ble mission operations.*

14 (7) *Attrition due to enemy countermeasures and*
15 *other loss factors associated with respective tech-*
16 *nologies.*

17 (8) *Associated weapon effects costs compared to*
18 *alternative forms of power projection.*

19 (c) *IMPLEMENTATION OF MEASURES.—The Secretary*
20 *of the Air Force shall, as appropriate, incorporate the find-*
21 *ings of the studies conducted pursuant to subsection (a) in*
22 *the Air Force's future force development process. The meas-*
23 *ures—*

24 (1) *should be domain and platform agnostic;*

1 (2) *should focus on how best to achieve mission*
2 *goals in future operations; and*

3 (3) *shall consider including harnessing cost-per-*
4 *effect assessments as a key performance parameter*
5 *within the Department of Defense’s Joint Capabilities*
6 *Integration and Development System (JCIDS) re-*
7 *quirements process.*

8 **SEC. 154. PLAN FOR OPERATIONAL TEST AND UTILITY**
9 **EVALUATION OF SYSTEMS FOR LOW-COST AT-**
10 **TRIBUTABLE AIRCRAFT TECHNOLOGY PRO-**
11 **GRAM.**

12 *Not later than October 1, 2020, the Assistant Secretary*
13 *of the Air Force for Acquisition, Technology, and Logistics*
14 *shall—*

15 (a) *submit to the congressional defense committees an*
16 *executable plan for the operational test and utility evalua-*
17 *tion of the systems of the Low-Cost Attributable Aircraft*
18 *Technology (LCAAT) program of the Air Force; and*

19 (b) *brief the congressional defense committees on such*
20 *plan.*

21 **SEC. 155. PROHIBITION ON RETIREMENT OR DIVESTMENT**
22 **OF A-10 AIRCRAFT.**

23 *The Secretary of Defense may not during fiscal year*
24 *2021 divest or retire any A-10 aircraft, in order to ensure*
25 *ongoing capabilities to counter violent extremism and pro-*

1 *vide close air support and combat search and rescue in ac-*
 2 *cordance with the National Defense Strategy.*

3 ***Subtitle E—Defense-wide, Joint,***
 4 ***and Multiservice Matters***

5 ***SEC. 171. BUDGETING FOR LIFE-CYCLE COST OF AIRCRAFT***
 6 ***FOR THE NAVY, ARMY, AND AIR FORCE: AN-***
 7 ***NUAL PLAN AND CERTIFICATION.***

8 *(a) IN GENERAL.—Chapter 9 of title 10, United States*
 9 *Code, is amended by inserting after section 231 the fol-*
 10 *lowing new section:*

11 ***“§ 231a. Budgeting for life-cycle cost of aircraft for the***
 12 ***Navy, Army, and Air Force: Annual plan***
 13 ***and certification***

14 *“(a) ANNUAL AIRCRAFT PROCUREMENT PLAN AND*
 15 *CERTIFICATION.—Not later than 45 days after the date on*
 16 *which the President submits to Congress the budget for a*
 17 *fiscal year, the Secretary of Defense shall submit to the con-*
 18 *gressional defense committees—*

19 *“(1) a plan for the procurement of the aircraft*
 20 *specified in subsection (b) for the Department of the*
 21 *Navy, the Department of the Army, and the Depart-*
 22 *ment of the Air Force developed in accordance with*
 23 *this section; and*

24 *“(2) a certification by the Secretary that both*
 25 *the budget for such fiscal year and the future years*

1 *defense program submitted to Congress in relation to*
2 *such budget under section 221 of this title provide for*
3 *funding of the procurement of aircraft at a level that*
4 *is sufficient for the procurement of the aircraft pro-*
5 *vided for in the plan under paragraph (1) on the*
6 *schedule provided in the plan.*

7 *“(b) COVERED AIRCRAFT.—The aircraft specified in*
8 *this subsection are the aircraft as follows:*

9 *“(1) Fighter aircraft.*

10 *“(2) Attack aircraft.*

11 *“(3) Bomber aircraft.*

12 *“(4) Intertheater lift aircraft.*

13 *“(5) Intratheater lift aircraft.*

14 *“(6) Intelligence, surveillance, and reconnais-*
15 *sance aircraft.*

16 *“(7) Tanker aircraft.*

17 *“(8) Remotely piloted aircraft.*

18 *“(9) Rotary-wing aircraft.*

19 *“(10) Operational support and executive lift air-*
20 *craft.*

21 *“(11) Any other major support aircraft des-*
22 *ignated by the Secretary of Defense for purposes of*
23 *this section.*

24 *“(c) ANNUAL AIRCRAFT PROCUREMENT PLAN.—(1)*
25 *The annual aircraft procurement plan developed for a fiscal*

1 *year for purposes of subsection (a)(1) should be designed*
2 *so that the aviation force provided for under the plan is*
3 *capable of supporting the national military strategy of the*
4 *United States as set forth in the most recent National De-*
5 *fense Strategy submitted under section 113(g) of title 10,*
6 *United States Code, and National Military Strategy sub-*
7 *mitted under section 153(b) of title 10, United States Code.*

8 “(2) *Each annual aircraft procurement plan shall in-*
9 *clude the following:*

10 “(A) *A detailed program for the procurement of*
11 *the aircraft specified in subsection (b) for each of the*
12 *Department of the Navy, the Department of the*
13 *Army, and the Department of the Air Force over the*
14 *next 30 fiscal years.*

15 “(B) *A description of the necessary aviation*
16 *force structure to meet the requirements of the na-*
17 *tional military strategy of the United States or the*
18 *most recent Quadrennial Defense Review, whichever is*
19 *applicable under paragraph (1).*

20 “(C) *The estimated levels of annual investment*
21 *funding necessary to carry out each aircraft program,*
22 *together with a discussion of the procurement strate-*
23 *gies on which such estimated levels of annual invest-*
24 *ment funding are based, set forth in aggregate for the*

1 *Department of Defense and in aggregate for each*
2 *military department.*

3 *“(D) The estimated level of annual funding nec-*
4 *essary to operate, maintain, sustain, and support*
5 *each aircraft program throughout the life-cycle of the*
6 *program, set forth in aggregate for the Department of*
7 *Defense and in aggregate for each military depart-*
8 *ment.*

9 *“(E) For each of the cost estimates required by*
10 *subparagraphs (C) and (D)—*

11 *“(i) a description of whether the cost esti-*
12 *mate is derived from the cost estimate position*
13 *of the military department or derived from the*
14 *cost estimate position of the Office of Cost Anal-*
15 *ysis and Program Evaluation;*

16 *“(ii) if the cost estimate position of the*
17 *military department and the cost estimate posi-*
18 *tion of the Office of Cost Analysis and Program*
19 *Evaluation differ by more than 5 percent for*
20 *any aircraft program, an annotated cost esti-*
21 *mate difference and sufficient rationale to ex-*
22 *plain the difference;*

23 *“(iii) the confidence or certainty level asso-*
24 *ciated with the cost estimate for each aircraft*
25 *program; and*

1 “(iv) a certification that cost between dif-
2 ferent services and aircraft are based on similar
3 components in the life-cycle cost of each pro-
4 gram.

5 “(F) An assessment by the Secretary of Defense
6 of the extent to which the combined aircraft forces of
7 the Department of the Navy, the Department of the
8 Army, and the Department of the Air Force meet the
9 national security requirements of the United States.

10 “(3) For any cost estimate required by paragraph
11 (2)(C) or (D), for any aircraft program for which the Sec-
12 retary is required to include in a report under section 2432
13 of this title, the source of the cost information used to pre-
14 pare the annual aircraft plan, shall be sourced from the
15 Selected Acquisition Report data that the Secretary plans
16 to submit to the congressional defense committees in accord-
17 ance with subsection (f) of that section for the year for
18 which the annual aircraft plan is prepared.

19 “(4) The annual aircraft procurement plan shall be
20 submitted in unclassified form and shall contain a classi-
21 fied annex. A summary version of the unclassified report
22 shall be made available to the public.

23 “(d) ASSESSMENT WHEN AIRCRAFT PROCUREMENT
24 BUDGET IS INSUFFICIENT TO MEET APPLICABLE RE-
25 QUIREMENTS.—If the budget for a fiscal year provides for

1 *funding of the procurement of aircraft for the Department*
2 *of the Navy, the Department of the Army, or the Depart-*
3 *ment of the Air Force at a level that is not sufficient to*
4 *sustain the aviation force structure specified in the aircraft*
5 *procurement plan for such Department for that fiscal year*
6 *under subsection (a), the Secretary shall include with the*
7 *defense budget materials for that fiscal year an assessment*
8 *that describes and discusses the risks associated with the*
9 *reduced force structure of aircraft that will result from*
10 *funding aircraft procurement at such level. The assessment*
11 *shall be coordinated in advance with the commanders of*
12 *the combatant commands.*

13 “(e) *ANNUAL REPORT ON AIRCRAFT INVENTORY.*—(1)
14 *As part of the annual plan and certification required to*
15 *be submitted under this section, the Secretary shall include*
16 *a report on the aircraft in the inventory of the Department*
17 *of Defense. Each such report shall include the following, for*
18 *the year covered by the report:*

19 “(A) *The total number of aircraft in the inven-*
20 *tory.*

21 “(B) *The total number of the aircraft in the in-*
22 *ventory that are active, stated in the following cat-*
23 *egories (with appropriate subcategories for mission*
24 *aircraft, training aircraft, dedicated test aircraft, and*
25 *other aircraft):*

1 “(i) Primary aircraft.

2 “(ii) Backup aircraft.

3 “(iii) Attrition and reconstitution reserve
4 aircraft.

5 “(C) The total number of the aircraft in the in-
6 ventory that are inactive, stated in the following cat-
7 egories:

8 “(i) Bailment aircraft.

9 “(ii) Drone aircraft.

10 “(iii) Aircraft for sale or other transfer to
11 foreign governments.

12 “(iv) Leased or loaned aircraft.

13 “(v) Aircraft for maintenance training.

14 “(vi) Aircraft for reclamation.

15 “(vii) Aircraft in storage.

16 “(D) The aircraft inventory requirements ap-
17 proved by the Joint Chiefs of Staff.

18 “(2) Each report submitted under this subsection shall
19 set forth each item described in paragraph (1) separately
20 for the regular component of each armed force and for each
21 reserve component of each armed force and, for each such
22 component, shall set forth each type, model, and series of
23 aircraft provided for in the future-years defense program
24 that covers the fiscal year for which the budget accom-
25 panying the plan, certification and report is submitted.

1 “(f) *DEFINITION OF BUDGET.*—*In this section, the*
 2 *term ‘budget’, with respect to a fiscal year, means the budg-*
 3 *et for that fiscal year that is submitted to Congress by the*
 4 *President under section 1105(a) of title 31.”.*

5 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 6 *the beginning of chapter 9 of such title is amended by in-*
 7 *serting after the item relating to section 231 the following*
 8 *new item:*

*“231a. Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air Force:
 Annual plan and certification.”.*

9 **SEC. 172. AUTHORITY TO USE F-35 AIRCRAFT WITHHELD**
 10 **FROM DELIVERY TO GOVERNMENT OF TUR-**
 11 **KEY.**

12 *The Secretary of the Air Force is authorized to utilize,*
 13 *modify, and operate the 6 F-35 aircraft that were accepted*
 14 *by the Government of Turkey but never delivered because*
 15 *Turkey was suspended from the F-35 program.*

16 **SEC. 173. TRANSFER FROM COMMANDER OF UNITED**
 17 **STATES STRATEGIC COMMAND TO CHAIRMAN**
 18 **OF THE JOINT CHIEFS OF STAFF OF RESPON-**
 19 **SIBILITIES AND FUNCTIONS RELATING TO**
 20 **ELECTROMAGNETIC SPECTRUM OPERATIONS.**

21 (a) *TRANSFER.*—*Not later than one year after the date*
 22 *of the enactment of this Act and subject to subsection (c),*
 23 *the Secretary of Defense shall transition to the Chairman*
 24 *of the Joint Chiefs of Staff as a Chairman’s Controlled Ac-*

1 *tivity all of the responsibilities and functions of the Com-*
2 *mander of United States Strategic Command that are ger-*
3 *mane to electromagnetic spectrum operations, including—*

4 *(1) advocacy for joint electronic warfare capa-*
5 *bilities,*

6 *(2) providing contingency electronic warfare*
7 *support to other combatant commands, and*

8 *(3) supporting combatant command joint train-*
9 *ing and planning related to electromagnetic spectrum*
10 *operations.*

11 *(b) RESPONSIBILITY OF VICE CHAIRMAN OF THE*
12 *JOINT CHIEFS OF STAFF AS THE ELECTRONIC WARFARE*
13 *SENIOR DESIGNATED OFFICIAL.—The Vice Chairman of*
14 *the Joint Chiefs of Staff, as the Electronic Warfare Senior*
15 *Designated Official, shall be responsible for the following:*

16 *(1) Executing the functions transitioned to the*
17 *Chairman of the Joint Chiefs of Staff under sub-*
18 *section (a).*

19 *(2) Overseeing, with the Chief Information Offi-*
20 *cer of the Department of Defense, the development and*
21 *implementation of the Electromagnetic Spectrum Su-*
22 *periority Strategy of the Department of Defense and*
23 *subsequent Department-wide electromagnetic spectrum*
24 *and electronic warfare strategies.*

1 (3) *Managing the Joint Electronic Warfare Cen-*
2 *ter and the Joint Electromagnetic Preparedness for*
3 *Advanced Combat organizations.*

4 (4) *Overseeing, through the Joint Requirements*
5 *Oversight Council and the Electromagnetic Spectrum*
6 *Operations cross-functional team, the acquisition ac-*
7 *tivities of the military services as they relate to elec-*
8 *tromagnetic spectrum operations.*

9 (5) *Overseeing and, as appropriate, setting*
10 *standards for the individual and unit training pro-*
11 *grams of the military services and the joint training*
12 *and mission rehearsal programs of the combatant*
13 *commands as they relate to electromagnetic spectrum*
14 *operations.*

15 (6) *Overseeing the development of tactics, tech-*
16 *niques, and procedures germane to electromagnetic*
17 *spectrum operations.*

18 (7) *Overseeing the integration of electromagnetic*
19 *spectrum operations into operation plans and contin-*
20 *gency plans.*

21 (8) *Developing and integrating into the joint*
22 *warfighting concept operational concepts for electro-*
23 *magnetic spectrum operations, including the fol-*
24 *lowing:*

1 (A) *The roles and responsibilities of each of*
2 *the military services and their primary con-*
3 *tributions to the joint force.*

4 (B) *The primary targets for offensive elec-*
5 *tromagnetic spectrum operations and their*
6 *alignment to the military services and relevant*
7 *capabilities.*

8 (C) *The armed forces' positioning, scheme of*
9 *maneuver, kill chains, and tactics, techniques,*
10 *and procedures, as appropriate, to conduct offen-*
11 *sive electromagnetic spectrum operations.*

12 (D) *The armed forces' positioning, scheme of*
13 *maneuver, kill chains, and tactics, techniques,*
14 *and procedures, as appropriate, to detect, dis-*
15 *rupt, avoid, or render ineffective adversary elec-*
16 *tromagnetic spectrum operations.*

17 (c) *PERIOD OF EFFECT OF TRANSFER.—*

18 (1) *IN GENERAL.—The transfer required by sub-*
19 *section (a) and the responsibilities specified in sub-*
20 *section (b) shall remain in effect until such date as*
21 *the Chairman of the Joint Chiefs of Staff considers*
22 *appropriate, except that such date shall not be earlier*
23 *than the date that is 180 days after the date on which*
24 *the Chairman submits to the congressional defense*
25 *committees notice that—*

1 (A) the Chairman has made a determina-
2 tion that—

3 (i) the military services', geographic
4 combatant commands', and functional com-
5 batant commands' electromagnetic spectrum
6 operations expertise, capabilities, and execu-
7 tion are sufficiently robust; and

8 (ii) an alternative arrangement de-
9 scribed in paragraph (2) is justified; and

10 (B) the Chairman intends to transfer re-
11 sponsibilities and activities in order to carry out
12 such alternative arrangement.

13 (2) *ALTERNATIVE ARRANGEMENT DESCRIBED.*—

14 An alternative arrangement described in this para-
15 graph is an arrangement in which certain oversight,
16 advocacy, and coordination functions allotted to the
17 Chairman or Vice Chairman of the Joint Chiefs of
18 Staff by subsections (a) and (b) are performed either
19 by a single combatant command or by the individual
20 geographic and functional combatant commands re-
21 sponsible for executing electromagnetic spectrum oper-
22 ations with long-term supervision by the Chairman or
23 Vice Chairman of the Joint Chiefs of Staff.

24 (d) *EVALUATIONS OF ARMED FORCES.*—

1 (1) *IN GENERAL.*—*The Chief of Staff of the*
2 *Army, the Chief of Naval Operations, the Chief of*
3 *Staff of the Air Force, the Commandant of the Marine*
4 *Corps, and the Chief of Space Operations shall each*
5 *conduct and complete an evaluation of the armed*
6 *forces for their respective military services and their*
7 *ability to perform the electromagnetic spectrum oper-*
8 *ations missions required of them in—*

9 (A) *the Electromagnetic Spectrum Superi-*
10 *ority Strategy;*

11 (B) *the Joint Staff-developed concept of op-*
12 *erations; and*

13 (C) *the operation and contingency plans of*
14 *the combatant commanders.*

15 (2) *ELEMENTS.*—*Each evaluation under para-*
16 *graph (1) shall include assessment of the following:*

17 (A) *Current programs of record, includ-*
18 *ing—*

19 (i) *the ability of weapon systems to*
20 *perform missions in contested electro-*
21 *magnetic spectrum environments; and*

22 (ii) *the ability of electronic warfare ca-*
23 *pabilities to disrupt adversary operations.*

24 (B) *Future programs of record, including—*

1 (i) *the need for distributed or network-*
2 *centric electronic warfare and signals intel-*
3 *ligence capabilities; and*

4 (ii) *the need for automated and ma-*
5 *chine learning- or artificial intelligence-as-*
6 *sisted electronic warfare capabilities.*

7 (C) *Order of battle.*

8 (D) *Individual and unit training.*

9 (E) *Tactics, techniques, and procedures, in-*
10 *cluding—*

11 (i) *maneuver, distribution of assets,*
12 *and the use of decoys; and*

13 (ii) *integration of nonkinetic and ki-*
14 *netic fires.*

15 (e) *EVALUATION OF COMBATANT COMMANDS.—*

16 (1) *IN GENERAL.—The Commander of the United*
17 *States European Command, the Commander of the*
18 *United States Pacific Command, and the Commander*
19 *of the United States Central Command shall each*
20 *conduct and complete an evaluation of the plans and*
21 *posture of their respective commands to execute the*
22 *electromagnetic spectrum operations envisioned in—*

23 (A) *the Electromagnetic Spectrum Superi-*
24 *ority Strategy; and*

1 (B) the Joint Staff-developed concept of op-
2 erations.

3 (2) *ELEMENTS.*—Each evaluation under para-
4 graph (1) shall include assessment of the following:

5 (A) Operation and contingency plans.

6 (B) The manning, organizational align-
7 ment, and capability of joint electromagnetic
8 spectrum operations cells.

9 (C) Mission rehearsal and exercises.

10 (D) Force positioning, posture, and readi-
11 ness.

12 (f) *SEMIANNUAL BRIEFING.*—Not less frequently than
13 twice each year until January 1, 2026, the Vice Chairman
14 of the Joint Chiefs of Staff shall brief the Committee on
15 Armed Services of the Senate and the Committee on Armed
16 Services of the House of Representatives on the implementa-
17 tion of this section by each of the Joint Staff, the military
18 services, and the combatant commands.

19 **SEC. 174. CRYPTOGRAPHIC MODERNIZATION SCHEDULES.**

20 (a) *CRYPTOGRAPHIC MODERNIZATION SCHEDULES*
21 *REQUIRED.*—Each of the Secretaries of the military depart-
22 ments and the heads of relevant defense agencies and field
23 activities shall establish and maintain a cryptographic
24 modernization schedule that specifies, for each pertinent
25 weapon system, command and control system, or data link,

1 *including those that use commercial encryption tech-*
2 *nologies, as relevant, the following:*

3 (1) *The expiration date or cease key date for ap-*
4 *plicable cryptographic algorithms.*

5 (2) *Anticipated key extension requests for sys-*
6 *tems where cryptographic modernization is assessed to*
7 *be overly burdensome and expensive or to provide lim-*
8 *ited operational utility.*

9 (3) *The funding and deployment schedule for*
10 *modernized cryptographic algorithms, keys, and*
11 *equipment over the Future Years Defense Program.*

12 (b) *REQUIREMENTS FOR CHIEF INFORMATION OFFI-*
13 *CER.—The Chief Information Officer of the Department of*
14 *Defense shall—*

15 (1) *oversee the construction and implementation*
16 *of the cryptographic modernization schedules required*
17 *by subsection (a);*

18 (2) *establish and maintain an integrated cryp-*
19 *tographic modernization schedule for the entire De-*
20 *partment, collating the cryptographic modernization*
21 *schedules required under subsection (a); and*

22 (3) *in coordination with the Director of the Na-*
23 *tional Security Agency and the Joint Staff Director*
24 *for Command, Control, Communications, and Com-*
25 *puters/Cyber, use the budget certification, standard-*

1 *setting, and policy-making authorities provided in*
2 *section 142 of title 10, United States Code, to amend*
3 *military service and defense agency and field activity*
4 *plans for key extension requests and cryptographic*
5 *modernization funding and deployment that pose un-*
6 *acceptable risk to military operations.*

7 *(c) ANNUAL NOTICES.—Not later than January 1,*
8 *2022, and not less frequently than once each year thereafter*
9 *until January 1, 2026, the Chief Information Officer of the*
10 *Department and the Joint Staff Director for Command,*
11 *Control, Communications, and Computers/Cyber shall*
12 *jointly submit to the congressional defense committees noti-*
13 *fication of all—*

14 *(1) delays to or planned delays of military serv-*
15 *ice and defense agency and field activity funding and*
16 *deployment of modernized cryptographic algorithms,*
17 *keys, and equipment over the previous year; and*

18 *(2) changes in plans or schedules surrounding*
19 *key extension requests and waivers, including—*

20 *(A) unscheduled or unanticipated key exten-*
21 *sion requests; and*

22 *(B) unscheduled or unanticipated waivers*
23 *and nonwaivers of scheduled or anticipated key*
24 *extension requests.*

1 **SEC. 175. PROHIBITION ON PURCHASE OF ARMED**
2 **OVERWATCH AIRCRAFT.**

3 *The Secretary of the Air Force may not purchase any*
4 *aircraft for the Air Force Special Operations Command for*
5 *the purpose of “armed overwatch” until such time as the*
6 *Chief of Staff of the Air Force certifies to the congressional*
7 *defense committees that general purpose forces of the Air*
8 *Force do not have the skill or capacity to provide close air*
9 *support and armed overwatch to United States forces de-*
10 *ployed operationally.*

11 **SEC. 176. SPECIAL OPERATIONS ARMED OVERWATCH.**

12 *(a) PROHIBITION.—None of the funds authorized to be*
13 *appropriated by this Act for the Department of Defense*
14 *may be used to acquire armed overwatch aircraft for the*
15 *United States Special Operations Command, and the De-*
16 *partment of Defense may not acquire armed overwatch air-*
17 *craft for the United States Special Operations Command*
18 *in fiscal year 2021.*

19 *(b) ANALYSIS REQUIRED.—*

20 *(1) IN GENERAL.—Not later than July 1, 2021,*
21 *the Secretary of Defense, in coordination with the As-*
22 *stant Secretary of Defense for Special Operations*
23 *and Low Intensity Conflict and the Commander of*
24 *the United States Special Operations Command, shall*
25 *conduct an analysis to define the special operations-*
26 *peculiar requirements for armed overwatch aircraft*

1 *and to determine whether acquisition of a new special*
2 *operations-peculiar platform is the most cost effective*
3 *means of fulfilling such requirements.*

4 (2) *ELEMENTS.—At a minimum, the analysis of*
5 *alternatives required under paragraph (1) shall in-*
6 *clude—*

7 (A) *a description of the concept of oper-*
8 *ations for employing armed overwatch aircraft*
9 *in support of ground forces;*

10 (B) *an identification of geographic regions*
11 *in which armed overwatch aircraft could be de-*
12 *ployed;*

13 (C) *an identification of the most likely anti-*
14 *aircraft threats in geographic areas where armed*
15 *overwatch aircraft will be deployed and possible*
16 *countermeasures to defeat such threats;*

17 (D) *a defined requirement for special oper-*
18 *ations-peculiar armed overwatch aircraft, in-*
19 *cluding an identification of threshold and objec-*
20 *tive performance parameters for armed*
21 *overwatch aircraft;*

22 (E) *an analysis of alternatives comparing*
23 *various manned and unmanned aircraft in the*
24 *current aircraft inventory of the United States*
25 *Special Operations Command and a new plat-*

1 *form for meeting requirements for the armed*
2 *overwatch mission, including for each alternative*
3 *considered;*

4 *(F) an identification of any necessary air-*
5 *craft modifications and the associated cost;*

6 *(G) the annual cost of operating and sus-*
7 *taining such aircraft;*

8 *(H) an identification of any required mili-*
9 *tary construction costs;*

10 *(I) an explanation of how the acquisition of*
11 *a new armed overwatch aircraft would impact*
12 *the overall fleet of special operations-peculiar*
13 *aircraft and the availability of aircrews and*
14 *maintainers;*

15 *(J) an explanation of why existing Air*
16 *Force and United States Special Operations*
17 *Command close air support and airborne intel-*
18 *ligence capabilities are insufficient for the armed*
19 *overwatch mission; and*

20 *(K) any other matters determined relevant*
21 *by the Secretary of Defense.*

1 **SEC. 177. AUTONOMIC LOGISTICS INFORMATION SYSTEM**
2 **REDESIGN STRATEGY.**

3 *Not later than October 1, 2020, the Under Secretary*
4 *of Defense for Acquisition and Sustainment, in consultation*
5 *with the F-35 Program Executive Officer, shall—*

6 *(1) submit to the congressional defense commit-*
7 *tees a report describing a program-wide process for*
8 *measuring, collecting, and tracking information on*
9 *how the Autonomic Logistics Information System*
10 *(ALIS) is affecting the performance of the F-35 fleet,*
11 *including its effects on mission capability rates; and*

12 *(2) implement a strategy for the redesign of*
13 *ALIS, including the identification and assessment of*
14 *goals, key risks or uncertainties, and costs of rede-*
15 *signing the system.*

16 **SEC. 178. CONTRACT AVIATION SERVICES IN A COUNTRY OR**
17 **IN AIRSPACE IN WHICH A SPECIAL FEDERAL**
18 **AVIATION REGULATION APPLIES.**

19 *(a) IN GENERAL.—When the Department of Defense*
20 *contracts for aviation services to be performed in a foreign*
21 *country, or in airspace, in which a Special Federal Avia-*
22 *tion Regulation issued by the Federal Aviation Administra-*
23 *tion would preclude operation of such aviation services by*
24 *an air carrier or commercial operator of the United States,*
25 *the Secretary of Defense (or a designee of the Secretary)*
26 *shall—*

1 (1) *obtain approval from the Administrator of*
2 *the Federal Aviation Administration (or a designee of*
3 *the Administrator) for the air carrier or commercial*
4 *operator of the United States to deviate from the Spe-*
5 *cial Federal Aviation Regulation to the extent nec-*
6 *essary to perform such aviation services;*

7 (2) *designate the aircraft of the air carrier or*
8 *commercial operator of the United States to be State*
9 *Aircraft of the United States when performing such*
10 *aviation services; or*

11 (3) *use organic aircraft to perform such aviation*
12 *services in lieu of aircraft of an air carrier or com-*
13 *mmercial operator of the United States.*

14 (b) *CONSTRUCTION OF DESIGNATION.*—*The designa-*
15 *tion of aircraft of an air carrier or commercial operator*
16 *of the United States as State Aircraft of the United States*
17 *under subsection (a)(2) shall have no effect on Federal Avia-*
18 *tion Administration requirements for—*

19 (1) *safety oversight responsibility for the oper-*
20 *ation of aircraft so designated, except for those activi-*
21 *ties prohibited or restricted by an applicable Special*
22 *Federal Aviation Regulation; and*

23 (2) *any previously issued nonpremium aviation*
24 *insurance or reinsurance policy issued to the air car-*
25 *rier or commercial operator of the United States for*

1 *the duration of aviation services performed as a State*
2 *Aircraft of the United States under that subsection.*

3 **SEC. 179. F-35 AIRCRAFT MUNITIONS.**

4 *The Secretary of the Air Force and the Secretary of*
5 *the Navy shall qualify and certify, for the use of United*
6 *States forces, additional munitions on the F-35 aircraft*
7 *that are already qualified on NATO member F-35 partner*
8 *aircraft.*

9 **SEC. 180. AIRBORNE INTELLIGENCE, SURVEILLANCE, AND**
10 **RECONNAISSANCE ACQUISITION ROADMAP**
11 **FOR UNITED STATES SPECIAL OPERATIONS**
12 **COMMAND.**

13 *(a) IN GENERAL.—Not later than December 1, 2021,*
14 *the Assistant Secretary of Defense for Special Operations*
15 *and Low-Intensity Conflict and the Commander of the*
16 *United States Special Operations Command shall jointly*
17 *submit to the congressional defense committees an acquisi-*
18 *tion roadmap to meet the manned and unmanned airborne*
19 *intelligence, surveillance, and reconnaissance requirements*
20 *of United States Special Operations Forces.*

21 *(b) ELEMENTS.—The roadmap required under sub-*
22 *section (a) shall include, at a minimum, the following:*

23 *(1) A description of the current platform require-*
24 *ments for manned and unmanned airborne intel-*

1 *ligence, surveillance, and reconnaissance capabilities*
2 *to support United States Special Operations Forces.*

3 (2) *An analysis of the remaining service life of*
4 *existing manned and unmanned airborne intelligence,*
5 *surveillance, and reconnaissance capabilities cur-*
6 *rently operated by United States Special Operations*
7 *Forces.*

8 (3) *An identification of any current or antici-*
9 *ipated special operations-peculiar capability gaps.*

10 (4) *A description of the future manned and un-*
11 *manned intelligence, surveillance, and reconnaissance*
12 *platform requirements of the United States Special*
13 *Operations Forces, including range, payload, endur-*
14 *ance, ability to operate in contested environments,*
15 *and other requirements as appropriate.*

16 (5) *An explanation of the anticipated mix of*
17 *manned and unmanned aircraft, number of plat-*
18 *forms, and associated aircrew and maintainers.*

19 (6) *An explanation of the extent to which service-*
20 *provided manned and unmanned airborne intel-*
21 *ligence, surveillance, and reconnaissance capabilities*
22 *will be required in support of United States Special*
23 *Operations Forces and how such capabilities will sup-*
24 *plement and integrate with the organic capabilities*
25 *possessed by United States Special Operations Forces.*

1 (7) *Any other matters deemed relevant by the As-*
2 *stant Secretary and Commander.*

3 **SEC. 181. REQUIREMENT TO ACCELERATE THE FIELDING**
4 **AND DEVELOPMENT OF COUNTER UN-**
5 **MANNED AERIAL SYSTEMS ACROSS THE**
6 **JOINT FORCE.**

7 (a) *PRIORITY OBJECTIVES FOR EXECUTIVE AGENT*
8 *FOR C-UAS.—The Executive Agent of the Joint Counter*
9 *Small Unmanned Aerial Systems (C-sUAS) Office, as des-*
10 *ignated by the Under Secretary of Defense, Acquisition and*
11 *Sustainment, shall prioritize the following objectives:*

12 (1) *Select counter unmanned aerial systems that*
13 *can be fielded as early as fiscal year 2021 to meet im-*
14 *mediate operational needs in countering Group 1, 2,*
15 *and 3 unmanned aerial systems with the potential to*
16 *expand to other larger systems.*

17 (2) *Devise and execute a near-term plan to de-*
18 *velop and field a select set of counter unmanned aer-*
19 *ial systems to meet joint force requirements, begin-*
20 *ning in fiscal year 2021.*

21 (b) *FIELDING C-UAS SYSTEMS IN FISCAL YEAR*
22 *2021.—Pursuant to subsection (a)(1), the Executive Agent*
23 *shall prioritize the selection of counter unmanned aerial*
24 *systems that can be fielded in fiscal year 2021 with specific*
25 *emphasis on systems that—*

1 (1) *have undergone effective combat validations;*

2 (2) *meet the operational demands of deployed*
3 *forces facing the most significant threats, especially*
4 *unmanned aerial systems that are not remotely pi-*
5 *loted or are not reliant on a command link; and*

6 (3) *utilize autonomous systems and processes*
7 *that increase operational effectiveness, reduce the*
8 *manning demands on operational forces, and limit*
9 *the need for government-funded contractor logistics*
10 *support.*

11 (c) *NEAR-TERM DEVELOPMENT PLAN.*—*The plan for*
12 *the near-term development of counter unmanned aerial sys-*
13 *tems prioritized under subsection (a)(2) shall ensure, at a*
14 *minimum, that the development of such systems—*

15 (1) *builds, as much as practicable, upon systems*
16 *that were selected for fielding in fiscal year 2021 and*
17 *the criteria prioritized for their selection, as specified*
18 *in subsection (b);*

19 (2) *reduces or accelerates the timeline for initial*
20 *operational capability and full operational capa-*
21 *bility;*

22 (3) *utilizes a software-defined, family-of-systems*
23 *approach that enables the flexible and continuous in-*
24 *tegration of different types of sensors and mitigation*
25 *solutions based on the different demands of particular*

1 *military installations and deployed forces, physical*
2 *geographies, and threat profiles; and*

3 *(4) gives preference to commercial items, as re-*
4 *quired in section 3307 of title 41, United States Code,*
5 *when making selections of counter unmanned aerial*
6 *systems or component parts, including a common*
7 *command and control system.*

8 *(d) BRIEFING.—Not later than 60 days after the date*
9 *of the enactment of this Act, the Executive Agent shall brief*
10 *the congressional defense committees on the selection process*
11 *for counter unmanned aerial systems capabilities*
12 *prioritized under paragraph (1) of subsection (a) and the*
13 *plan prioritized under paragraph (2) of such subsection.*

14 *(e) OVERSIGHT.—The Executive Agent shall—*

15 *(1) oversee the program management and execu-*
16 *tion of all counter unmanned aerial systems being de-*
17 *veloped within the military departments on the day*
18 *before the date of the enactment of this Act; and*

19 *(2) ensure that the plan prioritized under sub-*
20 *section (a)(2) guides future programmatic and fund-*
21 *ing decisions for activities relating to counter un-*
22 *manned aerial systems, including cancellation of such*
23 *activities.*

1 **SEC. 182. JOINT ALL DOMAIN COMMAND AND CONTROL RE-**
2 **QUIREMENTS.**

3 (a) *PRODUCTION OF REQUIREMENTS BY JOINT RE-*
4 *QUIREMENTS OVERSIGHT COUNCIL.*—*Not later than Octo-*
5 *ber 1, 2020, the Joint Requirements and Oversight Council*
6 *(JROC) shall produce requirements for the Joint All Do-*
7 *main Command and Control (JADC2) program.*

8 (b) *AIR FORCE CERTIFICATION.*—*Immediately after*
9 *the certification of requirements produced under subsection*
10 *(a), the Chief of Staff of the Air Force shall submit to the*
11 *congressional defense committees a certification that the*
12 *current JADC2 effort, including programmatic and archi-*
13 *tecture efforts, being led by the Air Force will meet the re-*
14 *quirements laid out by the JROC.*

15 (c) *CERTIFICATION BY OTHER SERVICES.*—*Not later*
16 *than January 1, 2021, the chief of each other military serv-*
17 *ice shall submit to the congressional defense committees a*
18 *certification whether that service’s efforts on multi-domain*
19 *command and control are compatible with the Air Force-*
20 *led JADC2 architecture.*

21 (d) *BUDGETING.*—*The Secretary of Defense shall in-*
22 *corporate the expected costs for full development and imple-*
23 *mentation of the JADC2 program across the Department*
24 *in the President’s budget submission to Congress for fiscal*
25 *year 2022 under section 1105 of title 31, United States*
26 *Code.*

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

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

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

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal year 2021 for the use of the Department of Defense for*
9 *research, development, test, and evaluation, as specified in*
10 *the funding table in section 4201.*

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

13 **SEC. 211. DESIGNATION AND ACTIVITIES OF SENIOR OFFI-**
14 **CIALS FOR CRITICAL TECHNOLOGY AREAS**
15 **SUPPORTIVE OF THE NATIONAL DEFENSE**
16 **STRATEGY.**

17 *(a) DESIGNATION OF SENIOR OFFICIALS.—The Under*
18 *Secretary for Research and Engineering shall designate a*
19 *set of senior officials to coordinate research and engineering*
20 *in such technology areas as the Under Secretary considers*
21 *critical for the support of the National Defense Strategy.*

22 *(b) DUTIES.—The duties of the senior officials des-*
23 *ignated under subsection (a) shall include, within their re-*
24 *spective technology areas—*

1 (1) *developing and continuously updating re-*
2 *search and technology development roadmaps, associ-*
3 *ated funding strategies, and associated technology*
4 *transition strategies to ensure effective and efficient*
5 *development of new capabilities and operational use*
6 *of appropriate technologies;*

7 (2) *annual assessments of workforce, infrastruc-*
8 *ture, and industrial base capabilities and capacity to*
9 *support the roadmaps developed under paragraph (1)*
10 *and the goals of the National Defense Strategy;*

11 (3) *reviewing the relevant research and engineer-*
12 *ing budgets of appropriate organizations within the*
13 *Department of Defense, including the military serv-*
14 *ices, and advising the Under Secretary on—*

15 (A) *the consistency of the budgets with the*
16 *roadmaps developed under paragraph (1);*

17 (B) *any technical and programmatic risks*
18 *to achieving the research and technology develop-*
19 *ment goals of the National Defense Strategy; and*

20 (C) *projects and activities with unwanted*
21 *or inefficient duplication, including with other*
22 *government agencies and the commercial sector,*
23 *lack of appropriate coordination with relevant*
24 *organizations, or inappropriate alignment with*
25 *organizational missions and capabilities;*

1 (4) *coordinating research and engineering activi-*
2 *ties of the Department with appropriate inter-*
3 *national, interagency, and private sector organiza-*
4 *tions; and*

5 (5) *tasking the appropriate intelligence agencies*
6 *to develop a direct comparison between the capabili-*
7 *ties of the United States and the capabilities of adver-*
8 *saries of the United States.*

9 (c) *ANNUAL REPORTS.—*

10 (1) *IN GENERAL.—Not later than December 1,*
11 *2021, and not later than December 1 of each year*
12 *thereafter until December 1, 2025, the Under Sec-*
13 *retary shall submit to the congressional defense com-*
14 *mittees a report of successful examples of research and*
15 *engineering activities that have—*

16 (A) *achieved significant technical progress;*

17 (B) *transitioned to formal acquisition pro-*
18 *grams;*

19 (C) *transitioned into operational use; or*

20 (D) *transferred for further commercial de-*
21 *velopment or commercial sales.*

22 (2) *FORM.—Each report submitted under para-*
23 *graph (1) shall be submitted in a publicly releasable*
24 *format, but may include a classified annex.*

1 (d) *COORDINATION OF RESEARCH AND ENGINEERING*
2 *ACTIVITIES.*—*The Service Acquisition Executive for each*
3 *military services and the Director of the Defense Advanced*
4 *Research Projects Agency shall each identify senior officials*
5 *to ensure coordination of appropriate research and engi-*
6 *neering activities with each of the senior officials designated*
7 *under subsection (a).*

8 **SEC. 212. GOVERNANCE OF FIFTH-GENERATION WIRELESS**
9 **NETWORKING IN THE DEPARTMENT OF DE-**
10 **FENSE.**

11 (a) *IN GENERAL.*—*In carrying out the responsibilities*
12 *established in section 142 of title 10, United States Code,*
13 *the Chief Information Officer (CIO) of the Department of*
14 *Defense shall—*

15 (1) *lead the cross-functional team established*
16 *pursuant to subsection (c); and*

17 (2) *serve as the senior designated official for*
18 *fifth-generation wireless networking (commonly*
19 *known as “5G”) policy, oversight, guidance, research,*
20 *and coordination in the Department.*

21 (b) *RESPONSIBILITIES.*—*The Chief Information Offi-*
22 *cer shall have, with respect to authorities referenced in sub-*
23 *section (a), the following responsibilities:*

24 (1) *Proposing governance, management, and or-*
25 *ganizational policy for fifth-generation wireless net-*

1 *working to the Secretary of Defense, in consultation*
2 *with the heads of the constituent organizations of the*
3 *cross-functional team established pursuant to sub-*
4 *section (c).*

5 *(2) Leading the cross-functional team established*
6 *pursuant to subsection (c).*

7 *(c) CROSS-FUNCTIONAL TEAM FOR FIFTH-GENERATION*
8 *WIRELESS NETWORKING.—*

9 *(1) ESTABLISHMENT REQUIRED.—The Secretary*
10 *of Defense shall, in accordance with section 911(c) of*
11 *the National Defense Authorization Act for Fiscal*
12 *Year 2017 (Public Law 114–328; 10 U.S.C. 111*
13 *note), establish a cross-functional team for fifth-gen-*
14 *eration wireless networking in order—*

15 *(A) to advance the adoption of commer-*
16 *cially available next generation wireless commu-*
17 *nication technologies, capabilities, security, and*
18 *applications by the Department of Defense and*
19 *the defense industrial base; and*

20 *(B) to support public-private partnership*
21 *between the Department and industry regarding*
22 *fifth-generation wireless networking.*

23 *(2) PURPOSE.—The purpose of the cross-func-*
24 *tional team established pursuant to paragraph (1)*
25 *shall be the—*

1 (A) oversight of the implementation of the
2 strategy developed as required by section 254 of
3 the National Defense Authorization Act for Fis-
4 cal Year 2020 (Public Law 116–92) for har-
5 nassing fifth-generation wireless networking tech-
6 nologies, coordinated across all relevant elements
7 of the Department;

8 (B) coordination of research and develop-
9 ment, implementation and acquisition activities,
10 warfighting concept development, spectrum pol-
11 icy, industrial policy and commercial outreach
12 and partnership relating to fifth-generation
13 wireless networking in the Department, and
14 interagency and international engagement;

15 (C) integration of the Department’s fifth-
16 generation wireless networking programs and
17 policies with major Department initiatives, pro-
18 grams, and policies surrounding secure micro-
19 electronics and command and control; and

20 (D) oversight, coordination, execution, and
21 leadership of initiatives to advance fifth-genera-
22 tion wireless network technologies and associated
23 applications developed for the Department.

24 (d) *ROLES AND RESPONSIBILITIES.*—The Secretary of
25 Defense, through the cross-functional team established under

1 subsection (c), shall define the roles of the organizations
2 within the Office of the Secretary of Defense, Department
3 of Defense intelligence components, military services, de-
4 fense agencies and field activities, combatant commands,
5 and the Joint Staff, for fifth-generation wireless networking
6 policy and programs within the Department.

7 (e) BRIEFING.—Not later than March 15, 2021, the
8 Secretary shall submit to the congressional defense commit-
9 tees a briefing on the establishment of the cross-functional
10 team pursuant to subsection (c) and the roles and respon-
11 sibilities defined pursuant to subsection (d).

12 (f) RULE OF CONSTRUCTION.—

13 (1) IN GENERAL.—Nothing in this section shall
14 be construed as providing the Chief Information Offi-
15 cer immediate responsibility for the Department’s ac-
16 tivities in fifth-generation wireless networking experi-
17 mentation and science and technology development.

18 (2) PURVIEW OF EXPERIMENTATION AND
19 SCIENCE AND TECHNOLOGY DEVELOPMENT.—The ac-
20 tivities described in paragraph (1) shall remain with-
21 in the purview of the Under Secretary of Defense for
22 Research and Engineering, but shall inform and be
23 informed by the activities of the cross-functional team
24 established pursuant to subsection (c).

1 **SEC. 213. APPLICATION OF ARTIFICIAL INTELLIGENCE TO**
2 **THE DEFENSE REFORM PILLAR OF THE NA-**
3 **TIONAL DEFENSE STRATEGY.**

4 (a) *IDENTIFICATION OF USE CASES.*—The Secretary
5 of Defense, acting through such officers and employees of
6 the Department of Defense as the Secretary considers appro-
7 priate, including the chief data officers and chief manage-
8 ment officers of the military departments, shall identify a
9 set of no fewer than five use cases of the application of exist-
10 ing artificial intelligence enabled systems to support im-
11 proved management of enterprise acquisition, personnel,
12 audit, or financial management functions, or other appro-
13 priate management functions, that are consistent with re-
14 form efforts that support the National Defense Strategy.

15 (b) *PROTOTYPING ACTIVITIES ALIGNED TO USE*
16 *CASES.*—The Secretary, acting through the Under Sec-
17 retary of Defense for Research and Engineering and in co-
18 ordination with the Director of the Joint Artificial Intel-
19 ligence Center and such other officers and employees as the
20 Secretary considers appropriate, shall pilot technology de-
21 velopment and prototyping activities that leverage commer-
22 cially available technologies and systems to demonstrate
23 new artificial intelligence enabled capabilities to support
24 the use cases identified under subsection (a).

25 (c) *BRIEFING.*—Not later than October 1, 2021, the
26 Secretary shall provide to the congressional defense commit-

1 *tees a briefing summarizing the activities carried out under*
2 *this section.*

3 **SEC. 214. EXTENSION OF AUTHORITIES TO ENHANCE INNO-**
4 **VATION AT DEPARTMENT OF DEFENSE LAB-**
5 **ORATORIES.**

6 *(a) EXTENSION OF PILOT PROGRAM FOR THE EN-*
7 *HANCEMENT OF THE RESEARCH, DEVELOPMENT, TEST,*
8 *AND EVALUATION CENTERS OF THE DEPARTMENT OF DE-*
9 *FENSE.—Section 233(e) of the National Defense Authoriza-*
10 *tion Act for Fiscal Year 2017 (Public Law 114–328; 10*
11 *U.S.C. 2358 note) is amended by striking “September 30,*
12 *2022” and inserting “September 30, 2025”.*

13 *(b) EXTENSION OF PILOT PROGRAM TO IMPROVE IN-*
14 *CENTIVES FOR TECHNOLOGY TRANSFER FROM DEPART-*
15 *MENT OF DEFENSE LABORATORIES.—Subsection (e) of sec-*
16 *tion 233 of the National Defense Authorization Act for Fis-*
17 *cal Year 2018 (Public Law 115–91; 10 U.S.C. 2514 note)*
18 *is amended to read as follows:*

19 *“(e) SUNSET.—The pilot program under this section*
20 *shall terminate on September 30, 2025.”.*

21 **SEC. 215. UPDATES TO DEFENSE QUANTUM INFORMATION**
22 **SCIENCE AND TECHNOLOGY RESEARCH AND**
23 **DEVELOPMENT PROGRAM.**

24 *Section 234 of the John S. McCain National Defense*
25 *Authorization Act for Fiscal year 2019 (Public Law 115–*

1 232; 10 U.S.C. 2358 note), as amended by section 220 of
2 the National Defense Authorization Act for Fiscal Year
3 2020 (Public Law 116–92), is further amended—

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

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

8 “(e) *USE OF QUANTUM COMPUTING CAPABILITIES.*—
9 The Secretary of each military department shall—

10 “(1) develop and annually update a list of tech-
11 nical problems and research challenges which are like-
12 ly to be addressable by quantum computers available
13 for use within in the next one to three years, with a
14 priority for technical problems and challenges where
15 quantum computing systems have performance ad-
16 vantages over traditional computing systems, in order
17 to enhance the capabilities of such quantum com-
18 puters and support the addressing of relevant tech-
19 nical problems and research challenges; and

20 “(2) establish programs and enter into agree-
21 ments with appropriate medium and small businesses
22 with functional quantum computing capabilities to
23 provide such private sector capabilities to govern-
24 ment, industry, and academic researchers working on
25 relevant technical problems and research activities.”.

1 **SEC. 216. PROGRAM OF PART-TIME AND TERM EMPLOY-**
2 **MENT AT DEPARTMENT OF DEFENSE**
3 **SCIENCE AND TECHNOLOGY REINVENTION**
4 **LABORATORIES OF FACULTY AND STUDENTS**
5 **FROM INSTITUTIONS OF HIGHER EDUCATION.**

6 (a) *PROGRAM REQUIRED.*—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall establish a program to provide part-time
9 or term employment in Department of Defense science and
10 technology reinvention laboratories for—

11 (1) *faculty of institutions of higher education*
12 *who have expertise in science, technology, engineering,*
13 *or mathematics to conduct research projects in such*
14 *laboratories; and*

15 (2) *students at such institutions to assist such*
16 *faculty in conducting such research projects.*

17 (b) *NUMBER OF POSITIONS.*—

18 (1) *IN GENERAL.*—Not later than one year after
19 the date of the commencement of the program estab-
20 lished under subsection (a), the Secretary shall, under
21 such program, establish at least 10 positions of em-
22 ployment described in such subsection for faculty de-
23 scribed in paragraph (1) of such subsection.

24 (2) *ARTIFICIAL INTELLIGENCE AND MACHINE*
25 *LEARNING.*—Of the positions established under para-
26 graph (1), at least five of such positions shall be for

1 *faculty conducting research in the area of artificial*
2 *intelligence and machine learning.*

3 *(c) SELECTION.—The Secretary, acting through the di-*
4 *rectors of the laboratories described in subsection (a), shall*
5 *select faculty described in paragraph (1) of such subsection*
6 *for participation in the program established under such*
7 *subsection on the basis of—*

8 *(1) the academic credentials and research experi-*
9 *ence of the faculty;*

10 *(2) the potential contribution to Department ob-*
11 *jectives by the research that will be conducted by the*
12 *faculty under the program; and*

13 *(3) the qualifications of any students who will be*
14 *assisting the faculty in such research and the role and*
15 *credentials of such students.*

16 *(d) AUTHORITIES.—In carrying out the program es-*
17 *tablished under subsection (a), the Secretary and the direc-*
18 *tors of the laboratories described in such subsection may—*

19 *(1) use any hiring authority available to the*
20 *Secretary or the directors, including any authority*
21 *available under a laboratory demonstration program,*
22 *direct hiring authority under section 1599h of title*
23 *10, United States Code, and expert hiring authority*
24 *under section 3109 of title 5, United States Code;*

1 (2) *utilize cooperative research and development*
2 *agreements under section 12 of the Stevenson-Wydler*
3 *Technology Innovation Act of 1980 (15 U.S.C. 3710a)*
4 *to enable sharing of research and expertise with insti-*
5 *tutions of higher education and the private sector;*
6 *and*

7 (3) *provide referral bonuses to program partici-*
8 *pants who identify students to assist in a research*
9 *project under the program or to participate in labora-*
10 *tory internship programs and the Pathways Intern-*
11 *ship Program.*

12 (e) *ANNUAL REPORTS.—*

13 (1) *IN GENERAL.—Not later than one year after*
14 *the date of the enactment of this Act and not less fre-*
15 *quently than once each year thereafter until the date*
16 *that is three years after the date of the enactment of*
17 *this Act, the Secretary shall submit to Congress a re-*
18 *port on the program established under subsection (a).*

19 (2) *CONTENTS OF FIRST REPORT.—The first re-*
20 *port submitted under paragraph (1) shall address, at*
21 *a minimum, the following:*

22 (A) *The number of faculty and students em-*
23 *ployed under the program.*

24 (B) *The laboratories employing such faculty*
25 *and students.*

1 (C) *The types of research conducted or to be*
 2 *conducted by such faculty or students.*

3 (3) *CONTENTS OF SUBSEQUENT REPORTS.—Each*
 4 *report submitted under paragraph (1) after the first*
 5 *report shall address, at a minimum, the following:*

6 (A) *The matters set forth in subparagraphs*
 7 (A) *through (C) of paragraph (2).*

8 (B) *The number of interns and recent col-*
 9 *lege graduates hired pursuant to referrals under*
 10 *subsection (d)(3).*

11 (C) *The results of research conducted under*
 12 *the program.*

13 (f) *DEPARTMENT OF DEFENSE SCIENCE AND TECH-*
 14 *NOLOGY REINVENTION LABORATORY DEFINED.—In this*
 15 *section, the term “Department of Defense science and tech-*
 16 *nology reinvention laboratory” means the entities des-*
 17 *ignated by section 1105(a) of the National Defense Author-*
 18 *ization Act for Fiscal Year 2010 (Public Law 111–84; 10*
 19 *U.S.C. 2358 note).*

20 **SEC. 217. IMPROVEMENTS TO TECHNOLOGY AND NATIONAL**
 21 **SECURITY FELLOWSHIP OF DEPARTMENT OF**
 22 **DEFENSE.**

23 (a) *MODIFICATION REGARDING BASIC PAY.—Sub-*
 24 *section (a)(4)(A) of section 235 of the National Defense Au-*

1 *thorization Act for Fiscal Year 2020 (Public Law 116–92)*

2 *is amended—*

3 (1) *by striking “equivalent to” and inserting*
4 *“not less than”; and*

5 (2) *by inserting “and not more than the rate of*
6 *basic pay payable for a position at level 15 of such*
7 *schedule” before the semicolon.*

8 (b) *BACKGROUND CHECKS.—Subsection (b) of such*
9 *section is amended by adding at the end the following new*
10 *paragraph:*

11 “(3) *BACKGROUND CHECK REQUIREMENT.—No*
12 *individual may participate in the fellows program*
13 *without first undergoing a background check that the*
14 *Secretary considers appropriate for participation in*
15 *the fellows program.”.*

16 **SEC. 218. DEPARTMENT OF DEFENSE RESEARCH, DEVELOP-**
17 **MENT, AND DEPLOYMENT OF TECHNOLOGY**
18 **TO SUPPORT WATER SUSTAINMENT.**

19 (a) *IN GENERAL.—The Secretary of Defense shall re-*
20 *search, develop, and deploy advanced technologies that sup-*
21 *port water sustainment with technologies that capture am-*
22 *bient humidity and harvest, recycle, and reuse water.*

23 (b) *GOAL.—Under subsection (a), the Secretary shall*
24 *seek to develop water systems that reduce weight and logis-*

1 *tics support and transition such advanced technologies for*
2 *use by expeditionary forces by January 1, 2025.*

3 *(c) MODULAR PLATFORMS.—In carrying out sub-*
4 *section (a), the Secretary shall develop the following:*

5 *(1) Modular platforms that are easily transport-*
6 *able.*

7 *(2) Trailer mounted systems that will reduce re-*
8 *supply.*

9 *(3) Storage requirements at forward operating*
10 *bases.*

11 *(d) PARTNERSHIPS AND EXISTING TECHNIQUES AND*
12 *TECHNOLOGIES.—In carrying out subsection (a), the Sec-*
13 *retary shall seek—*

14 *(1) to enter into partnerships with foreign mili-*
15 *taries and organizations that have proven they have*
16 *the ability to operate in water constrained areas;*

17 *(2) to leverage existing techniques and tech-*
18 *nologies; and*

19 *(3) to apply such techniques and technologies to*
20 *military operations carried out by the United States.*

21 *(e) COMMERCIAL OFF-THE-SHELF TECHNOLOGIES.—*
22 *In carrying out subsection (a), in addition to technology*
23 *described in such subsection, the Secretary shall consider*
24 *using commercial off-the-shelf technologies for cost savings*

1 *and near ready deployment technologies to enable*
 2 *warfighters to be more self-sufficient.*

3 (f) *CROSS FUNCTIONAL TEAMS.*—*In carrying out sub-*
 4 *section (a), the Secretary shall establish cross functional*
 5 *teams to determine regions where deployment of water har-*
 6 *vesting technologies could reduce conflict and potentially*
 7 *eliminate the need for the presence of the Armed Forces.*

8 **SEC. 219. DEVELOPMENT AND TESTING OF HYPERSONIC CA-**
 9 **PABILITIES.**

10 (a) *SENSE OF CONGRESS ON HYPERSONIC CAPABILI-*
 11 *TIES.*—*It is the sense of Congress that development of*
 12 *hypersonic capabilities is a key element of the National De-*
 13 *fense Strategy.*

14 (b) *IMPROVING GROUND-BASED TEST FACILITIES.*—
 15 *The Secretary of Defense shall take such actions as may*
 16 *be necessary to improve ground-based test facilities for the*
 17 *development of hypersonic capabilities, such as improving*
 18 *wind tunnels.*

19 (c) *INCREASING FLIGHT TEST RATE.*—*The Secretary*
 20 *shall increase the flight test rate to expedite the maturation*
 21 *and fielding of hypersonic technologies.*

22 (d) *STRATEGY AND PLAN.*—

23 (1) *IN GENERAL.*—*Not later than December 30,*
 24 *2020, the Under Secretary of Defense for Research*
 25 *and Engineering, in consultation with the Chief of*

1 *Staff of the Air Force, shall submit to the congres-*
2 *sional defense committees an executable strategy and*
3 *plan to field air-launched and air-breathing*
4 *hypersonic weapons capability before the date that is*
5 *three years after the date of the enactment of this Act.*

6 (2) *TESTING AND INFRASTRUCTURE.—The strat-*
7 *egy and plan submitted under paragraph (1) shall*
8 *cover required investments in testing and infrastruc-*
9 *ture to address the need for both flight and ground*
10 *testing.*

11 **SEC. 220. DISCLOSURE REQUIREMENTS FOR RECIPIENTS**
12 **OF DEPARTMENT OF DEFENSE RESEARCH**
13 **AND DEVELOPMENT GRANTS.**

14 (a) *DISCLOSURE REQUIREMENTS.—*

15 (1) *IN GENERAL.—Chapter 139 of title 10,*
16 *United States Code, is amended by adding at the end*
17 *the following new section:*

18 **“§2374b. Disclosure requirements for recipients of re-**
19 **search and development grants**

20 *“An individual or entity (including a State or local*
21 *government) that receives Department of Defense grant*
22 *funds for research and development shall clearly state in*
23 *any statement, press release, or other document describing*
24 *the program, project, or activity funded through such grant*
25 *funds, other than a communication containing not more*

1 *than 280 characters, the dollar amount of Department*
 2 *grant funds made available for the program, project, or ac-*
 3 *tivity.”.*

4 (2) *CLERICAL AMENDMENT.—The table of sec-*
 5 *tions at the beginning of chapter 139 of such title is*
 6 *amended by adding at the end the following new item:*

“2374b. Disclosure requirements for recipients of research and development grants.”.

7 (b) *EFFECTIVE DATE.—The amendments made by sub-*
 8 *section (a) shall take effect on October 1, 2021, and shall*
 9 *apply with respect to grants for research and development*
 10 *that are awarded by the Department of Defense on or after*
 11 *that date.*

12 ***Subtitle C—Plans, Reports, and*** 13 ***Other Matters***

14 ***SEC. 231. ASSESSMENT ON UNITED STATES NATIONAL SE-***
 15 ***CURITY EMERGING BIOTECHNOLOGY EF-***
 16 ***FORTS AND CAPABILITIES AND COMPARISON***
 17 ***WITH ADVERSARIES.***

18 (a) *ASSESSMENT AND COMPARISON REQUIRED.—*

19 (1) *IN GENERAL.—The Secretary of Defense, act-*
 20 *ing through the Under Secretary of Defense for Re-*
 21 *search and Engineering and the Under Secretary of*
 22 *Defense for Intelligence, shall conduct an assessment*
 23 *and direct comparison of capabilities in emerging*
 24 *biotechnologies for national security purposes, includ-*

1 *ing applications in material, manufacturing, and*
2 *health, between the capabilities of the United States*
3 *and the capabilities of adversaries of the United*
4 *States.*

5 (2) *ELEMENTS.*—*The assessment and compari-*
6 *son carried out under paragraph (1) shall include the*
7 *following:*

8 (A) *An evaluation of the quantity, quality,*
9 *and progress of United States fundamental and*
10 *applied research for emerging biotechnology ini-*
11 *tiatives for national security purposes.*

12 (B) *An assessment of the resourcing of*
13 *United States efforts to harness emerging bio-*
14 *technology capabilities for national security pur-*
15 *poses, including the supporting facilities, test in-*
16 *frastructure, and workforce.*

17 (C) *An intelligence assessment of adversary*
18 *emerging biotechnology capabilities and research*
19 *as well as an assessment of adversary intent and*
20 *willingness to use emerging biotechnologies for*
21 *national security purposes.*

22 (D) *An assessment of the analytic and oper-*
23 *ational subject matter expertise necessary to as-*
24 *sess rapidly-evolving foreign military develop-*

1 *ments in biotechnology, and the current state of*
2 *the workforce in the intelligence community*

3 *(E) Recommendations to improve and accel-*
4 *erate United States capabilities in emerging bio-*
5 *technologies and the associated intelligence com-*
6 *munity expertise.*

7 *(F) Such other matters as the Secretary*
8 *considers appropriate.*

9 *(b) REPORT.—*

10 *(1) IN GENERAL.—Not later than February 1,*
11 *2021, the Secretary shall submit to the congressional*
12 *defense committees a report on the assessment carried*
13 *out under subsection (a).*

14 *(2) FORM.—The report submitted under para-*
15 *graph (1) shall be submitted in the following for-*
16 *mats—*

17 *(A) unclassified form, which may include a*
18 *classified annex; and*

19 *(B) publically releasable form, representing*
20 *appropriate information from the report under*
21 *subparagraph (A).*

22 *(c) DEFINITION OF INTELLIGENCE COMMUNITY.—In*
23 *this subsection, the term “intelligence community” has the*
24 *meaning given such term in section 3 of the National Secu-*
25 *rity Act of 1947 (50 U.S.C. 3003).*

1 **SEC. 232. INDEPENDENT COMPARATIVE ANALYSIS OF EF-**
2 **FORTS BY CHINA AND THE UNITED STATES**
3 **TO RECRUIT AND RETAIN RESEARCHERS IN**
4 **NATIONAL SECURITY-RELATED FIELDS.**

5 (a) *AGREEMENT.*—

6 (1) *IN GENERAL.*—*The Secretary of Defense shall*
7 *seek to enter into an agreement with the National*
8 *Academies of Sciences, Engineering, and Medicine for*
9 *the National Academies of Sciences, Engineering, and*
10 *Medicine to perform the services covered by this sec-*
11 *tion.*

12 (2) *TIMING.*—*The Secretary shall seek to enter*
13 *into the agreement described in paragraph (1) not*
14 *later than 60 days after the date of the enactment of*
15 *this Act.*

16 (b) *REVIEW.*—

17 (1) *IN GENERAL.*—*Under an agreement between*
18 *the Secretary and the National Academies of Sciences,*
19 *Engineering, and Medicine under this section, the Na-*
20 *tional Academies of Sciences, Engineering, and Medi-*
21 *cine shall carry out a comparative analysis of efforts*
22 *by China and the United States Government to re-*
23 *cruit and retain domestic and foreign researchers and*
24 *develop recommendations for the Department of De-*
25 *fense.*

1 (2) *ELEMENTS.*—*The comparative analysis car-*
2 *ried out under paragraph (1) and the recommenda-*
3 *tions developed under such paragraph shall include*
4 *the following:*

5 (A) *A list of the “talent programs” used by*
6 *China and a list of the incentive programs used*
7 *by the United States to recruit and retain rel-*
8 *evant researchers.*

9 (B) *The types of researchers, scientists,*
10 *other technical experts, and fields targeted by*
11 *each talent program listed under subparagraph*
12 *(A).*

13 (C) *The number of researchers in academia,*
14 *the Department of Defense Science and Tech-*
15 *nology Reinvention Laboratories, and national*
16 *security science and engineering programs of the*
17 *National Nuclear Security Administration tar-*
18 *geted by the talent programs listed under sub-*
19 *paragraph (A).*

20 (D) *The number of personnel currently par-*
21 *ticipating in the talent programs listed under*
22 *subparagraph (A) and the number of researchers*
23 *currently participating in the incentive pro-*
24 *grams listed under such subparagraph.*

1 (E) *The incentives offered by each of the tal-*
2 *ent programs listed under subparagraph (A) and*
3 *a description of the incentives offered through in-*
4 *centive programs under such subparagraph to re-*
5 *cruit and retain researchers, scientists, and other*
6 *technical experts.*

7 (F) *A characterization of the national secu-*
8 *rity, economic, and scientific benefits China*
9 *gains through the talent programs listed under*
10 *subparagraph (A) and a description of similar*
11 *gains accrued to the United States through in-*
12 *centive programs listed under such subpara-*
13 *graph.*

14 (G) *A list of findings and recommendations*
15 *relating to policies that can be implemented by*
16 *the United States, especially the Department of*
17 *Defense, to improve the relative effectiveness of*
18 *United States activities to recruit and retain re-*
19 *searchers, scientists, and other technical experts*
20 *relative to China.*

21 (c) *REPORT.—*

22 (1) *IN GENERAL.—Not later than one year after*
23 *the date of the execution of an agreement under sub-*
24 *section (a), the National Academies of Sciences, Engi-*
25 *neering, and Medicine shall submit to the congres-*

1 sional defense committees a report on the findings Na-
2 tional Academies of Sciences, Engineering, and Medi-
3 cine with respect to the review carried out under this
4 section and the recommendations developed under this
5 section.

6 (2) *FORM.*—The report submitted under para-
7 graph (1) shall be submitted in a publicly releasable
8 and unclassified formats, but may include a classified
9 annex.

10 **SEC. 233. DEPARTMENT OF DEFENSE DEMONSTRATION OF**
11 **VIRTUALIZED RADIO ACCESS NETWORK AND**
12 **MASSIVE MULTIPLE INPUT MULTIPLE OUT-**
13 **PUT RADIO ARRAYS FOR FIFTH GENERATION**
14 **WIRELESS NETWORKING.**

15 (a) *DEMONSTRATION REQUIRED.*—The Secretary of
16 Defense shall carry out a demonstration to demonstrate the
17 maturity, performance, and cost of covered technologies in
18 order to provide additional options for providers of fifth-
19 generation (5G) wireless networking services.

20 (b) *COVERED TECHNOLOGIES.*—For purposes of this
21 section, a covered technology is—

22 (1) a disaggregated or virtualized radio access
23 network and core where components can be provided
24 by different vendors and interoperate through open
25 protocols and interfaces; and

1 *later than 30 days after the date of the enactment of*
2 *this Act.*

3 **(b) INDEPENDENT TECHNICAL REVIEW.—**

4 **(1) IN GENERAL.—***Under an agreement between*
5 *the Secretary and the National Academies of Sciences,*
6 *Engineering, and Medicine under subsection (a), the*
7 *National Academies of Sciences, Engineering, and*
8 *Medicine shall carry out an independent technical re-*
9 *view of the Order and Authorization adopted by the*
10 *Federal Communications Commission on April 19,*
11 *2020 (FCC 20–48), to the extent that such order and*
12 *authorization affects the devices, operations, or activi-*
13 *ties of the Department of Defense.*

14 **(2) ELEMENTS.—***The independent technical re-*
15 *view carried out under paragraph (1) shall include*
16 *the following:*

17 **(A)** *Comparison of the two different ap-*
18 *proaches on which the Commission relied for the*
19 *order and authorized described in paragraph (1)*
20 *to evaluate the potential harmful interference*
21 *concerns relating to Global Positioning System*
22 *devices, with a recommendation on which method*
23 *most effectively mitigates risks of harmful inter-*
24 *ference with Global Positioning System devices of*
25 *the Department, or relating to or with the poten-*

1 *tial to affect the operations and activities of the*
2 *Department.*

3 *(B) Assessment of the potential for harmful*
4 *interference to mobile satellite services, including*
5 *commercial services and Global Positioning Sys-*
6 *tem services of the Department, or relating to or*
7 *with the potential to affect the operations and*
8 *activities of the Department.*

9 *(C) Review of the feasibility, practicality,*
10 *and effectiveness of the proposed mitigation*
11 *measures relating to, or with the potential to af-*
12 *fect, the devices, operations, or activities of the*
13 *Department.*

14 *(D) Development of recommendations asso-*
15 *ciated with the findings of the National Acad-*
16 *emies of Sciences, Engineering, and Medicine in*
17 *carrying out the independent technical review.*

18 *(E) Such other matters as the National*
19 *Academies of Sciences, Engineering, and Medi-*
20 *cine determines relevant.*

21 *(c) REPORT.—*

22 *(1) IN GENERAL.—Under an agreement between*
23 *the Secretary and the National Academies of Sciences,*
24 *Engineering, and Medicine under subsection (a), the*
25 *National Academies of Sciences, Engineering, and*

1 (2) *Cost and schedule estimates for each new or*
2 *ongoing program to reach initial operational capa-*
3 *bility, including the timeline for transition of any*
4 *program currently funded using defense-wide funds to*
5 *one or more military services and the identified tran-*
6 *sition partner in such military services.*

7 (3) *In consultation with the Assistant Secretary*
8 *of Defense for Nuclear, Chemical, and Biological De-*
9 *fense programs, an assessment of physical security re-*
10 *quirements for use of such reactors on domestic mili-*
11 *tary installations and non-United States nondomestic*
12 *installations or locations, including fully permissive,*
13 *semi-permissive, and remote environments, including*
14 *a preliminary design basis threat analysis.*

15 (4) *In coordination with the Secretary of*
16 *State—*

17 (A) *an assessment of any agreements or*
18 *changes to agreements that would be required for*
19 *use of such reactors on non-United States terri-*
20 *tory;*

21 (B) *an assessment of applicability of foreign*
22 *regulations or International Atomic Energy*
23 *Agency safeguards for use on non-United States*
24 *territory; and*

1 (C) other policy implications of deployment
2 of such systems on non-United States territory.

3 (5) In coordination with the Chairman of the
4 Nuclear Regulatory Commission, a summary of li-
5 censing requirements for operation of such systems on
6 United States territory.

7 (6) A summary of requirements pursuant to the
8 National Environmental Policy Act of 1969 (42
9 U.S.C. 4321 et seq.) for development and operation on
10 United States territory.

11 (7) In consultation with the General Counsel of
12 the Department of Defense, an assessment of any
13 issues relating to indemnification for operation on
14 United States or non-United States territory and any
15 other relevant legal matters.

16 (8) In coordination with the Secretary of State
17 and the Secretary of Energy, a determination of
18 whether development, production, and deployment of
19 such systems would require unobligated enriched ura-
20 nium fuel.

21 (9) If the determination in paragraph (8) is that
22 unobligated fuel would be required, in coordination
23 with the Administrator for Nuclear Security, an as-
24 sessment of the availability of such unobligated en-
25 riched uranium fuel, by year, for the estimated life of

1 *the program, considered with other United States*
2 *Government demands for such fuel, including tritium*
3 *production, naval nuclear propulsion, and medical*
4 *isotope production.*

5 *(10) Any other considerations the Secretary de-*
6 *termines relevant.*

7 *(c) CONSULTATION.—In addition to consultation and*
8 *coordination required under subsection (b), the Secretary*
9 *shall, in producing the report required by subsection (a),*
10 *consult with the Secretary of the Army, the Chairman of*
11 *the Joint Chiefs of Staff, the Under Secretary of Defense*
12 *for Policy, the Director of Naval Nuclear Propulsion, and*
13 *such other officials as the Secretary considers necessary.*

14 *(d) FORM.—The report submitted under subsection (a)*
15 *shall be submitted in unclassified form, but may include*
16 *a classified annex.*

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

18 *(1) The term “appropriate congressional com-*
19 *mittees” means—*

20 *(A) the Committee on Armed Services, the*
21 *Committee on Appropriations, the Committee on*
22 *Energy and Natural Resources, the Committee*
23 *on Environment and Public Works, and the*
24 *Committee on Foreign Relations of the Senate;*
25 *and*

1 (B) the Committee on Armed Services, the
2 Committee on Appropriations, the Committee on
3 Energy and Commerce, the Committee on Nat-
4 ural Resources, and the Committee on Foreign
5 Affairs of the House of Representatives.

6 (2) The term “micro nuclear reactor” means a
7 nuclear reactor with a production capacity of less
8 than 20 megawatts.

9 **SEC. 236. MODIFICATION TO TEST RESOURCE MANAGE-**
10 **MENT CENTER STRATEGIC PLAN REPORTING**
11 **CYCLE AND CONTENTS.**

12 (a) *QUADRENNIAL STRATEGIC PLAN*.—Section 196 of
13 title 10, United States Code, is amended—

14 (1) in subsections (c)(1)(C) and (e)(2)(B), by in-
15 serting “quadrennial” before “strategic plan”; and

16 (2) in subsection (d)—

17 (A) in the heading, by inserting “QUADREN-
18 NIAL” before “STRATEGIC PLAN”; and

19 (B) by inserting “quadrennial” before
20 “strategic plan” each place it occurs.

21 (b) *TIMING AND COVERAGE OF PLAN*.—Subsection
22 (d)(1) of such section, as amended by subsection (a)(2), is
23 further amended—

24 (1) in the first sentence, by striking “two fiscal
25 years” and inserting “four fiscal years, and within

1 *one year after release of the National Defense Strat-*
2 *egy,” ; and*

3 *(2) in the second sentence, by striking “thirty*
4 *fiscal years” and inserting “15 fiscal years”.*

5 *(c) AMENDMENT TO CONTENTS OF PLAN.—Subsection*
6 *(d)(2) of such section, as amended by subsection (a)(2), is*
7 *further amended—*

8 *(1) by striking subparagraph (B);*

9 *(2) by redesignating subparagraphs (C) through*
10 *(G) as subparagraphs (B) through (F), respectively;*
11 *and*

12 *(3) in subparagraph (B), as redesignated by*
13 *paragraph (2), by striking “based on current” and all*
14 *that follows through the end and inserting “for test*
15 *and evaluation of the Department of Defense major*
16 *weapon systems based on current and emerging*
17 *threats.”.*

18 *(d) ANNUAL UPDATE TO PLAN.—Subsection (d) of*
19 *such section is amended by adding at the end the following*
20 *new paragraph:*

21 *“(5)(A) In addition to the quadrennial strategic plan*
22 *completed under paragraph (1), the Director of the Depart-*
23 *ment of Defense Test Resource Management Center shall*
24 *also complete an annual update to the quadrennial strategic*
25 *plan.*

1 “(B) *Each annual update completed under subpara-*
 2 *graph (A) shall include the following:*

3 “(i) *A summary of changes to the assessment*
 4 *provided in the most recent quadrennial strategic*
 5 *plan.*

6 “(ii) *Comments and recommendations the Direc-*
 7 *tor considers appropriate.*

8 “(iii) *Test and evaluation challenges raised since*
 9 *the completion of the most recent quadrennial stra-*
 10 *tegic plan.*

11 “(iv) *Actions taken or planned to address such*
 12 *challenges.*”.

13 (e) *TECHNICAL CORRECTION.—Subsection (d)(1) of*
 14 *such, as amended by subsections (a)(2) and (b), is further*
 15 *amended by striking “Test Resources Management Center”*
 16 *and inserting “Test Resource Management Center”.*

17 **SEC. 237. LIMITATION ON CONTRACT AWARDS FOR CER-**
 18 **TAIN UNMANNED VESSELS.**

19 (a) *LIMITATION.—None of the funds authorized to be*
 20 *appropriated for fiscal year 2021 by section 201 for re-*
 21 *search, development, test, and evaluation may be used for*
 22 *the award of a contract for a covered vessel until the date*
 23 *that is 30 days after the date on which the Under Secretary*
 24 *of Defense for Research and Engineering submits to the con-*
 25 *gressional defense committees a report and certification de-*

1 *scribed in subsection (c) for such contract and covered ves-*
2 *sel.*

3 (b) *COVERED VESSELS.—For purposes of this section,*
4 *a covered vessel is one of the following:*

5 (1) *A large unmanned surface vessel (LUSV).*

6 (2) *A medium unmanned surface vehicle*
7 *(MUSV).*

8 (3) *A large displacement unmanned undersea ve-*
9 *hicle (LDUUV).*

10 (4) *An extra-large unmanned undersea vehicle*
11 *(XLUUV).*

12 (c) *REPORT AND CERTIFICATION DESCRIBED.—A re-*
13 *port and certification described in this subsection regarding*
14 *a contract for a covered vessel is—*

15 (1) *a report—*

16 (A) *submitted to the congressional defense*
17 *committees not later than 60 days after the date*
18 *of the completion of an independent technical*
19 *risk assessment for such covered vessel; and*

20 (B) *on the findings of the Under Secretary*
21 *with respect to such assessment; and*

22 (2) *a certification, submitted to the congressional*
23 *defense committees with the report described in para-*
24 *graph (1), that certifies that—*

1 (A) the Under Secretary has determined, in
2 conjunction with the Senior Technical Authority
3 designated under section 8669b(a)(1) of title 10,
4 United States Code, for the class of naval vessels
5 that includes the covered vessel, that the critical
6 mission, hull, mechanical, and electrical sub-
7 systems of the covered vessel—

8 (i) have been demonstrated in vessel-
9 representative form, fit, and function; and

10 (ii) have achieved performance levels
11 equal to or greater than applicable Depart-
12 ment of Defense threshold requirements for
13 such class of vessels; and

14 (B) such contract is necessary to meet De-
15 partment research, development, test, and eval-
16 uation objectives for such covered vessel that can-
17 not otherwise be met through further land-based
18 subsystem prototyping or other demonstration
19 approaches.

20 (d) *CRITICAL MISSION, HULL, MECHANICAL, AND*
21 *ELECTRICAL SUBSYSTEMS DEFINED.*—In this section, the
22 term “critical mission, hull, mechanical, and electrical sub-
23 systems”, with respect to a covered vessel, includes the fol-
24 lowing subsystems:

1 (1) *A list that identifies each program, project,*
2 *and activity that contributes to the architecture of the*
3 *Advanced Battle Management System.*

4 (2) *The final analysis of alternatives for the Ad-*
5 *vanced Battle Management System.*

6 (3) *The requirements for the networked data ar-*
7 *chitecture necessary for the Advanced Battle Manage-*
8 *ment System to provide multidomain command and*
9 *control and battle management capabilities and a de-*
10 *velopment schedule for such architecture.*

11 (b) *LIMITATION.—Of the funds authorized to be appro-*
12 *priated by this Act for fiscal year 2021 for operations and*
13 *maintenance for the Office of the Secretary of the Air Force,*
14 *not more than 25 percent may be obligated until the date*
15 *that is 30 days after the date on which the Secretary of*
16 *the Air Force submits to the congressional defense commit-*
17 *tees the documentation required by subsection (a) and the*
18 *Vice Chairman of the Vice Chairman of the Joint Chiefs*
19 *certifies the documentation.*

20 (c) *ADVANCED BATTLE MANAGEMENT SYSTEM.—In*
21 *this section, the term “Advanced Battle Management Sys-*
22 *tem” means the Advanced Battle Management System of*
23 *Systems capability of the Air Force, including each pro-*
24 *gram, project, and activity that contributes to such capa-*
25 *bility.*

1 **SEC. 239. ARMED SERVICES VOCATIONAL APTITUDE BAT-**
2 **TERY TEST SPECIAL PURPOSE ADJUNCT TO**
3 **ADDRESS COMPUTATIONAL THINKING.**

4 *Not later than one year after the date of the enactment*
5 *of this Act, the Secretary of Defense shall establish a special*
6 *purpose test adjunct to the Armed Services Vocational Apti-*
7 *tude Battery test to address computational thinking skills*
8 *relevant to military applications, including problem decom-*
9 *position, abstraction, pattern recognition, analytical abil-*
10 *ity, the identification of variables involved in data rep-*
11 *resentation, and the ability to create algorithms and solu-*
12 *tion expressions.*

13 **SEC. 240. REPORT ON USE OF TESTING FACILITIES TO RE-**
14 **SEARCH AND DEVELOP HYPERSONIC TECH-**
15 **NOLOGY.**

16 *Not later than 180 days after the date of the enactment*
17 *of this Act, the Secretary of Defense shall submit to the con-*
18 *gressional defense committees a report on the costs and ben-*
19 *efits of the use and potential refurbishment of existing oper-*
20 *ating and mothballed Federal research and testing facilities*
21 *to support hypersonics activities of the Department of De-*
22 *fense.*

1 **SEC. 241. STUDY AND PLAN ON THE USE OF ADDITIVE MAN-**
2 **UFACTURING AND THREE-DIMENSIONAL BIO-**
3 **PRINTING IN SUPPORT OF THE WARFIGHTER.**

4 (a) *STUDY.*—*The Secretary of Defense shall conduct a*
5 *study on the use of additive manufacturing and three-di-*
6 *mensional bioprinting across the Military Health System.*

7 (b) *ELEMENTS.*—*The study required by subsection (a)*
8 *shall examine the activities currently underway by each of*
9 *the military services and the Department agencies, includ-*
10 *ing costs, sources of funding, oversight, collaboration, and*
11 *outcomes.*

12 (c) *REPORT.*—*Not later than 180 days after the date*
13 *of the enactment of this Act, the Secretary of Defense shall*
14 *submit to the Committee on Armed Services of the Senate*
15 *and the Committee on Armed Services of the House of Rep-*
16 *resentatives a report on the results of the study conducted*
17 *under subsection (a).*

18 **SEC. 242. ELEMENT IN ANNUAL REPORTS ON CYBER**
19 **SCIENCE AND TECHNOLOGY ACTIVITIES ON**
20 **WORK WITH ACADEMIC CONSORTIA ON HIGH**
21 **PRIORITY CYBERSECURITY RESEARCH AC-**
22 **TIVITIES IN DEPARTMENT OF DEFENSE CAPA-**
23 **BILITIES.**

24 *Section 257(b)(2) of the National Defense Authoriza-*
25 *tion Act for Fiscal Year 2020 (Public Law 116–92; 133 Sta.*

1 1291) is amended by adding at end the following new sub-
 2 paragraph:

3 “(J) Efforts to work with academic con-
 4 sortia on high priority cybersecurity research ac-
 5 tivities.”.

6 **TITLE III—OPERATION AND**
 7 **MAINTENANCE**
 8 **Subtitle A—Authorization of**
 9 **Appropriations**

10 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

11 *Funds are hereby authorized to be appropriated for fis-*
 12 *cal year 2021 for the use of the Armed Forces and other*
 13 *activities and agencies of the Department of Defense for ex-*
 14 *penses, not otherwise provided for, for operation and main-*
 15 *tenance, as specified in the funding table in section 4301.*

16 **Subtitle B—Energy and**
 17 **Environment**

18 **SEC. 311. MODIFICATIONS AND TECHNICAL CORRECTIONS**
 19 **TO ENSURE RESTORATION OF CONTAMINA-**
 20 **TION BY PERFLUOROCTANE SULFONATE**
 21 **AND PERFLUOROCTANOIC ACID.**

22 *(a) DEFINITION FOR PFOA AND PFOS.—Section 2700*
 23 *of title 10, United States Code, is amended by adding at*
 24 *the end the following new paragraphs:*

1 “(4) The term ‘perfluorooctane sulfonate’ means
2 perfluorooctane sulfonic acid or sulfonate (commonly
3 referred to as ‘PFOS’) (Chemical Abstracts Service
4 No. 1763-23-1) and the salts associated with
5 perfluorooctane sulfonic acid or sulfonate (Chemical
6 Abstracts Service Nos. 2795-39-3, 29457-72-5,
7 56773-42-3, 29081-56-9, and 70225-14-8).

8 “(5) The term ‘perfluorooctanoic acid’ means
9 perfluorooctanoic acid (commonly referred to as
10 ‘PFOA’) (Chemical Abstracts Service No. 335-67-1)
11 and the salts associated with perfluorooctanoic acid
12 (Chemical Abstracts Service Nos. 3825-26-1, 335-95-
13 5, and 68141-02-6).”.

14 (b) *MODIFICATION OF ENVIRONMENTAL RESTORATION*
15 *ACCOUNTS.*—Section 2703 of such title is amended—

16 (1) in subsection (e)(2), by striking “environ-
17 mental”;

18 (2) in subsection (f), by striking “to the Envi-
19 ronmental Restoration Account, Defense, or to any
20 environmental restoration account of a military de-
21 partment,” and inserting “or transferred to an ac-
22 count established under subsection (a)”;

23 (3) by striking subsection (g) and inserting the
24 following:

1 “(g) *SOLE SOURCE OF FUNDS FOR RESPONSES*
 2 *UNDER THIS CHAPTER.—Except as provided in subsection*
 3 *(h), the sole source of funds for all phases of a response*
 4 *under this chapter shall be the applicable environmental*
 5 *restoration account established under subsection (a).”; and*

6 (4) *in subsection (h)—*

7 (A) *in the subsection heading, by striking*
 8 “*ENVIRONMENTAL REMEDIATION*” *and inserting*
 9 “*RESPONSES*”; *and*

10 (B) *by striking “services procured under*
 11 *section 2701(d)(1) of this title” and inserting “a*
 12 *response”.*

13 (c) *MODIFICATION OF AUTHORITY FOR ENVIRON-*
 14 *MENTAL RESTORATION PROJECTS OF NATIONAL GUARD.—*

15 (1) *IN GENERAL.—Section 2707(e) of such title is*
 16 *amended—*

17 (A) *by striking “Notwithstanding” and in-*
 18 *serting “(1) Notwithstanding”;*

19 (B) *by inserting “where military activities*
 20 *are conducted by the National Guard of a State*
 21 *under title 32” after “facility”; and*

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

1 “(2) *The Secretary concerned may use the authority*
2 *under section 2701(d) of this title to carry out environ-*
3 *mental restoration projects under paragraph (1).”.*

4 (2) *CORRECTION OF DEFINITION OF FACILITY.—*
5 *Paragraph (2) of section 2700 of such title is amend-*
6 *ed—*

7 (A) *in subparagraph (A), by striking “(A)*
8 *The terms” and inserting “The terms”; and*

9 (B) *by striking subparagraph (B).*

10 (d) *EXTENSION OF CONTRACT AUTHORITY.—Section*
11 *2708(b) of such title is amended—*

12 (1) *in paragraph (1), by striking “fiscal years*
13 *1992 through 1996” and inserting “a period specified*
14 *in paragraph (3)”;* and

15 (2) *by adding at the end the following new para-*
16 *graph:*

17 “(3) *A period specified in this paragraph is—*

18 (A) *the period of fiscal years 1992 through*
19 *1996; or*

20 (B) *on or after the date of the enactment of the*
21 *National Defense Authorization Act for Fiscal Year*
22 *2021.”.*

23 (e) *TECHNICAL CONSISTENCY FOR MUNITIONS RE-*
24 *SPONSE.—*

1 (1) *PROGRAM GOALS.*—Section 2701(b)(2) of
2 such title is amended by striking “of unexploded ord-
3 nance” and inserting “of unexploded ordnance, dis-
4 carded military munitions, and munitions constitu-
5 ents in a manner consistent with section 2710 of this
6 title”.

7 (2) *ENVIRONMENTAL RESTORATION ACCOUNTS.*—
8 Section 2703(b) of such title is amended by striking
9 the second sentence and inserting the following new
10 sentence: “Such remediation shall be conducted in a
11 manner consistent with section 2710 of this title.”.

12 (3) *TRANSFER OF DEFINITIONS.*—

13 (A) *TRANSFER.*—Paragraphs (2) and (3) of
14 section 2710(e) of such title are—

15 (i) transferred to section 2700 of such
16 title;

17 (ii) added at the end of such section;

18 and

19 (iii) redesignated as paragraphs (6)
20 and (7), respectively.

21 (B) *REDESIGNATION OF DEFINITIONS.*—Sec-
22 tion 2710(e) of such title is amended by redesign-
23 ating paragraphs (4) through (7) as para-
24 graphs (2) through (5), respectively.

1 (4) *CONFORMING AMENDMENTS.*—Section 313(d)
2 of the John Warner National Defense Authorization
3 Act for Fiscal Year 2007 (Public Law 109–364; 10
4 U.S.C. 2710 note) is amended—

5 (A) in paragraph (2)—

6 (i) by striking “‘discarded military
7 munitions’, ‘munitions constituents’, and
8 ‘defense sites’” and inserting “‘discarded
9 military munitions’ and ‘munitions con-
10 stituents’”; and

11 (ii) by striking “section 2710(e)” and
12 inserting “section 2700”; and

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

15 “(3) The term ‘defense site’ has the meaning
16 given such term in section 2710(e) of such title.”.

17 (f) *TECHNICAL CORRECTION REGARDING COOPERA-*
18 *TIVE AGREEMENTS.*—Section 332(a)(2) of the National De-
19 *fense Authorization Act for Fiscal Year 2020 (Public Law*
20 *116–92)* is amended, in the matter preceding subparagraph
21 (A), by striking “shall meet or exceed the most stringent
22 of the following” and inserting “relating to a response shall
23 reflect application to the response of the most protective of
24 the following”.

1 **SEC. 312. READINESS AND ENVIRONMENTAL PROTECTION**
2 **INTEGRATION PROGRAM TECHNICAL EDITS**
3 **AND CLARIFICATION.**

4 (a) *USE OF FUNDS.*—Section 2684a(i) of title 10,
5 *United States Code*, is amended by adding at the end the
6 *following new paragraph:*

7 “(3) *Funds obligated to carry out an agreement under*
8 *this section shall be available for use with regard to any*
9 *property in the geographic scope specified in the agree-*
10 *ment—*

11 “(A) *at the time the funds are obligated; and*

12 “(B) *in any subsequent modification to the*
13 *agreement.*”.

14 (b) *CLARIFICATION OF REFERENCES TO ELIGIBLE EN-*
15 *TITIES.*—

16 (1) *DEFINITION.*—Subsection (b) of section
17 2684a of title 10, *United States Code*, is amended, in
18 *the matter preceding paragraph (1)*, by striking “*An*
19 *agreement under this section may be entered into*
20 *with*” and inserting “*For purposes of this section, an*
21 *eligible entity is*”.

22 (2) *ACQUISITION OF PROPERTY AND INTER-*
23 *ESTS.*—Subsection (d)(1) of such section is amended
24 *by striking “the entity or entities” each place it ap-*
25 *pears and inserting “an eligible entity or entities”.*

1 (3) *RETROACTIVE APPLICATION.*—*The amend-*
2 *ments made by paragraphs (1) and (2) shall apply*
3 *to any agreement entered into under section 2684a of*
4 *title 10, United States Code, on or after December 2,*
5 *2002.*

6 **SEC. 313. SURVEY AND MARKET RESEARCH OF TECH-**
7 **NOLOGIES FOR PHASE OUT BY DEPARTMENT**
8 **OF DEFENSE OF USE OF FLUORINATED AQUE-**
9 **OUS FILM-FORMING FOAM.**

10 (a) *SURVEY OF TECHNOLOGIES AND MARKET RE-*
11 *SEARCH.*—

12 (1) *IN GENERAL.*—*The Secretary of Defense shall*
13 *conduct a survey and market research of relevant*
14 *technologies, other than fire-fighting agent solutions,*
15 *to determine whether any such technologies are avail-*
16 *able and can be adapted quickly for use by the De-*
17 *partment of Defense to execute the phase-out by the*
18 *Department of the use of fluorinated aqueous film-*
19 *forming foam.*

20 (2) *TECHNOLOGIES INCLUDED.*—*The technologies*
21 *surveyed or researched under paragraph (1) shall in-*
22 *clude the following:*

23 (A) *Hangar flooring systems.*

24 (B) *Liquid drainage flood assemblies.*

25 (C) *Fire-fighting agent delivery systems.*

1 (D) *Containment systems.*

2 (E) *Such other relevant technologies as the*
3 *Secretary determines appropriate.*

4 (b) *BRIEFING.*—

5 (1) *IN GENERAL.*—*Not later than 180 days after*
6 *the date of the enactment of this Act, the Secretary*
7 *shall brief the congressional defense committees on the*
8 *results of the survey and market research conducted*
9 *under subsection (a).*

10 (2) *ELEMENTS OF BRIEFING.*—*The briefing re-*
11 *quired under paragraph (1) shall include the fol-*
12 *lowing:*

13 (A) *A description of the technologies sur-*
14 *veyed and researched under subsection (a).*

15 (B) *An identification of any such tech-*
16 *nologies that were considered for further testing*
17 *or analysis.*

18 (C) *An identification of any other tech-*
19 *nologies useful for the phase-out by the Depart-*
20 *ment of the use of fluorinated aqueous film-form-*
21 *ing foam that are undergoing additional anal-*
22 *ysis for possible application within the Depart-*
23 *ment.*

1 **SEC. 314. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **MILITARY INSTALLATION RESILIENCE**
3 **PROJECTS.**

4 (a) *MODIFICATION OF AUTHORITY.*—Section 2815 of
5 title 10, United States Code is amended—

6 (1) in subsection (a), by inserting “(except as
7 provided in subsections (d)(3) and (e))” before the pe-
8 riod at the end;

9 (2) in subsection (c), by striking “A project” and
10 inserting “Except as provided in subsection (e)(2), a
11 project”;

12 (3) by redesignating subsection (d) as subsection
13 (f); and

14 (4) by inserting after subsection (c) the following
15 new subsections:

16 “(d) *LOCATION OF PROJECTS.*—Projects carried out
17 pursuant to this section may be carried out—

18 “(1) on a military installation;

19 “(2) on a facility used by the Department of De-
20 fense that is owned and operated by a State, the Dis-
21 trict of Columbia, the Commonwealth of Puerto Rico,
22 American Samoa, Guam, the Commonwealth of the
23 Northern Mariana Islands, or the Virgin Islands,
24 even if the facility is not under the jurisdiction of the
25 Department of Defense, if the Secretary of Defense de-

1 *termines that the facility is subject to significant use*
2 *by the armed forces for testing or training; or*

3 *“(3) outside of a military installation or facility*
4 *described in paragraph (2) if the Secretary concerned*
5 *determines that the project would preserve or enhance*
6 *the resilience of—*

7 *“(A) a military installation;*

8 *“(B) a facility described in paragraph (2);*

9 *or*

10 *“(C) community infrastructure determined*
11 *by the Secretary concerned to be necessary to*
12 *maintain, improve, or rapidly reestablish instal-*
13 *lation mission assurance and mission-essential*
14 *functions.*

15 *“(e) ALTERNATIVE FUNDING SOURCE.—(1) In car-*
16 *rying out a project under this section, the Secretary con-*
17 *cerned may use amounts available for operation and main-*
18 *tenance for the military department concerned if the Sec-*
19 *retary concerned submits a notification to the congressional*
20 *defense committees of the decision to carry out the project*
21 *using such amounts and includes in the notification—*

22 *“(A) the current estimate of the cost of the*
23 *project;*

24 *“(B) the source of funds for the project; and*

1 “(C) a certification that deferral of the project
2 for inclusion in the next Military Construction Au-
3 thorization Act would be inconsistent with national
4 security or the protection of health, safety, or environ-
5 mental quality, as the case may be.

6 “(2) A project carried out under this section using
7 amounts under paragraph (1) may be carried out only after
8 the end of the 7-day period beginning on the date on which
9 a copy of the notification described in paragraph (1) is pro-
10 vided in an electronic medium pursuant to section 480 of
11 this title.

12 “(3) The maximum aggregate amount that the Sec-
13 retary concerned may obligate from amounts available to
14 the military department concerned for operation and main-
15 tenance in any fiscal year for projects under the authority
16 of this subsection is \$100,000,000.”.

17 (b) *CONSIDERATION OF MILITARY INSTALLATION RE-*
18 *SILIENCE IN AGREEMENTS AND INTERAGENCY COOPERA-*
19 *TION.*—Section 2684a of such title is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (2)(B)—

22 (i) by striking clause (ii); and

23 (ii) in clause (i)—

24 (I) by striking “(i)”; and

1 (II) by striking “; or” and insert-
2 ing a semicolon;

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

5 (C) by inserting after paragraph (2) the fol-
6 lowing new paragraph (3):

7 “(3) maintaining or improving military instal-
8 lation resilience; or”; and

9 (2) by amending subsection (h) to read as fol-
10 lows:

11 “(h) *INTERAGENCY COOPERATION IN CONSERVATION*
12 *AND RESILIENCE PROGRAMS TO AVOID OR REDUCE AD-*
13 *VERSE IMPACTS ON MILITARY INSTALLATION RESILIENCE*
14 *AND MILITARY READINESS ACTIVITIES.—In order to facili-*
15 *tate interagency cooperation and enhance the effectiveness*
16 *of actions that will protect the environment, military in-*
17 *stallation resilience, and military readiness, the recipient*
18 *of funds provided pursuant to an agreement under this sec-*
19 *tion or under the Sikes Act (16 U.S.C. 670 et seq.) may,*
20 *with regard to the lands and waters within the scope of*
21 *the agreement, use such funds to satisfy any matching funds*
22 *or cost-sharing requirement of any conservation or resil-*
23 *ience program of any Federal agency notwithstanding any*
24 *limitation of such program on the source of matching or*
25 *cost-sharing funds.”.*

1 **SEC. 315. NATIVE AMERICAN INDIAN LANDS ENVIRON-**
2 **MENTAL MITIGATION PROGRAM.**

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

6 **“§2712. Native American lands environmental mitiga-**
7 **tion program**

8 “(a) *ESTABLISHMENT.*—The Secretary of Defense may
9 establish and carry out a program to mitigate the environ-
10 mental effects of actions by the Department of Defense on
11 Indian lands and culturally connected locations.

12 “(b) *PROGRAM ACTIVITIES.*—The activities that may
13 be carried out under the program established under sub-
14 section (a) are the following:

15 “(1) *Identification, investigation, and docu-*
16 *mentation of suspected environmental effects attrib-*
17 *utable to past actions by the Department of Defense.*

18 “(2) *Development of mitigation options for such*
19 *environmental effects, including development of cost-*
20 *to-complete estimates and a system for prioritizing*
21 *mitigation actions.*

22 “(3) *Direct mitigation actions that the Secretary*
23 *determines are necessary and appropriate to mitigate*
24 *the adverse environmental effects of past actions by*
25 *the Department.*

1 “(4) *Demolition and removal of unsafe buildings*
2 *and structures used by, under the jurisdiction of, or*
3 *formerly used by or under the jurisdiction of the De-*
4 *partment.*

5 “(5) *Training, technical assistance, and admin-*
6 *istrative support to facilitate the meaningful partici-*
7 *ipation of Indian tribes in mitigation actions under*
8 *the program.*

9 “(6) *Development and execution of a policy gov-*
10 *erning consultation with Indian tribes that have been*
11 *or may be affected by action by the Department, in-*
12 *cluding training personnel of the Department to en-*
13 *sure compliance with the policy.*

14 “(c) *COOPERATIVE AGREEMENTS.—(1) In carrying*
15 *out the program established under subsection (a), the Sec-*
16 *retary of Defense may enter into a cooperative agreement*
17 *with an Indian tribe or an instrumentality of tribal govern-*
18 *ment.*

19 “(2) *Notwithstanding chapter 63 of title 31, a coopera-*
20 *tive agreement under this section may be used to acquire*
21 *property or services for the direct benefit of the United*
22 *States Government.*

23 “(3) *A cooperative agreement under this section for the*
24 *procurement of severable services may begin in one fiscal*

1 *year and end in another fiscal year only if the total period*
2 *of performance does not exceed two calendar years.*

3 “(d) *DEFINITIONS.—In this section:*

4 “(1) *The term ‘Indian land’ includes—*

5 “(A) *any land located within the bound-*
6 *aries and a part of an Indian reservation, pueb-*
7 *lo, or rancharia;*

8 “(B) *any land that has been allotted to an*
9 *individual Indian but has not been conveyed to*
10 *such Indian with full power of alienation;*

11 “(C) *Alaska Native village and regional cor-*
12 *poration lands; and*

13 “(D) *lands and waters upon which any*
14 *Federally recognized Indian tribe has rights re-*
15 *served by treaty, act of Congress, or action by the*
16 *President.*

17 “(2) *The term ‘Indian Tribe’ means any Indian*
18 *Tribe, band, nation, or other organized group or com-*
19 *munity, including any Native village, Regional Cor-*
20 *poration, or Village Corporation (as defined in sec-*
21 *tion 3 of the Alaska Native Claims Settlement Act (43*
22 *U.S.C. 1602)), that is recognized as eligible for the*
23 *special programs and services provided by the United*
24 *States to Indians because of their status as Indians.*

1 “(2) *The Secretary of Defense shall issue standards es-*
2 *tablishing levels of availability relative to specific critical*
3 *missions, with such standards providing a range of not less*
4 *than 99.9 percent availability per fiscal year and not more*
5 *than 99.9999 percent availability per fiscal year, depending*
6 *on the criticality of the mission.*

7 “(3) *The Secretary may establish interim goals to take*
8 *effect prior to fiscal year 2025 to ensure the requirements*
9 *under this subsection are met.*

10 “(4) *The Secretary of each military department and*
11 *the head of each Defense Agency shall ensure that their orga-*
12 *nizations meet the requirements of this subsection.*

13 “(b) *PLANNING.—(1) The Secretary of Defense shall re-*
14 *quire the Secretary of each military department and the*
15 *head of each Defense Agency to plan for the provision of*
16 *energy resilience and energy security for installations.*

17 “(2) *Planning under paragraph (1) shall—*

18 “(A) *promote the use of multiple and diverse*
19 *sources of energy, with an emphasis favoring energy*
20 *resources originating on the installation such as mod-*
21 *ular generation;*

22 “(B) *promote installing microgrids to ensure the*
23 *energy security and energy resilience of critical mis-*
24 *sions; and*

1 “(C) favor the use of full-time, installed energy
2 sources rather than emergency generation.

3 “(c) *DEVELOPMENT OF INFORMATION.*—The planning
4 required by subsection (b) shall identify each of the fol-
5 lowing for each installation:

6 “(1) *The critical missions of the installation.*

7 “(2) *The energy requirements of those critical*
8 *missions.*

9 “(3) *The duration that those energy requirements*
10 *are likely to be needed in the event of a disruption*
11 *or emergency.*

12 “(4) *The current source of energy provided to*
13 *those critical missions.*

14 “(5) *The duration that the currently provided*
15 *energy would likely be available in the event of a dis-*
16 *ruption or emergency.*

17 “(6) *Any currently available sources of energy*
18 *that would provide uninterrupted energy to critical*
19 *missions in the event of a disruption or emergency.*

20 “(7) *Alternative sources of energy that could be*
21 *developed to provide uninterrupted energy to critical*
22 *missions in the event of a disruption or emergency.*

23 “(d) *TESTING AND MEASURING.*—(1)(A) *The Sec-*
24 *retary of Defense shall require the Secretary of each mili-*
25 *tary department and head of each Defense Agency to con-*

1 *duct monitoring, measuring, and testing to provide the data*
2 *necessary to comply with this section.*

3 “(B) *Any data provided under subparagraph (A) shall*
4 *be made available to the Assistant Secretary of Defense for*
5 *Sustainment upon request.*

6 “(2)(A) *The Secretary of Defense shall require that*
7 *black start exercises be conducted to assess the energy resil-*
8 *ience and energy security of installations for periods estab-*
9 *lished to evaluate the ability of the installation to perform*
10 *critical missions without access to off-installation energy*
11 *resources.*

12 “(B) *A black start exercise conducted under subpara-*
13 *graph (A) may exclude, if technically feasible, housing*
14 *areas, commissaries, exchanges, and morale, welfare, and*
15 *recreation facilities.*

16 “(C) *The Secretary of Defense shall—*

17 “(i) *provide uniform policy for the military de-*
18 *partments and the Defense Agencies with respect to*
19 *conducting black start exercises; and*

20 “(ii) *establish a schedule of black start exercises*
21 *for the military departments and the Defense Agen-*
22 *cies, with each military department and Defense*
23 *Agency scheduled to conduct such an exercise on a*
24 *number of installations each year sufficient to allow*
25 *that military department or Defense Agency to meet*

1 *the goals of this section, but in any event not fewer*
2 *than five installations each year for each military de-*
3 *partment through fiscal year 2027.*

4 *“(D)(i) Except as provided in clause (ii), the Secretary*
5 *of each military department shall, notwithstanding any*
6 *other provision of law, conduct black start exercises in ac-*
7 *cordance with the schedule provided for in subparagraph*
8 *(C)(ii), with any such exercise not to last longer than five*
9 *days.*

10 *“(ii) The Secretary of a military department may con-*
11 *duct more black start exercises than those identified in the*
12 *schedule provided for in subparagraph (C)(ii).*

13 *“(e) CONTRACT REQUIREMENTS.—For contracts for*
14 *energy and utility services, the Secretary of Defense shall—*

15 *“(1) specify methods and processes to measure,*
16 *manage, and verify compliance with subsection (a);*
17 *and*

18 *“(2) ensure that such contracts include require-*
19 *ments appropriate to ensure energy resilience and en-*
20 *ergy security, including requirements for metering to*
21 *measure, manage, and verify energy consumption,*
22 *availability, and reliability consistent with this sec-*
23 *tion and the energy resilience metrics and standards*
24 *under section 2911(b) of this title.*

1 “(f) *EXCEPTION.*—*This section does not apply to fuels*
2 *used in aircraft, vessels, or motor vehicles.*

3 “(g) *REPORT.*—*If by the end of fiscal year 2029, the*
4 *Secretary determines that the Department will be unable*
5 *to meet the requirements under subsection (a), not later*
6 *than 90 days after the end of such fiscal year, the Secretary*
7 *shall submit to the Committees on Armed Services of the*
8 *Senate and House of Representatives a report detailing—*

9 “(1) *the projected shortfall;*

10 “(2) *reasons for the projected shortfall;*

11 “(3) *any statutory, technological, or monetary*
12 *impediments to achieving such requirements;*

13 “(4) *any impact to readiness or ability to meet*
14 *the national defense posture; and*

15 “(5) *any other relevant information as the Sec-*
16 *retary considers appropriate.*

17 “(h) *DEFINITIONS.*—*In this section:*

18 “(1) *The term ‘availability’ means the avail-*
19 *ability of required energy at a stated instant of time*
20 *or over a stated period of time for a specific purpose.*

21 “(2) *The term ‘black start exercise’ means an ex-*
22 *ercise in which delivery of energy provided from off*
23 *an installation is terminated before backup genera-*
24 *tion assets on the installation are turned on. Such an*
25 *exercise shall—*

1 “(A) determine the ability of the backup
2 systems to start independently, transfer the load,
3 and carry the load until energy from off the in-
4 stallation is restored;

5 “(B) align organizations with critical mis-
6 sions to coordinate in meeting critical mission
7 requirements;

8 “(C) validate mission operation plans, such
9 as continuity of operations plans;

10 “(D) identify infrastructure interdepend-
11 encies; and

12 “(E) verify backup electric power system
13 performance.

14 “(3) The term ‘critical mission’—

15 “(A) means those aspects of the missions of
16 an installation, including mission essential oper-
17 ations, that are critical to successful performance
18 of the strategic national defense mission;

19 “(B) may include operational headquarters
20 facilities, airfields and supporting infrastruc-
21 ture, harbor facilities supporting naval vessels,
22 munitions production and storage facilities, mis-
23 sile fields, radars, satellite control facilities,
24 cyber operations facilities, space launch facili-

1 (1) *DIRECTOR.*—*The term “Director” means the*
2 *Director of the Environmental Security Technology*
3 *Certification Program of the Department of Defense.*

4 (2) *DIRECTOR OF ARPA-E.*—*The term “Director*
5 *of ARPA-E” means the Director of the Advanced Re-*
6 *search Projects Agency—Energy.*

7 (3) *INITIATIVE.*—*The term “Initiative” means*
8 *the demonstration initiative established under sub-*
9 *section (b).*

10 (4) *JOINT PROGRAM.*—*The term “Joint Pro-*
11 *gram” means the joint program established under*
12 *subsection (d).*

13 (b) *ESTABLISHMENT OF INITIATIVE.*—*Not later than*
14 *180 days after the date of enactment of this Act, the Direc-*
15 *tor shall establish a demonstration initiative composed of*
16 *demonstration projects focused on the development of long-*
17 *duration energy storage technologies.*

18 (c) *SELECTION OF PROJECTS.*—*To the maximum ex-*
19 *tent practicable, in selecting demonstration projects to par-*
20 *ticipate in the Initiative, the Director shall—*

21 (1) *ensure a range of technology types;*

22 (2) *ensure regional diversity among projects; and*

23 (3) *consider bulk power level, distribution power*
24 *level, behind-the-meter, microgrid (grid-connected or*
25 *islanded mode), and off-grid applications.*

1 (d) *JOINT PROGRAM.*—

2 (1) *ESTABLISHMENT.*—As part of the Initiative,
3 the Director, in consultation with the Director of
4 *ARPA-E*, shall establish within the Department of
5 *Defense* a joint program to carry out projects—

6 (A) to demonstrate promising long-duration
7 energy storage technologies at different scales to
8 promote energy resiliency; and

9 (B) to help new, innovative long-duration
10 energy storage technologies become commercially
11 viable.

12 (2) *MEMORANDUM OF UNDERSTANDING.*—Not
13 later than 200 days after the date of enactment of this
14 Act, the Director shall enter into a memorandum of
15 understanding with the Director of *ARPA-E* to ad-
16 minister the Joint Program.

17 (3) *INFRASTRUCTURE.*—In carrying out the
18 Joint Program, the Director and the Director of
19 *ARPA-E* shall—

20 (A) use existing test-bed infrastructure at—

21 (i) installations of the Department of
22 *Defense*; and

23 (ii) facilities of the Department of *En-*
24 *ergy*; and

1 (B) develop new infrastructure for identi-
2 fied projects, if appropriate.

3 (4) GOALS AND METRICS.—The Director and the
4 Director of ARPA-E shall develop goals and metrics
5 for technological progress under the Joint Program
6 consistent with energy resilience and energy security
7 policies.

8 (5) SELECTION OF PROJECTS.—

9 (A) IN GENERAL.—To the maximum extent
10 practicable, in selecting projects to participate in
11 the Joint Program, the Director and the Director
12 of ARPA-E shall—

13 (i) ensure that projects are carried out
14 under conditions that represent a variety of
15 environments with different physical condi-
16 tions and market constraints; and

17 (ii) ensure an appropriate balance
18 of—

19 (I) larger, higher-cost projects;

20 and

21 (II) smaller, lower-cost projects.

22 (B) PRIORITY.—In carrying out the Joint
23 Program, the Director and the Director of
24 ARPA-E shall give priority to demonstration
25 projects that—

- 1 (i) make available to the public project
2 information that will accelerate deployment
3 of long-duration energy storage technologies
4 that promote energy resiliency; and
5 (ii) will be carried out in the field.

6 **SEC. 319. PILOT PROGRAM ON ALTERNATIVE FUEL VEHICLE**
7 **PURCHASING.**

8 (a) *IN GENERAL.*—The Secretary of Defense, in coordi-
9 nation with the Secretary of Energy and the Administrator
10 of the General Services Administration, shall carry out a
11 pilot program under which the Secretary of Defense may,
12 notwithstanding section 400AA of the Energy Policy and
13 Conservation Act (42 U.S.C. 6374), purchase new alter-
14 native fuel vehicles for which the initial cost of such vehicles
15 exceeds the initial cost of a comparable gasoline or diesel
16 fueled vehicle by not more than 10 percent.

17 (b) *LOCATIONS.*—

18 (1) *IN GENERAL.*—The Secretary of Defense shall
19 carry out the pilot program under subsection (a) at
20 not fewer than 2 facilities or installations of the De-
21 partment of Defense in the continental United States
22 that—

23 (A) have the largest total number of at-
24 tached noncombat vehicles as compared to other

1 *facilities or installations of the Department of*
 2 *Defense; and*

3 *(B) are located within 20 miles of public or*
 4 *private refueling or recharging stations.*

5 *(2) AIR FORCE LOGISTICS CENTER.—One of the*
 6 *facilities or installations selected under paragraph (1)*
 7 *shall be an Air Force Logistics Center.*

8 *(c) ALTERNATIVE FUEL VEHICLE DEFINED.—In this*
 9 *section, the term “alternative fuel vehicle” includes a vehicle*
 10 *that uses—*

11 *(1) fuels derived from renewable biomass, as de-*
 12 *finied in section 211(o)(1)(I) of the Clean Air Act (42*
 13 *U.S.C. 7545(o)(1)(I));*

14 *(2) natural gas (including compressed and lique-*
 15 *fied natural gas); or*

16 *(3) propane.*

17 **SEC. 320. EXTENSION OF REAL-TIME SOUND MONITORING**
 18 **AT NAVY INSTALLATIONS WHERE TACTICAL**
 19 **FIGHTER AIRCRAFT OPERATE.**

20 *Section 325(a)(1) of the National Defense Authoriza-*
 21 *tion Act for Fiscal Year 2020 (Public Law 116–92) is*
 22 *amended by striking “a 12-month period” and inserting*
 23 *“two 12-month periods, including one such period that be-*
 24 *gins in fiscal year 2021”.*

1 **SEC. 321. STUDY ON IMPACTS OF TRANSBOUNDARY FLOWS,**
2 **SPILLS, OR DISCHARGES OF POLLUTION OR**
3 **DEBRIS FROM THE TIJUANA RIVER ON PER-**
4 **SONNEL, ACTIVITIES, AND INSTALLATIONS**
5 **OF DEPARTMENT OF DEFENSE.**

6 (a) *STUDY.*—

7 (1) *IN GENERAL.*—Not later than 90 days after
8 the date of the enactment of this Act, the Secretary of
9 Defense, in coordination with the Administrator of
10 the Environmental Protection Agency, the Secretary
11 of State, and the United States Commissioner of the
12 International Boundary and Water Commission,
13 shall commission an independent scientific study of
14 the impacts of transboundary flows, spills, or dis-
15 charges of pollution or debris from the Tijuana River
16 on the personnel, activities, and installations of the
17 Department of Defense.

18 (2) *ELEMENTS.*—The study required by para-
19 graph (1) shall address the short-term, long-term, pri-
20 mary, and secondary impacts of transboundary flows,
21 spills, or discharges of pollution or debris from the Ti-
22 juana River and include recommendations to mitigate
23 such impacts.

24 (b) *REPORT.*—Not later than 180 days after the date
25 of the enactment of this Act, the Secretary of Defense shall
26 submit to the appropriate committees of Congress a report

1 *containing the results of the study under subsection (a), in-*
 2 *cluding all findings and recommendations resulting from*
 3 *the study.*

4 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 5 *FINED.—In this section, the term “appropriate committees*
 6 *of Congress” means—*

7 (1) *the Committee on Armed Services, the Com-*
 8 *mittee on Environment and Public Works, and the*
 9 *Committee on Foreign Relations of the Senate; and*

10 (2) *the Committee on Armed Services, the Com-*
 11 *mittee on Transportation and Infrastructure, and the*
 12 *Committee on Foreign Affairs of the House of Rep-*
 13 *resentatives.*

14 **SEC. 322. INCREASE IN FUNDING FOR STUDY BY CENTERS**
 15 **FOR DISEASE CONTROL AND PREVENTION**
 16 **RELATING TO PERFLUOROALKYL AND**
 17 **POLYFLUOROALKYL SUBSTANCE CONTAMINA-**
 18 **TION IN DRINKING WATER.**

19 (a) *IN GENERAL.—*

20 (1) *INCREASE.—The amount authorized to be*
 21 *appropriated by this Act for fiscal year 2021 for Op-*
 22 *eration and Maintenance, Defense Wide for SAG*
 23 *4GTN for the study by the Centers for Disease Control*
 24 *and Prevention under section 316(a)(2)(B)(ii) of the*
 25 *National Defense Authorization Act for Fiscal Year*

1 2018 (Public Law 115–91; 131 Stat. 1350) is hereby
2 increased by \$5,000,000.

3 (2) *OFFSET.*—The amount authorized to be ap-
4 propriated by this Act for fiscal year 2021 for Oper-
5 ation and Maintenance, Army for SAG 421,
6 Servicewide Transportation is hereby reduced by
7 \$5,000,000.

8 (b) *INCREASE IN TRANSFER AUTHORITY.*—Section
9 316(a)(2)(B)(ii) of the National Defense Authorization Act
10 for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350),
11 as amended by section 315(a) of the John S. McCain Na-
12 tional Defense Authorization Act for Fiscal Year 2019 (Pub-
13 lic Law 115–232; 132 Stat. 1713), is amended by striking
14 “\$10,000,000” and inserting “\$15,000,000”.

15 ***Subtitle C—Logistics and***
16 ***Sustainment***

17 ***SEC. 331. REPEAL OF STATUTORY REQUIREMENT FOR NOTI-***
18 ***FICATION TO DIRECTOR OF DEFENSE LOGIS-***
19 ***TICS AGENCY THREE YEARS PRIOR TO IMPLE-***
20 ***MENTING CHANGES TO ANY UNIFORM OR***
21 ***UNIFORM COMPONENT.***

22 Section 356 of the John S. McCain National Defense
23 Authorization Act for Fiscal Year 2019 (Public Law 115–
24 232; 10 U.S.C. 771 note prec.) is amended—

25 (1) by striking subsection (a);

1 (2) *by redesignating subsections (b) and (c) as*
 2 *subsections (a) and (b), respectively; and*

3 (3) *in subsections (a) and (b), as so redesignated,*
 4 *by striking “Commander” each place it appears and*
 5 *inserting “Director”.*

6 **SEC. 332. CLARIFICATION OF LIMITATION ON LENGTH OF**
 7 **OVERSEAS FORWARD DEPLOYMENT OF CUR-**
 8 **RENTLY DEPLOYED NAVAL VESSELS.**

9 *Section 323(b) of the John S. McCain National De-*
 10 *fense Authorization Act for Fiscal Year 2019 (Public Law*
 11 *115–232; 132 Stat. 1720; 10 U.S.C. 8690 note) is amended*
 12 *by striking “In the case of any naval vessel” and inserting*
 13 *“In the case of any aircraft carrier, amphibious ship, cruis-*
 14 *er, destroyer, frigate, or littoral combat ship”.*

15 ***Subtitle D—Reports***

16 **SEC. 351. REPORT ON IMPACT OF PERMAFROST THAW ON**
 17 **INFRASTRUCTURE, FACILITIES, AND OPER-**
 18 **ATIONS OF THE DEPARTMENT OF DEFENSE.**

19 (a) *REPORT REQUIRED.*—*Not later than 180 days*
 20 *after the date of the enactment of this Act, the Secretary*
 21 *of Defense shall submit to the congressional defense commit-*
 22 *tees a comprehensive report on the impact of permafrost*
 23 *thaw on the infrastructure, facilities, assets, and operations*
 24 *of the Department of Defense.*

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

3 (1) *An identification of the infrastructure, facili-*
4 *ties, and assets of the Department of Defense that*
5 *could be impacted by permafrost thaw.*

6 (2) *For each element of infrastructure and each*
7 *facility and asset identified pursuant to paragraph*

8 (1)—

9 (A) *an assessment of the threat posed by*
10 *permafrost thaw; and*

11 (B) *an estimate of potential damage in the*
12 *event of likely permafrost thaw.*

13 (3) *A description of the threats and impacts*
14 *posed by permafrost thaw to military and other na-*
15 *tional security operations.*

16 (c) *CONSULTATION.*—*In preparing the report under*
17 *subsection (a), the Secretary may consult with other Federal*
18 *agencies, agencies of State and local governments, and aca-*
19 *demic institutions with expertise or experience in the effects*
20 *of permafrost thaw on infrastructure, facilities, and oper-*
21 *ations.*

22 (d) *ASSET DEFINED.*—*In this section, the term “asset”*
23 *means the following:*

1 (1) *Any aircraft, weapon system, vehicle, equip-*
2 *ment, or gear of the Department of Defense or the*
3 *Armed Forces.*

4 (2) *Any other item of the Department or the*
5 *Armed Forces that the Secretary considers appro-*
6 *priate for purposes of this section.*

7 **SEC. 352. PLANS AND REPORTS ON EMERGENCY RESPONSE**
8 **TRAINING FOR MILITARY INSTALLATIONS.**

9 (a) *PLANS.*—

10 (1) *IN GENERAL.*—*Not later than 90 days after*
11 *the date of the enactment of this Act, the Secretary of*
12 *Defense shall ensure that each military installation*
13 *under the jurisdiction of the Secretary that does not*
14 *conduct live emergency response training on an an-*
15 *nuual basis or more frequently with the civilian law*
16 *enforcement and emergency response agencies respon-*
17 *sible for responding to an emergency at the installa-*
18 *tion develops a plan to conduct such training.*

19 (2) *ELEMENTS.*—*Each plan developed under*
20 *paragraph (1) with respect to an installation—*

21 (A) *shall include—*

22 (i) *the cost of implementing training*
23 *described in paragraph (1) at the installa-*
24 *tion;*

1 (ii) a description of any obstacles to
2 the implementation of such training; and

3 (iii) recommendations for mitigating
4 any such obstacles; and

5 (B) shall be designed to ensure that the ci-
6 vilian law enforcement and emergency response
7 agencies described in paragraph (1) are familiar
8 with—

9 (i) the physical features of the installa-
10 tion, including gates, buildings, armories,
11 headquarters, command and control centers,
12 and medical facilities; and

13 (ii) the emergency response personnel
14 and procedures of the installation.

15 (3) *SUBMITTAL OF PLANS.*—

16 (A) *SUBMITTAL TO SECRETARY.*—Not later
17 than 90 days after the date of the enactment of
18 this Act, the commander of each military instal-
19 lation required to develop a plan under para-
20 graph (1) shall submit such plan to the Sec-
21 retary of Defense.

22 (B) *SUBMITTAL TO CONGRESS.*—Not later
23 than 180 days after the date of the enactment of
24 this Act, the Secretary shall submit to the Com-
25 mittees on Armed Services of the Senate and the

1 *House of Representatives a summary of the*
2 *plans submitted to the Secretary under subpara-*
3 *graph (A).*

4 **(b) REPORTS ON TRAINING CONDUCTED.—**

5 **(1) LIST OF INSTALLATIONS.—***Not later than*
6 *March 1, 2021, the Secretary shall submit to the Com-*
7 *mittees on Armed Services of the Senate and the*
8 *House of Representatives a list of all military instal-*
9 *lations under the jurisdiction of the Secretary that*
10 *conduct live emergency response training on an an-*
11 *nual basis or more frequently with the civilian law*
12 *enforcement and emergency response agencies respon-*
13 *sible for responding to an emergency at the installa-*
14 *tion.*

15 **(2) ANNUAL REPORTS.—**

16 **(A) IN GENERAL.—***Not later than one year*
17 *after the date of the enactment of this Act, and*
18 *annually thereafter, the commander of each mili-*
19 *tary installation under the jurisdiction of the*
20 *Secretary shall submit to the Secretary a report*
21 *on each live emergency response training con-*
22 *ducted during the year covered by the report*
23 *with the civilian law enforcement and emergency*
24 *response agencies responsible for responding to*
25 *an emergency at the installation.*

1 (B) *ELEMENTS.*—*Each report submitted*
2 *under subparagraph (A) shall include, with re-*
3 *spect to each training exercise, the following:*

4 (i) *The date and duration of the exer-*
5 *cise.*

6 (ii) *A detailed description of the exer-*
7 *cise.*

8 (iii) *An identification of all military*
9 *and civilian personnel who participated in*
10 *the exercise.*

11 (iv) *Any recommendations resulting*
12 *from the exercise.*

13 (v) *The actions taken, if any, to imple-*
14 *ment such recommendations.*

15 (C) *INCLUSION IN ANNUAL BUDGET SUBMIS-*
16 *SION.*—

17 (i) *IN GENERAL.*—*The Secretary shall*
18 *include in the budget submitted to Congress*
19 *by the President pursuant to section*
20 *1105(a) of title 31, United States Code, a*
21 *summary of any report submitted to the*
22 *Secretary under subparagraph (A) during*
23 *the one-year period preceding the submittal*
24 *of the budget.*

1 (ii) *CLASSIFIED FORM.*—*The summary*
2 *submitted under clause (i) may be sub-*
3 *mitted in classified form.*

4 (D) *SUNSET.*—*The requirement to submit*
5 *annual reports under subparagraph (A) shall*
6 *terminate upon the submittal of the budget de-*
7 *scribed in subparagraph (C)(i) for fiscal year*
8 *2024.*

9 **SEC. 353. REPORT ON IMPLEMENTATION BY DEPARTMENT**
10 **OF DEFENSE OF REQUIREMENTS RELATING**
11 **TO RENEWABLE FUEL PUMPS.**

12 (a) *IN GENERAL.*—*Not later than 90 days after the*
13 *date of the enactment of this Act, the Secretary of Defense*
14 *shall submit to Congress a report on the implementation*
15 *by the Department of Defense of the requirements under sec-*
16 *tion 246(a) of the Energy Independence and Security Act*
17 *of 2007 (42 U.S.C. 17053(a)).*

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

20 (1) *An estimate of the cost to the Department of*
21 *fully implementing the requirements under section*
22 *246(a) of the Energy Independence and Security Act*
23 *of 2007; and*

1 (2) *An assessment of any problems or issues the*
2 *Department is having in complying with the require-*
3 *ments under such section.*

4 (c) *EXCEPTION.—The report required by subsection (a)*
5 *shall not apply to a fueling center of the Department with*
6 *a fuel turnover rate of less than 100,000 gallons of fuel per*
7 *year.*

8 **SEC. 354. REPORT ON EFFECTS OF EXTREME WEATHER ON**
9 **DEPARTMENT OF DEFENSE.**

10 (a) *IN GENERAL.—Not later than 180 days after the*
11 *date of the enactment of this Act, the Secretary of Defense*
12 *shall submit to the congressional defense committees a re-*
13 *port on vulnerabilities to military installations and com-*
14 *batant commander requirements resulting from extreme*
15 *weather that builds upon the report submitted under section*
16 *335(c) of the National Defense Authorization Act for Fiscal*
17 *Year 2018 (Public Law 115–91; 131 Stat. 1358).*

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

20 (1) *An explanation of the underlying method-*
21 *ology that the Department uses to assess the effects of*
22 *extreme weather in the report, including through the*
23 *use of a climate vulnerability and risk assessment tool*
24 *as directed under section 326 of the National Defense*

1 *Authorization Act for Fiscal Year 2020 (Public Law*
2 *116–92).*

3 (2) *An assessment of how extreme weather affects*
4 *low-lying military installations, military installa-*
5 *tions of the Navy and the Marine Corps, and military*
6 *installations outside the United States.*

7 (3) *An assessment of how extreme weather affects*
8 *access of members of the Armed Forces to training*
9 *ranges.*

10 (4) *With respect to a military installation in a*
11 *country outside the United States, an assessment of*
12 *the collaboration between the Department of Defense*
13 *and the military or civilian agencies of the govern-*
14 *ment of that country or nongovernmental organiza-*
15 *tions operating in that country to adapt to risks from*
16 *extreme weather.*

17 (5) *An assessment of how extreme weather affects*
18 *housing safety and food security on military installa-*
19 *tions.*

20 (6) *An assessment of the strategic benefits de-*
21 *derived from isolating infrastructure of the Department*
22 *of Defense in the United States from the national*
23 *electric grid and the use of energy-efficient, distrib-*
24 *uted, and smart power grids by the Armed Forces in*

1 *the United States and overseas to ensure affordable*
2 *access to electricity.*

3 (7) *A list of ten military installation resilience*
4 *projects conducted within each military department.*

5 (8) *An overview of mitigations, in addition to*
6 *current efforts undertaken by the Department, that*
7 *may be necessary to ensure the continued operational*
8 *viability and to increase the resilience of military in-*
9 *stallations, and the estimated costs of those mitiga-*
10 *tions.*

11 (c) *CONSULTATION.*—*In developing the report required*
12 *by subsection (a), the Secretary of Defense shall consult with*
13 *the Administrator of the Environmental Protection Agency,*
14 *the Secretary of Energy, the Administrator of the National*
15 *Oceanic and Atmospheric Administration, the Adminis-*
16 *trator of the Federal Emergency Management Agency, the*
17 *Commander of the Army Corps of Engineers, the Adminis-*
18 *trator of the National Aeronautics and Space Administra-*
19 *tion, a federally funded research and development center,*
20 *and the heads of such other relevant Federal agencies as*
21 *the Secretary of Defense determines appropriate.*

22 (d) *FORM OF REPORT.*—*The report required by sub-*
23 *section (a) shall be submitted in unclassified form but may*
24 *contain a classified annex if necessary.*

1 (e) *PUBLICATION.*—Upon submittal of the report re-
 2 quired by subsection (a), the Secretary of Defense shall pub-
 3 lish the unclassified portion of the report on an Internet
 4 website of the Department of Defense that is available to
 5 the public.

6 (f) *DEFINITIONS.*—In this section:

7 (1) *EXTREME WEATHER.*—The term “extreme
 8 weather” means recurrent flooding, drought,
 9 desertification, wildfires, and thawing permafrost.

10 (2) *UNITED STATES.*—The term “United States”
 11 means the several States, the District of Columbia,
 12 and any territory or possession of the United States.

13 **Subtitle E—Other Matters**

14 **SEC. 371. PROHIBITION ON DIVESTITURE OF MANNED IN-** 15 **TELLIGENCE, SURVEILLANCE, AND RECON-** 16 **NAISSANCE AIRCRAFT OPERATED BY UNITED** 17 **STATES SPECIAL OPERATIONS COMMAND.**

18 No funds authorized to be appropriated by this Act
 19 may be used to divest any manned intelligence, surveillance,
 20 and reconnaissance aircraft operated by the United States
 21 Special Operations Command, and the Department of De-
 22 fense may not divest any manned intelligence, surveillance,
 23 and reconnaissance aircraft operated by the United States
 24 Special Operations Command in fiscal year 2021.

1 **SEC. 372. INFORMATION ON OVERSEAS CONSTRUCTION**
2 **PROJECTS IN SUPPORT OF CONTINGENCY**
3 **OPERATIONS USING FUNDS FOR OPERATION**
4 **AND MAINTENANCE.**

5 (a) *ANNUAL BUDGET JUSTIFICATION DISPLAY.*—Sec-
6 *tion 2805(c) of title 10, United States Code, is amended—*

7 (1) *by striking “The Secretary concerned” and*
8 *inserting “(1) The Secretary concerned”; and*

9 (2) *by adding at the end the following new para-*
10 *graphs:*

11 “(2) *The Secretary of each military department, the*
12 *Director of each Defense Agency, and the head of any other*
13 *relevant component of the Department of Defense shall track*
14 *and report to the Under Secretary of Defense (Comptroller)*
15 *relevant data regarding all overseas construction projects*
16 *funded with amounts appropriated or otherwise made*
17 *available for operation and maintenance in support of con-*
18 *tingency operations.*

19 “(3)(A) *The Secretary of Defense shall prepare, for in-*
20 *clusion in the annual budget submission by the President*
21 *to Congress under section 1105 of title 31, a consolidated*
22 *budget justification display, in classified and unclassified*
23 *form, that identifies all overseas construction projects fund-*
24 *ed with amounts appropriated or otherwise made available*
25 *for operation and maintenance in support of contingency*
26 *operations.*

1 “(B) *The display prepared under subparagraph (A)*
2 *shall include a list of all construction projects described in*
3 *such subparagraph that were completed in the prior fiscal*
4 *year, that are ongoing, or that are expected for the next*
5 *five fiscal years, and shall identify for each project—*

6 “(i) *the component of the Department of Defense*
7 *involved in the project;*

8 “(ii) *the location of the project;*

9 “(iii) *a brief description of the purpose of the*
10 *project; and*

11 “(iv) *the actual or estimated cost of the project.*”.

12 (b) *REPORT ON CONSTRUCTION PROJECTS IN SUP-*
13 *PORT OF CONTINGENCY OPERATIONS.—*

14 (1) *IN GENERAL.—Not later than March 1, 2021,*
15 *the Secretary of Defense shall submit to the congress-*
16 *sional defense committees a report on ways to im-*
17 *prove the development, funding, and execution of con-*
18 *struction projects in support of overseas contingency*
19 *operations, including those funded with amounts ap-*
20 *propriated or otherwise made available for operation*
21 *and maintenance and those funded with amounts ap-*
22 *propriated or otherwise made available for military*
23 *construction.*

24 (2) *ELEMENTS.—The report required by para-*
25 *graph (1) shall include, at a minimum, the following:*

1 (A) *An examination and comparison of the*
2 *time required to plan, approve, and execute con-*
3 *struction projects funded with operation and*
4 *maintenance amounts versus those funded with*
5 *military construction amounts, in support of*
6 *contingency operations, including construction*
7 *projects in support of recent operations in Af-*
8 *ghanistan, Iraq, Syria, and Eastern Europe.*

9 (B) *A description of any challenges associ-*
10 *ated with the processes of the Department of De-*
11 *fense for planning, approving, and executing*
12 *such projects.*

13 (C) *A description of any ongoing or*
14 *planned efforts to improve such processes to pro-*
15 *mote efficiency and expediency in the develop-*
16 *ment and execution of such projects.*

17 (D) *Any recommendations with respect to*
18 *improving such processes, including those from*
19 *the commanders of the combatant commands and*
20 *the Secretaries of the military departments.*

1 **SEC. 373. PROVISION OF PROTECTION TO THE NATIONAL**
2 **MUSEUM OF THE MARINE CORPS, THE NA-**
3 **TIONAL MUSEUM OF THE UNITED STATES**
4 **ARMY, THE NATIONAL MUSEUM OF THE**
5 **UNITED STATES NAVY, AND THE NATIONAL**
6 **MUSEUM OF THE UNITED STATES AIR FORCE.**

7 *Section 2465(b) of title 10, United States Code, is*
8 *amended by adding at the end the following new paragraph:*

9 *“(5) A contract for the performance of on-site*
10 *armed security guard functions to be performed—*

11 *“(A) at the Marine Corps Heritage Center*
12 *at Marine Corps Base Quantico, Virginia, in-*
13 *cluding the National Museum of the Marine*
14 *Corps;*

15 *“(B) at the Heritage Center for the Na-*
16 *tional Museum of the United States Army at*
17 *Fort Belvoir, Virginia;*

18 *“(C) at the Heritage Center for the National*
19 *Museum of the United States Navy at Wash-*
20 *ington, District of Columbia; or*

21 *“(D) at the Heritage Center for the Na-*
22 *tional Museum of the United States Air Force at*
23 *Wright-Patterson Air Force Base, Ohio.”.*

1 **SEC. 374. INAPPLICABILITY OF CONGRESSIONAL NOTIFICA-**
 2 **TION AND DOLLAR LIMITATION REQUIRE-**
 3 **MENTS FOR ADVANCE BILLINGS FOR CER-**
 4 **TAIN BACKGROUND INVESTIGATIONS.**

5 *Section 2208(l) of title 10, United States Code, is*
 6 *amended—*

7 *(1) by redesignating paragraph (4) as para-*
 8 *graph (5); and*

9 *(2) by inserting after paragraph (3) the fol-*
 10 *lowing new paragraph (4):*

11 *“(4) This subsection shall not apply to advance billing*
 12 *for background investigation and related services performed*
 13 *by the Defense Counterintelligence and Security Agency.”.*

14 **SEC. 375. REPEAL OF SUNSET FOR MINIMUM ANNUAL PUR-**
 15 **CHASE AMOUNT FOR CARRIERS PARTICI-**
 16 **PATING IN THE CIVIL RESERVE AIR FLEET.**

17 *Section 9515 of title 10, United States Code, is amend-*
 18 *ed by striking subsection (k).*

19 **SEC. 376. IMPROVEMENT OF THE OPERATIONAL ENERGY**
 20 **CAPABILITY IMPROVEMENT FUND OF THE DE-**
 21 **PARTMENT OF DEFENSE.**

22 *(a) MANAGEMENT OF THE OPERATIONAL ENERGY CA-*
 23 *PABILITY IMPROVEMENT FUND.—The Assistant Secretary*
 24 *of Defense for Sustainment shall exercise authority, direc-*
 25 *tion, and control over the Operational Energy Capability*

1 *Improvement Fund of the Department of Defense (in this*
2 *section referred to as the “OECIF”).*

3 (b) *ALIGNMENT AND COORDINATION WITH RELATED*
4 *PROGRAMS.—*

5 (1) *REALIGNMENT OF OECIF.—Not later than 60*
6 *days after the date of the enactment of this Act, the*
7 *Secretary of Defense shall realign the OECIF under*
8 *the Assistant Secretary of Defense for Sustainment,*
9 *with such realignment to include personnel positions*
10 *adequate for the mission of the OECIF.*

11 (2) *BETTER COORDINATION WITH RELATED PRO-*
12 *GRAMS.—The Assistant Secretary shall ensure that*
13 *the placement under the authority of the Assistant*
14 *Secretary of the OECIF along with the Strategic En-*
15 *vironmental Research Program, the Environmental*
16 *Security Technology Certification Program, and the*
17 *Operational Energy Prototyping Program is utilized*
18 *to advance common goals of the Department, promote*
19 *organizational synergies, and avoid unnecessary du-*
20 *plication of effort.*

21 (c) *PROGRAM FOR OPERATIONAL ENERGY PROTO-*
22 *TYPING.—*

23 (1) *IN GENERAL.—Commencing not later than*
24 *90 days after the date of the enactment of this Act,*
25 *the Secretary of Defense, through the Assistant Sec-*

1 *retary of Defense for Sustainment, shall carry out a*
2 *program for the demonstration of technologies related*
3 *to operational energy prototyping, including dem-*
4 *onstration of operational energy technology and vali-*
5 *dation prototyping.*

6 (2) *OPERATION OF PROGRAM.—The Secretary*
7 *shall ensure that the program under paragraph (1)*
8 *operates in conjunction with the OECIF to promote*
9 *the transfer of innovative technologies that have suc-*
10 *cessfully established proof of concept for use in pro-*
11 *duction or in the field.*

12 (3) *PROGRAM ELEMENTS.—In carrying out the*
13 *program under paragraph (1) the Secretary shall—*

14 (A) *identify and demonstrate the most*
15 *promising, innovative, and cost-effective tech-*
16 *nologies and methods that address high-priority*
17 *operational energy requirements of the Depart-*
18 *ment of Defense;*

19 (B) *in conducting demonstrations under*
20 *subparagraph (A), the Secretary shall—*

21 (i) *collect cost and performance data to*
22 *overcome barriers against employing an in-*
23 *novative technology because of concerns re-*
24 *garding technical or programmatic risk;*
25 *and*

1 (ii) ensure that components of the De-
2 partment have time to establish new re-
3 quirements where necessary and plan, pro-
4 gram, and budget for technology transition
5 to programs of record;

6 (C) utilize project structures similar to
7 those of the OECIF to ensure transparency and
8 accountability throughout the efforts conducted
9 under the program; and

10 (D) give priority, in conjunction with the
11 OECIF, to the development and fielding of clean
12 technologies that reduce reliance on fossil fuels.

13 (4) *TOOL FOR ACCOUNTABILITY AND TRANSI-*
14 *TION.—*

15 (A) *IN GENERAL.—*In carrying out the pro-
16 gram under paragraph (1) the Secretary shall
17 develop and utilize a tool to track relevant in-
18 vestments in operational energy from applied re-
19 search to transition to use to ensure user organi-
20 zations have the full picture of technology matu-
21 ration and development.

22 (B) *TRANSITION.—*The tool developed and
23 utilized under subparagraph (A) shall be de-
24 signed to overcome transition challenges with
25 rigorous and well-documented demonstrations

1 that provide the information needed by all stake-
2 holders for acceptance of the technology.

3 (5) *LOCATIONS.*—

4 (A) *IN GENERAL.*—The Secretary shall
5 carry out the testing and evaluation phase of the
6 program under paragraph (1) at installations of
7 the Department of Defense or in conjunction
8 with exercises conducted by the Joint Staff, a
9 combatant command, or a military department.

10 (B) *FORMAL DEMONSTRATIONS.*—The Sec-
11 retary shall carry out any formal demonstra-
12 tions under the program under paragraph (1) at
13 installations of the Department or in operational
14 settings to document and validate improved
15 warfighting performance and cost savings.

16 **SEC. 377. COMMISSION ON THE NAMING OF ITEMS OF THE**
17 **DEPARTMENT OF DEFENSE THAT COMMEMO-**
18 **RATE THE CONFEDERATE STATES OF AMER-**
19 **ICA OR ANY PERSON WHO SERVED VOLUN-**
20 **TARILY WITH THE CONFEDERATE STATES OF**
21 **AMERICA.**

22 (a) *REMOVAL.*—Not later than three years after the
23 date of the enactment of this Act, the Secretary of Defense
24 shall implement the plan submitted by the commission de-
25 scribed in paragraph (b) and remove all names, symbols,

1 *displays, monuments, and paraphernalia that honor or*
2 *commemorate the Confederate States of America (commonly*
3 *referred to as the “Confederacy”) or any person who served*
4 *voluntarily with the Confederate States of America from all*
5 *assets of the Department of Defense.*

6 **(b) IN GENERAL.**—*The Secretary of Defense shall es-*
7 *tablish a commission relating to assigning, modifying, or*
8 *removing of names, symbols, displays, monuments, and*
9 *paraphernalia to assets of the Department of Defense that*
10 *commemorate the Confederate States of America or any per-*
11 *son who served voluntarily with the Confederate States of*
12 *America.*

13 **(c) DUTIES.**—*The Commission shall—*

14 **(1)** *assess the cost of renaming or removing*
15 *names, symbols, displays, monuments, or para-*
16 *phernalia that commemorate the Confederate States of*
17 *America or any person who served voluntarily with*
18 *the Confederate States of America;*

19 **(2)** *develop procedures and criteria to assess*
20 *whether an existing name, symbol, monument, dis-*
21 *play, or paraphernalia commemorates the Confederate*
22 *States of America or person who served voluntarily*
23 *with the Confederate States of America;*

24 **(3)** *recommend procedures for renaming assets of*
25 *the Department of Defense to prevent commemoration*

1 *of the Confederate States of America or any person*
2 *who served voluntarily with the Confederate States of*
3 *America;*

4 (4) *develop a plan to remove names, symbols,*
5 *displays, monuments, or paraphernalia that com-*
6 *memorate the Confederate States of America or any*
7 *person who served voluntarily with the Confederate*
8 *States of America from assets of the Department of*
9 *Defense, within the timeline established by this Act;*
10 *and*

11 (5) *include in the plan procedures and criteria*
12 *for collecting and incorporating local sensitivities as-*
13 *sociated with naming or renaming of assets of the De-*
14 *partment of Defense.*

15 (d) *MEMBERSHIP.—The Commission shall be com-*
16 *posed of eight members, of whom—*

17 (1) *four shall be appointed by the Secretary of*
18 *Defense;*

19 (2) *one shall be appointed by the Chairman of*
20 *the Committee on Armed Services of the Senate;*

21 (3) *one shall be appointed by the Ranking Mem-*
22 *ber of the Committee on Armed Services of the Senate;*

23 (4) *one shall be appointed by the Chairman of*
24 *the Committee on Armed Services of the House of*
25 *Representatives; and*

1 (5) *one shall be appointed by the Ranking Mem-*
2 *ber of the Committee on Armed Services of the House*
3 *of Representatives.*

4 (e) *APPOINTMENT.—Members of the Commission shall*
5 *be appointed not later than 45 days after the date of the*
6 *enactment of this Act.*

7 (f) *INITIAL MEETING.—The Commission shall hold its*
8 *initial meeting on the date that is 60 days after the enact-*
9 *ment of this Act.*

10 (g) *BRIEFINGS AND REPORTS.—Not later than October*
11 *1, 2021, the Commission shall brief the Committees on*
12 *Armed Services of the Senate and House of Representatives*
13 *detailing the progress of the requirements under subsection*
14 *(c). Not later than October 1, 2022, and not later than 90*
15 *days before the implementation of the plan in subsection*
16 *(c)(4), the Commission shall present a briefing and written*
17 *report detailing the results of the requirements under sub-*
18 *section (c), including:*

19 (1) *A list of assets to be removed or renamed.*

20 (2) *Costs associated with the removal or renam-*
21 *ing of assets in subsection (g)(1).*

22 (3) *Criteria and requirements used to nominate*
23 *and rename assets in subsection (g)(1).*

1 (1) *by striking “If the Clearinghouse” and in-*
2 *serting “(A) If the Clearinghouse”; and*

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

5 “(B) *After the Clearinghouse issues a notice*
6 *under subparagraph (A) with respect to an energy*
7 *project, the parties should seek to identify feasible and*
8 *affordable actions that can be taken by the Depart-*
9 *ment, the developer of such energy project, or others*
10 *to mitigate any adverse impact on military oper-*
11 *ations and readiness.*

12 “(C) *If the Secretary determines within a rea-*
13 *sonable period of time after the issuance of a notice*
14 *under subparagraph (A) with respect to an energy*
15 *project that the concerns identified in the preliminary*
16 *review conducted under paragraph (1) with respect to*
17 *such project have been mitigated to the extent that*
18 *such project does not pose an unacceptable level of*
19 *risk to military operations and readiness, the Clear-*
20 *inghouse shall timely issue a mission compatibility*
21 *letter to the applicant of such project, the governor of*
22 *the State in which such project is located, and the*
23 *Secretary of the finding of the Clearinghouse.”.*

1 **SEC. 379. ADJUSTMENT IN AVAILABILITY OF APPROPRIA-**
 2 **TIONS FOR UNUSUAL COST OVERRUNS AND**
 3 **FOR CHANGES IN SCOPE OF WORK.**

4 *Section 8683 of title 10, United States Code, is amend-*
 5 *ed by adding at the end the following new subsection:*

6 “(c) *TREATMENT OF AMOUNTS APPROPRIATED AFTER*
 7 *END OF PERIOD OF OBLIGATION.*—*In the application of*
 8 *section 1553(c) of title 31 to funds appropriated in the Op-*
 9 *eration and Maintenance, Navy account that are available*
 10 *for ship overhaul, the Secretary of the Navy—*

11 *“(1) may treat the limitation specified in para-*
 12 *graph (1) of such section to be ‘\$10,000,000’ rather*
 13 *than ‘\$4,000,000’; and*

14 *“(2) may treat the limitation specified in para-*
 15 *graph (2) of such section to be ‘\$30,000,000’ rather*
 16 *than ‘\$25,000,000’.”.*

17 **SEC. 380. REQUIREMENT THAT SECRETARY OF DEFENSE IM-**
 18 **PLEMENT SECURITY AND EMERGENCY RE-**
 19 **SPONSE RECOMMENDATIONS RELATING TO**
 20 **ACTIVE SHOOTER OR TERRORIST ATTACKS**
 21 **ON INSTALLATIONS OF DEPARTMENT OF DE-**
 22 **FENSE.**

23 (a) *REQUIREMENT.*—*Not later than 90 days after the*
 24 *date of the enactment of this Act, the Secretary of Defense*
 25 *shall implement the applicable security and emergency re-*
 26 *sponse recommendations relating to active shooter or ter-*

1 *rorist attacks on installations of the Department of Defense*
2 *made in the following reports:*

3 (1) *The report by the Government Accountability*
4 *Office dated July 2015 entitled, “Insider Threats:*
5 *DOD Should Improve Information Sharing and*
6 *Oversight to Protect U.S. Installations” (GAO–15–*
7 *543).*

8 (2) *The report prepared by the Department of*
9 *the Navy relating to the Washington Navy Yard*
10 *shooting in 2013.*

11 (3) *The report by the Department of the Army*
12 *dated August 2010 entitled “Fort Hood, Army Inter-*
13 *nal Review Team: Final Report”.*

14 (4) *The independent review by the Department*
15 *of Defense dated January 2010 entitled “Protecting*
16 *the Force: Lessons from Fort Hood”.*

17 (5) *The report by the Department of the Air*
18 *Force dated October 2010 entitled “Air Force Follow-*
19 *On Review: Protecting the Force: Lessons from Fort*
20 *Hood”.*

21 (b) *NOTIFICATION OF INAPPLICABLE RECOMMENDA-*
22 *TIONS.—*

23 (1) *IN GENERAL.—If the Secretary determines*
24 *that a recommendation described in subsection (a) is*
25 *outdated, is no longer applicable, or has been super-*

1 *seded by more recent separate guidance or rec-*
2 *ommendations set forth by the Government Account-*
3 *ability Office, the Department of Defense, or another*
4 *entity in related contracted review, the Secretary*
5 *shall notify the Committees on Armed Services of the*
6 *Senate and the House of Representatives not later*
7 *than 45 days after the date of the enactment of this*
8 *Act.*

9 (2) *IDENTIFICATION AND JUSTIFICATION.—The*
10 *notification under paragraph (1) shall include an*
11 *identification, set forth by report specified in sub-*
12 *section (a), of each recommendation that the Sec-*
13 *retary determines should not be implemented, with a*
14 *justification for each such determination.*

15 **SEC. 381. CLARIFICATION OF FOOD INGREDIENT REQUIRE-**
16 **MENTS FOR FOOD OR BEVERAGES PROVIDED**
17 **BY THE DEPARTMENT OF DEFENSE.**

18 (a) *IN GENERAL.—Before making any final rule,*
19 *statement, or determination regarding the limitation or*
20 *prohibition of any food or beverage ingredient in military*
21 *food service, military medical foods, commissary food, or*
22 *commissary food service, the Secretary of Defense shall pub-*
23 *lish in the Federal Register a notice of a preliminary rule,*
24 *statement, or determination (in this section referred to as*

1 a “proposed action”) and provide opportunity for public
2 comment.

3 (b) *MATTERS TO BE INCLUDED.*—The Secretary shall
4 include in any notice published under subsection (a) the
5 following:

6 (1) *The date of the notice.*

7 (2) *Contact information for the appropriate of-
8 fice at the Department of Defense.*

9 (3) *A summary of the notice.*

10 (4) *A date for comments to be submitted and spe-
11 cific methods for submitting comments.*

12 (5) *A description of the substance of the proposed
13 action.*

14 (6) *Findings and a statement of reasons sup-
15 porting the proposed action.*

16 **TITLE IV—MILITARY PERSONNEL**
17 **AUTHORIZATIONS**

18 **Subtitle A—Active Forces**

19 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

20 *The Armed Forces are authorized strengths for active
21 duty personnel as of September 30, 2021, as follows:*

22 (1) *The Army, 485,000.*

23 (2) *The Navy, 346,730.*

24 (3) *The Marine Corps, 180,000.*

25 (4) *The Air Force, 333,475.*

1 **SEC. 402. END STRENGTH LEVEL MATTERS.**

2 (a) *STRENGTH LEVELS TO SUPPORT TWO MAJOR RE-*
 3 *GIONAL CONTINGENCIES.—*

4 (1) *IN GENERAL.—Section 691 of title 10,*
 5 *United States Code, is repealed.*

6 (2) *TABLE OF SECTIONS.—The table of sections*
 7 *at the beginning of chapter 39 of such title is amend-*
 8 *ed by striking the item relating to section 691.*

9 (b) *CERTAIN ACTIVE-DUTY AND SELECTED RESERVE*
 10 *STRENGTHS.—Section 115 of such title is amended—*

11 (1) *in subsection (f)(1), by striking “increase”*
 12 *and inserting “vary”; and*

13 (2) *in subsection (g)(1)(A), by striking “in-*
 14 *crease” and inserting “vary”.*

15 ***Subtitle B—Reserve Forces***

16 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

17 (a) *IN GENERAL.—The Armed Forces are authorized*
 18 *strengths for Selected Reserve personnel of the reserve com-*
 19 *ponents as of September 30, 2021, as follows:*

20 (1) *The Army National Guard of the United*
 21 *States, 336,500.*

22 (2) *The Army Reserve, 189,800.*

23 (3) *The Navy Reserve, 58,800.*

24 (4) *The Marine Corps Reserve, 38,500.*

25 (5) *The Air National Guard of the United*
 26 *States, 108,100.*

1 (6) *The Air Force Reserve, 70,300.*

2 (7) *The Coast Guard Reserve, 7,000.*

3 (b) *END STRENGTH REDUCTIONS.—The end strengths*
4 *prescribed by subsection (a) for the Selected Reserve of any*
5 *reserve component shall be proportionately reduced by—*

6 (1) *the total authorized strength of units orga-*
7 *nized to serve as units of the Selected Reserve of such*
8 *component which are on active duty (other than for*
9 *training) at the end of the fiscal year; and*

10 (2) *the total number of individual members not*
11 *in units organized to serve as units of the Selected*
12 *Reserve of such component who are on active duty*
13 *(other than for training or for unsatisfactory partici-*
14 *pation in training) without their consent at the end*
15 *of the fiscal year.*

16 (c) *END STRENGTH INCREASES.—Whenever units or*
17 *individual members of the Selected Reserve of any reserve*
18 *component are released from active duty during any fiscal*
19 *year, the end strength prescribed for such fiscal year for*
20 *the Selected Reserve of such reserve component shall be in-*
21 *creased proportionately by the total authorized strengths of*
22 *such units and by the total number of such individual mem-*
23 *bers.*

1 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
2 **DUTY IN SUPPORT OF THE RESERVES.**

3 *Within the end strengths prescribed in section 411(a),*
4 *the reserve components of the Armed Forces are authorized,*
5 *as of September 30, 2021, the following number of Reserves*
6 *to be serving on full-time active duty or full-time duty, in*
7 *the case of members of the National Guard, for the purpose*
8 *of organizing, administering, recruiting, instructing, or*
9 *training the reserve components:*

10 (1) *The Army National Guard of the United*
11 *States, 30,595.*

12 (2) *The Army Reserve, 16,511.*

13 (3) *The Navy Reserve, 10,215.*

14 (4) *The Marine Corps Reserve, 2,386.*

15 (5) *The Air National Guard of the United*
16 *States, 25,333.*

17 (6) *The Air Force Reserve, 5,256.*

18 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
19 **(DUAL STATUS).**

20 (a) *IN GENERAL.—The authorized number of military*
21 *technicians (dual status) as of the last day of fiscal year*
22 *2021 for the reserve components of the Army and the Air*
23 *Force (notwithstanding section 129 of title 10, United*
24 *States Code) shall be the following:*

25 (1) *For the Army National Guard of the United*
26 *States, 22,294.*

1 (2) *For the Army Reserve, 6,492.*

2 (3) *For the Air National Guard of the United*
3 *States, 10,994.*

4 (4) *For the Air Force Reserve, 7,947.*

5 (b) *LIMITATION.—Under no circumstances may a*
6 *military technician (dual status) employed under the au-*
7 *thority of this section be coerced by a State into accepting*
8 *an offer of realignment or conversion to any other military*
9 *status, including as a member of the Active, Guard, and*
10 *Reserve program of a reserve component. If a military tech-*
11 *nician (dual status) declines to participate in such realign-*
12 *ment or conversion, no further action will be taken against*
13 *the individual or the individual's position.*

14 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
15 **THORIZED TO BE ON ACTIVE DUTY FOR**
16 **OPERATIONAL SUPPORT.**

17 *During fiscal year 2021, the maximum number of*
18 *members of the reserve components of the Armed Forces who*
19 *may be serving at any time on full-time operational sup-*
20 *port duty under section 115(b) of title 10, United States*
21 *Code, is the following:*

22 (1) *The Army National Guard of the United*
23 *States, 17,000.*

24 (2) *The Army Reserve, 13,000.*

25 (3) *The Navy Reserve, 6,200.*

1 (4) *The Marine Corps Reserve, 3,000.*

2 (5) *The Air National Guard of the United*
3 *States, 16,000.*

4 (6) *The Air Force Reserve, 14,000.*

5 **SEC. 415. SEPARATE AUTHORIZATION BY CONGRESS OF**
6 **MINIMUM END STRENGTHS FOR NON-TEM-**
7 **PORARY MILITARY TECHNICIANS (DUAL STA-**
8 **TUS) AND MAXIMUM END STRENGTHS FOR**
9 **TEMPORARY MILITARY TECHNICIANS (DUAL**
10 **STATUS).**

11 (a) *IN GENERAL.*—Section 115(d) of title 10, United
12 *States Code, is amended—*

13 (1) *in the first sentence, by striking “the end*
14 *strength for military technicians (dual status)” and*
15 *inserting “both the minimum end strength for non-*
16 *temporary military technicians (dual status) and the*
17 *maximum end strength for temporary military tech-*
18 *nicians (dual status)”;* and

19 (2) *in the third sentence, by striking “the end*
20 *strength requested for military technicians (dual sta-*
21 *tus)” and inserting “the minimum end strength for*
22 *non-temporary military technicians (dual status),*
23 *and the maximum end strength for temporary mili-*
24 *tary technicians (dual status), requested”.*

1 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
2 *section (a) shall take effect on the day after the date of the*
3 *enactment of this Act. The amendment made by subsection*
4 *(a)(2) shall apply with respect to budgets submitted by the*
5 *President to Congress under section 1105 of title 31, United*
6 *States Code, after such effective date.*

7 ***Subtitle C—Authorization of***
8 ***Appropriations***

9 ***SEC. 421. MILITARY PERSONNEL.***

10 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*Funds are*
11 *hereby authorized to be appropriated for fiscal year 2021*
12 *for the use of the Armed Forces and other activities and*
13 *agencies of the Department of Defense for expenses, not oth-*
14 *erwise provided for, for military personnel, as specified in*
15 *the funding table in section 4401.*

16 (b) *CONSTRUCTION OF AUTHORIZATION.*—*The author-*
17 *ization of appropriations in subsection (a) supersedes any*
18 *other authorization of appropriations (definite or indefi-*
19 *nite) for such purpose for fiscal year 2021.*

1 **TITLE V—MILITARY PERSONNEL**
 2 **POLICY**

3 **Subtitle A—Officer Personnel Policy**

4 **SEC. 501. REPEAL OF CODIFIED SPECIFICATION OF AU-**
 5 **THORIZED STRENGTHS OF CERTAIN COMMIS-**
 6 **SIONED OFFICERS ON ACTIVE DUTY.**

7 *Effective as of October 1, 2021, the text of section 523*
 8 *of title 10, United States Code, is amended to read as fol-*
 9 *lows:*

10 *“The total number of commissioned officers serving on*
 11 *active duty in the Army, Air Force, or Marine Corps in*
 12 *each of the grades of major, lieutenant colonel, or colonel,*
 13 *or in the Navy in each of the grades of lieutenant com-*
 14 *mander, commander, or captain, at the end of any fiscal*
 15 *year shall be as specifically authorized by Act of Congress*
 16 *for such fiscal year.”.*

17 **SEC. 502. TEMPORARY EXPANSION OF AVAILABILITY OF EN-**
 18 **HANCED CONSTRUCTIVE SERVICE CREDIT IN**
 19 **A PARTICULAR CAREER FIELD UPON ORIGI-**
 20 **NAL APPOINTMENT AS A COMMISSIONED OF-**
 21 **FICER.**

22 *(a) REGULAR OFFICERS.—Subparagraph (D) of sec-*
 23 *tion 533(b)(1) of title 10, United States Code, is amended*
 24 *to read as follows:*

25 *“(D) Additional credit as follows:*

1 “(i) For special training or experience in a
2 particular officer field as designated by the Sec-
3 retary concerned, if such training or experience
4 is directly related to the operational needs of the
5 armed force concerned.

6 “(ii) During fiscal years 2021 through
7 2025, for advanced education in an officer field
8 so designated, if such education is directly re-
9 lated to the operational needs of the armed force
10 concerned.”.

11 (b) *RESERVE OFFICERS*.—Section 12207(b)(1) of such
12 title is amended—

13 (1) in the matter preceding subparagraph (A),
14 “or a designation in” and all that follows through
15 “education or training,” and inserting “and who has
16 special training or experience, or advanced education
17 (if applicable),”; and

18 (2) by striking subparagraph (D) and inserting
19 the following new subparagraph:

20 “(D) Additional credit as follows:

21 “(i) For special training or experience in a
22 particular officer field as designated by the Sec-
23 retary concerned, if such training or experience
24 is directly related to the operational needs of the
25 armed force concerned.

1 “(ii) During fiscal years 2021 through
2 2025, for advanced education in an officer field
3 so designated, if such education is directly re-
4 lated to the operational needs of the armed force
5 concerned.”.

6 (c) ANNUAL REPORT.—

7 (1) IN GENERAL.—Not later than February 1,
8 2022, and every four years thereafter, each Secretary
9 of a military department shall submit to the Commit-
10 tees on Armed Services of the Senate and the House
11 of Representatives a report on the use of the authori-
12 ties in subparagraph (D) of section 553(b)(1) of title
13 10, United States Code (as amended by subsection
14 (a)), and subparagraph (D) of section 12207(b)(1) of
15 such title (as amended by subsection (b)) (each re-
16 ferred to in this subsection as a “constructive credit
17 authority”) during the preceding fiscal year for the
18 Armed Forces under the jurisdiction of such Sec-
19 retary.

20 (2) ELEMENTS.—Each report under paragraph
21 (1) shall include, for the fiscal year and Armed Forces
22 covered by such report, the following:

23 (A) The manner in which constructive serv-
24 ice credit was calculated under each constructive
25 credit authority.

1 (B) *The number of officers credited con-*
 2 *structive service credit under each constructive*
 3 *credit authority.*

4 (C) *A description and assessment of the*
 5 *utility of the constructive credit authorities in*
 6 *meeting the operational needs of the Armed*
 7 *Force concerned.*

8 (D) *Such other matters in connection with*
 9 *the constructive credit authorities as the Sec-*
 10 *retary of the military department concerned con-*
 11 *siders appropriate.*

12 **SEC. 503. REQUIREMENT FOR PROMOTION SELECTION**
 13 **BOARD RECOMMENDATION OF HIGHER**
 14 **PLACEMENT ON PROMOTION LIST OF OFFI-**
 15 **CERS OF PARTICULAR MERIT.**

16 (a) *IN GENERAL.*—*Section 616(g) of title 10, United*
 17 *States Code, is amended—*

18 (1) *in paragraph (1)—*

19 (A) *by striking “may” and inserting*
 20 *“shall”; and*

21 (B) *by inserting “, pursuant to guidelines*
 22 *and procedures prescribed by the Secretary,”*
 23 *after “officers of particular merit”; and*

1 (2) *in paragraph (3), by inserting “, pursuant*
 2 *to guidelines and procedures prescribed by the Sec-*
 3 *retary concerned,” after “shall recommend”.*

4 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
 5 *section (a) shall take effect on the date of the enactment*
 6 *of this Act, and shall apply with respect to officers rec-*
 7 *ommended for promotion by promotion selection boards*
 8 *convened on or after that date.*

9 **SEC. 504. SPECIAL SELECTION REVIEW BOARDS FOR RE-**
 10 **VIEW OF PROMOTION OF OFFICERS SUBJECT**
 11 **TO ADVERSE INFORMATION IDENTIFIED**
 12 **AFTER RECOMMENDATION FOR PROMOTION**
 13 **AND RELATED MATTERS.**

14 (a) *REGULAR OFFICERS.*—

15 (1) *IN GENERAL.*—*Subchapter III of chapter 36*
 16 *of title 10, United States Code, is amended by insert-*
 17 *ing after section 628 the following new section:*

18 **“§ 628a. Special selection review boards**

19 “(a) *IN GENERAL.*—(1) *If the Secretary of the military*
 20 *department concerned determines that a person rec-*
 21 *ommended by a promotion board for promotion to a grade*
 22 *at or below the grade of major general, rear admiral in*
 23 *the Navy, or an equivalent grade in the Space Force is the*
 24 *subject of credible information of an adverse nature, includ-*
 25 *ing any substantiated adverse finding or conclusion de-*

1 *scribed in section 615(a)(3)(A) of this title, that was not*
2 *furnished to the promotion board during its consideration*
3 *of the person for promotion as otherwise required by such*
4 *section, the Secretary shall convene a special selection re-*
5 *view board under this section to review the person and rec-*
6 *ommend whether the recommendation for promotion of the*
7 *person should be sustained.*

8 “(2) *If a person and the recommendation for pro-*
9 *motion of the person is subject to review under this section*
10 *by a special selection review board convened under this sec-*
11 *tion, the name of the person—*

12 “(A) *shall not be disseminated or publicly re-*
13 *leased on the list of officers recommended for pro-*
14 *motion by the promotion board recommending the*
15 *promotion of the person; and*

16 “(B) *shall not be forwarded to the Secretary of*
17 *Defense, the President, or the Senate, as applicable, or*
18 *included on a promotion list under section 624(a) of*
19 *this title.*

20 “(b) *CONVENING.—(1) Any special selection review*
21 *board convened under this section shall be convened in ac-*
22 *cordance with the provisions of section 628(f) of this title.*

23 “(2) *Any special selection review board convened under*
24 *this section may review such number of persons, and rec-*
25 *ommendations for promotion of such persons, as the Sec-*

1 *retary of the military department concerned shall specify*
2 *in convening such special selection review board.*

3 “(c) *INFORMATION CONSIDERED.—(1) In reviewing a*
4 *person and recommending whether the recommendation for*
5 *promotion of the person should be sustained under this sec-*
6 *tion, a special selection review board convened under this*
7 *section shall be furnished and consider the following:*

8 “(A) *The record and information concerning the*
9 *person furnished in accordance with section 615(a)(2)*
10 *of this title to the promotion board that recommended*
11 *the person for promotion.*

12 “(B) *Any credible information of an adverse na-*
13 *ture on the person, including any substantiated ad-*
14 *verse finding or conclusion from an officially docu-*
15 *mented investigation or inquiry described in section*
16 *615(a)(3)(A) of this title.*

17 “(2) *The furnishing of information to a special selec-*
18 *tion review board under paragraph (1)(B) shall be governed*
19 *by the standards and procedures referred to in paragraph*
20 *(3)(C) of section 615(a) of this title applicable to the fur-*
21 *nishing of information described in paragraph (3)(A) of*
22 *such section to selection boards in accordance with that sec-*
23 *tion.*

24 “(3)(A) *Before information on a person described in*
25 *paragraph (1)(B) is furnished to a special selection review*

1 board for purposes of this section, the Secretary of the mili-
2 tary department concerned shall ensure that—

3 “(i) such information is made available to the
4 person; and

5 “(ii) subject to subparagraphs (C) and (D), the
6 person is afforded a reasonable opportunity to submit
7 comments on such information to the special selection
8 review board before its review of the person and the
9 recommendation for promotion of the person under
10 this section.

11 “(B) If information on a person described in para-
12 graph (1)(B) is not made available to the person as other-
13 wise required by subparagraph (A)(i) due to the classifica-
14 tion status of such information, the person shall, to the
15 maximum extent practicable, be furnished a summary of
16 such information appropriate to the person’s authorization
17 for access to classified information.

18 “(C)(i) An opportunity to submit comments on infor-
19 mation is not required for a person under subparagraph
20 (A)(ii) if—

21 “(I) such information was made available to the
22 person in connection with the furnishing of such in-
23 formation under section 615(a) of this title to the pro-
24 motion board that recommended the promotion of the
25 person subject to review under this section; and

1 “(II) the person submitted comments on such in-
2 formation to that promotion board.

3 “(ii) The comments on information of a person de-
4 scribed in clause (i)(II) shall be furnished to the special
5 selection review board.

6 “(D) A person may waive either or both of the fol-
7 lowing:

8 “(i) The right to submit comments to a special
9 selection review board under subparagraph (A)(i).

10 “(ii) The furnishing of comments to a special se-
11 lection review board under subparagraph (C)(ii).

12 “(d) CONSIDERATION.—(1) In considering the record
13 and information on a person under this section, the special
14 selection review board shall compare such record and infor-
15 mation with an appropriate sampling of the records of those
16 officers of the same competitive category who were rec-
17 ommended for promotion by the promotion board that rec-
18 ommended the person for promotion, and an appropriate
19 sampling of the records of those officers who were considered
20 by and not recommended for promotion by that promotion
21 board.

22 “(2) Records and information shall be presented to a
23 special selection review board for purposes of paragraph (1)
24 in a manner that does not indicate or disclose the person

1 *or persons for whom the special selection review board was*
2 *convened.*

3 “(3) *In considering whether the recommendation for*
4 *promotion of a person should be sustained under this sec-*
5 *tion, a special selection review board shall, to the greatest*
6 *extent practicable, apply standards used by the promotion*
7 *board that recommended the person for promotion.*

8 “(4) *The recommendation for promotion of a person*
9 *may be sustained under this section only if the special selec-*
10 *tion review board determines that the person—*

11 “(A) *ranks on an order of merit created by the*
12 *special selection review board as better qualified for*
13 *promotion than the sample officer highest on the order*
14 *of merit list who was considered by and not rec-*
15 *ommended for promotion by the promotion board con-*
16 *cerned; and*

17 “(B) *is comparable in qualification for pro-*
18 *motion to those sample officers who were rec-*
19 *ommended for promotion by that promotion board.*

20 “(5) *A recommendation for promotion of a person may*
21 *be sustained under this section only by a vote of a majority*
22 *of the members of the special selection review board.*

23 “(6) *If a special selection review board does not sustain*
24 *a recommendation for promotion of a person under this sec-*

1 *tion, the person shall be considered to have failed of selection*
2 *for promotion.*

3 “(e) *REPORTS.—(1) Each special selection review*
4 *board convened under this section shall submit to the Sec-*
5 *retary of the military department concerned a written re-*
6 *port, signed by each member of the board, containing the*
7 *name of each person whose recommendation for promotion*
8 *it recommends for sustainment and certifying that the*
9 *board has carefully considered the record and information*
10 *of each person whose name was referred to it.*

11 “(2) *The provisions of sections 617(b) and 618 of this*
12 *title apply to the report and proceedings of a special selec-*
13 *tion review board convened under this section in the same*
14 *manner as they apply to the report and proceedings of a*
15 *promotion board convened under section 611(a) of this title.*

16 “(f) *APPOINTMENT OF PERSONS.—(1) If the report of*
17 *a special selection review board convened under this section*
18 *recommends the sustainment of the recommendation for*
19 *promotion to the next higher grade of a person whose name*
20 *was referred to it for review under this section, and the*
21 *President approves the report, the person shall, as soon as*
22 *practicable, be appointed to that grade in accordance with*
23 *subsections (b) and (c) of section 624 of this title.*

24 “(2) *A person who is appointed to the next higher*
25 *grade as described in paragraph (1) shall, upon that ap-*

1 *pointment, have the same date of rank, the same effective*
 2 *date for the pay and allowances of that grade, and the same*
 3 *position on the active-duty list as the person would have*
 4 *had pursuant to the original recommendation for pro-*
 5 *motion of the promotion board concerned.*

6 “(g) *REGULATIONS.—(1) The Secretary of Defense*
 7 *shall prescribe regulations to carry out this section. Such*
 8 *regulations shall apply uniformly across the military de-*
 9 *partments.*

10 “(2) *Any regulation prescribed by the Secretary of a*
 11 *military department to supplement the regulations pre-*
 12 *scribed pursuant to paragraph (1) may not take effect with-*
 13 *out the approval of the Secretary of Defense, in writing.*

14 “(h) *PROMOTION BOARD DEFINED.—In this section,*
 15 *the term ‘promotion board’ means a selection board con-*
 16 *vened by the Secretary of a military department under sec-*
 17 *tion 611(a) of this title.”.*

18 (2) *CLERICAL AMENDMENT.—The table of sec-*
 19 *tions at the beginning of subchapter III of chapter 36*
 20 *of such title is amended by inserting after the item*
 21 *relating to section 628 the following new item:*

“628a. *Special selection review boards.”.*

22 (3) *DELAY IN PROMOTION.—Section 624(d) of*
 23 *such title is amended—*

24 (A) *in paragraph (1)—*

1 (i) in subparagraph (D), by striking
2 “or” at the end;

3 (ii) in subparagraph (E), by striking
4 the period at the end and inserting “; or”;
5 and

6 (iii) by inserting after subparagraph
7 (E) the following new subparagraph (F):

8 “(F) the Secretary of the military department
9 concerned determines that credible information of an
10 adverse nature, including a substantiated adverse
11 finding or conclusion described in section
12 615(a)(3)(A) of this title, with respect to the officer
13 will result in the convening of a special selection re-
14 view board under section 628a of this title to review
15 the officer and recommend whether the recommenda-
16 tion for promotion of the officer should be sustained.”;

17 (B) by redesignating paragraphs (3) and
18 (4) as paragraphs (4) and (5), respectively;

19 (C) by inserting after paragraph (2) the fol-
20 lowing new paragraph (3):

21 “(3) In the case of an officer whose promotion is de-
22 layed pursuant to paragraph (1)(F) and whose rec-
23 ommendation for promotion is sustained, authorities for the
24 promotion of the officer are specified in section 628a(f) of
25 this title.”; and

1 (D) in paragraph (4), as redesignated by
2 subparagraph (B)—

3 (i) by striking “The appointment” and
4 inserting “(A) Except as provided in sub-
5 paragraph (B), the appointment”; and

6 (ii) by adding at the end the following
7 new subparagraph:

8 “(B) In the case of an officer whose promotion is de-
9 layed pursuant to paragraph (1)(F), requirements applica-
10 ble to notice and opportunity for response to such delay are
11 specified in section 628a(c)(3) of this title.”

12 (b) RESERVE OFFICERS.—

13 (1) IN GENERAL.—Chapter 1407 of title 10,
14 United States Code, is amended by inserting after sec-
15 tion 14502 the following new section:

16 “§ 14502a. **Special selection review boards**

17 “(a) IN GENERAL.—(1) If the Secretary of the military
18 department concerned determines that a person rec-
19 ommended by a promotion board for promotion to a grade
20 at or below the grade of major general or rear admiral in
21 the Navy is the subject of credible information of an adverse
22 nature, including any substantiated adverse finding or con-
23 clusion described in section 14107(a)(3)(A) of this title, that
24 was not furnished to the promotion board during its consid-
25 eration of the person for promotion as otherwise required

1 *by such section, the Secretary shall convene a special selec-*
2 *tion review board under this section to review the person*
3 *and recommend whether the recommendation for promotion*
4 *of the person should be sustained.*

5 “(2) *If a person and the recommendation for pro-*
6 *motion of the person is subject to review under this section*
7 *by a special selection review board convened under this sec-*
8 *tion, the name of the person—*

9 “(A) *shall not be disseminated or publicly re-*
10 *leased on the list of officers recommended for pro-*
11 *motion by the promotion board recommending the*
12 *promotion of the person; and*

13 “(B) *shall not be forwarded to the Secretary of*
14 *Defense, the President, or the Senate, as applicable, or*
15 *included on a promotion list under section 14308(a)*
16 *of this title.*

17 “(b) *CONVENING.—(1) Any special selection review*
18 *board convened under this section shall be convened in ac-*
19 *cordance with the provisions of section 14502(b)(2) of this*
20 *title.*

21 “(2) *Any special selection review board convened under*
22 *this section may review such number of persons, and rec-*
23 *ommendations for promotion of such persons, as the Sec-*
24 *retary of the military department concerned shall specify*
25 *in convening such special selection review board.*

1 “(c) *INFORMATION CONSIDERED.*—(1) *In reviewing a*
2 *person and recommending whether the recommendation for*
3 *promotion of the person should be sustained under this sec-*
4 *tion, a special selection review board convened under this*
5 *section shall be furnished and consider the following:*

6 “(A) *The record and information concerning the*
7 *person furnished in accordance with section*
8 *14107(a)(2) of this title to the promotion board that*
9 *recommended the person for promotion.*

10 “(B) *Any credible information of an adverse na-*
11 *ture on the person, including any substantiated ad-*
12 *verse finding or conclusion from an officially docu-*
13 *mented investigation or inquiry described in section*
14 *14107(a)(3)(A) of this title.*

15 “(2) *The furnishing of information to a special selec-*
16 *tion review board under paragraph (1)(B) shall be governed*
17 *by the standards and procedures referred to in paragraph*
18 *(3)(B) of section 14107(a) of this title applicable to the fur-*
19 *nishing of information described in paragraph (3)(A) of*
20 *such section to promotion boards in accordance with that*
21 *section.*

22 “(3)(A) *Before information on person described in*
23 *paragraph (1)(B) is furnished to a special selection review*
24 *board for purposes of this section, the Secretary of the mili-*
25 *tary department concerned shall ensure that—*

1 “(i) such information is made available to the
2 person; and

3 “(ii) subject to subparagraphs (C) and (D), the
4 person is afforded a reasonable opportunity to submit
5 comments on such information to the special selection
6 review board before its review of the person and the
7 recommendation for promotion of the person under
8 this section.

9 “(B) If information on an officer described in para-
10 graph (1)(B) is not made available to the person as other-
11 wise required by subparagraph (A)(i) due to the classifica-
12 tion status of such information, the person shall, to the
13 maximum extent practicable, be furnished a summary of
14 such information appropriate to the person’s authorization
15 for access to classified information.

16 “(C)(i) An opportunity to submit comments on infor-
17 mation is not required for a person under subparagraph
18 (A)(ii) if—

19 “(I) such information was made available to the
20 person in connection with the furnishing of such in-
21 formation under section 14107(a) of this title to the
22 promotion board that recommended the promotion of
23 the person subject to review under this section; and

24 “(II) the person submitted comments on such in-
25 formation to that promotion board.

1 “(ii) *The comments on information of a person de-*
2 *scribed in clause (i)(II) shall be furnished to the special*
3 *selection review board.*

4 “(D) *A person may waive either or both of the fol-*
5 *lowing:*

6 “(i) *The right to submit comments to a special*
7 *selection review board under subparagraph (A)(ii).*

8 “(ii) *The furnishing of comments to a special se-*
9 *lection review board under subparagraph (C)(ii).*

10 “(d) *CONSIDERATION.—(1) In considering the record*
11 *and information on a person under this section, the special*
12 *selection review board shall compare such record and infor-*
13 *mation with an appropriate sampling of the records of those*
14 *officers of the same competitive category who were rec-*
15 *ommended for promotion by the promotion board that rec-*
16 *ommended the person for promotion, and an appropriate*
17 *sampling of the records of those officers who were considered*
18 *by and not recommended for promotion by that promotion*
19 *board.*

20 “(2) *Records and information shall be presented to a*
21 *special selection review board for purposes of paragraph (1)*
22 *in a manner that does not indicate or disclose the person*
23 *or persons for whom the special selection review board was*
24 *convened.*

1 “(3) *In considering whether the recommendation for*
2 *promotion of a person should be sustained under this sec-*
3 *tion, a special selection review board shall, to the greatest*
4 *extent practicable, apply standards used by the promotion*
5 *board that recommended the person for promotion.*

6 “(4) *The recommendation for promotion of a person*
7 *may be sustained under this section only if the special selec-*
8 *tion review board determines that the person—*

9 “(A) *ranks on an order of merit created by the*
10 *special selection review board as better qualified for*
11 *promotion than the sample officer highest on the order*
12 *of merit list who was considered by and not rec-*
13 *ommended for promotion by the promotion board con-*
14 *cerned; and*

15 “(B) *is comparable in qualification for pro-*
16 *motion to those sample officers who were rec-*
17 *ommended for promotion by that promotion board.*

18 “(5) *A recommendation for promotion of a person may*
19 *be sustained under this section only by a vote of a majority*
20 *of the members of the special selection review board.*

21 “(6) *If a special selection review board does not sustain*
22 *a recommendation for promotion of a person under this sec-*
23 *tion, the person shall be considered to have failed of selection*
24 *for promotion.*

1 “(e) *REPORTS.*—(1) *Each special selection review*
2 *board convened under this section shall submit to the Sec-*
3 *retary of the military department concerned a written re-*
4 *port, signed by each member of the board, containing the*
5 *name of each person whose recommendation for promotion*
6 *it recommends for sustainment and certifying that the*
7 *board has carefully considered the record and information*
8 *of each person whose name was referred to it.*

9 “(2) *The provisions of sections 14109(c), 14110, and*
10 *14111 of this title apply to the report and proceedings of*
11 *a special selection review board convened under this section*
12 *in the same manner as they apply to the report and pro-*
13 *ceedings of a promotion board convened under section*
14 *14101(a) of this title.*

15 “(f) *APPOINTMENT OF PERSONS.*—(1) *If the report of*
16 *a special selection review board convened under this section*
17 *recommends the sustainment of the recommendation for*
18 *promotion to the next higher grade of a person whose name*
19 *was referred to it for review under this section, and the*
20 *President approves the report, the person shall, as soon as*
21 *practicable, be appointed to that grade in accordance with*
22 *section 14308 of this title.*

23 “(2) *A person who is appointed to the next higher*
24 *grade as described in paragraph (1) shall, upon that ap-*
25 *pointment, have the same date of rank, the same effective*

1 *date for the pay and allowances of that grade, and the same*
 2 *position on the reserve active-status list as the person would*
 3 *have had pursuant to the original recommendation for pro-*
 4 *motion of the promotion board concerned.*

5 “(g) *REGULATIONS.*—(1) *The Secretary of Defense*
 6 *shall prescribe regulations to carry out this section. Such*
 7 *regulations shall apply uniformly across the military de-*
 8 *partments.*

9 “(2) *Any regulation prescribed by the Secretary of a*
 10 *military department to supplement the regulations pre-*
 11 *scribed pursuant to paragraph (1) may not take effect with-*
 12 *out the approval of the Secretary of Defense, in writing.*

13 “(h) *PROMOTION BOARD DEFINED.*—*In this section,*
 14 *the term ‘promotion board’ means a selection board con-*
 15 *vened by the Secretary of a military department under sec-*
 16 *tion 14101(a) of this title.”.*

17 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 18 *tions at the beginning of chapter 1407 of such title is*
 19 *amended by inserting after the item relating to sec-*
 20 *tion 14502 the following new item:*

“14502a. *Special selection review boards.*”.

21 (3) *DELAY IN PROMOTION.*—*Section 14311 of*
 22 *such title is amended—*

23 (A) *in subsection (a)—*

24 (i) *in paragraph (1), by adding at the*
 25 *end the following new subparagraph:*

1 “(F) The Secretary of the military department
2 concerned determines that credible information of ad-
3 verse nature, including a substantiated adverse find-
4 ing or conclusion described in section 14107(a)(3)(A)
5 of this title, with respect to the officer will result in
6 the convening of a special selection review board
7 under section 14502a of this title to review the officer
8 and recommend whether the recommendation for pro-
9 motion of the officer should be sustained.”; and

10 (ii) by adding at the end the following
11 new paragraph:

12 “(2) In the case of an officer whose promotion is de-
13 layed pursuant to paragraph (1)(F) and whose rec-
14 ommendation for promotion is sustained, authorities for the
15 promotion of the officer are specified in section 14502a(f)
16 of this title.”; and

17 (B) in subsection (c), by adding at the end
18 the following new paragraph:

19 “(3) Notwithstanding paragraphs (1) and (2), in the
20 case of an officer whose promotion is delayed pursuant to
21 subsection (a)(1)(F), requirements applicable to notice and
22 opportunity for response to such delay are specified in sec-
23 tion 14502a(c)(3) of this title.”.

1 (c) *REQUIREMENTS FOR FURNISHING ADVERSE IN-*
2 *FORMATION ON REGULAR OFFICERS TO PROMOTION SELEC-*
3 *TION BOARDS.—*

4 (1) *EXTENSION OF REQUIREMENTS TO SPACE*
5 *FORCE REGULAR OFFICERS.—Subparagraph (B)(i) of*
6 *section 615(a)(3) of title 10, United States Code, is*
7 *amended by striking “or, in the case of the Navy,*
8 *lieutenant” and inserting “, in the case of the Navy,*
9 *lieutenant, or in the case of the Space Force, the*
10 *equivalent grade”.*

11 (2) *SATISFACTION OF REQUIREMENTS THROUGH*
12 *SPECIAL SELECTION REVIEW BOARDS.—Such section*
13 *is further amended by adding at the end the following*
14 *new subparagraph:*

15 “(D) *With respect to the consideration of an officer for*
16 *promotion to a grade at or below major general, in the case*
17 *of the Navy, rear admiral, or, in the case of the Space Force,*
18 *the equivalent grade, the requirements in subparagraphs*
19 *(A) and (C) may be met through the convening and actions*
20 *of a special selection review board with respect to the officer*
21 *under section 628a of this title.”.*

22 (3) *DELAYED APPLICABILITY OF REQUIREMENTS*
23 *TO BOARDS FOR PROMOTION OF OFFICERS TO NON-*
24 *GENERAL AND FLAG OFFICER GRADES.—Subsection*
25 *(c) of section 502 of the National Defense Authoriza-*

1 *tion Act for Fiscal Year 2020 (Public Law 116–92)*
2 *is amended to read as follows:*

3 “(c) *EFFECTIVE DATE AND APPLICABILITY.*—

4 “(1) *EFFECTIVE DATE.*—*The amendments made*
5 *by this section shall take effect on December 20, 2019,*
6 *and shall, except as provided in paragraph (2), apply*
7 *with respect to the proceedings of promotion selection*
8 *boards convened under section 611(a) of title 10,*
9 *United States Code, after that date.*

10 “(2) *DELAYED APPLICABILITY FOR BOARDS FOR*
11 *PROMOTION TO NON-GENERAL AND FLAG OFFICER*
12 *GRADES.*—*The amendments made this section shall*
13 *apply with respect to the proceedings of promotion se-*
14 *lection boards convened under section 611(a) of title*
15 *10, United States Code, for consideration of officers*
16 *for promotion to a grade below the grade of brigadier*
17 *general or, in the case of the Navy, rear admiral*
18 *(lower half), only if such boards are so convened after*
19 *January 1, 2021.”.*

20 (d) *REQUIREMENTS FOR FURNISHING ADVERSE IN-*
21 *FORMATION ON RESERVE OFFICERS TO PROMOTION SELEC-*
22 *TION BOARDS.*—*Section 14107(a)(3) of title 10, United*
23 *States Code, is amended—*

24 (1) *by inserting “(A)” after “(3)”;*

1 (2) in subparagraph (A), as designated by para-
2 graph (1), by striking “colonel, or, in the case of the
3 Navy, captain” and inserting “lieutenant colonel, or,
4 in the case of the Navy, commander”; and

5 (3) by adding at the end the following new sub-
6 paragraphs

7 “(B) The standards and procedures referred to in sub-
8 paragraph (A) shall require the furnishing to the selection
9 board, and to each individual member of the board, the in-
10 formation described in that subparagraph with regard to
11 an officer in a grade specified in that subparagraph at each
12 stage or phase of the selection board, concurrent with the
13 screening, rating, assessment, evaluation, discussion, or
14 other consideration by the board or member of the official
15 military personnel file of the officer, or of the officer.

16 “(C) With respect to the consideration of an officer for
17 promotion to a grade at or below major general or, in the
18 Navy, rear admiral, the requirements in subparagraphs (A)
19 and (B) may be met through the convening and actions of
20 a special selection board with respect to the officer under
21 section 14502a of this title.”.

1 **SEC. 505. NUMBER OF OPPORTUNITIES FOR CONSIDER-**
 2 **ATION FOR PROMOTION UNDER ALTER-**
 3 **NATIVE PROMOTION AUTHORITY.**

4 *Section 649c of title 10, United States Code, is amend-*
 5 *ed—*

6 *(1) by redesignating subsection (d) as subsection*
 7 *(e); and*

8 *(2) by inserting after subsection (c) the following*
 9 *new subsection (d):*

10 *“(d) INAPPLICABILITY OF REQUIREMENT RELATING*
 11 *TO OPPORTUNITIES FOR CONSIDERATION FOR PRO-*
 12 *MOTION.—Section 645(1)(A)(i)(I) of this title shall not*
 13 *apply to the promotion of officers described in subsection*
 14 *(a) to the extent that such section is inconsistent with a*
 15 *number of opportunities for promotion specified pursuant*
 16 *to section 649d of this title.”.*

17 **SEC. 506. MANDATORY RETIREMENT FOR AGE.**

18 *(a) GENERAL RULE.—Subsection (a) of section 1251*
 19 *of title 10, United States Code, is amended—*

20 *(1) by inserting “Space Force,” after “or Marine*
 21 *Corps,”; and*

22 *(2) by inserting “or separated, as specified in*
 23 *subsection (e),” after “shall be retired”.*

24 *(b) DEFERRED RETIREMENT OR SEPARATION OF*
 25 *HEALTH PROFESSIONS OFFICERS.—Subsection (b) of such*
 26 *section is amended—*

1 (1) *in the subsection heading, by inserting “OR*
2 *SEPARATION” after “RETIREMENT”; and*

3 (2) *in paragraph (1), by inserting “or separa-*
4 *tion” after “retirement”.*

5 (c) *DEFERRED RETIREMENT OR SEPARATION OF*
6 *OTHER OFFICERS.—Subsection (c) of such section is*
7 *amended—*

8 (1) *in the subsection heading, by striking “OF*
9 *CHAPLAINS” and inserting “OR SEPARATION OF*
10 *OTHER OFFICERS”;*

11 (2) *by inserting “or separation” after “retire-*
12 *ment”; and*

13 (3) *by striking “an officer who is appointed or*
14 *designated as a chaplain” and inserting “any officer*
15 *other than a health professions officer described in*
16 *subsection (b)(2)”.*

17 (d) *RETIREMENT OR SEPARATION BASED ON YEARS*
18 *OF CREDITABLE SERVICE.—Such section is further amend-*
19 *ed by adding at the end the following new subsection:*

20 “(e) *RETIREMENT OR SEPARATION BASED ON YEARS*
21 *OF CREDITABLE SERVICE.—The following rules shall apply*
22 *to a regular commissioned officer who is to be retired or*
23 *separated under subsection (a):*

24 “(1) *If the officer has at least 6 but fewer than*
25 *20 years of creditable service, the officer shall be sepa-*

1 *rated, with separation pay computed under section*
 2 *1174(d)(1) of this title.*

3 “(2) *If the officer has fewer than 6 years of cred-*
 4 *itable service, the officer shall be separated under sub-*
 5 *section (a).”.*

6 **SEC. 507. CLARIFYING AND IMPROVING RESTATEMENT OF**
 7 **RULES ON THE RETIRED GRADE OF COMMIS-**
 8 **SIONED OFFICERS.**

9 *(a) RESTATEMENT.—*

10 *(1) IN GENERAL.—Chapter 69 of title 10, United*
 11 *States Code, is amended by striking section 1370 and*
 12 *inserting the following new sections:*

13 **“§ 1370. Regular commissioned officers**

14 *“(a) RETIREMENT IN HIGHEST GRADE IN WHICH*
 15 *SERVED SATISFACTORILY.—*

16 *“(1) IN GENERAL.—Unless entitled to a different*
 17 *retired grade under some other provision of law, a*
 18 *commissioned officer (other than a commissioned war-*
 19 *rant officer) of the Army, Navy, Air Force, Marine*
 20 *Corps, or Space Force who retires under any provi-*
 21 *sion of law other than chapter 61 or 1223 of this title*
 22 *shall be retired in the highest permanent grade in*
 23 *which such officer is determined to have served on ac-*
 24 *tive duty satisfactorily.*

1 “(2) *DETERMINATION OF SATISFACTORY SERV-*
2 *ICE.—The determination of satisfactory service of an*
3 *officer in a grade under paragraph (1) shall be made*
4 *as follows:*

5 “(A) *By the Secretary of the military de-*
6 *partment concerned, if the officer is serving in a*
7 *grade at or below the grade of major general,*
8 *rear admiral in the Navy, or the equivalent*
9 *grade in the Space Force.*

10 “(B) *By the Secretary of Defense, if the offi-*
11 *cer is serving or has served in a grade above the*
12 *grade of major general, rear admiral in the*
13 *Navy, or the equivalent grade in the Space*
14 *Force.*

15 “(3) *EFFECT OF MISCONDUCT IN LOWER GRADE*
16 *IN DETERMINATION.—If the Secretary of a military*
17 *department or the Secretary of Defense, as applicable,*
18 *determines that an officer committed misconduct in a*
19 *lower grade than the retirement grade otherwise pro-*
20 *vided for the officer by this section—*

21 “(A) *such Secretary may deem the officer to*
22 *have not served satisfactorily in any grade equal*
23 *to or higher than such lower grade for purposes*
24 *of determining the retirement grade of the officer*
25 *under this section; and*

1 “(B) the grade next lower to such lower
2 grade shall be the retired grade of the officer
3 under this section.

4 “(4) *NATURE OF RETIREMENT OF CERTAIN RE-*
5 *SERVE OFFICERS AND OFFICERS IN TEMPORARY*
6 *GRADES.—A reserve officer, or an officer appointed to*
7 *a position under section 601 of this title, who is noti-*
8 *fied that the officer will be released from active duty*
9 *without the officer’s consent and thereafter requests*
10 *retirement under section 7311, 8323, or 9311 of this*
11 *title and is retired pursuant to that request is consid-*
12 *ered for purposes of this section to have been retired*
13 *involuntarily.*

14 “(5) *NATURE OF RETIREMENT OF CERTAIN RE-*
15 *MOVED OFFICERS.—An officer retired pursuant to sec-*
16 *tion 1186(b)(1) of this title is considered for purposes*
17 *of this section to have been retired voluntarily.*

18 “(b) *RETIREMENT OF OFFICERS RETIRING VOLUN-*
19 *TARILY.—*

20 “(1) *SERVICE-IN-GRADE REQUIREMENT.—In*
21 *order to be eligible for voluntary retirement under*
22 *any provision of this title in a grade above the grade*
23 *of captain in the Army, Air Force, or Marine Corps,*
24 *lieutenant in the Navy, or the equivalent grade in the*
25 *Space Force, a commissioned officer of the Army,*

1 *Navy, Air Force, Marine Corps, or Space Force must*
2 *have served on active duty in that grade for a period*
3 *of not less than three years, except that—*

4 *“(A) subject to subsection (c), the Secretary*
5 *of Defense may reduce such period to a period of*
6 *not less than two years for any officer; and*

7 *“(B) in the case of an officer to be retired*
8 *in a grade at or below the grade of major general*
9 *in the Army, Air Force, or Marine Corps, rear*
10 *admiral in the Navy, or an equivalent grade in*
11 *the Space Force, the Secretary of Defense may*
12 *authorize the Secretary of the military depart-*
13 *ment concerned to reduce such period to a period*
14 *of not less than two years.*

15 *“(2) LIMITATION ON DELEGATION.—The author-*
16 *ity of the Secretary of Defense in subparagraph (A)*
17 *of paragraph (1) may not be delegated. The authority*
18 *of the Secretary of a military department in subpara-*
19 *graph (B) of paragraph (1), as delegated to such Sec-*
20 *retary pursuant to such subparagraph, may not be*
21 *further delegated.*

22 *“(3) WAIVER OF REQUIREMENT.—Subject to sub-*
23 *section (c), the President may waive the application*
24 *of the service-in-grade requirement in paragraph (1)*
25 *to officers covered by that paragraph in individual*

1 *cases involving extreme hardship or exceptional or*
2 *unusual circumstances. The authority of the President*
3 *under this paragraph may not be delegated.*

4 “(4) *LIMITATION ON REDUCTION OR WAIVER OF*
5 *REQUIREMENT FOR OFFICERS UNDER INVESTIGATION*
6 *OR PENDING MISCONDUCT.—In the case of an officer*
7 *to be retired in a grade above the grade of colonel in*
8 *the Army, Air Force, or Marine Corps, captain in the*
9 *Navy, or the equivalent grade in the Space Force, the*
10 *service-in-grade requirement in paragraph (1) may*
11 *not be reduced pursuant to that paragraph, or waived*
12 *pursuant to paragraph (3), while the officer is under*
13 *investigation for alleged misconduct or while there is*
14 *pending the disposition of an adverse personnel action*
15 *against the officer.*

16 “(5) *GRADE AND FISCAL YEAR LIMITATIONS ON*
17 *REDUCTION OR WAIVER OF REQUIREMENTS.—The ag-*
18 *gregate number of members of an armed force in a*
19 *grade for whom reductions are made under para-*
20 *graph (1), and waivers are made under paragraph*
21 *(3), in a fiscal year may not exceed—*

22 “(A) *in the case of officers to be retired in*
23 *a grade at or below the grade of major in the*
24 *Army, Air Force, or Marine Corps, lieutenant*
25 *commander in the Navy, or the equivalent grade*

1 *in the Space Force, the number equal to two per-*
2 *cent of the authorized active-duty strength for*
3 *that fiscal year for officers of that armed force in*
4 *that grade;*

5 “(B) *in the case of officers to be retired in*
6 *the grade of lieutenant colonel or colonel in the*
7 *Army, Air Force, or Marine Corps, commander*
8 *or captain in the Navy, or an equivalent grade*
9 *in the Space Force, the number equal to four*
10 *percent of the authorized active-duty strength for*
11 *that fiscal year for officers of that armed force in*
12 *the applicable grade; or*

13 “(C) *in the case of officers to be retired in*
14 *the grade of brigadier general or major general*
15 *in the Army, Air Force, or Marine Corps, rear*
16 *admiral (lower half) or rear admiral in the*
17 *Navy, or an equivalent grade in the Space Force,*
18 *the number equal to 10 percent of the authorized*
19 *active-duty strength for that fiscal year for offi-*
20 *cers of that armed force in the applicable grade.*

21 “(6) *NOTICE TO CONGRESS ON REDUCTION OR*
22 *WAIVER OF REQUIREMENTS FOR GENERAL, FLAG, AND*
23 *EQUIVALENT OFFICER GRADES.—In the case of an of-*
24 *ficer to be retired in a grade that is a general or flag*
25 *officer grade, or an equivalent grade in the Space*

1 *Force, who is eligible to retire in that grade only by*
2 *reason of an exercise of the authority in paragraph*
3 *(1) to reduce the service-in-grade requirement in that*
4 *paragraph, or the authority in paragraph (3) to*
5 *waive that requirement, the Secretary of Defense or*
6 *the President, as applicable, shall, not later than 60*
7 *days prior to the date on which the officer will be re-*
8 *tired in that grade, notify the Committees on Armed*
9 *Services of the Senate and the House of Representa-*
10 *tives of the exercise of the applicable authority with*
11 *respect to that officer.*

12 “(7) *RETIREMENT IN NEXT LOWEST GRADE FOR*
13 *OFFICERS NOT MEETING REQUIREMENT.*—*An officer*
14 *described in paragraph (1) whose length of service in*
15 *the highest grade held by the officer while on active*
16 *duty does not meet the period of the service-in-grade*
17 *requirement applicable to the officer under this sub-*
18 *section shall, subject to subsection (c), be retired in*
19 *the next lower grade in which the officer served on ac-*
20 *tive duty satisfactorily, as determined by the Sec-*
21 *retary of the military department concerned or the*
22 *Secretary of Defense, as applicable.*

23 “(c) *OFFICERS IN O–9 AND O–10 GRADES.*—

24 “(1) *IN GENERAL.*—*An officer of the Army,*
25 *Navy, Air Force, Marine Corps, or Space Force who*

1 *is serving or has served in a position of importance*
2 *and responsibility designated by the President to*
3 *carry the grade of lieutenant general or general in the*
4 *Army, Air Force, or Marine Corps, vice admiral or*
5 *admiral in the Navy, or an equivalent grade in the*
6 *Space Force under section 601 of this title may be re-*
7 *tired in such grade under subsection (a) only after the*
8 *Secretary of Defense certifies in writing to the Presi-*
9 *dent and the Committees on Armed Services of the*
10 *Senate and the House of Representatives that the offi-*
11 *cer served on active duty satisfactorily in such grade.*

12 *“(2) PROHIBITION ON DELEGATION.—The au-*
13 *thority of the Secretary of Defense to make a certifi-*
14 *cation with respect to an officer under paragraph (1)*
15 *may not be delegated.*

16 *“(3) REQUIREMENTS IN CONNECTION WITH CER-*
17 *TIFICATION.—A certification with respect to an officer*
18 *under paragraph (1) shall—*

19 *“(A) be submitted by the Secretary of De-*
20 *fense such that it is received by the President*
21 *and the Committees on Armed Services of the*
22 *Senate and the House of Representatives not*
23 *later than 60 days prior to the date on which the*
24 *officer will be retired in the grade concerned;*

1 “(B) include an up-to-date copy of the mili-
2 tary biography of the officer; and

3 “(C) include the statement of the Secretary
4 as to whether or not potentially adverse, adverse,
5 or reportable information regarding the officer
6 was considered by the Secretary in making the
7 certification.

8 “(4) CONSTRUCTION WITH OTHER NOTICE.—In
9 the case of an officer under paragraph (1) to whom
10 a reduction in the service-in-grade requirement under
11 subsection (b)(1) or waiver under subsection (b)(3)
12 applies, the requirement for notification under sub-
13 section (b)(6) is satisfied if the notification is in-
14 cluded in the certification submitted by the Secretary
15 of Defense under paragraph (1).

16 “(d) CONDITIONAL RETIREMENT GRADE AND RETIRE-
17 MENT FOR OFFICERS PENDING INVESTIGATION OR AD-
18 VERSE ACTION.—

19 “(1) IN GENERAL.—When an officer serving in a
20 grade at or below the grade of major general in the
21 Army, Air Force, or Marine Corps, rear admiral in
22 the Navy, or an equivalent grade in the Space Force
23 is under investigation for alleged misconduct or pend-
24 ing the disposition of an adverse personnel action at

1 *the time of retirement, the Secretary of the military*
2 *department concerned may—*

3 *“(A) conditionally determine the highest*
4 *permanent grade of satisfactory service on active*
5 *duty of the officer pending completion of the in-*
6 *vestigation or resolution of the personnel action,*
7 *as applicable; and*

8 *“(B) retire the officer in that conditional*
9 *grade, subject to subsection (e).*

10 *“(2) OFFICERS IN O–9 AND O–10 GRADES.—When*
11 *an officer described by subsection (c)(1) is under in-*
12 *vestigation for alleged misconduct or pending the dis-*
13 *position of an adverse personnel action at the time of*
14 *retirement, the Secretary of Defense may—*

15 *“(A) conditionally determine the highest*
16 *permanent grade of satisfactory service on active*
17 *duty of the officer, pending completion of the in-*
18 *vestigation or personnel action, as applicable;*
19 *and*

20 *“(B) retire the officer in that conditional*
21 *grade, subject to subsection (e).*

22 *“(3) REDUCTION OR WAIVER OF SERVICE-IN-*
23 *GRADE REQUIREMENT PROHIBITED FOR GENERAL,*
24 *FLAG, AND EQUIVALENT OFFICER GRADES.—In condi-*
25 *tionally determining the retirement grade of an offi-*

1 *cer under paragraph (1)(A) or (2)(A) of this sub-*
2 *section to be a grade above the grade of colonel in the*
3 *Army, Air Force, or Marine Corps, captain in the*
4 *Navy, or the equivalent grade in the Space Force, the*
5 *service-in-grade requirement in subsection (b)(1) may*
6 *not be reduced pursuant to subsection (b)(1) or*
7 *waived pursuant to subsection (b)(3).*

8 *“(4) PROHIBITION ON DELEGATION.—The au-*
9 *thority of the Secretary of a military department*
10 *under paragraph (1) may not be delegated. The au-*
11 *thority of the Secretary of Defense under paragraph*
12 *(2) may not be delegated.*

13 *“(e) FINAL RETIREMENT GRADE FOLLOWING RESOLU-*
14 *TION OF PENDING INVESTIGATION OR ADVERSE ACTION.—*

15 *“(1) NO CHANGE FROM CONDITIONAL RETIRE-*
16 *MENT GRADE.—If the resolution of an investigation or*
17 *personnel action with respect to an officer who has*
18 *been retired in a conditional retirement grade pursu-*
19 *ant to subsection (d) results in a determination that*
20 *the conditional retirement grade in which the officer*
21 *was retired will not be changed, the conditional re-*
22 *irement grade of the officer shall, subject to para-*
23 *graph (3), be the final retired grade of the officer.*

24 *“(2) CHANGE FROM CONDITIONAL RETIREMENT*
25 *GRADE.—If the resolution of an investigation or per-*

1 *sonnel action with respect to an officer who has been*
2 *retired in a conditional retirement grade pursuant to*
3 *subsection (d) results in a determination that the con-*
4 *ditional retirement grade in which the officer was re-*
5 *tired should be changed, the changed retirement grade*
6 *shall be the final retired grade of the officer under*
7 *this section, except that if the final retirement grade*
8 *provided for an officer pursuant to this paragraph is*
9 *the grade of lieutenant general or general in the*
10 *Army, Air Force, or Marine Corps, vice admiral or*
11 *admiral in the Navy, or an equivalent grade in the*
12 *Space Force, the requirements in subsection (c) shall*
13 *apply in connection with the retirement of the officer*
14 *in such final retirement grade.*

15 *“(3) RECALCULATION OF RETIRED PAY.—*

16 *“(A) IN GENERAL.—If the final retired*
17 *grade of an officer is as a result of a change*
18 *under paragraph (2), the retired pay of the offi-*
19 *cer under chapter 71 of this title shall be recal-*
20 *culated accordingly, with any modification of the*
21 *retired pay of the officer to go into effect as of*
22 *the date of the retirement of the officer.*

23 *“(B) PAYMENT OF HIGHER AMOUNT FOR*
24 *PERIOD OF CONDITIONAL RETIREMENT GRADE.—*

25 *If the recalculation of the retired pay of an offi-*

1 *cer results in an increase in retired pay, the offi-*
2 *cer shall be paid the amount by which such in-*
3 *creased retired pay exceeded the amount of re-*
4 *tired pay paid the officer for retirement in the*
5 *officer's conditional grade during the period be-*
6 *ginning on the date of the retirement of the offi-*
7 *cer in such conditional grade and ending on the*
8 *effective date of the change of the officer's retired*
9 *grade. For an officer whose retired grade is de-*
10 *termined pursuant to subsection (c), the effective*
11 *date of the change of the officer's retired grade*
12 *for purposes of this subparagraph shall be the*
13 *date that is 60 days after the date on which the*
14 *Secretary of Defense submits to the Committees*
15 *on Armed Services of the Senate and the House*
16 *of Representatives the certification required by*
17 *subsection (c) in connection with the retired*
18 *grade of the officer.*

19 “(C) *RECOUPMENT OF OVERAGE DURING*
20 *PERIOD OF CONDITIONAL RETIREMENT GRADE.—*
21 *If the recalculation of the retired pay of an offi-*
22 *cer results in a decrease in retired pay, there*
23 *shall be recouped from the officer the amount by*
24 *which the amount of retired pay paid the officer*
25 *for retirement in the officer's conditional grade*

1 *exceeded such decreased retired pay during the*
2 *period beginning on the date of the retirement of*
3 *the officer in such conditional grade and ending*
4 *on the effective date of the change of the officer's*
5 *retired grade.*

6 “(f) *FINALITY OF RETIRED GRADE DETERMINA-*
7 *TIONS.—*

8 “(1) *IN GENERAL.—Except for a conditional de-*
9 *termination authorized by subsection (d), a deter-*
10 *mination of the retired grade of an officer pursuant*
11 *to this section is administratively final on the day the*
12 *officer is retired, and may not be reopened, except as*
13 *provided in paragraph (2).*

14 “(2) *REOPENING.—A final determination of the*
15 *retired grade of an officer may be reopened as follows:*

16 “(A) *If the retirement or retired grade of the*
17 *officer was procured by fraud.*

18 “(B) *If substantial evidence comes to light*
19 *after the retirement that could have led to deter-*
20 *mination of a different retired grade under this*
21 *section if known by competent authority at the*
22 *time of retirement.*

23 “(C) *If a mistake of law or calculation was*
24 *made in the determination of the retired grade.*

1 “(D) If the applicable Secretary determines,
2 pursuant to regulations prescribed by the Sec-
3 retary of Defense, that good cause exists to re-
4 open the determination of retired grade.

5 “(3) *APPLICABLE SECRETARY.*—For purposes of
6 this subsection, the applicable Secretary for purposes
7 of a determination or action specified in this sub-
8 section is—

9 “(A) the Secretary of the military depart-
10 ment concerned, in the case of an officer retired
11 in a grade at or below the grade of major general
12 in the Army, Air Force, or Marine Corps, rear
13 admiral in the Navy, or the equivalent grade in
14 the Space Force; or

15 “(B) the Secretary of Defense, in the case of
16 an officer retired in a grade of lieutenant general
17 or general in the Army, Air Force, or Marine
18 Corps, vice admiral or admiral in the Navy, or
19 an equivalent grade in the Space Force.

20 “(4) *NOTICE AND LIMITATION.*—If a final deter-
21 mination of the retired grade of an officer is reopened
22 in accordance with paragraph (2), the applicable Sec-
23 retary—

24 “(A) shall notify the officer of the reopening;
25 and

1 “(B) may not make an adverse determina-
2 tion on the retired grade of the officer until the
3 officer has had a reasonable opportunity to re-
4 spond regarding the basis for the reopening of
5 the officer’s retired grade.

6 “(5) *ADDITIONAL NOTICE ON REOPENING FOR*
7 *OFFICERS RETIRED IN O–9 AND O–10 GRADES.*—If the
8 determination of the retired grade of an officer whose
9 retired grade was provided for pursuant to subsection
10 (c) is reopened, the Secretary of Defense shall also no-
11 tify the President and the Committees on Armed
12 Services of the Senate and the House of Representa-
13 tives.

14 “(6) *MANNER OF MAKING OF CHANGE.*—If the re-
15 tired grade of an officer is proposed to be changed
16 through the reopening of the final determination of an
17 officer’s retired grade under this subsection, the
18 change in grade shall be made—

19 “(A) in the case of an officer whose retired
20 grade is to be changed to a grade at or below the
21 grade of major general in the Army, Air Force
22 or Marine Corps, rear admiral in the Navy, or
23 the equivalent grade in the Space Force, in ac-
24 cordance with subsections (a) and (b)—

1 “(i) by the Secretary of Defense (who
2 may delegate such authority only as author-
3 ized by clause (ii)); or

4 “(ii) if authorized by the Secretary of
5 Defense, by the Secretary of the military de-
6 partment concerned (who may not further
7 delegate such authority);

8 “(B) in the case of an officer whose retired
9 grade is to be changed to the grade of lieutenant
10 general or general in the Army, Air Force, or
11 Marine Corps, vice admiral or admiral in the
12 Navy, or an equivalent grade in the Space Force,
13 by the President, by and with the advice and
14 consent of the Senate.

15 “(7) *RECALCULATION OF RETIRED PAY.*—If the
16 final retired grade of an officer is changed through
17 the reopening of the officer’s retired grade under this
18 subsection, the retired pay of the officer under chapter
19 71 of this title shall be recalculated. Any modification
20 of the retired pay of the officer as a result of the
21 change shall go into effect on the effective date of the
22 change of the officer’s retired grade, and the officer
23 shall not be entitled or subject to any changed amount
24 of retired pay for any period before such effective
25 date. An officer whose retired grade is changed as

1 *mander (in the case of the Navy), a person covered by sub-*
2 *section (a) must have served satisfactorily in that grade (as*
3 *determined by the Secretary of the military department*
4 *concerned) as a reserve commissioned officer in an active*
5 *status, or in a retired status on active duty, for not less*
6 *than six months.*

7 “(c) *SERVICE-IN-GRADE REQUIREMENT FOR OFFICERS*
8 *IN GRADES ABOVE O-4.—*

9 “(1) *IN GENERAL.—In order to be credited with*
10 *satisfactory service in an officer grade above major or*
11 *lieutenant commander (in the case of the Navy), a*
12 *person covered by subsection (a) must have served sat-*
13 *isfactorily in that grade (as determined by the Sec-*
14 *retary of the military department concerned) as a re-*
15 *serve commissioned officer in an active status, or in*
16 *a retired status on active duty, for not less than three*
17 *years.*

18 “(2) *SATISFACTION OF REQUIREMENT BY CER-*
19 *TAIN OFFICERS NOT COMPLETING THREE YEARS.—A*
20 *person covered by paragraph (1) who has completed*
21 *at least six months of satisfactory service in grade*
22 *may be credited with satisfactory service in the grade*
23 *in which serving at the time of transfer or discharge,*
24 *notwithstanding failure of the person to complete*
25 *three years of service in that grade, if the person is*

1 *transferred from an active status or discharged as a*
2 *reserve commissioned officer—*

3 “(A) *solely due to the requirements of a*
4 *nondiscretionary provision of law requiring that*
5 *transfer or discharge due to the person’s age or*
6 *years of service; or*

7 “(B) *because the person no longer meets the*
8 *qualifications for membership in the Ready Re-*
9 *serve solely because of a physical disability, as*
10 *determined, at a minimum, by a medical evalua-*
11 *tion board and at the time of such transfer or*
12 *discharge the person (pursuant to section 12731b*
13 *of this title or otherwise) meets the service re-*
14 *quirements established by section 12731(a) of*
15 *this title for eligibility for retired pay under*
16 *chapter 1223 of this title, unless the disability is*
17 *described in section 12731b of this title.*

18 “(3) *REDUCTION IN SERVICE-IN-GRADE RE-*
19 *QUIREMENTS.—*

20 “(A) *OFFICERS IN GRADES BELOW GENERAL*
21 *AND FLAG OFFICER GRADES.—In the case of a*
22 *person to be retired in a grade below brigadier*
23 *general or rear admiral (lower half) in the Navy,*
24 *the Secretary of Defense may authorize the Sec-*
25 *retary of a military department to reduce, sub-*

1 *ject to subparagraph (B), the three-year period of*
2 *service-in-grade required by paragraph (1) to a*
3 *period not less than two years. The authority of*
4 *the Secretary of a military department under*
5 *this subparagraph may not be delegated.*

6 “(B) *LIMITATION.*—*The number of reserve*
7 *commissioned officers of an armed force in the*
8 *same grade for whom a reduction is made under*
9 *subparagraph (A) during any fiscal year in the*
10 *period of service-in-grade otherwise required by*
11 *paragraph (1) may not exceed the number equal*
12 *to 2 percent of the strength authorized for that*
13 *fiscal year for reserve commissioned officers of*
14 *that armed force in an active status in that*
15 *grade.*

16 “(C) *OFFICERS IN GENERAL AND FLAG OF-*
17 *FICERS GRADES.*—*The Secretary of Defense may*
18 *reduce the three-year period of service-in-grade*
19 *required by paragraph (1) to a period not less*
20 *than two years for any person, including a per-*
21 *son who, upon transfer to the Retired Reserve or*
22 *discharge, is to be credited with satisfactory serv-*
23 *ice in a general or flag officer grade under that*
24 *paragraph. The authority of the Secretary of De-*

1 *fense under this subparagraph may not be dele-*
2 *gated.*

3 “(D) *NOTICE TO CONGRESS ON REDUCTION*
4 *IN SERVICE-IN-GRADE REQUIREMENTS FOR GEN-*
5 *ERAL AND FLAG OFFICER GRADES.—In the case*
6 *of a person to be credited under this section with*
7 *satisfactory service in a grade that is a general*
8 *or flag officer grade who is eligible to be credited*
9 *with such service in that grade only by reason*
10 *of an exercise of authority in subparagraph (C)*
11 *to reduce the three-year service-in-grade require-*
12 *ment otherwise applicable under paragraph (1),*
13 *the Secretary of Defense shall, not later than 60*
14 *days prior to the date on which the person will*
15 *be credited with such satisfactory service in that*
16 *grade, notify the Committees on Armed Services*
17 *of the Senate and the House of Representatives*
18 *of the exercise of authority in subparagraph (C)*
19 *with respect to that person.*

20 “(4) *OFFICERS SERVING IN GRADES ABOVE O–6*
21 *INVOLUNTARILY TRANSFERRED FROM ACTIVE STA-*
22 *TUS.—A person covered by paragraph (1) who has*
23 *completed at least six months of satisfactory service*
24 *in a grade above colonel or (in the case of the Navy)*
25 *captain and, while serving in an active status in such*

1 *grade, is involuntarily transferred (other than for*
2 *cause) from active status may be credited with satis-*
3 *factory service in the grade in which serving at the*
4 *time of such transfer, notwithstanding failure of the*
5 *person to complete three years of service in that*
6 *grade.*

7 “(5) *ADJUTANTS AND ASSISTANT ADJUTANTS*
8 *GENERAL.—If a person covered by paragraph (1) has*
9 *completed at least six months of satisfactory service*
10 *in grade, the person was serving in that grade while*
11 *serving in a position of adjutant general required*
12 *under section 314 of title 32 or while serving in a po-*
13 *sition of assistant adjutant general subordinate to*
14 *such a position of adjutant general, and the person*
15 *has failed to complete three years of service in that*
16 *grade solely because the person’s appointment to such*
17 *position has been terminated or vacated as described*
18 *in section 324(b) of such title, the person may be*
19 *credited with satisfactory service in that grade, not-*
20 *withstanding the failure of the person to complete*
21 *three years of service in that grade.*

22 “(6) *OFFICERS RECOMMENDED FOR PROMOTION*
23 *SERVING IN CERTAIN GRADE BEFORE PROMOTION.—*
24 *To the extent authorized by the Secretary of the mili-*
25 *tary department concerned, a person who, after hav-*

1 *ing been recommended for promotion in a report of*
2 *a promotion board but before being promoted to the*
3 *recommended grade, served in a position for which*
4 *that grade is the minimum authorized grade may be*
5 *credited for purposes of paragraph (1) as having*
6 *served in that grade for the period for which the per-*
7 *son served in that position while in the next lower*
8 *grade. The period credited may not include any pe-*
9 *riod before the date on which the Senate provides ad-*
10 *vice and consent for the appointment of that person*
11 *in the recommended grade.*

12 *“(7) OFFICERS QUALIFIED FOR FEDERAL REC-*
13 *OGNITION SERVING IN CERTAIN GRADE BEFORE AP-*
14 *POINTMENT.—To the extent authorized by the Sec-*
15 *retary of the military department concerned, a person*
16 *who, after having been found qualified for Federal*
17 *recognition in a higher grade by a board under sec-*
18 *tion 307 of title 32, serves in a position for which*
19 *that grade is the minimum authorized grade and is*
20 *appointed as a reserve officer in that grade may be*
21 *credited for the purposes of paragraph (1) as having*
22 *served in that grade. The period of the service for*
23 *which credit is afforded under the preceding sentence*
24 *may be only the period for which the person served*

1 *in the position after the Senate provides advice and*
2 *consent for the appointment.*

3 “(8) *RETIREMENT IN NEXT LOWEST GRADE FOR*
4 *OFFICERS NOT MEETING SERVICE-IN-GRADE REQUIRE-*
5 *MENTS.—A person whose length of service in the high-*
6 *est grade held does not meet the service-in-grade re-*
7 *quirements specified in this subsection shall be cred-*
8 *ited with satisfactory service in the next lower grade*
9 *in which that person served satisfactorily (as deter-*
10 *mined by the Secretary of the military department*
11 *concerned) for not less than six months.*

12 “(d) *OFFICERS IN O–9 AND O–10 GRADES.—*

13 “(1) *IN GENERAL.—A person covered by this sec-*
14 *tion in the Army, Navy, Air Force, or Marine Corps*
15 *who is serving or has served in a position of impor-*
16 *tance and responsibility designated by the President*
17 *to carry the grade of lieutenant general or general in*
18 *the Army, Air Force, or Marine Corps, or vice admiral*
19 *or admiral in the Navy under section 601 of this*
20 *title may be retired in such grade under subsection*
21 *(a) only after the Secretary of Defense certifies in*
22 *writing to the President and the Committees on*
23 *Armed Services of the Senate and the House of Rep-*
24 *resentatives that the officer served satisfactorily in*
25 *such grade.*

1 “(2) *PROHIBITION ON DELEGATION.*—*The au-*
2 *thority of the Secretary of Defense to make a certifi-*
3 *cation with respect to an officer under paragraph (1)*
4 *may not be delegated.*

5 “(3) *REQUIREMENTS IN CONNECTION WITH CER-*
6 *TIFICATION.*—*A certification with respect to an officer*
7 *under paragraph (1) shall—*

8 “(A) *be submitted by the Secretary of De-*
9 *fense such that it is received by the President*
10 *and the Committees on Armed Services of the*
11 *Senate and the House of Representatives not*
12 *later than 60 days prior to the date on which the*
13 *officer will be retired in the grade concerned;*

14 “(B) *include an up-to-date copy of the mili-*
15 *tary biography of the officer; and*

16 “(C) *include the statement of the Secretary*
17 *as to whether or not potentially adverse, adverse,*
18 *or reportable information regarding the officer*
19 *was considered by the Secretary in making the*
20 *certification.*

21 “(4) *CONSTRUCTION WITH OTHER NOTICE.*—*In*
22 *the case of an officer under paragraph (1) who is eli-*
23 *gible to be credited with service in a grade only by*
24 *reason of the exercise of the authority in subsection*
25 *(c)(3)(C) to reduce the three-year service-in-grade re-*

1 *quirement under subsection (c)(1), the requirement for*
2 *notification under subsection (c)(3)(D) is satisfied if*
3 *the notification is included in the certification sub-*
4 *mitted by the Secretary of Defense under paragraph*
5 *(1).*

6 *“(e) CONDITIONAL RETIREMENT GRADE AND RETIRE-*
7 *MENT FOR OFFICERS UNDER INVESTIGATION FOR MIS-*
8 *CONDUCT OR PENDING ADVERSE PERSONNEL ACTION.—*
9 *The retirement grade, and retirement, of a person covered*
10 *by this section who is under investigation for alleged mis-*
11 *conduct or pending the disposition of an adverse personnel*
12 *action at the time of retirement is as provided for by section*
13 *1370(d) of this title. In the application of such section*
14 *1370(d) for purposes of this subsection, any reference ‘active*
15 *duty’ shall be deemed not to apply, and any reference to*
16 *a provision of section 1370 of this title shall be deemed to*
17 *be a reference to the analogous provision of this section.*

18 *“(f) FINAL RETIREMENT GRADE FOLLOWING RESOLU-*
19 *TION OF PENDING INVESTIGATION OR ADVERSE ACTION.—*
20 *The final retirement grade under this section of a person*
21 *described in subsection (e) following resolution of the inves-*
22 *tigation or personnel action concerned is the final retire-*
23 *ment grade provided for by section 1370(e) of this title. In*
24 *the application of such section 1370(e) for purposes of this*
25 *subsection, any reference to a provision of section 1370 of*

1 *this title shall be deemed to be a reference to the analogous*
 2 *provision of this section. In the application of paragraph*
 3 *(3) of such section 1370e(e) for purposes of this subsection,*
 4 *the reference to ‘chapter 71’ of this title shall be deemed*
 5 *to be a reference to ‘chapter 1223 of this title’.*

6 “(g) *FINALITY OF RETIRED GRADE DETERMINA-*
 7 *TIONS.—*

8 “(1) *IN GENERAL.—Except for a conditional de-*
 9 *termination authorized by subsection (e), a deter-*
 10 *mination of the retired grade of a person pursuant to*
 11 *this section is administratively final on the day the*
 12 *person is retired, and may not be reopened.*

13 “(2) *REOPENING.—A determination of the re-*
 14 *tired grade of a person may be reopened in accord-*
 15 *ance with applicable provisions of section 1370(f) of*
 16 *this title. In the application of such section 1370(f)*
 17 *for purposes of this subsection, any reference to a pro-*
 18 *vision of section 1370 of this title shall be deemed to*
 19 *be a reference to the analogous provision of this sec-*
 20 *tion. In the application of paragraph (7) of such sec-*
 21 *tion 1370(f) for purposes of this paragraph, the ref-*
 22 *erence to ‘chapter 71 of this title’ shall be deemed to*
 23 *be a reference to ‘chapter 1223 of this title’.*

24 “(h) *HIGHEST PERMANENT GRADE DEFINED.—In this*
 25 *section, the term ‘highest permanent grade’ means a grade*

1 *at or below the grade of major general in the Army, Air*
 2 *Force, or Marine Corps or rear admiral in the Navy.”.*

3 (2) *CLERICAL AMENDMENT.—The table of sec-*
 4 *tions at the beginning of chapter 69 of title 10,*
 5 *United States Code, is amended by striking the item*
 6 *relating to section 1370 and inserting the following*
 7 *new items:*

“1370. Regular commissioned officers.

“1370a. Officers entitled to retired pay for non-regular service.”.

8 (b) *CONFORMING AND TECHNICAL AMENDMENTS TO*
 9 *RETIRED GRADE RULES FOR THE ARMED FORCES.—*

10 (1) *RETIRED PAY.—Title 10, United States*
 11 *Code, is amended as follows:*

12 (A) *In section 1406(b)(2), by striking “sec-*
 13 *tion 1370(d)” and inserting “section 1370a”.*

14 (B) *In section 1407(f)(2)(B), by striking*
 15 *“by reason of denial of a determination or cer-*
 16 *tification under section 1370” and inserting*
 17 *“pursuant to section 1370 or 1370a”.*

18 (2) *ARMY.—Section 7341 of such title is amend-*
 19 *ed—*

20 (A) *by striking subsection (a) and inserting*
 21 *the following new subsection (a):*

22 *“(a)(1) The retired grade of a regular commissioned*
 23 *officer of the Army who retires other than for physical dis-*
 24 *ability is determined under section 1370 of this title.*

1 “(2) *The retired grade of a reserve commissioned offi-*
2 *cer of the Army who retires other than for physical dis-*
3 *ability is determined under section 1370a of this title.”; and*

4 *(B) in subsection (b)—*

5 *(i) by striking “he” and inserting “the*
6 *member”;* and

7 *(ii) by striking “his” and inserting*
8 *“the member’s”.*

9 (3) *NAVY AND MARINE CORPS.—Such title is fur-*
10 *ther amended as follows:*

11 *(A) In section 8262(a), by striking “sections*
12 *689 and 1370” and inserting “section 689, and*
13 *section 1370 or 1370a (as applicable),”.*

14 *(B) In section 8323(c), by striking “section*
15 *1370 of this title” and inserting “section 1370 or*
16 *1370a of this title, as applicable”.*

17 (4) *AIR FORCE AND SPACE FORCE.—Section*
18 *9341 of such title is amended—*

19 *(A) by striking subsection (a) and inserting*
20 *the following new subsection (a):*

21 “(a)(1) *The retired grade of a regular commissioned*
22 *officer of the Air Force or the Space Force who retires other*
23 *than for physical disability is determined under section*
24 *1370 of this title.*

1 “(2) *The retired grade of a reserve commissioned offi-*
2 *cer of the Air Force or the Space Force who retires other*
3 *than for physical disability is determined under section*
4 *1370a of this title.”; and*

5 *(B) in subsection (b)—*

6 *(i) by inserting “or a Regular or Re-*
7 *serve of the Space Force” after “Air Force”;*

8 *(ii) by striking “he” and inserting “the*
9 *member”;* and

10 *(iii) by striking “his” and inserting*
11 *“the member’s”.*

12 (5) *RESERVE OFFICERS.—Section 12771 of such*
13 *title is amended—*

14 *(A) in subsection (a), by striking “section*
15 *1370(d)” and inserting “section 1370a of this*
16 *title”;* and

17 *(B) in subsection (b)(1), by striking “sec-*
18 *tion 1370(d)” and inserting “section 1370a”.*

19 (c) *OTHER REFERENCES.—In the determination of the*
20 *retired grade of a commissioned officer of the Armed Forces*
21 *entitled to retired pay under chapter 1223 of title 10,*
22 *United States Code, who retires after the date of the enact-*
23 *ment of this Act, any reference in a provision of law or*
24 *regulation to section 1370 of title 10, United States Code,*
25 *in such determination with respect to such officer shall be*

1 *deemed to be a reference to section 1370a of title 10, United*
 2 *States Code (as amended by subsection (a)).*

3 **SEC. 508. REPEAL OF AUTHORITY FOR ORIGINAL APPOINT-**
 4 **MENT OF REGULAR NAVY OFFICERS DES-**
 5 **IGNATED FOR ENGINEERING DUTY, AERO-**
 6 **NAUTICAL ENGINEERING DUTY, AND SPECIAL**
 7 **DUTY.**

8 *(a) REPEAL.—Section 8137 of title 10, United States*
 9 *Code, is repealed.*

10 *(b) CLERICAL AMENDMENT.—The table of sections at*
 11 *the beginning of chapter 815 of such title is amended by*
 12 *striking the item relating to section 8137.*

13 ***Subtitle B—Reserve Component***
 14 ***Management***

15 **SEC. 511. EXCLUSION OF CERTAIN RESERVE GENERAL AND**
 16 **FLAG OFFICERS ON ACTIVE DUTY FROM LIM-**
 17 **TATIONS ON AUTHORIZED STRENGTHS.**

18 *(a) DUTY FOR CERTAIN RESERVE OFFICERS UNDER*
 19 *JOINT DUTY LIMITED EXCLUSION.—Subsection (b) of sec-*
 20 *tion 526a of title 10, United States Code, is amended by*
 21 *adding at the end the following new paragraph:*

22 *“(3) DUTY FOR CERTAIN RESERVE OFFICERS.—*
 23 *Of the officers designated pursuant to paragraph (1),*
 24 *the Chairman of the Joint Chiefs of Staff may des-*
 25 *ignate up to 15 general and flag officer positions in*

1 *the unified and specified combatant commands, and*
2 *up to three general and flag officer positions on the*
3 *Joint Staff, as positions to be held only by reserve of-*
4 *ficers who are in a general or flag officer grade below*
5 *lieutenant general or vice admiral. Each position so*
6 *designated shall be considered to be a joint duty as-*
7 *signment position for purposes of chapter 38 of this*
8 *title.”.*

9 *(b) RESERVE OFFICERS ON ACTIVE DUTY FOR TRAIN-*
10 *ING OR FOR LESS THAN 180 DAYS.—Such section is further*
11 *amended—*

12 *(1) by redesignating subsections (c) through (h)*
13 *as subsections (d) through (i), respectively; and*

14 *(2) by inserting after subsection (b) the following*
15 *new subsection:*

16 *“(c) RESERVE OFFICERS ON ACTIVE DUTY FOR TRAIN-*
17 *ING OR FOR LESS THAN 180 DAYS.—The limitations of this*
18 *section do not apply to a reserve general or flag officer*
19 *who—*

20 *“(1) is on active duty for training; or*

21 *“(2) is on active duty under a call or order*
22 *specifying a period of less than 180 days.”.*

1 ***Subtitle C—General Service***
2 ***Authorities***

3 ***SEC. 516. INCREASED ACCESS TO POTENTIAL RECRUITS.***

4 (a) *SECONDARY SCHOOLS.*—Section 503(c)(1) of title
5 10, *United States Code*, is amended—

6 (1) *in subparagraph (A)—*

7 (A) *in clause (i), by striking “and” at the*
8 *end;*

9 (B) *in clause (ii), by striking “and tele-*
10 *phone listings,” and all that follows through the*
11 *period at the end and inserting “electronic mail*
12 *addresses, home telephone numbers, and mobile*
13 *telephone numbers, notwithstanding subsection*
14 *(a)(5)(B) or (b) of section 444 of the General*
15 *Education Provisions Act (20 U.S.C. 1232g);*
16 *and”;* and

17 (C) *by adding at the end the following new*
18 *clause:*

19 “*(iii) shall provide information requested pursu-*
20 *ant to clause (ii) within a reasonable period of time,*
21 *but in no event later than 60 days after the date of*
22 *the request.”;* and

23 (2) *in subparagraph (B), by striking “and tele-*
24 *phone listing” and inserting “electronic mail address,*
25 *home telephone number, or mobile telephone number”.*

1 (b) *INSTITUTIONS OF HIGHER EDUCATION*.—Section
2 983(b) of such title is amended—

3 (1) in paragraph (1), by striking “or” at the
4 end;

5 (2) in paragraph (2)—

6 (A) in subparagraph (A), by striking “and
7 telephone listings” and inserting “electronic mail
8 addresses, home telephone numbers, and mobile
9 telephone numbers, which information shall be
10 made available not later than 60 days after the
11 start of classes for the current semester or not
12 later than 60 days after the date of a request,
13 whichever is later”; and

14 (B) in subparagraph (B), by striking the
15 period at the end and inserting “; or”; and

16 (3) by adding at the end the following new para-
17 graph:

18 “(3) access by military recruiters for purposes of
19 military recruiting to lists of students (who are 17
20 years of age or older) not returning to the institution
21 after having been enrolled during the previous semes-
22 ter, together with student recruiting information and
23 the reason why the student did not return, if collected
24 by the institution.”.

1 **SEC. 517. TEMPORARY AUTHORITY TO ORDER RETIRED**
 2 **MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND,**
 3 **LOW-DENSITY ASSIGNMENTS DURING WAR OR**
 4 **NATIONAL EMERGENCY.**

5 *Section 688a of title 10, United States Code, is amend-*
 6 *ed—*

7 *(1) by redesignating subsection (g) as subsection*
 8 *(h); and*

9 *(2) by inserting after subsection (f) the following*
 10 *new subsection (g):*

11 *“(g) EXCEPTIONS DURING PERIODS OF WAR OR NA-*
 12 *TIONAL EMERGENCY.—The limitations in subsections (c)*
 13 *and (f) shall not apply during a time of war or of national*
 14 *emergency declared by Congress or the President.”.*

15 **SEC. 518. CERTIFICATE OF RELEASE OR DISCHARGE FROM**
 16 **ACTIVE DUTY (DD FORM 214) MATTERS.**

17 *(a) REDESIGNATION AS CERTIFICATE OF MILITARY*
 18 *SERVICE.—*

19 *(1) IN GENERAL.—Department of Defense Form*
 20 *DD 214, the Certificate of Release or Discharge from*
 21 *Active Duty, is hereby redesignated as the Certificate*
 22 *of Military Service.*

23 *(2) CONFORMING AMENDMENT.—Section 1168(a)*
 24 *of title 10, United States Code, is amended by strik-*
 25 *ing “discharge certificate or certificate of release from*

1 *active duty, respectively,” and inserting “Certificate*
2 *of Military Serve”.*

3 (3) *REFERENCES.*—*Any reference in a law, regu-*
4 *lation, document, paper, or other record of the United*
5 *States to Department of Defense Form DD 214, the*
6 *Certificate of Release or Discharge from Active Duty,*
7 *shall be deemed to be a reference to the Certificate of*
8 *Military Service.*

9 (4) *TECHNICAL AMENDMENTS.*—*Such section*
10 *1168(a) is further amended—*

11 (A) *by striking “until his” and inserting*
12 *“until the member’s”;*

13 (B) *by striking “his final pay” and insert-*
14 *ing “the member’s final pay”; and*

15 (C) *by striking “him or his next of kin”*
16 *and inserting “the member or the member’s next*
17 *of kin”.*

18 (5) *EFFECTIVE DATES.*—

19 (A) *IN GENERAL.*—*Except as provided in*
20 *subparagraph (B), this subsection and the*
21 *amendments made by this subsection shall take*
22 *effect on the date provided for in subsection (d)*
23 *of section 569 of the National Defense Authoriza-*
24 *tion Act for Fiscal Year 2020 (Public Law 116—*

1 92), as redesignated by subsection (b)(1)(B) of
2 this section.

3 (B) TECHNICAL AMENDMENTS.—The
4 amendments made by paragraph (4) of this sub-
5 section shall take effect on the date of the enact-
6 ment of this Act.

7 (b) ADDITIONAL REQUIREMENTS.—

8 (1) IN GENERAL.—Section 569 of the National
9 Defense Authorization Act for Fiscal Year 2020 is
10 amended—

11 (A) in subsection (a)—

12 (i) by redesignating paragraphs (1)
13 and (2) as paragraphs (2) and (4), respec-
14 tively;

15 (ii) by inserting before paragraph (2),
16 as redesignated by clause (i), the following
17 new paragraph (1);

18 “(1) redesignate such form as the Certificate of
19 Military Service;”.

20 (iii) in paragraph (2), as so redesign-
21 ated, by striking “and” at the end; and

22 (iv) by inserting after paragraph (2),
23 as so redesignated, the following new para-
24 graph:

1 “(3) provide for a standard total force record of
2 military service for all members of the Armed Forces,
3 including member of the reserve components, that
4 summarizes the record of service for each member;
5 and”;

6 (B) by redesignating subsections (b) and (c)
7 as subsections (d) and (e), respectively;

8 (C) by inserting after subsection (a) the fol-
9 lowing new subsections:

10 “(b) *ISSUANCE TO RESERVES.*—The Secretary of De-
11 fense shall provide for the issuance of the Certificate of Mili-
12 tary Service, as modified pursuant to subsection (a), to
13 members of the reserve components of the Armed Forces at
14 such times during their military service as is appropriate
15 to facilitate their access to benefits under the laws adminis-
16 tered by the Secretary of Veterans Affairs.

17 “(c) *COORDINATION.*—In carrying out this section, the
18 Secretary of Defense shall coordinate with the Secretary of
19 Veterans Affairs to ensure that the Certificate of Military
20 Service, as modified pursuant to subsection (a), is recog-
21 nized as the Certificate of Military Service referred to in
22 section 1168(a) of title 10, United States Code, and for the
23 purposes of establishing eligibility for applicable benefits
24 under the laws administered by the Secretary of Veterans
25 Affairs.”; and

1 (D) in subsection (d), as redesignated by
2 subparagraph (B), by striking “a revised Certifi-
3 cate of Release or Discharge from Active Duty
4 (DD Form 214), modified” and inserting “the
5 Certificate of Military Service, as modified”.

6 (2) CONFORMING AMENDMENT.—The heading of
7 such section 569 is amended to read as follows:

8 **“SEC. 569. CERTIFICATE OF RELEASE OR DISCHARGE FROM**
9 **ACTIVE DUTY (DD FORM 214) MATTERS.”.**

10 (3) REPEAL OF SUPERSEDED REQUIREMENTS.—
11 Section 570 of the National Defense Authorization Act
12 for Fiscal Year 2020 is repealed.

13 **SEC. 519. EVALUATION OF BARRIERS TO MINORITY PAR-**
14 **TICIPATION IN CERTAIN UNITS OF THE**
15 **ARMED FORCES.**

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

17 (1) In 1999, the RAND Corporation issued a re-
18 port entitled “Barriers to Minority Participation in
19 Special Operations Forces” that was sponsored by
20 United States Special Operations Command.

21 (2) In 2018, the RAND Corporation issued a re-
22 port entitled “Understanding Demographic Dif-
23 ferences in Undergraduate Pilot Training Attrition”
24 that was sponsored by the Air Force.

1 (3) *No significant independent study has been*
2 *performed by a federally funded research and develop-*
3 *ment center into increasing minority participation in*
4 *the special operations forces since 1999.*

5 **(b) STUDY REQUIRED.—**

6 (1) *IN GENERAL.—Not later than 30 days after*
7 *the date of the enactment of this Act, the Secretary of*
8 *Defense shall, acting through the Under Secretary of*
9 *Defense for Personnel and Readiness, seek to enter*
10 *into an agreement with a federally funded research*
11 *and development center.*

12 (2) *ELEMENTS.—The evaluation under para-*
13 *graph (1) shall include the following elements:*

14 (A) *A description of the racial, ethnic, and*
15 *gender composition of covered units.*

16 (B) *A comparison of the participation rates*
17 *of minority populations in covered units to par-*
18 *ticipation rates of the general population as*
19 *members and as officers of the Armed Forces.*

20 (C) *A comparison of the percentage of mi-*
21 *nority officers in the grade of O-7 or higher who*
22 *have served in each covered unit to such percent-*
23 *age for all such officers in the Armed Force of*
24 *that covered unit.*

1 (D) *An identification of barriers to minor-*
2 *ity participation in the accession, assessment,*
3 *and training processes.*

4 (E) *The status and effectiveness of the re-*
5 *sponse to the recommendations contained in the*
6 *report referred to in subsection (a)(1) and any*
7 *follow-up recommendations.*

8 (F) *Recommendations to increase the num-*
9 *bers of minority officers in the Armed Forces.*

10 (G) *Recommendations to increase minority*
11 *participation in covered units.*

12 (H) *Any other matters the Secretary deter-*
13 *mines appropriate.*

14 (3) *REPORT TO CONGRESS.—The Secretary*
15 *shall—*

16 (A) *submit to the congressional defense com-*
17 *mittees a report on the results of the study by*
18 *not later than January 1, 2022; and*

19 (B) *provide interim briefings to such com-*
20 *mittees upon request.*

21 (c) *DESIGNATION.—The study conducted under sub-*
22 *section (b) shall be known as the “Study on Reducing Bar-*
23 *riers to Minority Participation in Elite Units in the Armed*
24 *Services”.*

1 (d) *IMPLEMENTATION PLAN.*—*The Secretary shall sub-*
2 *mit to the congressional defense committees a report setting*
3 *forth an implementation plan for the recommendations that*
4 *the Secretary implements under this section, including—*

5 (1) *the response of the Secretary to each such rec-*
6 *ommendation;*

7 (2) *a summary of actions the Secretary has car-*
8 *ried out, or intends to carry out, to implement such*
9 *recommendations, as appropriate; and*

10 (3) *a schedule, with specific milestones, for com-*
11 *pleting the implementation of such recommendations.*

12 (e) *COVERED UNITS DEFINED.*—*In this section, the*
13 *term “covered units” means the following:*

14 (1) *Any forces designated by the Secretary as*
15 *special operations forces.*

16 (2) *Air Force Combat Control Teams.*

17 (3) *Air Force Pararescue.*

18 (4) *Marine Corps Force Reconnaissance.*

19 (5) *Coast Guard Deployable Operations Group.*

20 (6) *Pilot and navigator military occupational*
21 *specialties.*

22 **SEC. 520. REPORTS ON DIVERSITY AND INCLUSION IN THE**
23 **ARMED FORCES.**

24 (a) *REPORT ON FINDINGS OF DEFENSE BOARD ON DI-*
25 *VERSITY AND INCLUSION IN THE MILITARY.*—

1 (1) *IN GENERAL.*—Upon the completion by the
2 *Defense Board on Diversity and Inclusion in the*
3 *Military of its report on actionable recommendations*
4 *to increase racial diversity and ensure equal oppor-*
5 *tunity across all grades of the Armed Forces, the Sec-*
6 *retary of Defense shall submit to the Committee on*
7 *Armed Services of the Senate and the House of Rep-*
8 *resentatives a report on the report of the Defense*
9 *Board, including the findings and recommendations*
10 *of the Defense Board.*

11 (2) *ELEMENTS.*—The report required by para-
12 *graph (1) shall include the following:*

13 (A) *A comprehensive description of the find-*
14 *ings and recommendations of the Defense Board*
15 *in its report referred to in paragraph (1).*

16 (B) *A comprehensive description of any ac-*
17 *tionable recommendations of the Defense Board*
18 *in its report.*

19 (C) *A description of the actions proposed to*
20 *be undertaken by the Secretary in connection*
21 *with such recommendations, and a timeline for*
22 *implementation of such actions.*

23 (D) *A description of the resources used by*
24 *the Defense Board for its report, and a descrip-*

1 *tion and assessment of any shortfalls in such re-*
2 *sources for purposes of the Defense Board.*

3 *(b) REPORT ON DEFENSE ADVISORY COMMITTEE ON*
4 *DIVERSITY AND INCLUSION IN THE ARMED FORCES.—*

5 *(1) IN GENERAL.—At the same time the Sec-*
6 *retary of Defense submits the report required by sub-*
7 *section (a), the Secretary shall also submit to the*
8 *Committee on Armed Services of the Senate and the*
9 *House of Representatives a report on the Defense Ad-*
10 *visory Committee on Diversity and Inclusion in the*
11 *Armed Forces.*

12 *(2) ELEMENTS.—The report required by para-*
13 *graph (1) shall include the following:*

14 *(A) The mission statement or purpose of the*
15 *Advisory Committee, and any proposed objectives*
16 *and goals of the Advisory Committee.*

17 *(B) A description of current members of the*
18 *Advisory Committee and the criteria used for se-*
19 *lecting members.*

20 *(C) A description of the duties and scope of*
21 *activities of the Advisory Committee.*

22 *(D) The reporting structure of the Advisory*
23 *Committee.*

24 *(E) An estimate of the annual operating*
25 *costs and staff years of the Advisory Committee.*

1 (F) *An estimate of the number and fre-*
2 *quency of meetings of the Advisory Committee.*

3 (G) *Any subcommittees, established or pro-*
4 *posed, that would support the Advisory Com-*
5 *mittee.*

6 (H) *Such recommendations for legislative or*
7 *administrative action as the Secretary considers*
8 *appropriate to extend the term of the Advisory*
9 *Committee beyond the proposed termination date*
10 *of the Advisory Committee.*

11 (c) *REPORT ON CURRENT DIVERSITY AND INCLUSION*
12 *IN THE ARMED FORCES.—*

13 (1) *IN GENERAL.—At the same time the Sec-*
14 *retary of Defense submits the reports required by sub-*
15 *sections (a) and (b), the Secretary shall also submit*
16 *to the Committee on Armed Services of the Senate*
17 *and the House of Representatives a report on current*
18 *diversity and inclusion in the Armed Forces.*

19 (2) *ELEMENTS.—The report required by para-*
20 *graph (1) shall include the following:*

21 (A) *An identification of the current racial,*
22 *ethnic, and sex composition of each Armed Force*
23 *generally.*

1 (B) *An identification of the current racial,*
2 *ethnic, and sex composition of each Armed Force*
3 *by grade.*

4 (C) *A comparison of the participation rates*
5 *of minority populations in officer grades, war-*
6 *rant officer grades, and enlisted member grades*
7 *in each Armed Force with the percentage of such*
8 *populations among the general population.*

9 (D) *A comparison of the participation rates*
10 *of minority populations in each career field in*
11 *each Armed Force with the percentage of such*
12 *populations among the general population.*

13 (E) *A comparison among the Armed Forces*
14 *of the percentage of minority populations in each*
15 *officer grade above grade O-4.*

16 (F) *A comparison among the Armed Forces*
17 *of the percentage of minority populations in each*
18 *enlisted grade above grade E-6.*

19 (G) *A description and assessment of bar-*
20 *riers to minority participation in the Armed*
21 *Forces in connection with accession, assessment,*
22 *and training.*

23 (d) *SENSE OF SENATE ON DEFENSE ADVISORY COM-*
24 *MITTEE ON DIVERSITY AND INCLUSION IN THE ARMED*
25 *FORCES.—It is the sense of the Senate that the Defense Ad-*

1 *visory Committee on Diversity and Inclusion in the Armed*
2 *Forces—*

3 *(1) should consist of diverse group of individuals,*
4 *including—*

5 *(A) a general or flag officer from each reg-*
6 *ular component of the Armed Forces;*

7 *(B) a retired general or flag officer from not*
8 *fewer than two of the Armed Forces;*

9 *(C) a regular officer of the Armed Forces in*
10 *a grade O–5 or lower;*

11 *(D) a regular enlisted member of the Armed*
12 *Forces in a grade E–7 or higher;*

13 *(E) a regular enlisted member of the Armed*
14 *Forces in a grade E–6 or lower;*

15 *(F) a member of a reserve component of the*
16 *Armed Forces in any grade;*

17 *(G) a member of the Department of Defense*
18 *civilian workforce;*

19 *(H) an member of the academic community*
20 *with expertise in diversity studies; and*

21 *(I) an individual with appropriate exper-*
22 *tise in diversity and inclusion;*

23 *(2) should include individuals from a variety of*
24 *military career paths, including—*

25 *(A) aviation;*

1 (B) *special operations;*

2 (C) *intelligence;*

3 (D) *cyber;*

4 (E) *space; and*

5 (F) *surface warfare;*

6 (3) *should have a membership such that not*
7 *fewer than 20 percent of members possess—*

8 (A) *a firm understanding of the role of*
9 *mentorship and best practices in finding and*
10 *utilizing mentors;*

11 (B) *experience and expertise in change of*
12 *culture of large organizations; or*

13 (C) *experience and expertise in implementa-*
14 *tion science; and*

15 (4) *should focus on objectives that address—*

16 (A) *barriers to promotion within the Armed*
17 *Forces, including development of recommenda-*
18 *tions on mechanisms to enhance and increase ra-*
19 *cial diversity and ensure equal opportunity*
20 *across all grades in the Armed Forces;*

21 (B) *participation of minority officers and*
22 *senior noncommissioned officers in the Armed*
23 *Forces, including development of recommenda-*
24 *tions on mechanisms to enhance and increase*
25 *such participation;*

1 (C) recruitment of minority candidates for
2 innovative pre-service programs in the Junior
3 Reserve Officers' Training Corps (JROTC), Sen-
4 ior Reserve Officers' Training Corps (SROTC),
5 and military service academies, including pro-
6 grams in connection with flight instruction, spe-
7 cial operations, and national security, including
8 development of recommendations on mechanisms
9 to enhance and increase such recruitment;

10 (D) retention of minority individuals in
11 senior leadership and mentorship positions in
12 the Armed Forces, including development of rec-
13 ommendations on mechanisms to enhance and
14 increase such retention; and

15 (E) achievement of cultural and ethnic di-
16 versity in recruitment for the Armed Forces, in-
17 cluding development of recommendations on
18 mechanisms to enhance and increase such diver-
19 sity in recruitment.

1 ***Subtitle D—Military Justice and***
2 ***Related Matters***

3 ***PART I—INVESTIGATION, PROSECUTION, AND DE-***
4 ***FENSE OF SEXUAL ASSAULT AND RELATED***
5 ***MATTERS***

6 ***SEC. 521. MODIFICATION OF TIME REQUIRED FOR EXPE-***
7 ***DITED DECISIONS IN CONNECTION WITH AP-***
8 ***PLICATIONS FOR CHANGE OF STATION OR***
9 ***UNIT TRANSFER OF MEMBERS WHO ARE VIC-***
10 ***TIMS OF SEXUAL ASSAULT OR RELATED OF-***
11 ***FENSES.***

12 ***(a) IN GENERAL.***—Section 673(b) of title 10, United
13 States Code, is amended by striking “72 hours” both places
14 it appears and inserting “five calendar days”.

15 ***(b) EFFECTIVE DATE.***—The amendments made by sub-
16 section (a) shall take effect on the date of the enactment
17 of this Act, and shall apply to decisions on applications
18 for permanent change of station or unit transfer made
19 under section 673 of title 10, United States Code, on or
20 after that date.

21 ***SEC. 522. DEFENSE ADVISORY COMMITTEE FOR THE PRE-***
22 ***VENTION OF SEXUAL MISCONDUCT.***

23 Section 550B of the National Defense Authorization
24 Act for Fiscal Year 2020 (Public Law 116–92) is amend-
25 ed—

1 (1) *in subsection (c)(1)(B), by inserting “, in-*
2 *cluding the United States Coast Guard Academy,”*
3 *after “academy”;*

4 (2) *by redesignating subsections (d), (e), and (f)*
5 *as subsections (e), (f), and (g), respectively;*

6 (3) *by inserting after subsection (c) the following*
7 *new subsection (d):*

8 “*(d) ADVISORY DUTIES ON COAST GUARD ACAD-*
9 *EMY.—In providing advice under subsection (c)(1)(B), the*
10 *Advisory Committee shall also advise the Secretary of the*
11 *Department in which the Coast Guard is operating in ac-*
12 *cordance with this section on policies, programs, and prac-*
13 *tices of the United States Coast Guard Academy.”; and*

14 (4) *in subsection (e) and paragraph (2) of sub-*
15 *section (g), as redesignated by paragraph (2) of this*
16 *section, by striking “the Committees on Armed Serv-*
17 *ices of the Senate and the House of Representatives”*
18 *each place it appears and inserting “the Committees*
19 *on Armed Services and Commerce, Science, and*
20 *Transportation of the Senate and the Committees on*
21 *Armed Services and Transportation and Infrastruc-*
22 *ture of the House of Representatives”.*

1 **SEC. 523. REPORT ON ABILITY OF SEXUAL ASSAULT RE-**
2 **SPONSE COORDINATORS AND SEXUAL AS-**
3 **SAULT PREVENTION AND RESPONSE VICTIM**
4 **ADVOCATES TO PERFORM DUTIES.**

5 (a) *SURVEY.*—

6 (1) *IN GENERAL.*—Not later than June 30, 2021,
7 the Secretary of Defense shall conduct a survey re-
8 garding the ability of Sexual Assault Response Coor-
9 dinators and Sexual Assault Prevention and Response
10 Victim Advocates to perform their duties.

11 (2) *ELEMENTS.*—The survey required under
12 paragraph (1) shall assess—

13 (A) the current state of support provided to
14 Sexual Assault Response Coordinators and Sex-
15 ual Assault Prevention and Response Victim Ad-
16 vocates, including—

17 (i) perceived professional or other re-
18 prisal or retaliation; and

19 (ii) access to sufficient physical and
20 mental health services as a result of the na-
21 ture of their work;

22 (B) the ability of Sexual Assault Response
23 Coordinators and Sexual Assault Prevention and
24 Response Victim Advocates to contact and access
25 their installation commander or unit com-
26 mander;

1 (C) the ability of Sexual Assault Response
2 Coordinators and Sexual Assault Prevention and
3 Response Victim Advocates to contact and access
4 the immediate commander of victims and alleged
5 offenders;

6 (D) the responsiveness and receptiveness of
7 commanders to the Sexual Assault Response Co-
8 ordinators;

9 (E) the support and services provided to
10 victims of sexual assault;

11 (F) the understanding of others of the proc-
12 ess and their willingness to assist;

13 (G) the adequacy of the training received by
14 Sexual Assault Response Coordinators and Sex-
15 ual Assault Prevention and Response Victim Ad-
16 vocates to effectively perform their duties; and

17 (H) any other factors affecting the ability of
18 Sexual Assault Response Coordinators and Sex-
19 ual Assault Prevention and Response Victim Ad-
20 vocates to perform their duties.

21 (b) *REPORT.*—Upon completion of the survey required
22 under subsection (a), the Secretary of Defense shall submit
23 to the Committees on Armed Services of the Senate and the
24 House of Representatives a report on the results of the sur-
25 vey and any actions to be taken as a result of the survey.

1 **SEC. 524. BRIEFING ON SPECIAL VICTIMS' COUNSEL PRO-**
2 **GRAM.**

3 (a) *BRIEFING REQUIRED.*—Not later than 180 days
4 after the date of the enactment of this Act, the Judge Advo-
5 cates General of the Army, the Navy, the Air Force, and
6 the Coast Guard, and the Staff Judge Advocate to the Com-
7 mandant of the Marine Corps shall each provide to the con-
8 gressional defense committees a briefing on the status of the
9 Special Victims' Counsel program of the Armed Force con-
10 cerned.

11 (b) *ELEMENTS.*—Each briefing under subsection (a)
12 shall include, with respect to the Special Victims Counsel
13 program of the Armed Force concerned, the following:

14 (1) *An assessment of whether the Armed Force is*
15 *in compliance with the provisions of the National De-*
16 *fense Authorization Act for Fiscal Year 2020 (Public*
17 *Law 116–92) relating to the Special Victims Counsel*
18 *program and, if not, what steps have been taken to*
19 *achieve compliance with such provisions.*

20 (2) *An estimate of the average caseload of each*
21 *Special Victims' Counsel.*

22 (3) *A description of any staffing shortfalls in the*
23 *Special Victims' Counsel program or other programs*
24 *of the Armed Force resulting from the additional re-*
25 *sponsibilities required of the Special Victims' Counsel*

1 *program under the National Defense Authorization*
2 *Act for Fiscal Year 2020.*

3 (4) *An explanation of the ability of Special Vic-*
4 *tims' Counsel to adhere to requirement that a counsel*
5 *respond to a request for services within 72 hours of*
6 *receiving such request.*

7 (5) *An assessment of the feasibility of providing*
8 *cross-service Special Victims' Counsel representation*
9 *in instances where a Special Victims' Counsel from a*
10 *different Armed Force is co-located with a victim at*
11 *a remote base.*

12 **SEC. 525. ACCOUNTABILITY OF LEADERSHIP OF THE DE-**
13 **PARTMENT OF DEFENSE FOR DISCHARGING**
14 **THE SEXUAL HARASSMENT POLICIES AND**
15 **PROGRAMS OF THE DEPARTMENT.**

16 (a) *STRATEGY ON HOLDING LEADERSHIP ACCOUNT-*
17 *ABLE REQUIRED.*—*The Secretary of Defense shall develop*
18 *and implement Department of Defense-wide a strategy to*
19 *hold individuals in positions of leadership in the Depart-*
20 *ment (including members of the Armed Forces and civil-*
21 *ians) accountable for the promotion, support, and enforce-*
22 *ment of the policies and programs of the Department on*
23 *sexual harassment.*

24 (b) *OVERSIGHT FRAMEWORK.*—

1 (1) *IN GENERAL.*—*The strategy required by sub-*
2 *section (a) shall provide for an oversight framework*
3 *for the efforts of the Department of Defense to pro-*
4 *motivate, support, and enforce the policies and programs*
5 *of the Department on sexual harassment.*

6 (2) *ELEMENTS.*—*The oversight framework re-*
7 *quired by paragraph (1) shall include the following:*

8 (A) *Long-term goals, objectives, and mile-*
9 *stones in connection with the policies and pro-*
10 *grams of the Department on sexual harassment.*

11 (B) *Strategies to achieve the goals, objec-*
12 *tives, and milestones referred to in subparagraph*
13 *(A).*

14 (C) *Criteria for assessing progress toward*
15 *the achievement of the goals, objectives, and mile-*
16 *stones referred to in subparagraph (A).*

17 (D) *Criteria for assessing the effectiveness of*
18 *the policies and programs of the Department on*
19 *sexual harassment.*

20 (E) *Mechanisms to ensure that adequate re-*
21 *sources are available to the Office to develop and*
22 *discharge the oversight framework.*

23 (c) *REPORT.*—*Not later than one year after the date*
24 *of the enactment of this Act, the Secretary of Defense shall*
25 *submit to the Committees on Armed Services of the Senate*

1 *and the House of Representatives a report on the actions*
2 *taken to carry out this section, including the strategy devel-*
3 *oped and implemented pursuant to subsection, and the over-*
4 *sight framework developed and implemented pursuant to*
5 *subsection (b).*

6 **SEC. 526. SAFE-TO-REPORT POLICY APPLICABLE ACROSS**
7 **THE ARMED FORCES.**

8 (a) *IN GENERAL.*—*The Secretary of Defense shall, in*
9 *consultation with the Secretaries of the military depart-*
10 *ments, prescribe in regulations a safe-to-report policy de-*
11 *scribed in subsection (b) that applies with respect to all*
12 *members of the Armed Forces (including members of the re-*
13 *serve components of the Armed Forces) and cadets and mid-*
14 *shipmen at the military service academies.*

15 (b) *SAFE-TO-REPORT POLICY.*—*The safe-to-report pol-*
16 *icy described in this subsection is a policy that prescribes*
17 *the handling of minor collateral misconduct involving a*
18 *member of the Armed Forces who is the alleged victim of*
19 *sexual assault.*

20 (c) *AGGRAVATING CIRCUMSTANCES.*—*The regulations*
21 *under subsection (a) shall specify aggravating cir-*
22 *cumstances that increase the gravity of minor collateral*
23 *misconduct or its impact on good order and discipline for*
24 *purposes of the safe-to-report policy.*

1 (d) *TRACKING OF COLLATERAL MISCONDUCT INCIDENTS.*—*In conjunction with the issuance of regulations*
2 *under subsection (a), Secretary shall develop and imple-*
3 *ment a process to track incidents of minor collateral mis-*
4 *conduct that are subject to the safe-to-report policy.*

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

7 (1) *The term “Armed Forces” has the meaning*
8 *given that term in section 101(a)(4) of title 10,*
9 *United States Code, except such term does not include*
10 *the Coast Guard.*

11 (2) *The term “military service academy” means*
12 *the following:*

13 (A) *The United States Military Academy.*

14 (B) *The United States Naval Academy.*

15 (C) *The United States Air Force Academy.*

16 (3) *The term “minor collateral misconduct”*
17 *means any minor misconduct that is potentially pun-*
18 *ishable under chapter 47 of title 10, United States*
19 *Code (the Uniform Code of Military Justice), that—*

20 (A) *is committed close in time to or during*
21 *the sexual assault, and directly related to the in-*
22 *cident that formed the basis of the sexual assault*
23 *allegation;*

1 (B) is discovered as a direct result of the re-
2 port of sexual assault or the ensuing investiga-
3 tion into the sexual assault; and

4 (C) does not involve aggravating cir-
5 cumstances (as specified in the regulations pre-
6 scribed under subsection (c)) that increase the
7 gravity of the minor misconduct or its impact on
8 good order and discipline.

9 **SEC. 527. ADDITIONAL BASES FOR PROVISION OF ADVICE**
10 **BY THE DEFENSE ADVISORY COMMITTEE FOR**
11 **THE PREVENTION OF SEXUAL MISCONDUCT.**

12 Section 550B(c)(2) of the National Defense Authoriza-
13 tion Act for Fiscal Year 2020 (Public Law 116–92) is
14 amended—

15 (1) by redesignating subparagraph (C) as sub-
16 paragraph (E); and

17 (2) by inserting after subparagraph (B) the fol-
18 lowing new subparagraphs:

19 “(C) Efforts among private employers to
20 prevent sexual assault and sexual harassment
21 among their employees.

22 “(D) Evidence-based studies on the preven-
23 tion of sexual assault and sexual harassment in
24 the Armed Forces, institutions of higher edu-
25 cation, and the private sector.”.

1 **SEC. 528. ADDITIONAL MATTERS FOR REPORTS OF THE DE-**
2 **FENSE ADVISORY COMMITTEE FOR THE PRE-**
3 **VENTION OF SEXUAL MISCONDUCT.**

4 *Section 550B(d) of the National Defense Authorization*
5 *Act for Fiscal Year 2020 (Public Law 116–92) is amended*
6 *by adding at the end the following: “The report shall in-*
7 *clude the following:*

8 *“(1) A description and assessment of the extent*
9 *and effectiveness of the inclusion by the Armed Forces*
10 *of sexual assault prevention and response training in*
11 *leader professional military education (PME), espe-*
12 *cially in such education for personnel in junior non-*
13 *commissioned officer grades.*

14 *“(2) An assessment of the feasibility of—*

15 *“(A) the screening of recruits before entry*
16 *into military service for prior incidents of sexual*
17 *assault and harassment, including through back-*
18 *ground checks; and*

19 *“(B) the administration of screening tests to*
20 *recruits to assess recruit views and beliefs on*
21 *equal opportunity, and whether such views and*
22 *beliefs are compatible with military service.*

23 *“(3) An assessment of the feasibility of con-*
24 *ducting exit interviews of members of the Armed*
25 *Forces upon their discharge release from the Armed*
26 *Forces in order to determine whether they experienced*

1 *or witnessed sexual assault or harassment during*
2 *military service and did not report it, and an assess-*
3 *ment of the feasibility of combining such exit inter-*
4 *views with the Catch a Serial Offender (CATCH)*
5 *Program of the Department of Defense.*

6 *“(4) An assessment whether the sexual assault re-*
7 *porting databases of the Department are sufficiently*
8 *anonymized to ensure privacy while still providing*
9 *military leaders with the information as follows:*

10 *“(A) The approximate length of time the*
11 *victim and the assailant had been at the duty*
12 *station at which the sexual assault occurred.*

13 *“(B) The percentage of sexual assaults oc-*
14 *curring while the victim or assailant were on*
15 *temporary duty, leave, or otherwise away from*
16 *their permanent duty station.*

17 *“(C) The number of sexual assaults that in-*
18 *volve an abuse of power by a commander or su-*
19 *pervisor.”.*

20 **SEC. 529. POLICY ON SEPARATION OF VICTIM AND AC-**
21 **CUSED AT MILITARY SERVICE ACADEMIES**
22 **AND DEGREE-GRANTING MILITARY EDU-**
23 **CATIONAL INSTITUTIONS.**

24 *(a) IN GENERAL.—The Secretary of Defense shall, in*
25 *consultation with the Secretaries of the military depart-*

1 *ments, the Superintendent of each military service acad-*
2 *emy, and the head of each degree-granting military edu-*
3 *cational institution, prescribe in regulations a policy under*
4 *which association between a cadet or midshipman of a mili-*
5 *tary service academy, or a member of the Armed Forces*
6 *enrolled in a degree-granting military educational institu-*
7 *tion, who is the alleged victim of a sexual assault and the*
8 *accused is minimized while both parties complete their*
9 *course of study at the academy or institution concerned.*

10 (b) *ELEMENTS.*—*The Secretary of Defense shall ensure*
11 *that the policy developed under subsection (a)—*

12 (1) *is fair to the both the alleged victim and the*
13 *accused;*

14 (2) *provides for the confidentiality of the parties*
15 *involved;*

16 (3) *provide that notice of the policy, including*
17 *the elements of the policy and the right to opt out of*
18 *coverage by the policy, is provided to the alleged vic-*
19 *tim upon the making of an allegation of a sexual as-*
20 *sault covered by the policy; and*

21 (4) *provide an alleged victim the right to opt out*
22 *of coverage by the policy in connection with such sex-*
23 *ual assault.*

24 (c) *MILITARY SERVICE ACADEMY DEFINED.*—*The term*
25 *“military service academy” means the following:*

1 (1) *The United States Military Academy.*

2 (2) *The United States Naval Academy.*

3 (3) *The United States Air Force Academy.*

4 (4) *The United States Coast Guard Academy.*

5 **SEC. 530. BRIEFING ON PLACEMENT OF MEMBERS OF THE**
6 **ARMED FORCES IN ACADEMIC STATUS WHO**
7 **ARE VICTIMS OF SEXUAL ASSAULT ONTO**
8 **NON-RATED PERIODS.**

9 *Not later than 90 days after the date of the enactment*
10 *of this Act, the Secretary of Defense shall brief the Commit-*
11 *tees on Armed Services of the Senate and the House of Rep-*
12 *resentatives on the feasibility and advisability, and current*
13 *practice (if any), of the Department of Defense of granting*
14 *requests by members of the Armed Forces who are in aca-*
15 *demic status (whether at the military service academies or*
16 *in developmental education programs) and who are victims*
17 *of sexual assault to be placed on a Non-Rated Period for*
18 *their performance report.*

1 **PART II—OTHER MILITARY JUSTICE MATTERS**

2 **SEC. 531. RIGHT TO NOTICE OF VICTIMS OF OFFENSES**

3 **UNDER THE UNIFORM CODE OF MILITARY**
 4 **JUSTICE REGARDING CERTAIN POST-TRIAL**
 5 **MOTIONS, FILINGS, AND HEARINGS.**

6 *Section 806b(a)(2) of title 10, United States Code (ar-*
 7 *ticle 6b(a)(2)) of the Uniform Code of Military Justice), is*
 8 *amended—*

9 *(1) by redesignating subparagraphs (D) and (E)*
 10 *as subparagraphs (E) and (F), respectively; and*

11 *(2) by inserting after subparagraph (C) the fol-*
 12 *lowing new subparagraph (D):*

13 *“(D) A post-trial motion, filing, or hearing*
 14 *that may address the finding or sentence of a*
 15 *court-martial with respect to the accused, unseal*
 16 *privileged or private information of the victim,*
 17 *or result in the release of the accused.”.*

18 **SEC. 532. CONSIDERATION OF THE EVIDENCE BY COURTS**

19 **OF CRIMINAL APPEALS.**

20 *(a) IN GENERAL.—Section 866 of title 10, United*
 21 *States Code (article 66 of the Uniform Code of Military Jus-*
 22 *tice), is amended—*

23 *(1) by redesignating subsections (e) through (j)*
 24 *as subsections (f) through (k), respectively; and*

25 *(2) by inserting after subsection (d) the following*
 26 *new subsection (e):*

1 “(e) *CONSIDERATION OF THE EVIDENCE.*—

2 “(1) *IN GENERAL.*—*In an appeal of a finding of*
 3 *guilty under subsection (b), the Court of Criminal*
 4 *Appeals, upon request of the accused, may consider*
 5 *the weight of the evidence upon a specific showing by*
 6 *the accused of deficiencies in proof. The Court may*
 7 *set aside and dismiss a finding if clearly convinced*
 8 *that the finding was against the weight of the evi-*
 9 *dence. The Court may affirm a lesser finding. A re-*
 10 *hearing may not be ordered.*

11 “(2) *DEFERENCE IN CONSIDERATION.*—*When*
 12 *considering a case under subsection (b), the Court*
 13 *may weigh the evidence and determine controverted*
 14 *questions of fact, subject to—*

15 “(A) *appropriate deference to the fact that*
 16 *the court-martial saw and heard the witnesses*
 17 *and other evidence; and*

18 “(B) *appropriate deference to findings of*
 19 *fact entered into the record by the military*
 20 *judge.”.*

21 (b) *ADDITIONAL QUALIFICATIONS OF APPELLATE*
 22 *MILITARY JUDGES.*—*Subsection (a) of such section (article)*
 23 *is amended—*

24 (1) *by inserting “(1)” before “Each judge”; and*

1 (2) by adding at the end the following new para-
2 graph:

3 “(2)(A) In addition to any other qualifications speci-
4 fied in paragraph (1), any commissioned officer assigned
5 as an appellate military judge to a Court of Criminal Ap-
6 peals shall have not fewer than 12 years of experience in
7 military justice assignments before such assignment, and
8 any civilian so assigned shall have not fewer than 12 years
9 as a judge or criminal trial attorney before such assign-
10 ment.

11 “(B) A Judge Advocate General may waive the re-
12 quirement in subparagraph (A) in connection with the as-
13 signment of an officer or civilian as an appellate military
14 judge of a Court of Criminal Appeals if the Judge Advocate
15 General determines that compliance with the requirement
16 in the assignment of appellate military judges to a Court
17 of Criminal Appeals will impair the ability of the Court
18 to hear and decide appeals in a timely manner.

19 “(C) Not later than 120 days after waiving the re-
20 quirement in subparagraph (A) pursuant to subparagraph
21 (B), the Judge Advocate General shall notify the congres-
22 sional defense committees of the waiver, and include with
23 the notice an explanation for the shortage of appellate mili-
24 tary judges and a plan for addressing such shortage.”.

1 (c) *REVIEW BY FULL COURT OF FINDING OF CONVICT-*
2 *ION AGAINST WEIGHT OF EVIDENCE.*—*Subsection (e) of*
3 *such section (article), as amended by subsection (a) of this*
4 *section, is further is amended by adding at the end the fol-*
5 *lowing new paragraph:*

6 “(3) *REVIEW BY FULL COURT OF FINDING OF*
7 *CONVICTION AGAINST WEIGHT OF EVIDENCE.*—*Any*
8 *determination by the Court that a finding was clearly*
9 *against the weight of the evidence under paragraph*
10 *(1) shall be reviewed by the Court sitting as a*
11 *whole.*”.

12 **SEC. 533. PRESERVATION OF RECORDS OF THE MILITARY**
13 **JUSTICE SYSTEM.**

14 Section 940a of title 10, United States Code (article
15 140a of the Uniform Code of Military Justice), is amended
16 by adding at the end the following new subsection:

17 “(d) *PRESERVATION OF RECORDS WITHOUT REGARD*
18 *TO OUTCOME.*—*The standards and criteria prescribed es-*
19 *tablished by the Secretary of Defense under subsection (a)*
20 *shall provide for the preservation of records, without regard*
21 *to the outcome of the proceeding concerned, for not fewer*
22 *than 15 years.*”.

1 **SEC. 534. COMPTROLLER GENERAL OF THE UNITED STATES**
2 **REPORT ON IMPLEMENTATION BY THE**
3 **ARMED FORCES OF RECENT GAO REC-**
4 **COMMENDATIONS AND STATUTORY REQUIRE-**
5 **MENTS ON ASSESSMENT OF RACIAL, ETHNIC,**
6 **AND GENDER DISPARITIES IN THE MILITARY**
7 **JUSTICE SYSTEM.**

8 (a) *REPORT REQUIRED.*—*The Comptroller General of*
9 *the United States shall submit to the Committees on Armed*
10 *Services of the Senate and the House of Representatives a*
11 *report, in writing, on a study, conducted by the Comptroller*
12 *General for purposes of the report, on the implementation*
13 *by the Armed Forces of the following:*

14 (1) *The recommendations in the May 2019 re-*
15 *port of the General Accountability Office entitled*
16 *“Military Justice: DOD and the Coast Guard Need to*
17 *Improve Their Capabilities to Assess Racial and Gen-*
18 *der Disparities” (GAO–19–344).*

19 (2) *Requirements in section 540I(b) of the Na-*
20 *tional Defense Authorization Act for Fiscal Year 2020*
21 *(Public Law 116–92), relating to assessments covered*
22 *by such recommendations.*

23 (b) *ELEMENTS.*—*The report required by subsection (a)*
24 *shall include, for each recommendation and requirement*
25 *specified in that subsection, the following:*

1 (1) *A description of the actions taken or planned*
2 *by the Department of Defense, the military depart-*
3 *ment concerned, or the Armed Force concerned to im-*
4 *plement such recommendation or requirement.*

5 (2) *An assessment of the extent to which the ac-*
6 *tions taken to implement such recommendation or re-*
7 *quirement, as described pursuant to paragraph (1),*
8 *are effective or meet the intended objective.*

9 (3) *Any other matters in connection with such*
10 *recommendation or requirement, and the implementa-*
11 *tion of such recommendation or requirement by the*
12 *Armed Forces, that the Comptroller General considers*
13 *appropriate.*

14 (c) *BRIEFINGS.*—*Not later than May 1, 2021, the*
15 *Comptroller General shall provide the committees referred*
16 *to in subsection (a) one or more briefings on the status of*
17 *the study required by that subsection, including any pre-*
18 *liminary findings and recommendations of the Comptroller*
19 *General as a result of the study as of the date of such brief-*
20 *ing.*

21 **SEC. 535. BRIEFING ON MENTAL HEALTH SUPPORT FOR VI-**
22 **CARIOUS TRAUMA FOR CERTAIN PERSONNEL**
23 **IN THE MILITARY JUSTICE SYSTEM.**

24 (a) *BRIEFING REQUIRED.*—*Not later than 180 days*
25 *after the date of the enactment of this Act, the Judge Advo-*

1 *cates General of the Army, the Navy, and the Air Force*
2 *and the Staff Judge Advocate to the Commandant of the*
3 *Marine Corps shall jointly brief the Committees on Armed*
4 *Services of the Senate and the House of Representatives on*
5 *the mental health support for vicarious trauma provided*
6 *to personnel in the military justice system specified in sub-*
7 *section (b).*

8 *(b) PERSONNEL.—The personnel specified in this sub-*
9 *section are the following:*

- 10 *(1) Trial counsel.*
11 *(2) Defense counsel.*
12 *(3) Special Victims' Counsel.*
13 *(4) Military investigative personnel.*

14 *(c) ELEMENTS.—The briefing required by subsection*
15 *(a) shall include the following:*

- 16 *(1) A description and assessment of the mental*
17 *health support for vicarious trauma provided to per-*
18 *sonnel in the military justice system specified in sub-*
19 *section (b), including a description of the support*
20 *services available and the support services being used.*
21 *(2) A description and assessment of mechanisms*
22 *to eliminate or reduce stigma in the pursuit by such*
23 *personnel of such mental health support.*
24 *(3) An assessment of the feasibility and advis-*
25 *ability of providing such personnel with breaks be-*

1 *bility and advisability of establishing a guardian ad litem*
 2 *program for military dependents living outside the United*
 3 *States”.*

4 ***Subtitle E—Member Education,***
 5 ***Training, Transition, and Resil-***
 6 ***ience***

7 ***SEC. 541. TRAINING ON RELIGIOUS ACCOMMODATION FOR***
 8 ***MEMBERS OF THE ARMED FORCES.***

9 *(a) IN GENERAL.—As recommended on page 149 of the*
 10 *Report of the Committee on Armed Services of the Senate*
 11 *to Accompany S. 1519 (115th Congress) (Senate Report*
 12 *115–125), the Secretary of Defense shall develop and imple-*
 13 *ment training on Federal statutes, Department of Defense*
 14 *instructions, and the regulations of each Armed Force re-*
 15 *garding religious liberty and accommodation for members*
 16 *of the Armed Forces, including the responsibility of com-*
 17 *manders to maintain good order and discipline.*

18 *(b) CONSULTATION.—The Secretary develop and im-*
 19 *plement the training required by subsection (a) in consulta-*
 20 *tion with the following:*

21 *(1) The General Counsel of the Department of*
 22 *Defense.*

23 *(2) The Judge Advocate General of the Army, the*
 24 *Judge Advocate General of the Navy, and the Judge*
 25 *Advocate General of the Air Force.*

1 (3) *The Chief of Chaplains of the Army, the*
2 *Chief of Chaplains of the Navy, and the Chief of*
3 *Chaplains of the Air Force.*

4 (c) *CONTENTS.*—*The content of the training shall be*
5 *consistent with and include coverage of each of the fol-*
6 *lowing:*

7 (1) *The Religious Freedom Restoration Act of*
8 *1993 (42 U.S.C. 2000bb et seq.).*

9 (2) *Section 533 of the National Defense Author-*
10 *ization Act for Fiscal Year 2013 (10 U.S.C. prec.*
11 *1030 note).*

12 (3) *Section 528 of the National Defense Author-*
13 *ization Act for Fiscal Year 2016 (Public Law 114-*
14 *92; 129 Stat. 814).*

15 (d) *IMPLEMENTATION.*—

16 (1) *RECIPIENTS.*—*The recipients of training de-*
17 *veloped under subsection (a) shall include the fol-*
18 *lowing at all levels of command:*

19 (A) *Commanders*

20 (B) *Chaplains.*

21 (C) *Judge advocates.*

22 (D) *Such other members of the Armed*
23 *Forces as the Secretary considers appropriate.*

24 (2) *COMMENCEMENT.*—*The provision of training*
25 *developed under subsection (a) shall commence not*

1 (3) *Packaging, handling, storage, and transpor-*
2 *tation.*

3 (4) *Maintenance planning and management.*

4 (5) *Design interface.*

5 (6) *Sustainment engineering.*

6 (7) *Technical data.*

7 (8) *Computer resources.*

8 (9) *Facilities and infrastructure.*

9 (10) *Manpower and personnel.*

10 (11) *Support equipment.*

11 (12) *Training and training support.*

12 (13) *Governance, including the acquisition and*
13 *program management structure.*

14 (14) *Such other elements in the life cycle*
15 *sustainment of the Ready, Relevant Learning initia-*
16 *tive as the Secretary considers appropriate.*

17 (c) *REPORT ON USE OF READINESS ASSESSMENT*
18 *TEAMS.—The report required by subsection (a)(2) shall set*
19 *forth the following:*

20 (1) *A description and assessment of the extent to*
21 *which the Navy is currently using Engineering Read-*
22 *iness Assessment Teams (ERAT) and Combat Sys-*
23 *tems Readiness Assessment Teams (CSRAT) to con-*
24 *duct unit-level training and assistance in each capac-*
25 *ity as follows:*

1 (A) *To augment non-Ready, Relevant*
2 *Learning initiative training.*

3 (B) *As part of Ready, Relevant Learning*
4 *initiative training.*

5 (C) *To train students on legacy, obsolete,*
6 *one of a kind, or unique systems that are still*
7 *widely used by the Navy.*

8 (D) *To train students on military-specific*
9 *systems that are not found in the commercial*
10 *maritime world.*

11 (2) *A description and assessment of potential*
12 *benefits, and anticipated timelines and costs, in ex-*
13 *anding Engineering Readiness Assessment Team*
14 *and Combat Systems Readiness Assessment Team*
15 *training in the capacities specified in paragraph (1).*

16 (3) *Such other matters in connection with the*
17 *use of readiness assessment teams in connection with*
18 *the Ready, Relevant Learning initiative as the Sec-*
19 *retary considers appropriate.*

20 **SEC. 543. REPORT ON STANDARDIZATION AND POTENTIAL**
21 **MERGER OF LAW ENFORCEMENT TRAINING**
22 **FOR MILITARY AND CIVILIAN PERSONNEL**
23 **ACROSS THE DEPARTMENT OF DEFENSE.**

24 (a) *REPORT REQUIRED.*—*Not later than June 8, 2021,*
25 *the Secretary of Defense shall submit to the Committees on*

1 *Armed Services of the Senate and the House of Representa-*
2 *tives a report on the standardization and potential merger*
3 *of law enforcement training for military and civilian per-*
4 *sonnel across the Department of Defense, including training*
5 *of military or civilian personnel of the Department des-*
6 *ignated in accordance with section 2762 of title 10, United*
7 *States Code, to protect buildings, grounds, and property*
8 *under the jurisdiction, custody, or control of the Depart-*
9 *ment and the persons on such property.*

10 (b) *ELEMENTS.*—*In developing the report required by*
11 *subsection (a), the Secretary shall do, and include in the*
12 *report the results of, the following:*

13 (1) *Identify and assess current law enforcement*
14 *training courses, schools, and programs of the Armed*
15 *Forces that have the flexibility and capacity to sup-*
16 *port the training referred to in subsection (a) through*
17 *common training standards.*

18 (2) *Identify and assess current Department law*
19 *enforcement training courses, schools, and programs*
20 *that are affiliated with or accredited by third parties*
21 *(including both governmental and private entities),*
22 *including an assessment of the value derived from*
23 *such affiliation or accreditation to the training re-*
24 *ferred to in subsection (a).*

1 (3) *Identify emerging law enforcement training*
2 *requirements that are common among the Armed*
3 *Forces and other Department law enforcement compo-*
4 *nents and are currently unmet by the Armed Forces*
5 *or such components.*

6 (4) *Assess the feasibility, advisability, and suit-*
7 *ability of incorporating standardized and merged*
8 *field and operational training in military law en-*
9 *forcement mission areas, including area security op-*
10 *erations, law and order operations, internment and*
11 *resettlement operations, and police intelligence oper-*
12 *ations, in the training provided to all Armed Forces*
13 *and other Department law enforcement components.*

14 (5) *Identify and assess Department courses, pro-*
15 *grams, or institutions with the capability to support*
16 *law enforcement training or information sharing be-*
17 *tween Department military and civilian law enforce-*
18 *ment components and State, county, and local law*
19 *enforcement agencies, with the capability to support*
20 *law enforcement components of the National Guard*
21 *and other reserve components of the Armed Forces, or*
22 *with both such capabilities.*

23 (6) *Assess the feasibility, advisability, and suit-*
24 *ability of standardizing and merging the training re-*
25 *ferred to in subsection (a) across the Department, in-*

1 *cluding an assessment of the costs of such standard-*
2 *ization and merger.*

3 *(7) Any other matters the Secretary considers*
4 *appropriate.*

5 **SEC. 544. QUARTERLY REPORTS ON IMPLEMENTATION OF**
6 **RECOMMENDATIONS OF THE COMPREHEN-**
7 **SIVE REVIEW OF SPECIAL OPERATIONS**
8 **FORCES CULTURE AND ETHICS.**

9 *(a) QUARTERLY REPORTS REQUIRED.—Not later than*
10 *March 1, 2021, and every 90 days thereafter through March*
11 *1, 2024, the Assistant Secretary of Defense for Special Op-*
12 *erations and Low Intensity Conflict shall, in coordination*
13 *with the Commander of the United States Special Oper-*
14 *ations Command, submit to the congressional defense com-*
15 *mittees a report on the current status of the implementation*
16 *of the actions recommended as a result of the Comprehensive*
17 *Review of Special Operations Forces Culture and Ethics.*

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

20 *(1) A list of the actions required as of the date*
21 *of such report to complete full implementation of each*
22 *of the 16 actions recommended by the Comprehensive*
23 *Review referred to in subsection (a).*

24 *(2) An identification of the office responsible for*
25 *completing each action listed pursuant to paragraph*

1 (1), and an estimated timeline for completion of such
2 action.

3 (3) If completion of any action listed pursuant
4 to paragraph (1) requires resources or actions for
5 which authorization by statute is required, a rec-
6 ommendation for legislative action for such authoriza-
7 tion.

8 (4) Any other matters the Assistant Secretary or
9 the Commander considers appropriate.

10 **SEC. 545. INFORMATION ON NOMINATIONS AND APPLICA-**
11 **TIONS FOR MILITARY SERVICE ACADEMIES.**

12 (a) *REPORT ON CONGRESSIONAL NOMINATIONS POR-*
13 *TAL.—*

14 (1) *IN GENERAL.—*Not later than one year after
15 the date of the enactment of this Act, the Secretary of
16 Defense shall, in consultation with the Superintend-
17 ents of the military service academies, submit to the
18 Committees on Armed Services of the Senate and the
19 House of Representatives a report setting forth an as-
20 sessment of the feasibility and advisability of a uni-
21 form online portal for all military service academies
22 that enables Members of Congress to nominate indi-
23 viduals for appointment to each academy through a
24 secure website.

1 (2) *INFORMATION COLLECTION AND REPORT-*
2 *ING.—For purposes of preparing the report required*
3 *by paragraph (1), the Secretary shall treat the online*
4 *portal described in that paragraph as permitting the*
5 *collection, from each Member of Congress, of the demo-*
6 *graphic information described in subsection (b) for*
7 *each individual nominated by the Member.*

8 (3) *AVAILABILITY OF INFORMATION.—For pur-*
9 *poses of preparing the report, the Secretary shall treat*
10 *the online portal as permitting Members of Congress*
11 *and their designees to view past nomination records*
12 *for all application cycles.*

13 (4) *MATTERS IN CONNECTION WITH ESTABLISH-*
14 *MENT OF PORTAL.—If the Secretary determines that*
15 *the online portal is feasible and advisable, the report*
16 *shall include—*

17 (A) *a comprehensive description of the on-*
18 *line portal; and*

19 (B) *such recommendations for legislative*
20 *and administrative action as the Secretary con-*
21 *siders appropriate to establish and maintain the*
22 *online portal.*

23 (b) *STANDARD CLASSIFICATIONS FOR COLLECTION OF*
24 *DEMOGRAPHIC DATA.—*

1 (1) *STANDARDS REQUIRED.*—*The Secretary of*
2 *Defense shall, in consultation with the Superintend-*
3 *ents of the military service academies, establish stand-*
4 *ard classifications that cadets, midshipmen, and ap-*
5 *plicants to the academies may use to self-identify gen-*
6 *der, race, and ethnicity and to provide other demo-*
7 *graphic information in connection with admission to*
8 *or enrollment in an academy.*

9 (2) *CONSISTENCY WITH OMB GUIDANCE.*—*The*
10 *standard classifications established under paragraph*
11 *(1) shall be consistent with the standard classifica-*
12 *tions specified in Office of Management and Budget*
13 *Directive No. 15 (pertaining to race and ethnic*
14 *standards for Federal statistics and administrative*
15 *reporting) or any successor directive.*

16 (3) *INCORPORATION INTO APPLICATIONS AND*
17 *RECORDS.*—*Not later than one year after the date of*
18 *the enactment of this Act, the Secretary shall incor-*
19 *porate the standard classifications established under*
20 *paragraph (1) into—*

21 (A) *applications for admission to the mili-*
22 *tary service academies; and*

23 (B) *the military personnel records of cadets*
24 *and midshipmen enrolled in such academies.*

1 (c) *MILITARY SERVICE ACADEMY DEFINED.*—*In this*
2 *section, the term “military service academy” means—*

- 3 (1) *the United States Military Academy;*
4 (2) *the United States Naval Academy; and*
5 (3) *the United States Air Force Academy.*

6 **SEC. 546. PILOT PROGRAMS IN CONNECTION WITH SENIOR**
7 **RESERVE OFFICERS’ TRAINING CORPS UNITS**
8 **AT HISTORICALLY BLACK COLLEGES AND**
9 **UNIVERSITIES AND MINORITY INSTITUTIONS.**

10 (a) *PILOT PROGRAMS AUTHORIZED.*—*The Secretary*
11 *of Defense may carry out either or both of the pilot pro-*
12 *grams as follows:*

13 (1) *A pilot program, with elements as provided*
14 *for in subsection (c), at covered institutions in order*
15 *to assess the feasibility and advisability of mecha-*
16 *nisms to reduce barriers to participation in the Sen-*
17 *ior Reserve Officers’ Training Corps at such institu-*
18 *tions by creating partnerships between satellite or ex-*
19 *tension Senior Reserve Officers’ Training Corps units*
20 *at such institutions and military installations.*

21 (2) *A pilot program, with elements as provided*
22 *for in subsection (d), in order to assess the feasibility*
23 *and advisability of the provision of financial assist-*
24 *ance to members of the Senior Reserve Officers’*

1 *Training Corps at covered institutions for participa-*
 2 *tion in flight training.*

3 (b) *DURATION.*—*The duration of each pilot program*
 4 *under subsection (a) may not exceed five years.*

5 (c) *PILOT PROGRAM ON PARTNERSHIPS BETWEEN*
 6 *SATELLITE OR EXTENSION SROTC UNITS AND MILITARY*
 7 *INSTALLATIONS.*—

8 (1) *PARTICIPATING INSTITUTIONS.*—*The Sec-*
 9 *retary of Defense shall carry out the pilot program*
 10 *authorized by subsection (a)(1) at not fewer than five*
 11 *covered institutions selected by the Secretary for pur-*
 12 *poses of the pilot program.*

13 (2) *REQUIREMENTS FOR SELECTION.*—*Each cov-*
 14 *ered institution selected by the Secretary for purposes*
 15 *of the pilot program authorized by subsection (a)(1)*
 16 *shall—*

17 (A) *currently maintain a satellite or exten-*
 18 *sion Senior Reserve Officers' Training Corps*
 19 *unit under chapter 103 of title 10, United States*
 20 *Code, that is located more than 20 miles from*
 21 *the host unit of such unit; or*

22 (B) *establish and maintain a satellite or ex-*
 23 *tension Senior Reserve Officers' Training Corps*
 24 *unit that meets the requirements in subpara-*
 25 *graph (A).*

1 (3) *PREFERENCE IN SELECTION OF INSTITU-*
2 *TIONS.—In selecting covered institutions under this*
3 *subsection for participation in the pilot program au-*
4 *thorized by subsection (a)(1), the Secretary shall give*
5 *preference to covered institutions that are located*
6 *within 20 miles of a military installation of the same*
7 *Armed Force as the host unit of the Senior Reserve*
8 *Officers' Training Corp of the covered institution con-*
9 *cerned.*

10 (4) *PARTNERSHIP ACTIVITIES.—The activities*
11 *conducted under the pilot program authorized by sub-*
12 *section (a)(1) between a satellite or extension Senior*
13 *Reserve Officers' Training Corps unit and the mili-*
14 *tary installation concerned shall include such activi-*
15 *ties designed to reduce barriers to participation in the*
16 *Senior Reserve Officers' Training Corps at the cov-*
17 *ered institution concerned as the Secretary considers*
18 *appropriate, including measures to mitigate travel*
19 *time and expenses in connection with receipt of Sen-*
20 *ior Reserve Officers' Training Corps instruction.*

21 (d) *PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR*
22 *SROTC MEMBERS FOR FLIGHT TRAINING.—*

23 (1) *ELIGIBILITY FOR PARTICIPATION BY SROTC*
24 *MEMBERS.—A member of a Senior Reserve Officers'*
25 *Training Corps unit at a covered institution may*

1 *participate in the pilot program authorized by sub-*
2 *section (a)(2) if the member meets such academic re-*
3 *quirements at the covered institution, and such other*
4 *requirements, as the Secretary shall establish for pur-*
5 *poses of the pilot program.*

6 (2) *PREFERENCE IN SELECTION OF PARTICI-*
7 *PANTS.—In selecting members under this subsection*
8 *for participation in the pilot program authorized by*
9 *subsection (a)(2), the Secretary shall give a preference*
10 *to members who will pursue flight training under the*
11 *pilot program at a covered institution.*

12 (3) *FINANCIAL ASSISTANCE FOR FLIGHT TRAIN-*
13 *ING.—*

14 (A) *IN GENERAL.—The Secretary may pro-*
15 *vide any member of a Senior Reserve Officers’*
16 *Training Corps who participates in the pilot*
17 *program authorized by subsection (a)(2) finan-*
18 *cial assistance to defray, whether in whole or in*
19 *part, the charges and fees imposed on the mem-*
20 *ber for flight training.*

21 (B) *FLIGHT TRAINING.—Financial assist-*
22 *ance may be used under subparagraph (A) for a*
23 *course of flight training only if the course meets*
24 *Federal Aviation Administration standards and*

1 is approved by the Federal Aviation Administra-
2 tion and the applicable State approving agency.

3 (C) *USE.*—Financial assistance received by
4 a member under subparagraph (A) may be used
5 only to defray the charges and fees imposed on
6 the member as described in that subparagraph.

7 (D) *CESSATION OF ELIGIBILITY.*—Financial
8 assistance may not be provided to a member
9 under subparagraph (A) as follows:

10 (i) If the member ceases to meet the
11 academic and other requirements established
12 pursuant to paragraph (1).

13 (ii) If the member ceases to be a mem-
14 ber of the Senior Reserve Officers' Training
15 Corps.

16 (e) *EVALUATION METRICS.*—The Secretary of Defense
17 shall establish metrics to evaluate the effectiveness of the
18 pilot programs under subsection (a).

19 (f) *REPORTS.*—

20 (1) *INITIAL REPORT.*—Not later than 180 days
21 after the commencement of the pilot programs under
22 subsection (a), the Secretary of Defense shall submit
23 to the Committees on Armed Services of the Senate
24 and the House of Representatives a report on the pilot
25 programs. The report shall include the following:

1 (A) *A description of each pilot program, in-*
2 *cluding in the case of the pilot program under*
3 *subsection (a)(2) the requirements established*
4 *pursuant to subsection (d)(1).*

5 (B) *The evaluation metrics established*
6 *under subsection (e).*

7 (C) *Such other matters relating to the pilot*
8 *programs as the Secretary considers appropriate.*

9 (2) *ANNUAL REPORT.—Not later than 90 days*
10 *after the end of each fiscal year in which the Sec-*
11 *retary carries out the pilot programs, the Secretary*
12 *shall submit to the Committees on Armed Services of*
13 *the Senate and the House of Representatives a report*
14 *on the pilot programs during such fiscal year. Each*
15 *report shall include, for the fiscal year covered by*
16 *such report, the following:*

17 (A) *In the case of the pilot program under*
18 *subsection (a)(1), a description of the partner-*
19 *ships between satellite or extension Senior Re-*
20 *serve Officers' Training Corps units and mili-*
21 *tary installations under the pilot program.*

22 (B) *In the case of the pilot program under*
23 *subsection (a)(2), the following:*

24 (i) *The number of members of Senior*
25 *Reserve Officers' Training Corps units at*

1 covered institutions selected for purposes of
2 the pilot program, including the number of
3 such members participating in the pilot
4 program.

5 (ii) The number of recipients of finan-
6 cial assistance provided under the pilot pro-
7 gram, including the number who—

8 (I) completed a ground school
9 course of instruction in connection
10 with obtaining a private pilot's certifi-
11 cate;

12 (II) completed flight training, and
13 the type of training, certificate, or both
14 received;

15 (III) were selected for a pilot
16 training slot in the Armed Forces;

17 (IV) initiated pilot training in
18 the Armed Forces; or

19 (V) successfully completed pilot
20 training in the Armed Forces.

21 (iii) The amount of financial assist-
22 ance provided under the pilot program, bro-
23 ken out by covered institution, course of
24 study, and such other measures as the Sec-
25 retary considers appropriate.

1 (C) *Data collected in accordance with the*
2 *evaluation metrics established under subsection*
3 *(e).*

4 (3) *FINAL REPORT.*—*Not later than 180 days*
5 *prior to the completion of the pilot programs, the Sec-*
6 *retary shall submit to the Committees on Armed Serv-*
7 *ices of the Senate and the House of Representatives a*
8 *report on the pilot programs. The report shall include*
9 *the following:*

10 (A) *A description of the pilot programs.*

11 (B) *An assessment of the effectiveness of*
12 *each pilot program.*

13 (C) *A description of the cost of each pilot*
14 *program, and an estimate of the cost of making*
15 *each pilot program permanent.*

16 (D) *An estimate of the cost of expanding*
17 *each pilot program throughout all eligible Senior*
18 *Reserve Officers' Training Corps units.*

19 (E) *Such recommendations for legislative or*
20 *administrative action as the Secretary considers*
21 *appropriate in light of the pilot programs, in-*
22 *cluding recommendations for extending or mak-*
23 *ing permanent the authority for each pilot pro-*
24 *gram.*

25 (g) *DEFINITIONS.*—*In this section:*

1 (1) *The term “covered institution” has the mean-*
2 *ing given that term in section 262(g)(2) of the Na-*
3 *tional Defense Authorization Act for Fiscal Year 2020*
4 *(Public Law 116–92).*

5 (2) *The term “flight training” means a course of*
6 *instruction toward obtaining any of the following:*

7 (A) *A private pilot’s certificate.*

8 (B) *A commercial pilot certificate.*

9 (C) *A certified flight instructor certificate.*

10 (D) *A multi-crew pilot’s license.*

11 (E) *A flight instrument rating.*

12 (F) *Any other certificate, rating, or pilot*
13 *privilege the Secretary considers appropriate for*
14 *purposes of this section.*

15 (3) *The term “military installation” means an*
16 *installation of the Department of Defense for the reg-*
17 *ular components of the Armed Forces.*

18 **SEC. 547. EXPANSION OF JUNIOR RESERVE OFFICERS’**
19 **TRAINING CORPS PROGRAM.**

20 (a) *EXPANSION OF JROTC CURRICULUM.—Section*
21 *2031(a)(2) of title 10, United States Code, is amended by*
22 *inserting after “service to the United States” the following:*
23 *“(including an introduction to service opportunities in*
24 *military, national, and public service)”.*

1 (b) *PLAN TO INCREASE NUMBER OF JROTC UNITS.*—
 2 *The Secretary of Defense shall, in consultation with the Sec-*
 3 *retaries of the military departments, develop and imple-*
 4 *ment a plan to establish and support not fewer than 6,000*
 5 *units of the Junior Reserve Officers' Training Corps by*
 6 *September 30, 2031.*

7 **SEC. 548. DEPARTMENT OF DEFENSE STARBASE PROGRAM.**

8 Section 2193b(h) of title 10, United States Code, is
 9 amended by inserting “the Commonwealth of the Northern
 10 Mariana Islands, American Samoa,” before “and Guam”.

11 ***Subtitle F—Decorations and***
 12 ***Awards***

13 **SEC. 551. AWARD OR PRESENTATION OF DECORATIONS FA-**
 14 **VORABLY RECOMMENDED FOLLOWING DE-**
 15 **TERMINATION ON MERITS OF PROPOSALS**
 16 **FOR DECORATIONS NOT PREVIOUSLY SUB-**
 17 **MITTED IN A TIMELY FASHION.**

18 (a) *AWARD OR PRESENTATION AUTHORIZED.*—Section
 19 *1130 of title 10, United States Code, is amended—*

20 (1) *by redesignating subsection (d) as subsection*
 21 *(e); and*

22 (2) *by inserting after subsection (c) the following*
 23 *new subsection (d):*

24 “(d)(1) *A decoration may be awarded or presented fol-*
 25 *lowing the submission of a favorable recommendation for*

1 *the award or presentation of the decoration under sub-*
 2 *section (b).*

3 “(2) *An award or presentation of a decoration under*
 4 *paragraph (1) may not occur before the end of the 60-day*
 5 *period beginning on the date of the submission under sub-*
 6 *section (b) of the favorable recommendation regarding the*
 7 *award or presentation of the decoration.*

8 “(3) *The authority to make an award or presentation*
 9 *of a decoration under this subsection shall apply notwith-*
 10 *standing any limitation described in subsection (a).”.*

11 (b) *CONFORMING AND CLERICAL AMENDMENTS.—*

12 (1) *SECTION HEADING.—The heading of section*
 13 *1130 of such title is amended to read as follows:*

14 **“§ 1130. Consideration of proposals for decorations**
 15 **not previously submitted in timely fash-**
 16 **ion: procedures for review and award or**
 17 **presentation”.**

18 (2) *TABLE OF SECTIONS.—The table of sections*
 19 *at the beginning of chapter 57 of such title is amend-*
 20 *ed by striking the item relating to section 1130 and*
 21 *inserting the following new item:*

“1130. Consideration of proposals for decorations not previously submitted in
timely fashion: procedures for review and award or presen-
tation.”.

22 **SEC. 552. HONORARY PROMOTION MATTERS.**

23 (a) *HONORARY PROMOTIONS ON INITIATIVE OF*
 24 *DoD.—Chapter 80 of title 10, United States Code, is*

1 *amended by inserting after section 1563 the following new*
2 *section:*

3 **“§ 1563a. Honorary promotions on the initiative of the**
4 **Department of Defense**

5 “(a) *IN GENERAL.*—(1) *Under regulations prescribed*
6 *by the Secretary of Defense, the Secretary may make an*
7 *honorary promotion (whether or not posthumous) of a*
8 *former member or retired member of the armed forces to*
9 *any grade not exceeding the grade of major general, rear*
10 *admiral (upper half), or an equivalent grade in the Space*
11 *Force if the Secretary determines that the promotion is mer-*
12 *ited.*

13 “(2) *The authority to make an honorary promotion*
14 *under this subsection shall apply notwithstanding that the*
15 *promotion is not otherwise authorized by law.*

16 “(b) *NOTICE TO CONGRESS.*—*The Secretary may not*
17 *make an honorary promotion pursuant to subsection (a)*
18 *until 60 days after the date on which the Secretary submits*
19 *to the Committees on Armed Services of the Senate and the*
20 *House of Representatives a notice of the determination to*
21 *make the promotion, including a detailed discussion of the*
22 *rationale supporting the determination.*

23 “(c) *NOTICE OF PROMOTION.*—*Upon making an hon-*
24 *orary promotion pursuant to subsection (a), the Secretary*
25 *shall expeditiously notify the former member or retired*

1 *member concerned, or the next of kin of such former member*
2 *or retired member if such former member or retired member*
3 *is deceased, of the promotion.*

4 “(d) *NATURE OF PROMOTION.*—*Any promotion pursu-*
5 *ant to this section is honorary, and shall not affect the pay,*
6 *retired pay, or other benefits from the United States to*
7 *which the former member or retired member concerned is*
8 *entitled or would have been entitled based on the military*
9 *service of such former member or retired member, nor affect*
10 *any benefits to which any other person is or may become*
11 *entitled based on the military service of such former member*
12 *or retired member.*”.

13 (b) *MODIFICATION OF AUTHORITIES ON REVIEW OF*
14 *PROPOSALS FROM CONGRESS.*—

15 (1) *STANDARDIZATION OF AUTHORITIES WITH*
16 *AUTHORITIES ON DOD INITIATIVE.*—*Section 1563 of*
17 *title 10, United States Code, is amended—*

18 (A) *in subsection (a)—*

19 (i) *in the first sentence, by striking*
20 *“the posthumous or honorary promotion or*
21 *appointment of a member or former member*
22 *of the armed forces, or any other person*
23 *considered qualified,” and inserting “the*
24 *honorary promotion (whether or not post-*

1 *humous) of a former member or retired*
 2 *member of the armed forces”; and*

3 *(ii) in the second sentence, by striking*
 4 *“the posthumous or honorary promotion or*
 5 *appointment” and inserting “the pro-*
 6 *motion”; and*

7 *(B) in subsection (b), by striking “the post-*
 8 *humous or honorary promotion or appointment”*
 9 *and inserting “the honorary promotion”.*

10 (2) *AUTHORITY TO MAKE HONORARY PRO-*
 11 *MOTIONS FOLLOWING REVIEW OF PROPOSALS.—Such*
 12 *section is further amended—*

13 *(A) by redesignating subsection (c) as sub-*
 14 *section (d); and*

15 *(B) by inserting after subsection (b) the fol-*
 16 *lowing new subsection (c):*

17 “(c) *AUTHORITY TO MAKE.—(1) Under regulations*
 18 *prescribed by the Secretary of Defense, the Secretary of De-*
 19 *fense may make an honorary promotion (whether or not*
 20 *posthumous) of a former member or retired member of the*
 21 *armed forces to any grade not exceeding the grade of major*
 22 *general, rear admiral (upper half), or an equivalent grade*
 23 *in the Space Force following the submittal of the determina-*
 24 *tion of the Secretary concerned under subsection (b) in con-*

1 nection with the proposal for the promotion if the deter-
2 mination is to approve the making of the promotion.

3 “(2) *The Secretary of Defense may not make an hon-*
4 *orary promotion under this subsection until 60 days after*
5 *the date on which the Secretary concerned submits the deter-*
6 *mination in connection with the proposal for the promotion*
7 *under subsection (b), and the detailed rationale supporting*
8 *the determination as described in that subsection, to the*
9 *Committees on Armed Services of the Senate and the House*
10 *of Representatives and the requesting Member in accordance*
11 *with that subsection.*

12 “(3) *The authority to make an honorary promotion*
13 *under this subsection shall apply notwithstanding that the*
14 *promotion is not otherwise authorized by law.*

15 “(4) *Any promotion pursuant to this subsection is hon-*
16 *orary, and shall not affect the pay, retired pay, or other*
17 *benefits from the United States to which the former member*
18 *or retired member concerned is or would have been entitled*
19 *based upon the military service of such former member or*
20 *retired member, nor affect any benefits to which any other*
21 *person may become entitled based on the military service*
22 *of such former member or retired member.”.*

23 (3) *HEADING AMENDMENT.—The heading of such*
24 *section is amended to read as follows:*

1 **“§ 1563. Consideration of proposals from Members of**
 2 **Congress for honorary promotions: proce-**
 3 **dures for review and promotion”.**

4 (c) *CLERICAL AMENDMENT.*—*The table of sections at*
 5 *the beginning of chapter 80 of such title is amended by*
 6 *striking the item relating to section 1563 and inserting the*
 7 *following new items:*

“1563. Consideration of proposals from Members of Congress for honorary pro-
motions: procedures for review and promotion.

“1563a. Honorary promotions on the initiative of the Department of Defense.”.

8 **Subtitle G—Defense Dependents’**
 9 **Education and Military Family**
 10 **Readiness Matters**

11 **PART I—DEFENSE DEPENDENTS’ EDUCATION**

12 **MATTERS**

13 **SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**
 14 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**
 15 **PENDENTS OF MEMBERS OF THE ARMED**
 16 **FORCES AND DEPARTMENT OF DEFENSE CI-**
 17 **VILIAN EMPLOYEES.**

18 (a) *ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*
 19 *NUMBERS OF MILITARY DEPENDENT STUDENTS.*—*Of the*
 20 *amount authorized to be appropriated for fiscal year 2021*
 21 *by section 301 and available for operation and maintenance*
 22 *for Defense-wide activities as specified in the funding table*
 23 *in section 4301, \$50,000,000 shall be available only for the*
 24 *purpose of providing assistance to local educational agen-*

1 *cies under subsection (a) of section 572 of the National De-*
2 *fense Authorization Act for Fiscal Year 2006 (Public Law*
3 *109–163; 20 U.S.C. 7703b).*

4 (b) *LOCAL EDUCATIONAL AGENCY DEFINED.—In this*
5 *section, the term “local educational agency” has the mean-*
6 *ing given that term in section 7013(9) of the Elementary*
7 *and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).*

8 **SEC. 562. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
9 **ABILITIES.**

10 (a) *IN GENERAL.—Of the amount authorized to be ap-*
11 *propriated for fiscal year 2021 pursuant to section 301 and*
12 *available for operation and maintenance for Defense-wide*
13 *activities as specified in the funding table in section 4301,*
14 *\$10,000,000 shall be available for payments under section*
15 *363 of the Floyd D. Spence National Defense Authorization*
16 *Act for Fiscal Year 2001 (as enacted into law by Public*
17 *Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).*

18 (b) *ADDITIONAL AMOUNT.—Of the amount authorized*
19 *to be appropriated for fiscal year 2021 pursuant to section*
20 *301 and available for operation and maintenance for De-*
21 *fense-wide activities as specified in the funding table in sec-*
22 *tion 4301, \$10,000,000 shall be available for use by the Sec-*
23 *retary of Defense to make payments to local educational*
24 *agencies determined by the Secretary to have higher con-*
25 *centrations of military children with severe disabilities.*

1 (c) *SUNSET.*—*The requirement to staff schools in ac-*
2 *cordance with subsection (a) shall expire at the end of the*
3 *2023–2024 academic year of the Department of Defense*
4 *Education Activity.*

5 **SEC. 564. MATTERS IN CONNECTION WITH FREE APPRO-**
6 **PRIATE PUBLIC EDUCATION FOR DEPEND-**
7 **ENTS OF MEMBERS OF THE ARMED FORCES**
8 **WITH SPECIAL NEEDS.**

9 (a) *INFORMATION ON DISPUTES REGARDING RECEIPT*
10 *OF FREE APPROPRIATE PUBLIC EDUCATION BY SPECIAL*
11 *NEEDS DEPENDENTS.*—

12 (1) *IN GENERAL.*—*Each Secretary of a military*
13 *department shall collect and maintain information on*
14 *special education disputes filed by members of the*
15 *Armed Forces under the jurisdiction of such Sec-*
16 *retary.*

17 (2) *INFORMATION.*—*The information collected*
18 *and maintained pursuant to this subsection shall in-*
19 *clude the following:*

20 (A) *The number of special education dis-*
21 *putes filed.*

22 (B) *The outcome or disposition of the dis-*
23 *putes.*

1 (3) *SOURCE OF INFORMATION.*—*The information*
2 *collected and maintained pursuant to this subsection*
3 *shall be derived from the following:*

4 (A) *Records and reports of case managers*
5 *and navigators under the Exceptional Family*
6 *Member Program (EFMP) of the Department of*
7 *Defense.*

8 (B) *Reports of members of the Armed Forces*
9 *concerned to installation or other military lead-*
10 *ership.*

11 (C) *Such other sources as the Secretary of*
12 *the military department concerned considers ap-*
13 *propriate.*

14 (4) *ANNUAL REPORTS.*— *Each Secretary of a*
15 *military department shall submit each year to the Of-*
16 *fice of Special Needs of the Department of Defense a*
17 *report on the information collected by such Secretary*
18 *pursuant to this subsection during the preceding year.*

19 (b) *COMPTROLLER GENERAL OF THE UNITED STATES*
20 *STUDY.*—

21 (1) *IN GENERAL.*—*The Comptroller General of*
22 *the United States shall conduct a study on the fol-*
23 *lowing:*

24 (A) *The consequences for a State or local*
25 *educational agency of a finding of failure to pro-*

1 *vide a free appropriate public education to a*
2 *military dependent.*

3 *(B) The manner in which local educational*
4 *agencies with military families use the following:*

5 *(i) Funds received under section*
6 *7003(d) of the Elementary and Secondary*
7 *Education Act of 1965 (20 U.S.C. 7703(d)).*

8 *(ii) Funds authorized to be appro-*
9 *priated by annual national defense author-*
10 *ization Acts and made available for impact*
11 *aid for child with severe disabilities under*
12 *section 363 of the Floyd D. Spence National*
13 *Defense Authorization Act for Fiscal Year*
14 *2001 (20 U.S.C. 7703a).*

15 *(iii) Funds authorized to be appro-*
16 *priated by annual national defense author-*
17 *ization Acts and made available for assist-*
18 *ance to schools with significant number of*
19 *military dependent students under sub-*
20 *section (a) of section 572 of the National*
21 *Defense Authorization Act for Fiscal Year*
22 *2006 (20 U.S.C. 7703b).*

23 *(C) The efficacy of attorney and other legal*
24 *support for military families in special edu-*
25 *cation disputes.*

1 (D) *The standardization of policies and*
2 *guidance for School Liaison Officers between the*
3 *Office of Special Needs of the Department of De-*
4 *fense and the military departments, and the effi-*
5 *cacy of such policies and guidance.*

6 (E) *The improvements of family support*
7 *programs of the Office of Special Needs, and of*
8 *each military department, in light of the rec-*
9 *ommendations of the Comptroller General in the*
10 *report entitled “DOD Should Improve Its Over-*
11 *sight of the Exceptional Family Member Pro-*
12 *gram”, GAO-18-348.*

13 (2) *RECOMMENDATIONS.—In conducting the*
14 *study, the Comptroller General shall develop rec-*
15 *ommendations on the following:*

16 (A) *Improvements and enhancements to*
17 *oversight and enforcement of compliance by local*
18 *educational agencies with requirements for the*
19 *provision of a free appropriate public education*
20 *to military dependents with special needs.*

21 (B) *Improvements to the policies of the Of-*
22 *fice of Special Needs, and of each military de-*
23 *partment, with respect to the standardization*
24 *and efficacy of policies and programs for mili-*
25 *tary dependents with special needs.*

1 (3) *DEADLINE FOR COMPLETION.*—*The Comptroller General shall complete the study by not later*
2 *than March 31, 2021.*

4 (4) *BRIEFING AND REPORT.*—*Upon completion*
5 *of the study, the Comptroller General shall brief the*
6 *Committees on Armed Services of the Senate and the*
7 *House of Representatives on the results of the study,*
8 *and shall submit to such committees a report on such*
9 *results.*

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

11 (1) *The term “free appropriate public education”*
12 *includes appropriate special education and related*
13 *services required under the Individuals with Disabil-*
14 *ities Education Act (20 U.S.C. 1400 et seq.)*

15 (2) *The term “local educational agency” has the*
16 *meaning given that term in section 8101 of the Ele-*
17 *mentary and Secondary Education Act of 1965 (20*
18 *U.S.C. 7801).*

19 (3) *The term “special education dispute” means*
20 *a complaint filed regarding the education provided a*
21 *child with a disability (as defined in section 602 of*
22 *the Individuals with Disabilities Education Act (20*
23 *U.S.C. 1401), including a complaint filed in accord-*
24 *ance with section 615 or 639 of such Act (20 U.S.C.*
25 *1415, 1439).*

1 **SEC. 565. PILOT PROGRAM ON EXPANDED ELIGIBILITY FOR**
2 **DEPARTMENT OF DEFENSE EDUCATION AC-**
3 **TIVITY VIRTUAL HIGH SCHOOL PROGRAM.**

4 (a) *PILOT PROGRAM REQUIRED.*—

5 (1) *IN GENERAL.*—*The Secretary of Defense shall*
6 *carry out a pilot program on permitting dependents*
7 *of members of the Armed Forces on active duty to en-*
8 *roll in the Department of Defense Education Activity*
9 *Virtual High School program (in this section referred*
10 *to as the “DVHS program”).*

11 (2) *PURPOSES.*—*The purposes of the pilot pro-*
12 *gram shall be as follows:*

13 (A) *To evaluate the feasibility and*
14 *scalability of the DVHS program.*

15 (B) *To assess the impact of expanded enroll-*
16 *ment in the DVHS program under the pilot pro-*
17 *gram on military and family readiness.*

18 (3) *DURATION.*—*The duration of the pilot pro-*
19 *gram shall be four academic years.*

20 (b) *PARTICIPANTS.*—

21 (1) *IN GENERAL.*—*Participants in the pilot pro-*
22 *gram shall be selected by the Secretary from among*
23 *dependents of members of the Armed Forces on active*
24 *duty who—*

25 (A) *are in a grade 9 through 12;*

1 (B) are currently ineligible to enroll in the
2 DVHS program; and

3 (C) either—

4 (i) require supplementary courses to
5 meet graduation requirements in the cur-
6 rent State of residence; or

7 (ii) otherwise demonstrate to the Sec-
8 retary a clear need to participate in the
9 DVHS program.

10 (2) *PREFERENCE IN SELECTION.*—In selecting
11 participants in the pilot program, the Secretary shall
12 afford a preference to the following:

13 (A) Dependents who reside in a rural area.

14 (B) Dependents who are home-schooled stu-
15 dents.

16 (3) *LIMITATIONS.*—The total number of course
17 enrollments per academic year authorized under the
18 pilot program may not exceed 400 course enrollments.
19 No single dependent participating in the pilot pro-
20 gram may take more than two courses per academic
21 year under the pilot program.

22 (c) *REPORTS.*—

23 (1) *INTERIM REPORT.*—Not later than two years
24 after the date of the enactment of this Act, the Sec-
25 retary shall submit to the Committees on Armed Serv-

1 *ices of the Senate and the House of Representatives*
2 *an interim report on the pilot program.*

3 (2) *FINAL REPORT.*—*Not later than 180 days*
4 *after the completion of the pilot program, the Sec-*
5 *retary shall submit to the committees of Congress re-*
6 *ferred to in paragraph (1) a final report on the pilot*
7 *programs.*

8 (3) *ELEMENTS.*—*Each report under this sub-*
9 *section shall include the following:*

10 (A) *A description of the demographics of the*
11 *dependents participating in the pilot program*
12 *through the date of such report.*

13 (B) *Data on, and an assessment of, student*
14 *performance in virtual coursework by dependents*
15 *participating in the pilot program over the du-*
16 *ration of the pilot program.*

17 (C) *Such recommendation as the Secretary*
18 *considers appropriate on whether to make the*
19 *pilot program permanent.*

20 (d) *DEFINITIONS.*—*In this section:*

21 (1) *The term “rural area” has the meaning*
22 *given the term in section 520 of the Housing Act of*
23 *1949 (42 U.S.C. 1490).*

24 (2) *The term “home-schooled student” means a*
25 *student in a grade equivalent to grade 9 through 12*

1 *who receives educational instruction at home or by*
2 *other non-traditional means outside of a public or*
3 *private school system, either all or most of the time.*

4 **SEC. 566. PILOT PROGRAM ON EXPANSION OF ELIGIBILITY**
5 **FOR ENROLLMENT AT DOMESTIC DEPEND-**
6 **ENT ELEMENTARY AND SECONDARY**
7 **SCHOOLS.**

8 *(a) PILOT PROGRAM REQUIRED.—Beginning not later*
9 *than 180 days after the date of the enactment of this Act,*
10 *the Secretary of Defense shall carry out a pilot program*
11 *under which a dependent of a full-time, active-duty member*
12 *of the Armed Forces may enroll in a covered DODEA school*
13 *at the military installation to which the member is as-*
14 *signed, on a space-available basis as described in subsection*
15 *(c), without regard to whether the member resides on the*
16 *installation as described in 2164(a)(1) of title 10, United*
17 *States Code.*

18 *(b) PURPOSES.—The purposes of the pilot program*
19 *under this section are—*

20 *(1) to evaluate the feasibility and advisability of*
21 *expanding enrollment in covered DODEA schools;*
22 *and*

23 *(2) to determine how increased access to such*
24 *schools will affect military and family readiness.*

1 (c) *ENROLLMENT ON SPACE-AVAILABLE BASIS.*—A
2 student participating in the pilot program under this sec-
3 tion may be enrolled in a covered DODEA school only if
4 the school has the capacity to accept the student, as deter-
5 mined by the Director of the Department of Defense Edu-
6 cation Activity.

7 (d) *LOCATIONS.*—The Secretary of Defense shall carry
8 out the pilot program under this section at not more than
9 four military installations at which covered DODEA
10 schools are located. The Secretary shall select military in-
11 stallations for participation in the pilot program based
12 on—

13 (1) the readiness needs of the Secretary of a the
14 military department concerned; and

15 (2) the capacity of the DODEA schools located at
16 the installation to accept additional students, as de-
17 termined by the Director of the Department of Defense
18 Education Activity.

19 (e) *TERMINATION.*—The authority to carry out the
20 pilot program under this section shall terminate four years
21 after the date of the enactment of this Act.

22 (f) *COVERED DODEA SCHOOL DEFINED.*—In this sec-
23 tion, the term “covered DODEA school” means a domestic
24 dependent elementary or secondary school operated by the
25 Department of Defense Education Activity that—

1 (1) *has been established on or before the date of*
2 *the enactment of this Act; and*

3 (2) *is located in the continental United States.*

4 **SEC. 567. COMPTROLLER GENERAL OF THE UNITED STATES**
5 **REPORT ON THE STRUCTURAL CONDITION OF**
6 **DEPARTMENT OF DEFENSE EDUCATION AC-**
7 **TIVITY SCHOOLS.**

8 (a) *REPORT REQUIRED.*—*Not later than one year*
9 *after the date of the enactment of this Act, the Comptroller*
10 *General of the United States shall submit to the congress-*
11 *sional defense committees a report setting forth an assess-*
12 *ment by the Comptroller General of the structural condition*
13 *of schools of the Department of Defense Education Activity,*
14 *both within the continental United States (CONUS) and*
15 *outside the continental United States (OCONUS).*

16 (b) *VIRTUAL SCHOOLS.*—*The report shall include an*
17 *assessment of the virtual infrastructure or other means by*
18 *which students attend Department of Defense Education*
19 *Activity schools that have no physical structure, including*
20 *the satisfaction of the military families concerned with such*
21 *infrastructure or other means.*

1 **PART II—MILITARY FAMILY READINESS MATTERS**

2 **SEC. 571. RESPONSIBILITY FOR ALLOCATION OF CERTAIN**

3 **FUNDS FOR MILITARY CHILD DEVELOPMENT**

4 **PROGRAMS.**

5 *Section 1791 of title 10, United States Code, is amend-*
6 *ed—*

7 (1) *by inserting “(a) POLICY.—” before “It is the*
8 *policy”; and*

9 (2) *by adding at the end the following new sub-*
10 *section:*

11 “(b) *RESPONSIBILITY FOR ALLOCATIONS OF CERTAIN*
12 *FUNDS.—The Secretary of Defense shall be responsible for*
13 *the allocation of Office of the Secretary of Defense level*
14 *funds for military child development programs for children*
15 *from birth through 12 years of age, and may not delegate*
16 *such responsibility to the military departments.”.*

17 **SEC. 572. IMPROVEMENTS TO EXCEPTIONAL FAMILY MEM-**

18 **BER PROGRAM.**

19 *Section 1781c of title 10, United States Code is amend-*
20 *ed—*

21 (1) *in subsection (b), by striking “enhance” and*
22 *inserting “standardize, enhance,”;*

23 (2) *in subsection (c)(1), by inserting “and stand-*
24 *ard” after “comprehensive”;*

25 (3) *in subsection (d)—*

1 (A) in paragraph (1), by striking “update
2 from time to time” and inserting “regularly up-
3 date”;

4 (B) in paragraph (3), by adding at the end
5 the following new subparagraphs:

6 “(C) Ability to request a second review of
7 the approved assignment within or outside the
8 continental United States if the member believes
9 the location is inappropriate for the member’s
10 family and would cause undue hardship.

11 “(D) Protection from having a medical rec-
12 ommendation for an approved assignment
13 overridden by the commanding officer.

14 “(E) Ability to request continuation of loca-
15 tion when there is a documented substantial risk
16 of transferring medical care or educational serv-
17 ices to a new provider or school at the specific
18 time of permanent change of station.

19 “(F) If an order for assignment is declined
20 for a military family with special needs, the
21 member will receive a reason for the decline of
22 that order.”; and

23 (C) in paragraph (4), by adding at the end
24 the following new subparagraphs:

1 “(H) Procedures to right-size the Depart-
2 ment’s Exceptional Family Member Program to
3 ensure efficient and effective enrollment, for suf-
4 ficient staffing dedicated to providing family
5 support services, to include comprehensive train-
6 ing, education and outreach services, and suffi-
7 cient oversight and administrative support for
8 effective program operation.

9 “(I) Requirements to prohibit disenrollment
10 from the Exceptional Family Member Program
11 unless there is new supporting medical or edu-
12 cational information that indicates the original
13 condition is no longer present, and to track
14 disenrollment data per military service.”;

15 (4) by redesignating subsections (f), (g), and (h)
16 as subsections (g), (h), and (i), respectively; and

17 (5) by inserting after subsection (e) the following
18 new subsection:

19 “(f) METRICS.—The Secretary of Defense shall imple-
20 ment performance metrics for measuring, across the Depart-
21 ment and with respect to each military department, the fol-
22 lowing:

23 “(1) Assignment coordination and support for
24 military families with special needs, including a sys-
25 tematic process for evaluating each military depart-

1 *ment’s program for the support of military families*
 2 *with special needs.*

3 “(2) *The reassignment of military families with*
 4 *special needs, including how often members request*
 5 *reassignments, for what reasons, and from what mili-*
 6 *tary installations.*

7 “(3) *The level of satisfaction of military families*
 8 *with special needs with the family and medical sup-*
 9 *port they are provided.”.*

10 **SEC. 573. PROCEDURES OF THE OFFICE OF SPECIAL NEEDS**
 11 **FOR THE DEVELOPMENT OF INDIVIDUALIZED**
 12 **SERVICES PLANS FOR MILITARY FAMILIES**
 13 **WITH SPECIAL NEEDS.**

14 *Section 1781c(d)(4) of title 10, United States Code, as*
 15 *amended by section 572(3)(C) of this Act, is further amend-*
 16 *ed—*

17 (1) *in subparagraph (F), by striking “of an in-*
 18 *dividualized services plan (medical and educational)”*
 19 *and inserting “by an appropriate office of an indi-*
 20 *vidualized services plan (whether medical, edu-*
 21 *cational, or both)”;*

22 (2) *by redesignating subparagraphs (G), (H),*
 23 *and (I) as subparagraph (H), (I), and (J), respec-*
 24 *tively; and*

1 (3) *by inserting after subparagraph (F) the fol-*
2 *lowing new paragraph (G):*

3 “(G) *Procedures for the development of an indi-*
4 *vidualized services plan for military family members*
5 *with special needs who have requested family support*
6 *services and have a completed family needs assess-*
7 *ment.*”.

8 **SEC. 574. RESTATEMENT AND CLARIFICATION OF AUTHOR-**
9 **ITY TO REIMBURSE MEMBERS FOR SPOUSE**
10 **RELICENSING COSTS PURSUANT TO A PERMA-**
11 **NENT CHANGE OF STATION.**

12 (a) *IN GENERAL.*—Section 453 of title 37, United
13 States Code, is amended by adding at the end the following
14 new subsection:

15 “(g) *REIMBURSEMENT OF QUALIFYING SPOUSE RELI-*
16 *CENSING COSTS INCIDENT TO A MEMBER’S PERMANENT*
17 *CHANGE OF STATION OR ASSIGNMENT.*—(1) *From amounts*
18 *otherwise made available for a fiscal year to provide travel*
19 *and transportation allowances under this chapter, the Sec-*
20 *retary concerned may reimburse a member of the armed*
21 *forces for qualified relicensing costs of the spouse of the*
22 *member when—*

23 “(A) *the member is reassigned, either as a per-*
24 *manent change of station or permanent change of as-*
25 *signment, between duty stations located in separate*

1 *jurisdictions with unique licensing or certification re-*
2 *quirements and authorities; and*

3 *“(B) the movement of the member’s dependents is*
4 *authorized at the expense of the United States under*
5 *this section as part of the reassignment.*

6 *“(2) Reimbursement provided to a member under this*
7 *subsection may not exceed \$1000 in connection with each*
8 *reassignment described in paragraph (1).*

9 *“(3) No reimbursement may be provided under this*
10 *subsection for qualified relicensing costs paid or incurred*
11 *after December 31, 2024.*

12 *“(4) In this subsection, the term ‘qualified relicensing*
13 *costs’ means costs, including exam, continuing education*
14 *courses, and registration fees, incurred by the spouse of a*
15 *member if—*

16 *“(A) the spouse was licensed or certified in a*
17 *profession during the member’s previous duty assign-*
18 *ment and requires a new license or certification to en-*
19 *gage in that profession in a new jurisdiction because*
20 *of movement described in paragraph (1)(B) in con-*
21 *nection with the member’s change in duty location*
22 *pursuant to reassignment described in paragraph*
23 *(1)(A); and*

1 “(B) the costs were incurred or paid to secure or
2 maintain the license or certification from the new ju-
3 risdiction in connection with such reassignment.”.

4 (b) *REPEAL OF SUPERSEDED AUTHORITY.*—Section
5 476 of such title is amended by striking subsection (p).

6 **SEC. 575. IMPROVEMENTS TO DEPARTMENT OF DEFENSE**
7 **TRACKING OF AND RESPONSE TO INCIDENTS**
8 **OF CHILD ABUSE INVOLVING MILITARY DE-**
9 **PENDENTS ON MILITARY INSTALLATIONS.**

10 (a) *IMPROVEMENTS REQUIRED.*—

11 (1) *IN GENERAL.*—The Secretary of Defense
12 shall, consistent with recommendations of the Comp-
13 troller General of the United States in Government
14 Accountability Office report GA0–20–110, take ac-
15 tions in accordance with this section in order to im-
16 prove the efforts of the Department of Defense to track
17 and respond to incidents of child abuse involving de-
18 pendents of members of the Armed Forces that occur
19 on military installations (in this section referred to
20 as “covered incidents of child abuse”).

21 (2) *CHILD ABUSE.*—For purposes of this section,
22 child abuse includes any abuse of a child, including
23 sexual abuse, emotional abuse, and neglect.

24 (b) *DATA COLLECTION AND TRACKING OF INCIDENTS*
25 *OF CHILD ABUSE.*—

1 (1) *TRACKING OF NON-CAREGIVER ABUSE.—The*
2 *Secretary of Defense shall establish a process for the*
3 *Department of Defense Family Advocacy Program to*
4 *track reported covered incidents of child abuse in*
5 *which the alleged offender is not a parent, guardian,*
6 *or someone in a caregiving role at the time of the in-*
7 *cident. The information so tracked shall comport with*
8 *the information tracked by the Department of Defense*
9 *in reported covered incidents of child abuse in which*
10 *the alleged offender is a parent, guardian, or someone*
11 *in a caregiving role at the time of the incident.*

12 (2) *CENTRALIZED DATABASE FOR TRACKING OF*
13 *INCIDENTS.—*

14 (A) *IN GENERAL.—The Secretary shall de-*
15 *velop and maintain in the Department of De-*
16 *fense a centralized database to track information*
17 *across the Department on all covered incidents of*
18 *child abuse that are reported to the Family Ad-*
19 *vocacy Program or investigated by a military*
20 *criminal investigation organization, regardless of*
21 *whether the alleged offender was another child,*
22 *an adult, or someone in a non-caregiving role at*
23 *the time of an incident.*

1 (B) *ELEMENTS.*—*The centralized database*
2 *required by this paragraph shall include, for*
3 *each incident within the database, the following:*

4 (i) *Information pertinent to a deter-*
5 *mination by the Family Advocacy Program*
6 *whether such incident meets the criteria of*
7 *the Department for treatment as an inci-*
8 *dent of child abuse.*

9 (ii) *The results of any investigation of*
10 *such incident by a military criminal inves-*
11 *tigation organization.*

12 (iii) *Information on the ultimate dis-*
13 *position of the incident, if any, including*
14 *any administrative or prosecutorial action*
15 *taken.*

16 (C) *ANNUAL REPORTS ON INFORMATION.*—
17 *The information collected and maintained in the*
18 *centralized database shall be reported on an an-*
19 *ual basis as part of the annual reports from the*
20 *Family Advocacy Program on child abuse and*
21 *domestic abuse in the military as required by*
22 *section 574 of the National Defense Authoriza-*
23 *tion Act for Fiscal Year 2017 (Public Law 114–*
24 *328; 130 Stat. 2141).*

1 (D) *BRIEFINGS.*—Not later than March 31,
2 2021, and every six months thereafter until the
3 centralized database required by this paragraph
4 is fully operational, the Secretary shall brief the
5 Committees on Armed Services of the Senate and
6 the House of Representatives on the status of the
7 database.

8 (3) *DEPARTMENT OF DEFENSE EDUCATION AC-*
9 *TIVITY GUIDANCE.*—The Department of Defense Edu-
10 cation Activity (DoDEA) shall issue clarifications of
11 its guidance on the incidents of child-on-child abuse
12 that qualify as serious incidents for purposes of re-
13 quirements for the reporting of such serious incidents
14 by school administrators to Activity leadership.

15 (c) *RESPONSE PROCEDURES.*—

16 (1) *INCIDENT DETERMINATION COMMITTEE MEM-*
17 *BERSHIP.*—The Department of Defense Family Advo-
18 cacy Program shall ensure that the voting member-
19 ship of each Incident Determination Committee on a
20 military installation includes medical personnel with
21 the requisite knowledge and expertise to determine
22 whether a reported covered incident of abuse meets the
23 criteria of the Department of Defense for treatment as
24 child abuse.

1 (2) *SCREENING REPORTED INCIDENTS OF CHILD*
2 *ABUSE.*—

3 (A) *DEVELOPMENT OF STANDARDIZED*
4 *PROCESS.*—*The Department of Defense Family*
5 *Advocacy Program shall develop a standardized*
6 *process by which the Family Advocacy Programs*
7 *of the military departments screen reported cov-*
8 *ered incidents of child abuse to determine wheth-*
9 *er to present such incident to an Incident Deter-*
10 *mination Committee.*

11 (B) *MONITORING.*—*The Secretary of each*
12 *military department shall develop a process to*
13 *monitor the manner in which reported covered*
14 *incidents of child abuse are screened by each in-*
15 *stallation under the jurisdiction of such Sec-*
16 *retary in order to ensure that such screening*
17 *complies with the standardized screening process*
18 *developed pursuant to subparagraph (A).*

19 (3) *REQUIRED NOTIFICATIONS.*—

20 (A) *DOCUMENTATION.*—*The Secretary of*
21 *each military department shall require that in-*
22 *stallation Family Advocacy Programs and mili-*
23 *tary criminal investigation organizations under*
24 *the jurisdiction of such Secretary document in*
25 *their respective databases the date on which they*

1 notified the other of a reported covered incident
2 of child abuse.

3 (B) *OVERSIGHT.*—The Secretary of each
4 military department shall require that the Fam-
5 ily Advocacy Program of such military depart-
6 ment, and the headquarters of the military
7 criminal investigation organizations of such
8 military department, to develop processes to
9 oversee the documentation of notifications re-
10 quired by subparagraph (A) in order to ensure
11 that such notifications occur on a consistent
12 basis at installation level.

13 (4) *CERTIFIED PEDIATRIC SEXUAL ASSAULT FO-*
14 *RENSIC EXAMINERS.*—

15 (A) *GEOGRAPHIC REGIONS FOR EXAM-*
16 *INERS.*—The Under Secretary of Defense for Per-
17 sonnel and Readiness shall specify geographic re-
18 gions in which military families reside for pur-
19 poses of the availability of and access to certified
20 pediatric sexual assault examiners in such re-
21 gions.

22 (B) *AVAILABILITY.*—The Under Secretary
23 shall ensure that—

24 (i) one or more certified pediatric sex-
25 ual assault examiners are located in each

1 *geographic region specified pursuant to sub-*
2 *paragraph (A); and*

3 (ii) *examiners so located serve as cer-*
4 *tified pediatric sexual assault examiners*
5 *throughout such region, without regard to*
6 *Armed Force or installation.*

7 (5) *REMOVAL OF CHILDREN FROM UNSAFE*
8 *HOMES OVERSEAS.—The Secretary of Defense shall,*
9 *in consultation with the Secretaries of the military*
10 *departments, issue policy that clarifies and standard-*
11 *izes across the Armed Forces the circumstances under*
12 *which a commander may remove a child from a po-*
13 *tentially unsafe home at an installation overseas.*

14 (6) *RESOURCE GUIDE FOR FAMILIES AFFECTED*
15 *BY CHILD ABUSE.—*

16 (A) *IN GENERAL.—The Secretary of each*
17 *military department shall develop and maintain*
18 *a comprehensive guide on resources available*
19 *through the Department of Defense and such*
20 *military department for military families under*
21 *this jurisdiction of such Secretary who are af-*
22 *ected by child abuse.*

23 (B) *ELEMENTS.—Each guide under this*
24 *paragraph shall include the following:*

1 (i) *Information on the response proc-*
2 *esses of the Family Advocacy Programs and*
3 *military criminal investigation organiza-*
4 *tions of the military department concerned.*

5 (ii) *Lists of available support services,*
6 *such as legal, medical, and victim advocacy*
7 *services, through the Department of Defense*
8 *and the military department concerned.*

9 (C) *DISTRIBUTION.*—*A resource guide*
10 *under this paragraph shall be presented to a*
11 *military family by an installation Family Advo-*
12 *cacy Program and military criminal investiga-*
13 *tion personnel at the time a covered incident of*
14 *child abuse involving a child in such family is*
15 *reported.*

16 (D) *AVAILABILITY ON INTERNET.*—*A cur-*
17 *rent version of each resource guide under this*
18 *paragraph shall be available to the public on an*
19 *Internet website of the military department con-*
20 *cerned available to the public.*

21 (d) *COORDINATION AND COLLABORATION WITH NON-*
22 *MILITARY RESOURCES.*—

23 (1) *COORDINATION WITH STATES.*—*The Sec-*
24 *retary of Defense shall—*

1 (A) continue the outreach efforts of the De-
2 partment of Defense to the States in order to en-
3 sure that States are notified when a member of
4 the Armed Forces or a military dependent is in-
5 volved in a reported incident of child abuse off
6 a military installation; and

7 (B) increase efforts at information sharing
8 between the Department and the States on such
9 incidents of child abuse, including entry into
10 memoranda of understanding with State child
11 welfare agencies on information sharing in con-
12 nection with such incidents.

13 (2) *COLLABORATION WITH NATIONAL CHIL-*
14 *DREN'S ALLIANCE.—*

15 (A) *MEMORANDA OF UNDERSTANDING.—The*
16 *Secretary of each military department shall seek*
17 *to enter into a memorandum of understanding*
18 *with the National Children's Alliance under*
19 *which—*

20 (i) *the children's advocacy center serv-*
21 *ices of the Alliance are available to all in-*
22 *stallations in the continental United States*
23 *under the jurisdiction of such Secretary;*
24 *and*

1 (ii) members of the Armed Forces
2 under the jurisdiction of such Secretary are
3 made aware of the nature and availability
4 of such services.

5 (B) *PARTICIPATION OF CERTAIN ENTI-*
6 *TIES.—Each memorandum of understanding*
7 *under this paragraph shall provide for the ap-*
8 *propriate participation of the Family Advocacy*
9 *Program and military criminal investigation or-*
10 *ganizations of the military department con-*
11 *cerned in activities under such memorandum of*
12 *understanding.*

13 (C) *BRIEFING.—Not later than one year*
14 *after the date of the enactment of this Act, the*
15 *Secretary of each military department shall pro-*
16 *vide to the Committees on Armed Services of the*
17 *Senate and the House of Representatives a brief-*
18 *ing on the status of the development of a memo-*
19 *randum of understanding with the National*
20 *Children’s Alliance under this paragraph, to-*
21 *gether with information on which installations,*
22 *if any, under the jurisdiction of such Secretary*
23 *have entered into a written agreement with a*
24 *local children’s advocacy center with respect to*
25 *child abuse on such installations.*

1 **SEC. 576. MILITARY CHILD CARE AND CHILD DEVELOPMENT**

2 **CENTER MATTERS.**

3 (a) *CENTER FEES MATTERS.*—Section 1793 of title
4 10, United States Code, is amended by adding at the end
5 the following new subsections:

6 “(c) *LIBERAL ISSUANCE OF HARDSHIP WAIVERS.*—
7 The regulations prescribed pursuant to subsection (a) shall
8 require that installation commanders issue waivers of fees
9 otherwise established under the regulations for inability to
10 pay (commonly referred to as ‘hardship waivers’) on a lib-
11 eral basis in a manner consistent (as specified by the Sec-
12 retary in such regulations) with ensuring that fees collected
13 pursuant to subsection (a) meet the operating expenses of
14 the child development centers concerned.

15 “(d) *FAMILY DISCOUNT.*—In the case of a family with
16 two or more children attending a child development center,
17 the regulations prescribed pursuant to subsection (a) shall
18 require that installations commanders charge a fee for at-
19 tendance at the center of any child of the family after the
20 first child of the family in amount equal to 85 percent of
21 the amount of the fee otherwise chargeable for the attendance
22 of such child at the center.”.

23 (b) *CHILD CARE FEE ASSISTANCE PROGRAMS*
24 *THROUGHOUT THE ARMED FORCES.*—

25 (1) *PROGRAMS AUTHORIZED.*—Each Secretary of
26 a military department may carry out a program for

1 *each Armed Force under the jurisdiction of such Sec-*
2 *retary under which a member of the Armed Forces*
3 *who is obtaining child care services from a civilian*
4 *child care services provider located off a military in-*
5 *stallation is paid (subject to any limitation estab-*
6 *lished by such Secretary) a monthly amount equal to*
7 *the amount, if any, by which—*

8 *(A) the monthly amount charged by such*
9 *provider for such services; exceeds*

10 *(B) the monthly amount the military de-*
11 *partment concerned pays or otherwise provides*
12 *members at such installation for child care serv-*
13 *ices on such installation.*

14 *(2) MODEL.—Any program carried out pursuant*
15 *to paragraph (1) shall be modeled after the Army Fee*
16 *Assistance Program, and incorporate such modifica-*
17 *tions to that Program as the Secretary of the military*
18 *department concerned considers appropriate.*

19 *(3) SECRETARY OF DEFENSE APPROVAL.—Any*
20 *program of an Armed Force under paragraph (1)*
21 *shall be subject to the approval of the Secretary of De-*
22 *fense.*

23 *(c) ADDITIONAL ACTIONS TO OBTAIN QUALIFIED*
24 *CHILD CARE EMPLOYEES.—*

1 (1) *IN GENERAL.*—Section 1792 of title 10,
2 *United States Code, is amended—*

3 (A) *by redesignating subsection (d) as sub-*
4 *section (e); and*

5 (B) *by inserting after subsection (c) the fol-*
6 *lowing new subsection (d):*

7 “(d) *ADDITIONAL ACTIONS TO OBTAIN QUALIFIED*
8 *EMPLOYEES.*—*Each Secretary of a military department*
9 *may, with the approval of the Secretary of Defense, take*
10 *actions in addition to actions authorized by subsection (c)*
11 *to provide military child development centers under the ju-*
12 *risdiction of such Secretary with a qualified and stable ci-*
13 *vilian workforce, including actions as follows:*

14 “(1) *Enhanced marketing and recruitment for*
15 *employment.*

16 “(2) *Provision to employees of education-related*
17 *benefits, including tuition assistance and student loan*
18 *repayment programs.*

19 “(3) *Availability and enhancement of wellness*
20 *and physical fitness programs for employees.*

21 “(4) *Provision of such other competitive benefits*
22 *as the Secretary of the military department and the*
23 *Secretary of Defense jointly consider appropriate.”.*

24 (2) *REPORTS ON INSTALLATIONS WITH EXTREME*
25 *IMBALANCE BETWEEN DEMAND FOR AND AVAIL-*

1 *ABILITY OF CHILD CARE.*—*Not later than one year*
2 *after the date of the enactment of this Act, each Sec-*
3 *retary of a military department shall submit to Con-*
4 *gress a report on the military installations under the*
5 *jurisdiction of such Secretary with an extreme imbal-*
6 *ance between demand for child care and availability*
7 *of child care. Each report shall include, for the mili-*
8 *tary department covered by such report, the following:*

9 *(A) The name of the five installations of the*
10 *military department experiencing the most ex-*
11 *treme imbalance between demand for child care*
12 *and availability of child care.*

13 *(B) For each installation named pursuant*
14 *to subparagraph (A), the following:*

15 *(i) An assessment whether civilian em-*
16 *ployees at child development centers at such*
17 *installation have rates of pay and benefits*
18 *that are competitive with other civilian em-*
19 *ployees on such installation and with the ci-*
20 *vilian labor pool in the vicinity of such in-*
21 *stallation.*

22 *(ii) A description and assessment of*
23 *various incentives to encourage military*
24 *spouses to become providers under the Fam-*

1 *ily Child Care program at such installa-*
 2 *tion.*

3 *(iii) Such recommendations at the Sec-*
 4 *retary of the military department concerned*
 5 *considers appropriate to address the imbal-*
 6 *ance between demand for child care and*
 7 *availability of child care at such installa-*
 8 *tion, including recommendations to enhance*
 9 *the competitiveness of civilian child care po-*
 10 *sitions at such installation with other civil-*
 11 *ian positions at such installation and the*
 12 *civilian labor pool in the vicinity of such*
 13 *installation.*

14 **SEC. 577. EXPANSION OF FINANCIAL ASSISTANCE UNDER**
 15 **MY CAREER ADVANCEMENT ACCOUNT PRO-**
 16 **GRAM.**

17 *Section 580F of the National Defense Authorization*
 18 *Act for Fiscal Year 2020 (Public Law 116–92) is amend-*
 19 *ed—*

20 *(1) by inserting “(a) PROFESSIONAL LICENSE*
 21 *OR CERTIFICATION; ASSOCIATE’S DEGREE.—” before*
 22 *“The Secretary”;*

23 *(2) by inserting “or maintenance (including con-*
 24 *tinuing education courses)” after “pursuit”; and*

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

3 “(b) *NATIONAL TESTING.—Financial assistance under*
 4 *subsection (a) may be applied to the costs of national tests*
 5 *that may earn a participating military spouse course cred-*
 6 *its required for a degree approved under the program (in-*
 7 *cluding the College Level Examination Program tests).”.*

8 ***Subtitle H—Other Matters***

9 ***SEC. 586. REMOVAL OF PERSONALLY IDENTIFYING AND***
 10 ***OTHER INFORMATION OF CERTAIN PERSONS***
 11 ***FROM INVESTIGATIVE REPORTS, THE DE-***
 12 ***PARTMENT OF DEFENSE CENTRAL INDEX OF***
 13 ***INVESTIGATIONS, AND OTHER RECORDS AND***
 14 ***DATABASES.***

15 (a) *POLICY AND PROCESS REQUIRED.—Not later than*
 16 *October 1, 2021, the Secretary of Defense shall establish and*
 17 *maintain a policy and process through which any covered*
 18 *person may request that the person’s name, personally iden-*
 19 *tifying information, and other information pertaining to*
 20 *the person shall, in accordance with subsection (c), be cor-*
 21 *rected in, or expunged or otherwise removed from, the fol-*
 22 *lowing:*

23 (1) *A law enforcement or criminal investigative*
 24 *report of the Department of Defense or any compo-*
 25 *nent of the Department.*

1 (2) *An index item or entry in the Department*
2 *of Defense Central Index of Investigations (DCII).*

3 (3) *Any other record maintained in connection*
4 *with a report described in paragraph (1), or an index*
5 *item or entry described in paragraph (2), in any sys-*
6 *tem of records, records database, records center, or re-*
7 *pository maintained by or on behalf of the Depart-*
8 *ment.*

9 (b) *COVERED PERSONS.*—*For purposes of this section,*
10 *a covered person is any person whose name was placed or*
11 *reported, or is maintained—*

12 (1) *in the subject or title block of a law enforce-*
13 *ment or criminal investigative report of the Depart-*
14 *ment of Defense (or any component of the Depart-*
15 *ment);*

16 (2) *as an item or entry in the Department of De-*
17 *fense Central Index of Investigations; or*

18 (3) *in any other record maintained in connec-*
19 *tion with a report described in paragraph (1), or an*
20 *index item or entry described in paragraph (2), in*
21 *any system of records, records database, records cen-*
22 *ter, or repository maintained by or on behalf of the*
23 *Department.*

24 (c) *ELEMENTS.*—*The policy and process required by*
25 *subsection (a) shall include the following elements:*

1 (1) BASIS FOR CORRECTION OR
2 EXPUNGEMENT.—*That the name, personally identi-*
3 *fying information, and other information of a covered*
4 *person shall be corrected in, or expunged or otherwise*
5 *removed from, a report, item or entry, or record de-*
6 *scribed in paragraphs (1) through (3) of subsection*
7 *(a) in the following circumstances:*

8 (A) *Probable cause did not or does not exist*
9 *to believe that the offense for which the person's*
10 *name was placed or reported, or is maintained,*
11 *in such report, item or entry, or record occurred,*
12 *or insufficient evidence existed or exists to deter-*
13 *mine whether or not such offense occurred.*

14 (B) *Probable cause did not or does not exist*
15 *to believe that the person actually committed the*
16 *offense for which the person's name was so*
17 *placed or reported, or is so maintained, or insuf-*
18 *ficient evidence existed or exists to determine*
19 *whether or not the person actually committed*
20 *such offense.*

21 (C) *Such other circumstances, or on such*
22 *other bases, as the Secretary may specify in es-*
23 *tablishing the policy and process, which cir-*
24 *cumstances and bases may not be inconsistent*

1 *with the circumstances and bases provided by*
2 *subparagraphs (A) and (B).*

3 (2) *CONSIDERATIONS.*—*While not dispositive as*
4 *to the existence of a circumstance or basis set forth in*
5 *paragraph (1), the following shall be considered in the*
6 *determination whether such circumstance or basis ap-*
7 *plies to a covered person for purposes of this section:*

8 (A) *The extent or lack of corroborating evi-*
9 *dence against the covered person concerned with*
10 *respect to the offense at issue.*

11 (B) *Whether adverse administrative, dis-*
12 *ciplinary, judicial, or other such action was ini-*
13 *tiated against the covered person for the offense*
14 *at issue.*

15 (C) *The type, nature, and outcome of any*
16 *action described in subparagraph (B) against the*
17 *covered person.*

18 (3) *PROCEDURES.*—*The policy and process re-*
19 *quired by subsection (a) shall include procedures as*
20 *follows:*

21 (A) *Procedures under which a covered per-*
22 *son may appeal a determination of the applica-*
23 *ble component of the Department of Defense de-*
24 *nying, whether in whole or in part, a request for*
25 *purposes of subsection (a).*

1 (B) *Procedures under which the applicable*
2 *component of the Department will correct, ex-*
3 *punge or remove, take other appropriate action*
4 *on, or assist a covered person in so doing, any*
5 *record maintained by a person, organization, or*
6 *entity outside of the Department to which such*
7 *component provided, submitted, or transmitted*
8 *information about the covered person, which in-*
9 *formation has or will be corrected in, or ex-*
10 *punged or removed from, Department records*
11 *pursuant to this section.*

12 (C) *The timeline pursuant to which the De-*
13 *partment, or a component of the Department, as*
14 *applicable, will respond to each of the following:*

15 (i) *A request pursuant to subsection*

16 (a).

17 (ii) *An appeal under the procedures re-*
18 *quired by subparagraph (A).*

19 (iii) *A request for assistance under the*
20 *procedures required by subparagraph (B).*

21 (D) *Mechanisms through which the Depart-*
22 *ment will keep a covered person apprised of the*
23 *progress of the Department on a covered person's*
24 *request or appeal as described in subparagraph*
25 *(C).*

1 (d) *APPLICABILITY.*—*The policy and process required*
 2 *to be developed by the Secretary under subsection (a) shall*
 3 *not be subject to the notice and comment rulemaking re-*
 4 *quirements under section 553 of title 5, United States Code.*

5 (e) *REPORT.*—*Not later than October 1, 2021, the Sec-*
 6 *retary shall submit to the Committees on Armed Services*
 7 *of the Senate and the House of Representatives a report on*
 8 *the actions taken to carry out this section, including a com-*
 9 *prehensive description of the policy and process developed*
 10 *and implemented by the Secretary under subsection (a).*

11 **SEC. 587. NATIONAL EMERGENCY EXCEPTION FOR TIMING**
 12 **REQUIREMENTS WITH RESPECT TO CERTAIN**
 13 **SURVEYS OF MEMBERS OF THE ARMED**
 14 **FORCES.**

15 (a) *MEMBERS OF REGULAR AND RESERVE COMPO-*
 16 *NENTS.*—*Subsection (d) of section 481 of title 10, United*
 17 *States Code, is amended to read as follows:*

18 “(d) *WHEN SURVEYS REQUIRED.*—(1) *The Armed*
 19 *Forces Workplace and Gender Relations Surveys of the Ac-*
 20 *tive Duty and the Armed Forces Workplace and Gender Re-*
 21 *lations Survey of the Reserve Components shall each be con-*
 22 *ducted once every two years. The surveys may be conducted*
 23 *within the same year or in two separate years, and shall*
 24 *be conducted in a manner designed to reduce the burden*
 25 *of the surveys on members of the armed forces.*

1 “(2) *The two Armed Forces Workplace and Equal Op-*
2 *portunity Surveys shall be conducted at least once every*
3 *four years. The surveys may be conducted within the same*
4 *year or in two separate years, and shall be conducted in*
5 *a manner designed to reduce the burden of the surveys on*
6 *members of the armed forces.*

7 “(3)(A) *The Secretary of Defense may postpone the*
8 *conduct of a survey under this section if the Secretary deter-*
9 *mines that conducting such survey is not practicable due*
10 *to a war or national emergency declared by the President*
11 *or Congress.*

12 “(B) *The Secretary shall ensure that a survey post-*
13 *poned under subparagraph (A) is conducted as soon as*
14 *practicable after the end of the period of war or national*
15 *emergency concerned, or earlier if the Secretary determines*
16 *appropriate.*

17 “(C) *The Secretary shall notify Congress of a deter-*
18 *mination under subparagraph (A) not later than 30 days*
19 *after the date on which the Secretary makes such determina-*
20 *tion.”.*

21 (b) *CADETS AND MIDSHIPMEN.—*

22 (1) *UNITED STATES MILITARY ACADEMY.—Sec-*
23 *tion 7461(c) of title 10, United States Code, is*
24 *amended by adding at the end the following new*
25 *paragraph:*

1 “(3)(A) *The Secretary of Defense may postpone the*
2 *conduct of an assessment under this subsection if the Sec-*
3 *retary determines that conducting such assessment is not*
4 *practicable due to a war or national emergency declared*
5 *by the President or Congress.*

6 “(B) *The Secretary of Defense shall ensure that an as-*
7 *essment postponed under subparagraph (A) is conducted*
8 *as soon as practicable after the end of the period of war*
9 *or national emergency concerned, or earlier if the Secretary*
10 *determines appropriate.*

11 “(C) *The Secretary of Defense shall notify Congress of*
12 *a determination under subparagraph (A) not later than 30*
13 *days after the date on which the Secretary makes such deter-*
14 *mination.*”.

15 (2) *UNITED STATES NAVAL ACADEMY.—Section*
16 *8480(c) of such title is amended by adding at the end*
17 *the following new paragraph:*

18 “(3)(A) *The Secretary of Defense may postpone the*
19 *conduct of an assessment under this subsection if the Sec-*
20 *retary determines that conducting such assessment is not*
21 *practicable due to a war or national emergency declared*
22 *by the President or Congress.*

23 “(B) *The Secretary of Defense shall ensure that an as-*
24 *essment postponed under subparagraph (A) is conducted*
25 *as soon as practicable after the end of the period of war*

1 *or national emergency concerned, or earlier if the Secretary*
2 *determines appropriate.*

3 “(C) *The Secretary of Defense shall notify Congress of*
4 *a determination under subparagraph (A) not later than 30*
5 *days after the date on which the Secretary makes such deter-*
6 *mination.*”.

7 (3) *UNITED STATES AIR FORCE ACADEMY.—Sec-*
8 *tion 9461(c) of such title is amended by adding at the*
9 *end the following new paragraph:*

10 “(3)(A) *The Secretary of Defense may postpone the*
11 *conduct of an assessment under this subsection if the Sec-*
12 *retary determines that conducting such assessment is not*
13 *practicable due to a war or national emergency declared*
14 *by the President or Congress.*

15 “(B) *The Secretary of Defense shall ensure that an as-*
16 *essment postponed under subparagraph (A) is conducted*
17 *as soon as practicable after the end of the period of war*
18 *or national emergency concerned, or earlier if the Secretary*
19 *determines appropriate.*

20 “(C) *The Secretary of Defense shall notify Congress of*
21 *a determination under subparagraph (A) not later than 30*
22 *days after the date on which the Secretary makes such deter-*
23 *mination.*”.

1 (c) *DEPARTMENT OF DEFENSE CIVILIAN EMPLOY-*
 2 *EES.—Section 481a of title 10, United States Code, is*
 3 *amended by adding at the end the following new subsection:*

4 “(d) *POSTPONEMENT.—(1) The Secretary of Defense*
 5 *may postpone the conduct of a survey under this section*
 6 *if the Secretary determines that conducting such survey is*
 7 *not practicable due to a war or national emergency declared*
 8 *by the President or Congress.*

9 “(2) *The Secretary shall ensure that a survey post-*
 10 *poned under paragraph (1) is conducted as soon as prac-*
 11 *ticable after the end of the period of war or national emer-*
 12 *gency concerned, or earlier if the Secretary determines ap-*
 13 *propriate.*

14 “(3) *The Secretary shall notify Congress of a deter-*
 15 *mination under paragraph (1) not later than 30 days after*
 16 *the date on which the Secretary makes such determina-*
 17 *tion.”.*

18 **SEC. 588. SUNSET AND TRANSFER OF FUNCTIONS OF THE**
 19 **PHYSICAL DISABILITY BOARD OF REVIEW.**

20 *Section 1554a of title 10, United States Code, is*
 21 *amended by adding at the end the following new subsection:*

22 “(g) *SUNSET.—(1) On or after October 1, 2020, the*
 23 *Secretary of Defense may sunset the Physical Disability*
 24 *Board of Review under this section.*

1 “(2) If the Secretary sunsets the Physical Disability
2 Board of Review under paragraph (1), the Secretary shall
3 transfer any remaining requests for review pending at that
4 time, and shall assign any new requests for review under
5 this section, to a board for the correction of military records
6 operated by the Secretary concerned under section 1552 of
7 this title..

8 “(3) Subsection (c)(4) shall not apply with respect to
9 any review conducted by a board for the correction of mili-
10 tary records under paragraph (2).”.

11 **SEC. 589. EXTENSION OF REPORTING DEADLINE FOR THE**
12 **ANNUAL REPORT ON THE ASSESSMENT OF**
13 **THE EFFECTIVENESS OF ACTIVITIES OF THE**
14 **FEDERAL VOTING ASSISTANCE PROGRAM.**

15 (a) *ELIMINATION OF REPORTS FOR NON-ELECTION*
16 *YEARS.*—Section 105A(b) of the Uniformed and Overseas
17 *Citizens Absentee Voting Act (52 U.S.C. 20308(b)) is*
18 *amended, in the matter preceding paragraph (1)—*

19 (1) *by striking “March 31 of each year” and in-*
20 *serting “September 30 of each odd-numbered year”;*
21 *and*

22 (2) *by striking “the following information” and*
23 *inserting “the following information with respect to*
24 *the Federal elections held during the preceding cal-*
25 *endar year”.*

1 (b) *CONFORMING AMENDMENTS.*—Subsection (b) of
 2 section 105A of such Act (52 U.S.C. 20308(b)) is amend-
 3 ed—

4 (1) in the subsection heading, by striking “AN-
 5 NUAL REPORT” and inserting “BIENNIAL REPORT”;
 6 and

7 (2) in paragraph (3), by striking “In the case
 8 of” and all that follows through “a description” and
 9 inserting “A description”.

10 **SEC. 590. PILOT PROGRAMS ON REMOTE PROVISION BY NA-**
 11 **TIONAL GUARD TO STATE GOVERNMENTS**
 12 **AND NATIONAL GUARDS OF OTHER STATES**
 13 **OF CYBERSECURITY TECHNICAL ASSISTANCE**
 14 **IN TRAINING, PREPARATION, AND RESPONSE**
 15 **TO CYBER INCIDENTS.**

16 (a) *PILOT PROGRAMS AUTHORIZED.*—The Secretary
 17 of the Army and the Secretary of the Air Force may each,
 18 in consultation with the Chief of the National Guard Bu-
 19 reau, conduct a pilot program to assess the feasibility and
 20 advisability of the development of a capability within the
 21 National Guard through which a National Guard of a State
 22 remotely provides State governments and National Guards
 23 of other States (whether or not in the same Armed Force
 24 as the providing National Guard) with cybersecurity tech-
 25 nical assistance in training, preparation, and response to

1 *cyber incidents. If such Secretary elects to conduct such a*
2 *pilot program, such Secretary shall be known as an “ad-*
3 *ministering Secretary” for purposes of this section, and any*
4 *reference in this section to “the pilot program” shall be*
5 *treated as a reference to the pilot program conducted by*
6 *such Secretary.*

7 **(b) ASSESSMENT PRIOR TO COMMENCEMENT.**—*For*
8 *purposes of evaluating existing platforms, technologies, and*
9 *capabilities under subsection (c), and for establishing eligi-*
10 *bility and participation requirements under subsection (d),*
11 *for purposes of the pilot program, an administering Sec-*
12 *retary, in consultation with the Chief of the National Guard*
13 *Bureau, shall, prior to commencing the pilot program—*

14 **(1) conduct an assessment of—**

15 **(A) existing cyber response capacities of the**
16 *Army National Guard or Air National Guard,*
17 *as applicable, in each State; and*

18 **(B) any existing platform, technology, or**
19 *capability of a National Guard that provides the*
20 *capability described in subsection (a); and*

21 **(2) determine whether a platform, technology, or**
22 *capability described in paragraph (1)(B) is suitable*
23 *for expansion for purposes of the pilot program.*

24 **(c) ELEMENTS.**—*A pilot program under subsection (a)*
25 *shall include the following:*

1 (1) *A technical capability that enables the Na-*
2 *tional Guard of a State to remotely provide cyberse-*
3 *curity technical assistance to State governments and*
4 *National Guards of other States, without the need to*
5 *deploy outside its home State.*

6 (2) *Policies, processes, procedures, and authori-*
7 *ties for use of such a capability, including with re-*
8 *spect to the following:*

9 (A) *The roles and responsibilities of both re-*
10 *questing and deploying State governments and*
11 *National Guards with respect to such technical*
12 *assistance, taking into account the matters speci-*
13 *fied in subsection (f).*

14 (B) *Necessary updates to the Defense Cyber*
15 *Incident Coordinating Procedure, or any other*
16 *applicable Department of Defense instruction, for*
17 *purposes of implementing the capability.*

18 (C) *Program management and governance*
19 *structures for deployment and maintenance of*
20 *the capability.*

21 (D) *Security when performing remote sup-*
22 *port, including such in matters such as authen-*
23 *tication and remote sensing.*

24 (3) *The conduct, in coordination with the Chief*
25 *of the National Guard Bureau and the Secretary of*

1 *Homeland Security and in consultation with the Di-*
2 *rector of the Federal Bureau of Investigation, other*
3 *Federal agencies, and appropriate non-Federal enti-*
4 *ties, of at least one exercise to demonstrate the capa-*
5 *bility, which exercise shall include the following:*

6 *(A) Participation of not fewer than two*
7 *State governments and their National Guards.*

8 *(B) Circumstances designed to test and vali-*
9 *date the policies, processes, procedures, and au-*
10 *thorities developed pursuant to paragraph (2).*

11 *(C) An after action review of the exercise.*

12 *(d) USE OF EXISTING TECHNOLOGY.—An admin-*
13 *istering Secretary may use an existing platform, tech-*
14 *nology, or capability to provide the capability described in*
15 *subsection (a) under the pilot program.*

16 *(e) ELIGIBILITY AND PARTICIPATION REQUIRE-*
17 *MENTS.—An administering Secretary shall, in consultation*
18 *with the Chief of the National Guard Bureau, establish re-*
19 *quirements with respect to eligibility and participation of*
20 *State governments and their National Guards in the pilot*
21 *program.*

22 *(f) CONSTRUCTION WITH CERTAIN CURRENT AU-*
23 *THORITIES.—*

24 *(1) COMMAND AUTHORITIES.—Nothing in a pilot*
25 *program under subsection (a) may be construed as af-*

1 *fecting or altering the command authorities otherwise*
2 *applicable to any unit of the National Guard unit*
3 *participating in the pilot program.*

4 (2) *EMERGENCY MANAGEMENT ASSISTANCE COM-*
5 *PACT.—Nothing in a pilot program may be construed*
6 *as affecting or altering any current agreement under*
7 *the Emergency Management Assistance Compact, or*
8 *any other State agreements, or as determinative of the*
9 *future content of any such agreement.*

10 (g) *EVALUATION METRICS.—An administering Sec-*
11 *retary shall, in consultation with the Chief of the National*
12 *Guard Bureau and the Secretary of Homeland Security,*
13 *establish metrics to evaluate the effectiveness of the pilot*
14 *program.*

15 (h) *TERM.—A pilot program under subsection (a)*
16 *shall terminate on the date that is three years after the date*
17 *of the commencement of the pilot program.*

18 (i) *REPORTS.—*

19 (1) *INITIAL REPORT.—Not later than 180 days*
20 *after the date of the commencement of the pilot pro-*
21 *gram, the administering Secretary shall submit to the*
22 *appropriate committees of Congress a report setting*
23 *forth a description of the pilot program and such*
24 *other matters in connection with the pilot program as*
25 *the Secretary considers appropriate.*

1 (2) *FINAL REPORT.*—Not later than 180 days
2 after the termination of the pilot program, the admin-
3 istering Secretary shall submit to the appropriate
4 committees of Congress a report on the pilot program.
5 *The report shall include the following:*

6 (A) *A description of the pilot program, in-*
7 *cluding any partnerships entered into by the*
8 *Chief of the National Guard Bureau under the*
9 *pilot program.*

10 (B) *A summary of the assessment performed*
11 *prior to the commencement of the pilot program*
12 *in accordance with subsection (b).*

13 (C) *A summary of the evaluation metrics*
14 *established in accordance with subsection (g).*

15 (D) *An assessment of the effectiveness of the*
16 *pilot program, and of the capability described in*
17 *subsection (a) under the pilot program.*

18 (E) *A description of costs associated with*
19 *the implementation and conduct of the pilot pro-*
20 *gram.*

21 (F) *A recommendation as to the termi-*
22 *nation or extension of the pilot program, or the*
23 *making of the pilot program permanent with an*
24 *expansion nationwide.*

1 (G) *An estimate of the costs of making the*
2 *pilot program permanent and expanding it na-*
3 *tionwide in accordance with the recommendation*
4 *in subparagraph (F).*

5 (H) *Such recommendations for legislative or*
6 *administrative action as the Secretary considers*
7 *appropriate in light of the pilot program.*

8 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
9 *DEFINED.—In this subsection, the term “appropriate*
10 *committees of Congress” means—*

11 (A) *the Committee on Armed Services and*
12 *the Committee on Homeland Security and Gov-*
13 *ernmental Affairs of the Senate; and*

14 (B) *the Committee on Armed Services and*
15 *the Committee on Homeland Security of the*
16 *House of Representatives.*

17 (j) *STATE DEFINED.—In this section, the term “State”*
18 *means each of the several States, the District of Columbia,*
19 *the Commonwealth of Puerto Rico, American Samoa,*
20 *Guam, the United States Virgin Islands, and the Common-*
21 *wealth of the Northern Mariana Islands.*

1 **SEC. 591. PLAN ON PERFORMANCE OF FUNERAL HONORS**
2 **DETAILS BY MEMBERS OF OTHER ARMED**
3 **FORCES WHEN MEMBERS OF THE ARMED**
4 **FORCE OF THE DECEASED ARE UNAVAILABLE.**

5 (a) *BRIEFING ON PLAN.*—

6 (1) *IN GENERAL.*—Not later than 180 days after
7 the date of the enactment of this Act, the Secretary of
8 Defense shall provide a briefing to the Committees on
9 Armed Services of the Senate and the House of Rep-
10 resentatives setting forth a plan for the performance
11 of a funeral honors detail at the funeral of a deceased
12 member of the Armed Forces by one or more members
13 of the Armed Forces from an Armed Force other than
14 that of the deceased when—

15 (A) members of the Armed Force of the de-
16 ceased are unavailable for the performance of the
17 detail; and

18 (B) the performance of the detail by mem-
19 bers of other Armed Forces is requested by the
20 family of the deceased.

21 (2) *REPEAL OF REQUIREMENT FOR ONE MEMBER*
22 *OF ARMED FORCE OF DECEASED IN DETAIL.*—Section
23 1491(b)(2) of title 10, United States Code, is amended
24 in the first sentence by striking “, at least one of
25 whom shall be a member of the armed force of which
26 the veteran was a member”.

1 (3) *PERFORMANCE.*—*The plan required by para-*
2 *graph (1) shall authorize the performance of funeral*
3 *honors details by members of the Army National*
4 *Guard and the Air National Guard under section 115*
5 *of title 32, United States Code, and may authorize the*
6 *remainder of such details to consist of members of vet-*
7 *erans organizations or other organizations approved*
8 *for purposes of section 1491 of title 10, United States*
9 *Code, as provided for by subsection (b)(2) of such sec-*
10 *tion 1491.*

11 (b) *ELEMENTS.*—*The briefing under subsection (a)*
12 *shall include a description in detail the authorities and re-*
13 *quirements for the implementation of the plan, including*
14 *administrative, logistical, coordination, and funding au-*
15 *thorities and requirements.*

16 **SEC. 592. LIMITATION ON IMPLEMENTATION OF ARMY COM-**
17 **BAT FITNESS TEST.**

18 *The Secretary of the Army may not implement the*
19 *Army Combat Fitness Test until the Secretary receives re-*
20 *sults of a study, conducted for purposes of this section by*
21 *an entity independent of the Department of Defense, on the*
22 *following:*

23 (1) *The extent, if any, to which the test would*
24 *adversely impact members of the Army stationed or*
25 *deployed to climates or areas with conditions that*

1 *make prohibitive the conduct of outdoor physical*
2 *training on a frequent or sustained basis.*

3 (2) *The extent, if any, to which the test would*
4 *affect recruitment and retention in critical support*
5 *military occupational specialties (MOS) of the Army,*
6 *such as medical personnel.*

7 **SEC. 593. REPORT ON IMPACT OF CHILDREN OF CERTAIN**
8 **FILIPINO WORLD WAR II VETERANS ON NA-**
9 **TIONAL SECURITY, FOREIGN POLICY, AND**
10 **ECONOMIC AND HUMANITARIAN INTERESTS**
11 **OF THE UNITED STATES.**

12 (a) *IN GENERAL.*—*Not later than December 31, 2020,*
13 *the Secretary of Homeland Security, in consultation with*
14 *the Secretary of Defense and the Secretary of State, shall*
15 *submit to the congressional defense committees a report on*
16 *the impact of the children of certain Filipino World War*
17 *II veterans on the national security, foreign policy, and eco-*
18 *nomie and humanitarian interests of the United States.*

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

21 (1) *The number of Filipino World War II vet-*
22 *erans who fought under the United States flag during*
23 *World War II to protect and defend the United States*
24 *in the Pacific theater.*

1 (2) *The number of Filipino World War II vet-*
2 *erans who died fighting under the United States flag*
3 *during World War II to protect and defend the*
4 *United States in the Pacific theater.*

5 (3) *An assessment of the economic and tax con-*
6 *tributions that Filipino World War II veterans and*
7 *their families have made to the United States.*

8 (4) *An assessment of the impact on the United*
9 *States of exempting from the numerical limitations*
10 *on immigrant visas the children of the Filipino World*
11 *War II veterans who were naturalized under—*

12 (A) *section 405 of the Immigration Act of*
13 *1990 (Public Law 101–649; 8 U.S.C. 1440 note);*
14 *or*

15 (B) *title III of the Nationality Act of 1940*
16 *(54 Stat. 1137; chapter 876), as added by section*
17 *1001 of the Second War Powers Act, 1942 (56*
18 *Stat. 182; chapter 199).*

1 **TITLE VI—COMPENSATION AND**
 2 **OTHER PERSONNEL BENEFITS**
 3 **Subtitle A—Pay and Allowances**

4 **SEC. 601. REORGANIZATION OF CERTAIN ALLOWANCES**
 5 **OTHER THAN TRAVEL AND TRANSPORTATION**
 6 **ALLOWANCES.**

7 (a) *PER DIEM FOR DUTY OUTSIDE THE CONTINENTAL*
 8 *UNITED STATES.*—

9 (1) *TRANSFER TO CHAPTER 7.*—Section 475 of
 10 title 37, United States Code, is transferred to chapter
 11 7 of such title, inserted after section 403b, and reded-
 12 icated as section 405.

13 (2) *REPEAL OF TERMINATION PROVISION.*—Sec-
 14 tion 405 of title 37, United States Code, as added by
 15 paragraph (1), is amended by striking subsection (f).

16 (3) *RETITLING OF AUTHORITY.*—The heading of
 17 section 405 of title 37, United States Code, as so
 18 added, is amended to read as follows:

19 **“§ 405. Per diem while on duty outside the continental**
 20 **United States”.**

21 (b) *ALLOWANCE FOR FUNERAL HONORS DUTY.*—

22 (1) *TRANSFER TO CHAPTER 7.*—Section 495 of
 23 title 37, United States Code, is transferred to chapter
 24 7 of such title, inserted after section 433a, and reded-
 25 icated as section 435.

1 (2) *REPEAL OF TERMINATION PROVISION.*—*Sec-*
 2 *tion 435 of title 37, United States Code, as added by*
 3 *paragraph (1), is amended by striking subsection (c).*

4 (c) *CLERICAL AMENDMENTS.*—

5 (1) *CHAPTER 7.*—*The table of sections at the be-*
 6 *ginning of chapter 7 of such title 37, United States*
 7 *Code, is amended—*

8 (A) *by inserting after the item relating to*
 9 *section 403b the following new item:*

 “405. *Per diem while on duty outside the continental United States.*”;

10 *and*

11 (B) *by inserting after the item relating to*
 12 *section 433a the following new item:*

 “435. *Funeral honors duty: allowance.*”.

13 (2) *CHAPTER 8.*—*The table of sections at the be-*
 14 *ginning of chapter 8 of such title is amended by strik-*
 15 *ing the items relating to sections 475 and 495.*

16 **SEC. 602. HAZARDOUS DUTY PAY FOR MEMBERS OF THE**
 17 **ARMED FORCES PERFORMING DUTY IN RE-**
 18 **SPONSE TO THE CORONAVIRUS DISEASE 2019.**

19 (a) *IN GENERAL.*—*The Secretary of the military de-*
 20 *partment concerned shall pay hazardous duty pay under*
 21 *this section to a member of a regular or reserve component*
 22 *of the Armed Forces who—*

23 (1) *performs duty in response to the Coronavirus*
 24 *Disease 2019 (COVID–19); and*

1 (2) *is entitled to basic pay under section 204 of*
2 *title 37, United States Code, or compensation under*
3 *section 206 of such title, for the performance of such*
4 *duty.*

5 (b) *REGULATIONS.—Hazardous duty pay shall be pay-*
6 *able under this section in accordance with regulations pre-*
7 *scribed by the Secretary of Defense. Such regulations shall*
8 *specify the duty in response to the Coronavirus Disease*
9 *2019 qualifying a member for payment of such pay under*
10 *this section.*

11 (c) *AMOUNT.—The amount of hazardous duty pay*
12 *paid a member under this section shall be such amount per*
13 *month, not less than \$150 per month, as the Secretary of*
14 *Defense shall specify in the regulations under subsection (b).*

15 (d) *MONTHLY PAYMENT; NO PRORATION.—*

16 (1) *MONTHLY PAYMENT.—Hazardous duty pay*
17 *under this section shall be paid on a monthly basis.*

18 (2) *NO PRORATION.—Hazardous duty pay is*
19 *payable to a member under this section for a month*
20 *if the member performs any duty in that month*
21 *qualifying the person for payment of such pay.*

22 (e) *MONTHS FOR WHICH PAYABLE.—Hazardous duty*
23 *pay is payable under this section for qualifying duty per-*
24 *formed in months occurring during the period—*

25 (1) *beginning on January 1, 2020; and*

1 (2) ending on December 31, 2020.

2 (f) *CONSTRUCTION WITH OTHER PAY.—Hazardous*
3 *duty pay payable to a member under this section is in addi-*
4 *tion to the following:*

5 (1) *Any other pay and allowances to which the*
6 *member is entitled by law.*

7 (2) *Any other hazardous duty pay to which the*
8 *member is entitled under section 351 of title 37,*
9 *United States Code (or any other provision of law),*
10 *for duty that also constitutes qualifying duty for pay-*
11 *ment of such pay under this section.*

12 (g) *SENSE OF SENATE.—It is the sense of the Senate*
13 *that the Secretary of Defense should also authorize haz-*
14 *ardous duty pay for members of the Armed Forces not*
15 *under orders specific to the response to the Coronavirus Dis-*
16 *ease 2019 who provide—*

17 (1) *healthcare in a military medical treatment*
18 *facility for individuals infected with the Coronavirus*
19 *Disease 2019; or*

20 (2) *technical or administrative support for the*
21 *provision of healthcare as described in paragraph (1).*

1 **SEC. 603. COMPENSATION AND CREDIT FOR RETIRED PAY**
2 **PURPOSES FOR MATERNITY LEAVE TAKEN BY**
3 **MEMBERS OF THE RESERVE COMPONENTS.**

4 (a) *COMPENSATION.*—Section 206(a) of title 37,
5 *United States Code, is amended—*

6 (1) *in paragraph (2), by striking “or” at the*
7 *end;*

8 (2) *in paragraph (3), by striking the period at*
9 *the end and inserting “; or”; and*

10 (3) *by adding the end the following new para-*
11 *graph:*

12 “(4) *for each of 6 days in connection with the*
13 *taking by the member of a period of maternity*
14 *leave.”.*

15 (b) *CREDIT FOR RETIRED PAY PURPOSES.*—

16 (1) *IN GENERAL.*—*The period of maternity leave*
17 *taken by a member of the reserve components of the*
18 *Armed Forces in connection with the birth of a child*
19 *shall count toward the member’s entitlement to retired*
20 *pay, and in connection with the years of service used*
21 *in computing retired pay, under chapter 1223 of title*
22 *10, United States Code, as 12 points.*

23 (2) *SEPARATE CREDIT FOR EACH PERIOD OF*
24 *LEAVE.*—*Separate crediting of points shall accrue to*
25 *a member pursuant to this subsection for each period*

1 of maternity leave taken by the member in connection
2 with a childbirth event.

3 (3) *WHEN CREDITED.*—Points credited a mem-
4 ber for a period of maternity leave pursuant to this
5 subsection shall be credited in the year in which the
6 period of maternity leave concerned commences.

7 (4) *CONTRIBUTION OF LEAVE TOWARD ENTITLE-*
8 *MENT TO RETIRED PAY.*—Section 12732(a)(2) of title
9 10, United States Code, is amended by inserting after
10 subparagraph (E) the following new subparagraph:

11 “(F) Points at the rate of 12 a year for the tak-
12 ing of maternity leave.”.

13 (5) *COMPUTATION OF YEARS OF SERVICE FOR*
14 *RETIRED PAY.*—Section 12733 of such title is amend-
15 ed—

16 (A) by redesignating paragraph (5) as
17 paragraph (6); and

18 (B) by inserting after paragraph (4) the fol-
19 lowing new paragraph (5):

20 “(5) One day for each point credited to the per-
21 son under subparagraph (F) of section 12732(a)(2) of
22 this title.”.

23 (c) *EFFECTIVE DATE.*—This section and the amend-
24 ments made by this section shall take effect on the date of
25 the enactment of this Act, and shall apply with respect to

1 *periods of maternity leave that commence on or after that*
 2 *date.*

3 ***Subtitle B—Bonuses and Special***
 4 ***and Incentive Pays***

5 ***SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING***
 6 ***BONUS AND SPECIAL PAY AUTHORITIES.***

7 *(a) AUTHORITIES RELATING TO RESERVE FORCES.—*
 8 *Section 910(g) of title 37, United States Code, relating to*
 9 *income replacement payments for reserve component mem-*
 10 *bers experiencing extended and frequent mobilization for ac-*
 11 *tive duty service, is amended by striking “December 31,*
 12 *2020” and inserting “December 31, 2021”.*

13 *(b) TITLE 10 AUTHORITIES RELATING TO HEALTH*
 14 *CARE PROFESSIONALS.—The following sections of title 10,*
 15 *United States Code, are amended by striking “December 31,*
 16 *2020” and inserting “December 31, 2021”:*

17 *(1) Section 2130a(a)(1), relating to nurse officer*
 18 *candidate accession program.*

19 *(2) Section 16302(d), relating to repayment of*
 20 *education loans for certain health professionals who*
 21 *serve in the Selected Reserve.*

22 *(c) AUTHORITIES RELATING TO NUCLEAR OFFI-*
 23 *CERS.—Section 333(i) of title 37, United States Code, is*
 24 *amended by striking “December 31, 2020” and inserting*
 25 *“December 31, 2021”.*

1 (d) *AUTHORITIES RELATING TO TITLE 37 CONSOLI-*
2 *DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-*
3 *THORITIES.—The following sections of title 37, United*
4 *States Code, are amended by striking “December 31, 2020”*
5 *and inserting “December 31, 2021”:*

6 (1) *Section 331(h), relating to general bonus au-*
7 *thority for enlisted members.*

8 (2) *Section 332(g), relating to general bonus au-*
9 *thority for officers.*

10 (3) *Section 334(i), relating to special aviation*
11 *incentive pay and bonus authorities for officers.*

12 (4) *Section 335(k), relating to special bonus and*
13 *incentive pay authorities for officers in health profes-*
14 *sions.*

15 (5) *Section 336(g), relating to contracting bonus*
16 *for cadets and midshipmen enrolled in the Senior Re-*
17 *serve Officers’ Training Corps.*

18 (6) *Section 351(h), relating to hazardous duty*
19 *pay.*

20 (7) *Section 352(g), relating to assignment pay or*
21 *special duty pay.*

22 (8) *Section 353(i), relating to skill incentive pay*
23 *or proficiency bonus.*

1 (9) *Section 355(h), relating to retention incen-*
2 *tives for members qualified in critical military skills*
3 *or assigned to high priority units.*

4 (e) *AUTHORITY TO PROVIDE TEMPORARY INCREASE IN*
5 *RATES OF BASIC ALLOWANCE FOR HOUSING.—Section*
6 *403(b)(7)(E) of title 37, United States Code, is amended*
7 *by striking “December 31, 2020” and inserting “December*
8 *31, 2021”.*

9 **SEC. 612. INCREASE IN SPECIAL AND INCENTIVE PAYS FOR**
10 **OFFICERS IN HEALTH PROFESSIONS.**

11 (a) *ACCESSION BONUS GENERALLY.—Subparagraph*
12 *(A) of section 335(e)(1) of title 37, United States Code, is*
13 *amended by striking “\$30,000” and inserting “\$100,000”.*

14 (b) *ACCESSION BONUS FOR CRITICALLY SHORT WAR-*
15 *TIME SPECIALTIES.—Subparagraph (B) of such section is*
16 *amended by striking “\$100,000” and inserting “\$200,000”.*

17 (c) *RETENTION BONUS.—Subparagraph (C) of such*
18 *section is amended by striking “\$75,000” and inserting*
19 *“\$150,000”.*

20 (d) *INCENTIVE PAY.—Subparagraph (D) of such sec-*
21 *tion is amended—*

22 (1) *in clause (i), by striking “\$100,000” and in-*
23 *serting “\$200,000”; and*

24 (2) *in clause (ii), by striking “\$15,000” and in-*
25 *serting “\$50,000”.*

1 (e) *BOARD CERTIFICATION PAY.*—Subparagraph (E)
 2 of such section is amended by striking “\$6,000” and insert-
 3 ing “\$15,000”.

4 (f) *EFFECTIVE DATE.*—The amendments made by this
 5 section shall take effect on October 1, 2020, and shall apply
 6 with respect to special bonus and incentive pays payable
 7 under section 335 of title 37, United States Code, pursuant
 8 to agreements entered into under that section on or after
 9 that date.

10 ***Subtitle C—Disability Pay, Retired***
 11 ***Pay, and Survivor Benefits***

12 ***SEC. 621. INCLUSION OF DRILL OR TRAINING FOREGONE***
 13 ***DUE TO EMERGENCY TRAVEL OR DUTY RE-***
 14 ***STRICTIONS IN COMPUTATIONS OF ENTITLE-***
 15 ***MENT TO AND AMOUNTS OF RETIRED PAY***
 16 ***FOR NON-REGULAR SERVICE.***

17 (a) *ENTITLEMENT TO RETIRED PAY.*—Section
 18 12732(a)(2) of title 10, United States Code, is amended—
 19 (1) by inserting after subparagraph (E) the fol-
 20 lowing new subparagraph:

21 “(F)(i) Subject to regulations prescribed by
 22 the Secretary of Defense or the Secretary of
 23 Homeland Security with respect to matters con-
 24 cerning the Coast Guard when it is not oper-
 25 ating as a service in the Department of the

1 Navy, one point for each day of active service or
2 one point for each drill or period of equivalent
3 instruction that was prescribed by the Secretary
4 concerned to be performed during the covered
5 emergency period, if such person was prevented
6 from performing such duty due to travel or duty
7 restrictions imposed by the President, the Sec-
8 retary of Defense, or the Secretary of Homeland
9 Security with respect to the Coast Guard.

10 “(ii) A person may not be credited more
11 than 35 points in a one-year period under this
12 subparagraph.

13 “(iii) In this subparagraph, the term ‘cov-
14 ered emergency period’ means the period begin-
15 ning on March 1, 2020, and ending on the day
16 that is 60 days after the date on which the travel
17 or duty restriction applicable to the person con-
18 cerned is lifted.”; and

19 (2) in the matter following subparagraph (F), as
20 inserted by paragraph (1), by striking “and (E)” and
21 inserting “(E), and (F)”.

22 (b) AMOUNT OF RETIRED PAY.—Section 12733(3) of
23 such title is amended in the matter preceding subparagraph
24 (A), by striking “or (D)” and inserting “(D), or (F)”.

1 **SEC. 622. MODERNIZATION AND CLARIFICATION OF PAY-**
2 **MENT OF CERTAIN RESERVES WHILE ON**
3 **DUTY.**

4 (a) *CHANGE IN PRIORITY OF PAYMENTS FOR RETIRED*
5 *OR RETAINER PAY.*—Subsection (a) of section 12316 of title
6 10, United States Code, is amended—

7 (1) *in the matter preceding paragraph (1)—*

8 (A) *by striking “subsection (b)” and insert-*
9 *ing “subsection (c)”;* and

10 (B) *by striking “his earlier military serv-*
11 *ice” and inserting “the Reserve’s earlier military*
12 *service”;*

13 (C) *by striking “a pension, retired or re-*
14 *tainer pay, or disability compensation” and in-*
15 *serting “retired or retainer pay”;* and

16 (D) *by striking “he is entitled” and insert-*
17 *ing “the Reserve is entitled”;* and

18 (2) *by striking paragraphs (1) and (2) and in-*
19 *serting the following new paragraphs:*

20 “(1) *the pay and allowances authorized by law*
21 *for the duty that the Reserve is performing; or*

22 “(2) *if the Reserve specifically waives those pay-*
23 *ments, the retired or retainer pay to which the Re-*
24 *serve is entitled because of the Reserve’s earlier mili-*
25 *tary service.”.*

1 (b) *PAYMENTS FOR PENSION OR DISABILITY COM-*
 2 *PENSATION.*—*Such section is further amended—*

3 (1) *by redesignating subsection (b) as subsection*
 4 *(c); and*

5 (2) *by inserting after subsection (a) the following*
 6 *new subsection (b):*

7 “(b) *Except as provided by subsection (c), a Reserve*
 8 *of the Army, Navy, Air Force, Marine Corps, or Coast*
 9 *Guard who because of the Reserve’s earlier military service*
 10 *is entitled to a pension or disability compensation, and who*
 11 *performs duty for which the Reserve is entitled to compensa-*
 12 *tion, may elect to receive for that duty either—*

13 “(1) *the pension or disability compensation to*
 14 *which the Reserve is entitled because of the Reserve’s*
 15 *earlier military service; or*

16 “(2) *if the Reserve specifically waives those pay-*
 17 *ments, the pay and allowances authorized by law for*
 18 *the duty that the Reserve is performing.”.*

19 (c) *ADDITIONAL CONFORMING AND MODERNIZING*
 20 *AMENDMENTS.*—*Subsection (c) of such section, as redesign-*
 21 *ated by subsection (b)(1) of this section, is amended—*

22 (1) *by striking “(a)(2)” both places it appears*
 23 *and inserting “(a)(1) or (b)(2), as applicable,”;*

1 (2) by striking “his earlier military service” the
2 first place it appears and inserting “a Reserve’s ear-
3 lier military service”;

4 (3) by striking “his earlier military service”
5 each other place it appears and inserting “the Re-
6 serve’s earlier military service”;

7 (4) by striking “he is entitled” and inserting
8 “the Reserve is entitled”; and

9 (5) by striking “the member or his dependents”
10 and inserting “the Reserve or the Reserve’s depend-
11 ents”.

12 (d) *PROCEDURES*.—Such section is further amended
13 by adding at the end the following new subsection:

14 “(d) The Secretary of Defense shall prescribe regula-
15 tions under which a Reserve of the Army, Navy, Air Force,
16 Marine Corps, or Coast Guard may waive the pay and al-
17 lowances authorized by law for the duty the Reserve is per-
18 forming under subsection (a)(2) or (b)(2).”.

19 (e) *EFFECTIVE DATE*.—The amendments made by this
20 section shall take effect 180 days after the date of the enact-
21 ment of this Act.

22 **SEC. 623. RELIEF OF RICHARD W. COLLINS III.**

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

1 (1) *On May 20, 2017, Lieutenant Richard W.*
2 *Collins III was murdered on the campus of the Uni-*
3 *versity of Maryland, College Park, Maryland.*

4 (2) *At the time of his murder, Lieutenant Collins*
5 *had graduated from the Reserve Officers' Training*
6 *Corps at Bowie State University and received a com-*
7 *mission in the United States Army.*

8 (3) *At the time of the murder of Lieutenant Col-*
9 *lins, a graduate of a Reserve Officers' Training Corps*
10 *who received a commission but died before receiving*
11 *a first duty assignment was not eligible for a death*
12 *gratuity under section 1475(a)(4) of title 10, United*
13 *States Code, or for casualty assistance under section*
14 *633 of the National Defense Authorization Act for*
15 *Fiscal Year 2014 (10 U.S.C. 1475 note).*

16 (4) *Section 623 of the National Defense Author-*
17 *ization Act for Fiscal Year 2020 (Public Law 116-*
18 *92) amended section 1475 of title 10, United States*
19 *Code, to authorize the payment of a death gratuity to*
20 *a graduate of the Senior Reserve Officers' Training*
21 *Corps (SROTC) who receives a commission but dies*
22 *before receiving a first duty assignment.*

23 (5) *Section 625 of the National Defense Author-*
24 *ization Act for Fiscal Year 2020 authorizes the fami-*
25 *lies of Senior Reserve Officers' Training Corps grad-*

1 *uates to receive casualty assistance in the event of the*
2 *death of such graduates.*

3 *(6) Sections 623 and 625 of the National Defense*
4 *Authorization Act for Fiscal Year 2020 apply only to*
5 *a Senior Reserve Officers' Training Corps graduate*
6 *who receives a commission but dies before receiving a*
7 *first duty assignment on or after the date of the en-*
8 *actment of that Act.*

9 *(7) The death of Lieutenant Collins played a*
10 *critical role in changing the eligibility criteria for the*
11 *death gratuity for Senior Reserve Officers' Training*
12 *Corps graduates who die prior to their first assign-*
13 *ment.*

14 *(b) APPLICABILITY OF LAWS.—*

15 *(1) DEATH GRATUITY.—Section 623 of the Na-*
16 *tional Defense Authorization Act for Fiscal Year 2020*
17 *(Public Law 116–92), and the amendment made by*
18 *that section, shall apply to Lieutenant Richard W.*
19 *Collins III as if his death had occurred after the date*
20 *of the enactment of that section.*

21 *(2) CASUALTY ASSISTANCE.—Section 625 of the*
22 *National Defense Authorization Act for Fiscal Year*
23 *2020, and the amendment made by that section, shall*
24 *apply to Lieutenant Richard W. Collins III as if his*

1 *death had occurred after the date of the enactment of*
2 *that section.*

3 *(c) LIMITATION.—No amount exceeding 10 percent of*
4 *a payment made under subsection (b)(1) may be paid to*
5 *or received by any attorney or agent for services rendered*
6 *in connection with the payment. Any person who violates*
7 *this subsection shall be guilty of an infraction and shall*
8 *be subject to a fine in the amount provided under title 18,*
9 *United States Code.*

10 **Subtitle D—Other Matters**

11 **SEC. 631. PERMANENT AUTHORITY FOR AND ENHANCE-** 12 **MENT OF THE GOVERNMENT LODGING PRO-** 13 **GRAM.**

14 *(a) PERMANENT AUTHORITY.—Section 914 of the Carl*
15 *Levin and Howard P. “Buck” McKeon National Defense*
16 *Authorization Act for Fiscal Year 2015 (5 U.S.C. 5911*
17 *note) is amended—*

18 *(1) in subsection (a), by striking “, for the pe-*
19 *riod of time described in subsection (b),”; and*

20 *(2) by striking subsection (b).*

21 *(b) EXCLUSION OF CERTAIN SHIPYARD EMPLOYEES.—*
22 *Such section is further amended by inserting after sub-*
23 *section (a) the following new subsection (b):*

24 *“(b) EXCLUSION OF CERTAIN SHIPYARD EMPLOY-*
25 *EES.—In carrying out a Government lodging program*

1 *under the authority in subsection (a), the Secretary shall*
2 *exclude from the requirements of the program employees*
3 *who are traveling for the performance of mission functions*
4 *of a public shipyard of the Department if the purpose or*
5 *mission of such travel would be adversely affected by the*
6 *requirements of the program.”.*

7 (c) *CONFORMING AMENDMENT.—The heading of such*
8 *section is amended to read as follows:*

9 **“SEC. 914. GOVERNMENT LODGING PROGRAM.”.**

10 **SEC. 632. APPROVAL OF CERTAIN ACTIVITIES BY RETIRED**
11 **AND RESERVE MEMBERS OF THE UNIFORMED**
12 **SERVICES.**

13 (a) *CLARIFICATION OF ACTIVITIES FOR WHICH AP-*
14 *PROVAL REQUIRED.—Section 908 of title 37, United States*
15 *Code, is amended—*

16 (1) *in subsection (a)—*

17 (A) *in the matter preceding paragraph*

18 (1)—

19 (i) *by striking “subsection (b)” and in-*
20 *serting “subsections (b) and (c)”;* and

21 (ii) *by inserting “, accepting payment*
22 *for speeches, travel, meals, lodging, or reg-*
23 *istration fees, or accepting a non-cash*
24 *award,” after “that employment)”;* and

1 (B) in paragraph (2), by striking “armed
2 forces” and inserting “armed forces, except mem-
3 bers serving on active duty under a call or order
4 to active duty for a period in excess of 30 days”;

5 (2) in the heading of subsection (b), by inserting
6 “FOR EMPLOYMENT AND COMPENSATION” after “AP-
7 PROVAL REQUIRED”;

8 (3) by redesignating subsections (c) and (d) as
9 subsections (d) and (e), respectively; and

10 (4) by inserting after subsection (b) the following
11 new subsection (c):

12 “(c) APPROVAL REQUIRED FOR CERTAIN PAYMENTS
13 AND AWARDS.—A person described in subsection (a) may
14 accept payment for speeches, travel, meals, lodging, or reg-
15 istration fees described in that subsection, or accept a non-
16 cash award described in that subsection, only if the Sec-
17 retary concerned approves the payment or award.”.

18 (b) ANNUAL REPORTS ON APPROVALS.—Subsection (d)
19 of such section, as redesignated by subsection (a)(3) of this
20 section, is amended—

21 (1) by inserting “(1)” before “Not later than”;

22 (2) in paragraph (1), as designated by para-
23 graph (1) of this subsection, by inserting “, and each
24 approval under subsection (c) for a payment or

1 *award described in subsection (a),” after “in sub-*
 2 *section (a)”;* and

3 *(3) by adding at the end the following new para-*
 4 *graph:*

5 *“(2) The report under paragraph (1) on an approval*
 6 *described in that paragraph with respect to an officer shall*
 7 *set forth the following:*

8 *“(A) The foreign government providing the em-*
 9 *ployment or compensation or payment or award.*

10 *“(B) The duties, if any, to be performed in con-*
 11 *nection with the employment or compensation or pay-*
 12 *ment or award.*

13 *“(C) The total amount of compensation, if any,*
 14 *or payment to be provided.”.*

15 *(c) CONFORMING AMENDMENTS.—*

16 *(1) SECTION HEADING.—The heading of such sec-*
 17 *tion is amended to read as follows:*

18 **“§908. Reserves and retired members: acceptance of**
 19 ***employment, payments, and awards from***
 20 ***foreign governments”.***

21 *(2) TABLE OF SECTIONS.—The table of sections*
 22 *at the beginning of chapter 17 of such title is amend-*
 23 *ed by striking the item relating to section 908 and in-*
 24 *serting the following new item:*

“908. Reserves and retired members: acceptance of employment, payments, and
 awards from foreign governments.”.

1 **TITLE VII—HEALTH CARE**
2 **PROVISIONS**
3 **Subtitle A—TRICARE and Other**
4 **Health Care Benefits**

5 **SEC. 701. AUTHORITY FOR SECRETARY OF DEFENSE TO**
6 **MANAGE PROVIDER TYPE REFERRAL AND SU-**
7 **PERVISION REQUIREMENTS UNDER TRICARE**
8 **PROGRAM.**

9 *Section 1079(a)(12) of title 10, United States Code,*
10 *is amended, in the first sentence, by striking “or certified*
11 *clinical social worker,” and inserting “certified clinical so-*
12 *cial worker, or other class of provider as designated by the*
13 *Secretary of Defense,”.*

14 **SEC. 702. REMOVAL OF CHRISTIAN SCIENCE PROVIDERS AS**
15 **AUTHORIZED PROVIDERS UNDER THE**
16 **TRICARE PROGRAM.**

17 *(a) REPEAL.—Subsection (a) of section 1079 of title*
18 *10, United States Code, is amended by striking paragraph*
19 *(4).*

20 *(b) CONFORMING AMENDMENT.—Paragraph (12) of*
21 *such subsection is amended, in the first sentence, by striking*
22 *“, except as authorized in paragraph (4)”.*

1 *well-being of members of the Armed Forces and their de-*
2 *pendents, which shall include the following:*

3 (1) *A strategy to combat existing stigma sur-*
4 *rounding mental health conditions that might deter*
5 *such individuals from seeking care.*

6 (2) *Guidance to commanding officers at all levels*
7 *on the mental health ramifications of the COVID–19*
8 *crisis.*

9 (3) *Additional training and support for mental*
10 *health care professionals of the Department of Defense*
11 *on supporting individuals who are concerned for the*
12 *health of themselves and their family members, or*
13 *grieving the loss of loved ones due to COVID–19.*

14 (4) *A strategy to leverage telemedicine to ensure*
15 *safe access to mental health services.*

16 (b) *OUTREACH.*—*The Secretary of Defense shall con-*
17 *duct outreach to the military community to identify re-*
18 *sources and health care services, including mental health*
19 *care services, available under the TRICARE program to*
20 *support members of the Armed Forces and their dependents.*

21 (c) *DEFINITIONS.*—*In this section, the terms “depend-*
22 *ent” and “TRICARE program” have the meanings given*
23 *those terms in section 1072 of such title.*

1 **SEC. 705. TRANSITIONAL HEALTH BENEFITS FOR CERTAIN**
2 **MEMBERS OF THE NATIONAL GUARD SERV-**
3 **ING UNDER ORDERS IN RESPONSE TO THE**
4 **CORONAVIRUS (COVID-19).**

5 (a) *IN GENERAL.*—*The Secretary of Defense shall pro-*
6 *vide to a member of the National Guard separating from*
7 *active service after serving on full-time National Guard*
8 *duty pursuant to section 502(f) of title 32, United States*
9 *Code, the health benefits authorized under section 1145 of*
10 *title 10, United States Code, for a member of a reserve com-*
11 *ponent separating from active duty, as referred to in sub-*
12 *section (a)(2)(B) of such section 1145, if the active service*
13 *from which the member of the National Guard is separating*
14 *was in support of the whole of government response to the*
15 *coronavirus (COVID-19).*

16 (b) *DEFINITIONS.*—*In this section, the terms “active*
17 *duty”, “active service”, and “full-time National Guard*
18 *duty” have the meanings given those terms in section*
19 *101(d) of title 10, United States Code.*

20 **SEC. 706. EXTRAMEDICAL MATERNAL HEALTH PROVIDERS**
21 **DEMONSTRATION PROJECT.**

22 (a) *DEMONSTRATION PROJECT REQUIRED.*—*Not later*
23 *than one year after the date of the enactment of this Act,*
24 *the Secretary of Defense shall commence the conduct of a*
25 *demonstration project designed to evaluate the cost, quality*
26 *of care, and impact on maternal and fetal outcomes of using*

1 *extramedical maternal health providers under the*
2 *TRICARE program to determine the appropriateness of*
3 *making coverage of such providers under the TRICARE*
4 *program permanent.*

5 (b) *ELEMENTS OF DEMONSTRATION PROJECT.*—*The*
6 *demonstration project under subsection (a) shall include, for*
7 *participants in the demonstration project, the following:*

8 (1) *Access to doulas.*

9 (2) *Access to lactation consultants who are not*
10 *otherwise authorized to provide services under the*
11 *TRICARE program.*

12 (c) *PARTICIPANTS.*—*The Secretary shall establish a*
13 *process under which covered beneficiaries may enroll in the*
14 *demonstration project in order to receive the services pro-*
15 *vided under the demonstration project.*

16 (d) *DURATION.*—*The Secretary shall carry out the*
17 *demonstration project for a period of five years beginning*
18 *on the date on which notification of the commencement of*
19 *the demonstration project is published in the Federal Reg-*
20 *ister.*

21 (e) *SURVEY.*—

22 (1) *IN GENERAL.*—*Not later than one year after*
23 *the date of the enactment of this Act, and annually*
24 *thereafter for the duration of the demonstration*

1 *project, the Secretary shall administer a survey to de-*
2 *termine—*

3 *(A) how many members of the Armed*
4 *Forces or spouses of such members give birth*
5 *while their spouse or birthing partner is unable*
6 *to be present due to deployment, training, or*
7 *other mission requirements;*

8 *(B) how many single members of the Armed*
9 *Forces give birth alone; and*

10 *(C) how many members of the Armed*
11 *Forces or spouses of such members use doula sup-*
12 *port or lactation consultants.*

13 *(2) MATTERS COVERED BY THE SURVEY.—The*
14 *survey administered under paragraph (1) shall in-*
15 *clude an identification of the following:*

16 *(A) The race, ethnicity, age, sex, relation-*
17 *ship status, military service, military occupa-*
18 *tion, and rank, as applicable, of each individual*
19 *surveyed.*

20 *(B) If individuals surveyed were members of*
21 *the Armed Forces or the spouses of such mem-*
22 *bers, or both.*

23 *(C) The length of advanced notice received*
24 *by individuals surveyed that the member of the*

1 *Armed Forces would be unable to be present dur-*
2 *ing the birth, if applicable.*

3 *(D) Any resources or support that the indi-*
4 *viduals surveyed found useful during the preg-*
5 *nancy and birth process, including doula or lac-*
6 *tation counselor support.*

7 *(f) REPORTS.—*

8 *(1) IMPLEMENTATION PLAN.—Not later than 180*
9 *days after the date of the enactment of this Act, the*
10 *Secretary shall submit to the Committees on Armed*
11 *Services of the Senate and the House of Representa-*
12 *tives a plan to implement the demonstration project.*

13 *(2) ANNUAL REPORT.—*

14 *(A) IN GENERAL.—Not later than one year*
15 *after the commencement of the demonstration*
16 *project, and annually thereafter for the duration*
17 *of the demonstration project, the Secretary shall*
18 *submit to the Committees on Armed Services of*
19 *the Senate and the House of Representatives a*
20 *report on the cost of the demonstration project*
21 *and the effectiveness of the demonstration project*
22 *in improving quality of care and the maternal*
23 *and fetal outcomes of covered beneficiaries en-*
24 *rolled in the demonstration project.*

1 (B) *MATTERS COVERED.*—*Each report sub-*
2 *mitted under subparagraph (A) shall address, at*
3 *a minimum, the following:*

4 (i) *The number of covered beneficiaries*
5 *who are enrolled in the demonstration*
6 *project.*

7 (ii) *The number of enrolled covered*
8 *beneficiaries who have participated in the*
9 *demonstration project.*

10 (iii) *The results of the surveys under*
11 *subsection (f).*

12 (iv) *The cost of the demonstration*
13 *project.*

14 (v) *An assessment of the quality of care*
15 *provided to participants in the demonstra-*
16 *tion project.*

17 (vi) *An assessment of the impact of the*
18 *demonstration project on maternal and fetal*
19 *outcomes.*

20 (vii) *An assessment of the effectiveness*
21 *of the demonstration project.*

22 (viii) *Recommendations for adjust-*
23 *ments to the demonstration project.*

1 *(ix) The estimated costs avoided as a*
2 *result of improved maternal and fetal health*
3 *outcomes due to the demonstration project.*

4 *(x) Recommendations for extending the*
5 *demonstration project or implementing per-*
6 *manent coverage under the TRICARE pro-*
7 *gram of extramedical maternal health pro-*
8 *viders.*

9 *(xi) An identification of legislative or*
10 *administrative action necessary to make the*
11 *demonstration project permanent.*

12 (C) *FINAL REPORT.*—*The final report under*
13 *subparagraph (A) shall be submitted not later*
14 *than 90 days after the termination of the dem-*
15 *onstration project.*

16 (g) *EXPANSION OF DEMONSTRATION PROJECT.*—

17 (1) *REGULATIONS.*—*If the Secretary determines*
18 *that the demonstration project is successful, the Sec-*
19 *retary may prescribe regulations to include*
20 *extramedical maternal health providers as health care*
21 *providers authorized to provide care under the*
22 *TRICARE program.*

23 (2) *CREDENTIALING AND OTHER REQUIRE-*
24 *MENTS.*—*The Secretary may establish credentialing*
25 *and other requirements for doulas and lactation con-*

1 *sultants through public notice and comment rule-*
 2 *making for purposes of including doulas and lacta-*
 3 *tion consultations as health care providers authorized*
 4 *to provide care under the TRICARE program pursu-*
 5 *ant to regulations prescribed under paragraph (1).*

6 *(h) DEFINITIONS.—In this section:*

7 *(1) EXTRAMEDICAL MATERNAL HEALTH PRO-*
 8 *VIDER.—The term “extramedical maternal health pro-*
 9 *vider” means a doula or lactation consultant.*

10 *(2) COVERED BENEFICIARY; TRICARE PRO-*
 11 *GRAM.—The terms “covered beneficiary” and*
 12 *“TRICARE program” have the meanings given those*
 13 *terms in section 1072 of title 10, United States Code.*

14 **SEC. 707. PILOT PROGRAM ON RECEIPT OF NON-GENERIC**
 15 **PRESCRIPTION MAINTENANCE MEDICATIONS**
 16 **UNDER TRICARE PHARMACY BENEFITS PRO-**
 17 **GRAM.**

18 *(a) REQUIREMENT.—The Secretary of Defense shall*
 19 *carry out a pilot program under which eligible covered*
 20 *beneficiaries may elect to receive non-generic prescription*
 21 *maintenance medications selected under subsection (c)*
 22 *through military treatment facility pharmacies, retail*
 23 *pharmacies, or the national mail-order pharmacy program,*
 24 *notwithstanding section 1074g(a)(9) of title 10, United*
 25 *States Code.*

1 (b) *DURATION.*—*The Secretary shall carry out the*
2 *pilot program for a three-year period beginning not later*
3 *than March 1, 2021.*

4 (c) *SELECTION OF MEDICATION.*—*The Secretary shall*
5 *select non-generic prescription maintenance medications*
6 *described in section 1074g(a)(9)(C)(i) of title 10, United*
7 *States Code, to be covered by the pilot program.*

8 (d) *USE OF VOLUNTARY REBATES.*—

9 (1) *REQUIREMENT.*—*In carrying out the pilot*
10 *program, the Secretary shall seek to renew and mod-*
11 *ify contracts described in paragraph (2) in a manner*
12 *that—*

13 (A) *includes for purposes of the pilot pro-*
14 *gram retail pharmacies as a point of sale for the*
15 *non-generic prescription maintenance medica-*
16 *tion covered by the contract; and*

17 (B) *provides the manufacturer with the op-*
18 *tion to provide voluntary rebates for such medi-*
19 *cations at retail pharmacies.*

20 (2) *CONTRACTS DESCRIBED.*—*The contracts de-*
21 *scribed in this paragraph are contracts for the pro-*
22 *curement of non-generic prescription maintenance*
23 *medications selected under subsection (c) that are eli-*
24 *gible for renewal during the period in which the pilot*
25 *program is carried out.*

1 (e) *NOTIFICATION.*—*In providing each eligible covered*
2 *beneficiary with an explanation of benefits, the Secretary*
3 *shall notify the beneficiary of whether the medication that*
4 *the beneficiary is prescribed is covered by the pilot program.*

5 (f) *BRIEFING AND REPORTS.*—

6 (1) *BRIEFING.*—*Not later than 90 days after the*
7 *date of the enactment of this Act, the Secretary shall*
8 *brief the congressional defense committees on the im-*
9 *plementation of the pilot program.*

10 (2) *INTERIM REPORT.*—*Not later than 18 months*
11 *after the commencement of the pilot program, the Sec-*
12 *retary shall submit to the congressional defense com-*
13 *mittees a report on the pilot program.*

14 (3) *COMPTROLLER GENERAL REPORT.*—

15 (A) *IN GENERAL.*—*Not later than March 1,*
16 *2024, the Comptroller General of the United*
17 *States shall submit to the congressional defense*
18 *committees a report on the pilot program.*

19 (B) *ELEMENTS.*—*The report required by*
20 *subparagraph (A) shall include the following:*

21 (i) *The number of eligible covered bene-*
22 *ficiaries who participated in the pilot pro-*
23 *gram and an assessment of the satisfaction*
24 *of such beneficiaries with the pilot program.*

1 (ii) *The rate by which eligible covered*
2 *beneficiaries elected to receive non-generic*
3 *prescription maintenance medications at a*
4 *retail pharmacy pursuant to the pilot pro-*
5 *gram, and how such rate affected military*
6 *treatment facility pharmacies and the na-*
7 *tional mail-order pharmacy program.*

8 (iii) *The amount of cost savings real-*
9 *ized by the pilot program, including with*
10 *respect to—*

11 (I) *dispensing fees incurred at re-*
12 *tail pharmacies compared to the na-*
13 *tional mail-order pharmacy program*
14 *for brand name prescription drugs;*

15 (II) *administrative fees;*

16 (III) *any costs paid by the United*
17 *States for the drugs in addition to the*
18 *procurement costs;*

19 (IV) *the use of military treatment*
20 *facilities; and*

21 (V) *copayments paid by eligible*
22 *covered beneficiaries.*

23 (iv) *A comparison of supplemental re-*
24 *bates between retail pharmacies and other*
25 *points of sale.*

1 (g) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 2 *may be construed to affect the ability of the Secretary to*
 3 *carry out section 1074g(a)(9)(C) of title 10, United States*
 4 *Code, after the date on which the pilot program is com-*
 5 *pleted.*

6 (h) *DEFINITIONS.*—*In this section:*

7 (1) *The term “eligible covered beneficiary” has*
 8 *the meaning given that term in section 1074g(i) of*
 9 *title 10, United States Code.*

10 (2) *The terms “military treatment facility phar-*
 11 *macies”, “retail pharmacies”, and “the national*
 12 *mail-order pharmacy program” mean the methods for*
 13 *receiving prescription drugs as described in clauses*
 14 *(i), (ii), and (iii), respectively, of section*
 15 *1074g(a)(2)(E) of title 10, United States Code.*

16 ***Subtitle B—Health Care***
 17 ***Administration***

18 ***SEC. 721. MODIFICATIONS TO TRANSFER OF ARMY MEDICAL***
 19 ***RESEARCH AND DEVELOPMENT COMMAND***
 20 ***AND PUBLIC HEALTH COMMANDS TO DE-***
 21 ***FENSE HEALTH AGENCY.***

22 (a) *DELAY OF TRANSFER.*—

23 (1) *IN GENERAL.*—*Section 1073c(e) of title 10,*
 24 *United States Code, is amended, in the matter pre-*

1 ceding paragraph (1), by striking “September 30,
2 2022” and inserting “September 30, 2024”.

3 (2) *CONFORMING AMENDMENTS.*—Section 737 of
4 the National Defense Authorization Act for Fiscal
5 Year 2020 (Public Law 116–92) is amended, in sub-
6 sections (a) and (c), by striking “September 30,
7 2022” and inserting “September 30, 2024” each place
8 it appears.

9 (b) *MODIFICATION TO RESOURCES PRESERVED.*—
10 Such section 737 is amended—

11 (1) in the section heading, by striking “**RE-**
12 **SOURCES**” and inserting “**INFRASTRUCTURE AND**
13 **PERSONNEL**”; and

14 (2) in subsection (a)—

15 (A) by striking “resources” and inserting
16 “infrastructure and personnel”; and

17 (B) by striking “, which shall include man-
18 power and funding, at not less than the level of
19 such resources”.

20 (c) *ELIMINATION OF TRANSFER OF FUNDS.*—Such sec-
21 tion 737 is further amended by—

22 (1) striking subsection (b); and

23 (2) redesignating subsection (c) as subsection (b).

24 (d) *CHANGE OF NAME OF COMMAND.*—

1 (1) *DELAY OF TRANSFER.*—Section
2 1073c(e)(1)(B) of title 10, United States Code, is
3 amended by striking “*Materiel*” and inserting “*Devel-*
4 *opment*”.

5 (2) *PRESERVATION OF INFRASTRUCTURE AND*
6 *PERSONNEL.*—Section 737 of the National Defense
7 Authorization Act for Fiscal Year 2020 (Public Law
8 116–92) is amended—

9 (A) in the section heading, by striking “**MA-**
10 **TERIEL**” and inserting “**DEVELOPMENT**”; and

11 (B) by striking “*Materiel*” each place it ap-
12 pears and inserting “*Development*”.

13 (e) *CLERICAL AMENDMENT.*—The table of contents for
14 the National Defense Authorization Act for Fiscal Year
15 2020 is amended by striking the item relating to section
16 737 and inserting the following new item:

“Sec. 737. *Preservation of infrastructure and personnel of the Army Medical Re-
search and Development Command and continuation as Center
of Excellence.*”.

17 **SEC. 722. DELAY OF APPLICABILITY OF ADMINISTRATION**
18 **OF TRICARE DENTAL PLANS THROUGH FED-**
19 **ERAL EMPLOYEES DENTAL AND VISION IN-**
20 **SURANCE PROGRAM.**

21 Section 713(c) of the John S. McCain National Defense
22 Authorization Act for Fiscal Year 2019 (Public Law 115–
23 232; 5 U.S.C. 8951 note) is amended by striking “January
24 1, 2022” and inserting “January 1, 2023”.

1 **SEC. 723. AUTHORITY OF SECRETARY OF DEFENSE TO**
2 **WAIVE REQUIREMENTS DURING NATIONAL**
3 **EMERGENCIES FOR PURPOSES OF PROVISION**
4 **OF HEALTH CARE.**

5 (a) *IN GENERAL.*—Chapter 55 of title 10, United
6 States Code, is amended by inserting after section 1073d
7 the following new section:

8 **“§ 1073e. Authority to waive requirements during na-**
9 **tional emergencies**

10 “(a) *PURPOSE.*—The purpose of this section is to en-
11 able the Secretary of Defense to ensure, to the maximum
12 extent feasible, in an emergency area during an emergency
13 period—

14 “(1) that sufficient authorized health care items
15 and services are available to meet the needs of covered
16 beneficiaries in such area eligible for the programs
17 under this chapter; and

18 “(2) that private sector health care providers au-
19 thorized under the TRICARE program that furnish
20 such authorized items and services in good faith may
21 be reimbursed for such items and services absent any
22 determination of fraud or abuse.

23 “(b) *AUTHORITY.*—

24 “(1) *IN GENERAL.*—To the extent necessary to
25 accomplish the purpose specified in subsection (a), the
26 Secretary, subject to the provisions of this section,

1 *may, for a period of 60 days, waive or modify the ap-*
2 *plication of the requirements of this chapter or any*
3 *regulation prescribed thereunder with respect to*
4 *health care items and services furnished by a health*
5 *care provider (or class of health care providers) in an*
6 *emergency area (or portion of such area) during an*
7 *emergency period (or portion of such period), includ-*
8 *ing by deferring the termination of status of a covered*
9 *beneficiary.*

10 “(2) *RENEWAL.*—*The Secretary may renew a*
11 *waiver or modification under paragraph (1) for sub-*
12 *sequent 60-day periods during the duration of the ap-*
13 *plicable emergency declaration.*

14 “(c) *IMPLEMENTATION.*—*The Secretary may imple-*
15 *ment any temporary waiver or modification made pursu-*
16 *ant to this section by program instruction or otherwise.*

17 “(d) *RETROACTIVE APPLICATION.*—*A waiver or modi-*
18 *fication made pursuant to this section with respect to an*
19 *emergency period may, at the discretion of the Secretary,*
20 *be made retroactive to the beginning of the emergency pe-*
21 *riod or any subsequent date in such period specified by the*
22 *Secretary.*

23 “(e) *SATISFACTION OF PRECONDITIONS FOR STATUS*
24 *AS COVERED BENEFICIARY.*—*A deferral under subsection*
25 *(b) of termination of status of a covered beneficiary may*

1 *be contingent upon retroactive satisfaction by such bene-*
2 *ficiary of any premium or enrollment fee payments or other*
3 *preconditions for such status.*

4 “(f) *CERTIFICATION.*—

5 “(1) *IN GENERAL.*—*Not later than two days be-*
6 *fore exercising a waiver or modification under sub-*
7 *section (b)(1) or renewing a waiver or modification*
8 *under subsection (b)(2), the Secretary shall submit to*
9 *the Committees on Armed Services of the Senate and*
10 *the House of Representatives a certification and ad-*
11 *vance written notice regarding the authority to be ex-*
12 *ercised.*

13 “(2) *MATTERS INCLUDED.*—*Certification and*
14 *advanced written notice required under paragraph*
15 *(1) shall include—*

16 “(A) *a description of—*

17 “(i) *the specific provisions of law that*
18 *will be waived or modified;*

19 “(ii) *the health care providers to whom*
20 *the waiver or modification will apply;*

21 “(iii) *the geographic area in which the*
22 *waiver or modification will apply; and*

23 “(iv) *the period of time for which the*
24 *waiver or modification will be in effect; and*

1 “(B) a certification that the waiver or
2 modification is necessary to carry out the pur-
3 pose specified in subsection (a).

4 “(g) *TERMINATION OF WAIVER.*—A waiver or modi-
5 fication of requirements pursuant to this section terminates
6 upon the termination of the applicable emergency declara-
7 tion.

8 “(h) *REPORT.*—Not later than one year after the end
9 of an emergency period during which the Secretary exer-
10 cised the authority under this section, the Secretary shall
11 submit to the Committees on Armed Services of the Senate
12 and the House of Representatives a report on the ap-
13 proaches used to accomplish the purpose described in sub-
14 section (a), including an evaluation of such approaches and
15 recommendations for improved approaches should the need
16 for the exercise of such authority arise in the future.

17 “(i) *DEFINITIONS.*—In this section:

18 “(1) *EMERGENCY AREA.*—The term ‘emergency
19 area’ means a geographical area covered by an emer-
20 gency declaration.

21 “(2) *EMERGENCY DECLARATION.*—The term
22 ‘emergency declaration’ means—

23 “(A) an emergency or disaster declared by
24 the President pursuant to the National Emer-
25 gencies Act (50 U.S.C. 1601 et seq.) or the Robert

1 *T. Stafford Disaster Relief and Emergency As-*
 2 *sistance Act (42 U.S.C. 5121 et seq.); or*

3 *“(B) a public health emergency declared*
 4 *pursuant to section 319 of the Public Health*
 5 *Service Act (42 U.S.C. 247d).*

6 *“(3) EMERGENCY PERIOD.—The term ‘emergency*
 7 *period’ means the period covered by an emergency*
 8 *declaration.”.*

9 *(b) CLERICAL AMENDMENT.—The table of sections at*
 10 *the beginning of chapter 55 of such title is amended by in-*
 11 *serting after the item relating to section 1073d the following*
 12 *new item:*

“1073e. Authority to waive requirements during national emergencies.”.

13 ***Subtitle C—Reports and Other***
 14 ***Matters***

15 ***SEC. 741. EXTENSION OF AUTHORITY FOR JOINT DEPART-***
 16 ***MENT OF DEFENSE-DEPARTMENT OF VET-***
 17 ***ERANS AFFAIRS MEDICAL FACILITY DEM-***
 18 ***ONSTRATION FUND.***

19 *Section 1704(e) of the National Defense Authorization*
 20 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
 21 *2573), as most recently amended by section 732(4)(B) of*
 22 *the National Defense Authorization Act for Fiscal Year*
 23 *2020 (Public Law 116–92), is further amended by striking*
 24 *“September 30, 2021” and inserting “September 30, 2022”.*

1 **SEC. 742. MEMBERSHIP OF BOARD OF REGENTS OF UNI-**
2 **FORMED SERVICES UNIVERSITY OF THE**
3 **HEALTH SCIENCES.**

4 (a) *IN GENERAL.*—Section 2113a(b) of title 10, United
5 States Code, is amended—

6 (1) *by redesignating paragraphs (3) and (4) as*
7 *paragraphs (4) and (5), respectively; and*

8 (2) *by inserting after paragraph (2) the fol-*
9 *lowing new paragraph:*

10 “(3) *the Director of the Defense Health Agency,*
11 *who shall be an ex officio member;”.*

12 (b) *RULE OF CONSTRUCTION.*—*The amendments made*
13 *by this section may not be construed to invalidate any ac-*
14 *tion taken by the Uniformed Services University of the*
15 *Health Sciences or its Board of Regents prior to the effective*
16 *date of this section.*

17 (c) *EFFECTIVE DATE.*—*The amendments made by this*
18 *section shall take effect on January 1, 2021.*

19 **SEC. 743. MILITARY HEALTH SYSTEM CLINICAL QUALITY**
20 **MANAGEMENT PROGRAM.**

21 (a) *IN GENERAL.*—*The Secretary of Defense, acting*
22 *through the Director of the Defense Health Agency, shall*
23 *implement a comprehensive program to be known as the*
24 *“Military Health System Clinical Quality Management*
25 *Program” (in this section referred to as the “Program”).*

1 (b) *ELEMENTS OF PROGRAM.*—*The Program shall in-*
2 *clude, at a minimum, the following:*

3 (1) *The implementation of systematic procedures*
4 *to eliminate, to the maximum extent feasible, risk of*
5 *harm to patients at military medical treatment fa-*
6 *cilities, including through identification, investiga-*
7 *tion, and analysis of events indicating a risk of pa-*
8 *tient harm and corrective action plans to mitigate*
9 *such risks.*

10 (2) *With respect to a potentially compensable*
11 *event (including those involving members of the*
12 *Armed Forces) at a military medical treatment facil-*
13 *ity—*

14 (A) *an analysis of such event, which shall*
15 *occur and be documented as soon as possible*
16 *after the event;*

17 (B) *use of such analysis for clinical quality*
18 *management; and*

19 (C) *reporting of such event to the National*
20 *Practitioner Data Bank in accordance with*
21 *guidelines of the Secretary of Health and*
22 *Human Services under the Health Care Quality*
23 *Improvement Act of 1986 (42 U.S.C. 11101 et*
24 *seq.), giving special emphasis to the results of ex-*
25 *ternal peer reviews of the event.*

1 (3) *Validation of provider credentials and grant-*
2 *ing of clinical privileges by the Director of the De-*
3 *fense Health Agency for all health care providers at*
4 *a military medical treatment facility.*

5 (4) *Accreditation of military medical treatment*
6 *facilities by a recognized external accreditation body.*

7 (5) *Systematic measurement of indicators of*
8 *health care quality, emphasizing clinical outcome*
9 *measures, comparison of such indicators with bench-*
10 *marks from leading health care quality improvement*
11 *organizations, and transparency with the public of*
12 *appropriate clinical measurements for military med-*
13 *ical treatment facilities.*

14 (6) *Systematic activities emphasized by leader-*
15 *ship at all organizational levels to use all elements of*
16 *the Program to eliminate unwanted variance through-*
17 *out the health care system of the Department of De-*
18 *fense and make constant improvements in clinical*
19 *quality.*

20 (7) *A full range of procedures for productive*
21 *communication between patients and health care pro-*
22 *viders regarding actual or perceived adverse clinical*
23 *events at military medical treatment facilities, in-*
24 *cluding procedures—*

1 (A) for full disclosure of such events (re-
2 specting the confidentiality of peer review infor-
3 mation under a medical quality assurance pro-
4 gram under section 1102 of title 10, United
5 States Code);

6 (B) providing an opportunity for the pa-
7 tient to be heard in relation to quality reviews;
8 and

9 (C) to resolve patient concerns by inde-
10 pendent, neutral healthcare resolution specialists.

11 (c) *ADDITIONAL CLINICAL QUALITY MANAGEMENT AC-*
12 *TIVITIES.—*

13 (1) *IN GENERAL.—*In addition to the elements of
14 the Program set forth in subsection (b), the Secretary
15 shall establish and maintain clinical quality manage-
16 ment activities in relation to functions of the health
17 care system of the Department separate from delivery
18 of health care services in military medical treatment
19 facilities.

20 (2) *HEALTH CARE DELIVERY OUTSIDE MILITARY*
21 *MEDICAL TREATMENT FACILITIES.—*In carrying out
22 paragraph (1), the Secretary shall maintain policies
23 and procedures to promote clinical quality in health
24 care delivery on ships and planes, in deployed set-
25 tings, and in all other circumstances not covered by

1 subsection (b), with the objective of implementing
2 standards and procedures comparable, to the extent
3 practicable, to those under such subsection.

4 (3) *PURCHASED CARE SYSTEM.*—In carrying out
5 paragraph (1), the Secretary shall maintain policies
6 and procedures for health care services provided out-
7 side the Department but paid for by the Department,
8 reflecting best practices by public and private health
9 care reimbursement and management systems.

10 (d) *MILITARY MEDICAL TREATMENT FACILITY DE-*
11 *FINED.*—In this section, the term “military medical treat-
12 ment facility” means any fixed facility or portion thereof
13 of the Department of Defense that is outside of a deployed
14 environment and used primarily for health care.

15 **SEC. 744. MODIFICATIONS TO PILOT PROGRAM ON CIVILIAN**
16 **AND MILITARY PARTNERSHIPS TO ENHANCE**
17 **INTEROPERABILITY AND MEDICAL SURGE CA-**
18 **PABILITY AND CAPACITY OF NATIONAL DIS-**
19 **ASTER MEDICAL SYSTEM.**

20 Section 740 of the National Defense Authorization Act
21 for Fiscal Year 2020 (Public Law 116–92) is amended—

22 (1) in subsection (a)—

23 (A) by striking “The Secretary of Defense
24 may” and inserting “Beginning not later than

1 *September 30, 2021, the Secretary of Defense*
2 *shall”; and*

3 *(B) by striking “health care organizations,*
4 *institutions, and entities” and inserting “health*
5 *care organizations, health care institutions,*
6 *health care entities, academic medical centers of*
7 *institutions of higher education, and hospitals”;*
8 *and*

9 *(C) by striking “in the vicinity of major*
10 *aeromedical and other transport hubs and logis-*
11 *tics centers of the Department of Defense”;*

12 *(2) by striking subsection (c) and inserting the*
13 *following new subsections:*

14 *“(c) LEAD OFFICIAL FOR DESIGN AND IMPLEMENTA-*
15 *TION OF PILOT PROGRAM.—*

16 *“(1) IN GENERAL.—The Assistant Secretary of*
17 *Defense for Health Affairs shall be the lead official for*
18 *design and implementation of the pilot program*
19 *under subsection (a).*

20 *“(2) RESOURCES.—The Assistant Secretary of*
21 *Defense for Health Affairs shall leverage the resources*
22 *of the Defense Health Agency for execution of the pilot*
23 *program under subsection (a) and shall coordinate*
24 *with the Chairman of the Joint Chiefs of Staff*

1 *throughout the planning and duration of the pilot*
2 *program.*

3 “(d) *LOCATIONS.*—

4 “(1) *IN GENERAL.*—*The Secretary of Defense*
5 *shall carry out the pilot program under subsection (a)*
6 *at not fewer than five locations in the United States*
7 *that are located at or near locations with established*
8 *expertise in disaster health preparedness and response*
9 *and trauma care that augment and enhance the effec-*
10 *tiveness of the pilot program.*

11 “(2) *PHASED SELECTION OF LOCATIONS.*—

12 “(A) *INITIAL SELECTION.*—*Not later than*
13 *the earlier of the date that is 180 days after the*
14 *date of the enactment of this Act or March 31,*
15 *2021, the Assistant Secretary of Defense for*
16 *Health Affairs, in consultation with the Sec-*
17 *retary of Veterans Affairs, the Secretary of*
18 *Health and Human Services, the Secretary of*
19 *Homeland Security, and the Secretary of Trans-*
20 *portation, shall select not fewer than two loca-*
21 *tions at which to carry out the pilot program.*

22 “(B) *SUBSEQUENT SELECTION.*—*Not later*
23 *than the end of each one-year period following*
24 *selection of locations under subparagraph (A),*
25 *the Assistant Secretary of Defense for Health Af-*

1 *fairs, in consultation with the Secretary of Vet-*
2 *erans Affairs, the Secretary of Health and*
3 *Human Services, the Secretary of Homeland Se-*
4 *curity, and the Secretary of Transportation,*
5 *shall select not fewer than two additional loca-*
6 *tions at which to carry out the pilot program*
7 *until not fewer than five locations are selected in*
8 *total.*

9 “(3) *CONSIDERATION AND PRIORITY FOR LOCA-*
10 *TIONS.—In selecting locations for the pilot program*
11 *under subsection (a), the Secretary shall—*

12 “(A) *consider—*

13 “(i) *the proximity of the location to ci-*
14 *vilian or military transportation hubs, in-*
15 *cluding airports, railways, interstate high-*
16 *ways, or ports;*

17 “(ii) *the ability of the location to ac-*
18 *cept a redistribution of casualties during*
19 *times of war;*

20 “(iii) *the ability of the location to pro-*
21 *vide trauma care training opportunities for*
22 *medical personnel of the Department of De-*
23 *fense; and*

24 “(iv) *the proximity of the location to*
25 *existing academic medical centers of insti-*

1 *tutions of higher education, facilities of the*
2 *Department, or other institutions that have*
3 *established expertise in the areas of—*

4 *“(I) highly infectious disease;*

5 *“(II) biocontainment;*

6 *“(III) quarantine;*

7 *“(IV) trauma care;*

8 *“(V) combat casualty care;*

9 *“(VI) the National Disaster Med-*
10 *ical System under section 2812 of the*
11 *Public Health Service Act (42 U.S.C.*
12 *300hh–11);*

13 *“(VII) disaster health prepared-*
14 *ness and response;*

15 *“(VIII) medical and public health*
16 *management of biological, chemical,*
17 *radiological, or nuclear hazards; or*

18 *“(IX) such other areas of expertise*
19 *as the Secretary considers appropriate;*
20 *and*

21 *“(B) give priority to public-private part-*
22 *nerships with academic medical centers of insti-*
23 *tutions of higher education, hospitals, and other*
24 *entities with facilities that have an established*
25 *history of providing clinical care, treatment,*

1 *training, and research in the areas described in*
2 *subparagraph (A)(ii) or other specializations de-*
3 *termined important by the Secretary for pur-*
4 *poses of the pilot program.”;*

5 *(3) by redesignating subsections (d) through (f)*
6 *as subsections (e) through (g), respectively;*

7 *(4) in subsection (g), as redesignated by para-*
8 *graph (3)—*

9 *(A) in paragraph (1)—*

10 *(i) in subparagraph (A), by striking*
11 *“the commencement of the pilot program*
12 *under subsection (a)” and inserting “the*
13 *initial selection of locations for the pilot*
14 *program under subsection (d)(2)(A)”;* and

15 *(ii) in subparagraph (B)—*

16 *(I) in clause (ii), by striking*
17 *“subsection (d)” and inserting “sub-*
18 *section (e)”;*

19 *(II) in clause (iii), by striking*
20 *“subsection (e)” and inserting “sub-*
21 *section (f)”;* and

22 *(B) in paragraph (2)(B)(iv), by striking*
23 *“the authority for”;* and

24 *(5) by adding at the end the following new sub-*
25 *section:*

1 “(h) *INSTITUTION OF HIGHER EDUCATION DE-*
2 *FINED.*—*In this section, the term ‘institution of higher edu-*
3 *cation’ means a four-year institution of higher education,*
4 *as defined in section 101(a) of the Higher Education Act*
5 *of 1965 (20 U.S.C. 1001(a)).”.*

6 **SEC. 745. STUDY ON FORCE MIX OPTIONS AND SERVICE**
7 **MODELS TO ENHANCE READINESS OF MED-**
8 **ICAL FORCE OF THE ARMED FORCES TO PRO-**
9 **VIDE COMBAT CASUALTY CARE.**

10 (a) *STUDY REQUIRED.*—*Not later than 30 days after*
11 *the date of the enactment of this Act, the Secretary of De-*
12 *fense shall seek to enter into an agreement with a federally*
13 *funded research and development center or other inde-*
14 *pendent entity to perform a study on force mix options and*
15 *service models (including traditional and nontraditional*
16 *active and reserve models) to optimize the readiness of the*
17 *medical force of the Armed Forces to deliver combat care*
18 *on the battlefield.*

19 (b) *ISSUES TO BE ADDRESSED.*—*The study required*
20 *by subsection (a) shall include, at a minimum—*

21 (1) *with respect to options relating to members*
22 *of the Armed Forces on active duty—*

23 (A) *a review of existing models for such*
24 *members who are medical professionals to sup-*

1 *port clinical readiness skills by serving in civil-*
2 *ian trauma centers;*

3 *(B) an assessment of the extent to which ex-*
4 *isting models can be optimized, standardized,*
5 *and scaled to address current readiness short-*
6 *falls; and*

7 *(C) an evaluation of the cost and effective-*
8 *ness of alternative models for such members who*
9 *are medical professionals to serve in civilian*
10 *trauma centers; and*

11 *(2) with respect to options relating to members*
12 *of the reserve components of the Armed Forces—*

13 *(A) a review of existing models for such*
14 *members of the reserve components who are med-*
15 *ical professionals to support clinical readiness*
16 *skills by serving in civilian trauma centers;*

17 *(B) an assessment of the extent to which ex-*
18 *isting models can be optimized, standardized,*
19 *and scaled to address current readiness short-*
20 *falls; and*

21 *(C) an evaluation of the cost and effective-*
22 *ness of alternative models for such members of*
23 *the reserve components who are medical profes-*
24 *sionals to serve in civilian trauma centers.*

1 (c) *REPORT.*—Not later than 15 months after the date
2 of the enactment of this Act, the Secretary shall submit to
3 the Committees on Armed Services of the Senate and the
4 House of Representatives a report on the findings and rec-
5 ommendations of the independent study required by sub-
6 section (a).

7 **SEC. 746. COMPTROLLER GENERAL STUDY ON DELIVERY OF**
8 **MENTAL HEALTH SERVICES TO MEMBERS OF**
9 **THE RESERVE COMPONENTS OF THE ARMED**
10 **FORCES.**

11 (a) *IN GENERAL.*—The Comptroller General of the
12 United States shall conduct a study on the delivery of Fed-
13 eral, State, and private mental health services to members
14 of the reserve components.

15 (b) *ELEMENTS.*—The study conducted under sub-
16 section (a) shall—

17 (1) identify all programs, coverage, and costs as-
18 sociated with services described in such subsection;

19 (2) specify gaps or barriers to access that could
20 result in delayed or insufficient mental health care
21 support to members of the reserve components.

22 (3) evaluate the mental health screening require-
23 ments for members of the reserve components imme-
24 diately before, during, and after—

1 *Department of Defense to prevent suicide among members*
2 *of the Armed Forces stationed at covered installations.*

3 (b) *ELEMENTS OF REVIEW.*—*The review conducted*
4 *under subsection (a) shall include an assessment of each of*
5 *the following:*

6 (1) *Current policy guidelines of the Armed*
7 *Forces on the prevention of suicide among members of*
8 *the Armed Forces stationed at covered installations.*

9 (2) *Current suicide prevention programs of the*
10 *Armed Forces and activities for members of the*
11 *Armed Forces stationed at covered installations and*
12 *their dependents, including programs provided by the*
13 *Defense Health Program and the Office of Suicide*
14 *Prevention.*

15 (3) *The integration of mental health screenings*
16 *and suicide risk and prevention efforts for members of*
17 *the Armed Forces stationed at covered installations*
18 *and their dependents into the delivery of primary*
19 *care for such members and dependents.*

20 (4) *The standards for responding to attempted or*
21 *completed suicides among members of the Armed*
22 *Forces stationed at covered installations and their de-*
23 *pendents, including guidance and training to assist*
24 *commanders in addressing incidents of attempted or*
25 *completed suicide within their units.*

1 (5) *The standards regarding data collection for*
2 *members of the Armed Forces stationed at covered in-*
3 *stallations and their dependents, including related*
4 *factors such as domestic violence and child abuse.*

5 (6) *The means to ensure the protection of pri-*
6 *vacy of members of the Armed Forces stationed at*
7 *covered installations and their dependents who seek or*
8 *receive treatment related to suicide prevention.*

9 (7) *The availability of information from indige-*
10 *nous populations on suicide prevention for members*
11 *of the Armed Forces stationed at covered installations*
12 *who are members of such a population.*

13 (8) *The availability of information from grad-*
14 *uate research programs of institutions of higher edu-*
15 *cation on suicide prevention for members of the*
16 *Armed Forces.*

17 (9) *Such other matters as the Comptroller Gen-*
18 *eral considers appropriate in connection with the pre-*
19 *vention of suicide among members of the Armed*
20 *Forces stationed at covered installations and their de-*
21 *pendents.*

22 (c) *BRIEFING AND REPORT.*—*The Comptroller General*
23 *shall—*

24 (1) *not later than October 1, 2021, brief the*
25 *Committees on Armed Services of the Senate and the*

1 *House of Representatives on preliminary observations*
2 *relating to the review conducted under subsection (a);*
3 *and*

4 *(2) not later than March 1, 2022, submit to the*
5 *Committees on Armed Services of the Senate and the*
6 *House of Representatives a report containing the re-*
7 *sults of such review.*

8 *(d) COVERED INSTALLATION DEFINED.—In this sec-*
9 *tion, the term “covered installation” means a remote instal-*
10 *lation of the Department of Defense outside the contiguous*
11 *United States.*

12 **SEC. 748. AUDIT OF MEDICAL CONDITIONS OF TENANTS IN**
13 **PRIVATIZED MILITARY HOUSING.**

14 *(a) IN GENERAL.—Not later than 90 days after the*
15 *date of the enactment of this Act, the Inspector General of*
16 *the Department of Defense shall commence the conduct of*
17 *an audit of the medical conditions of eligible individuals*
18 *and the association between adverse exposures of such indi-*
19 *viduals in unsafe or unhealthy housing units and the health*
20 *of such individuals.*

21 *(b) CONTENT OF AUDIT.—The audit conducted under*
22 *subsection (a) shall—*

23 *(1) determine the percentage of units of*
24 *privatized military housing that are unsafe or*
25 *unhealthy housing units;*

1 (2) *study the adverse exposures of eligible indi-*
2 *viduals that relate to residing in an unsafe or*
3 *unhealthy housing unit and the effect of such expo-*
4 *sure on the health of such individuals; and*

5 (3) *determine the association, to the extent per-*
6 *mitted by available scientific data, and provide quan-*
7 *tifiable data on such association, between such ad-*
8 *verse exposures and the occurrence of a medical condi-*
9 *tion in eligible individuals residing in unsafe or*
10 *unhealthy housing units.*

11 (c) *CONDUCT OF AUDIT.—The Inspector General of the*
12 *Department shall conduct the audit under subsection (a)*
13 *using the same privacy preserving guidelines used by the*
14 *Inspector General in conducting other audits of health*
15 *records.*

16 (d) *SOURCE OF DATA.—In conducting the audit under*
17 *subsection (a), the Inspector General of the Department*
18 *shall use—*

19 (1) *de-identified data from electronic health*
20 *records of the Department;*

21 (2) *records of claims under the TRICARE pro-*
22 *gram (as defined in section 1072(7) of title 10,*
23 *United States Code); and*

24 (3) *such other data as determined necessary by*
25 *the Inspector General.*

1 (e) *SUBMITTAL AND PUBLIC AVAILABILITY OF RE-*
2 *PORT.*—Not later than one year after the commencement of
3 *the audit under subsection (a), the Inspector General of the*
4 *Department shall—*

5 (1) *submit to the Secretary of Defense and the*
6 *Committees on Armed Services of the Senate and the*
7 *House of Representatives a report on the results of the*
8 *audit conducted under subsection (a); and*

9 (2) *publish such report on a publicly available*
10 *internet website of the Department of Defense.*

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

12 (1) *ELIGIBLE INDIVIDUAL.*—*The term “eligible*
13 *individual” means a member of the Armed Forces or*
14 *a family member of a member of the Armed Forces*
15 *who has resided in an unsafe or unhealthy housing*
16 *unit.*

17 (2) *PRIVATIZED MILITARY HOUSING.*—*The term*
18 *“privatized military housing” means military hous-*
19 *ing provided under subchapter IV of chapter 169 of*
20 *title 10, United States Code.*

21 (3) *UNSAFE OR UNHEALTHY HOUSING UNIT.*—
22 *The term “unsafe or unhealthy housing unit” means*
23 *a unit of privatized military housing in which, at*
24 *any given time, at least one of the following hazards*
25 *is present:*

1 (A) *Physiological hazards, including the fol-*
 2 *lowing:*

3 (i) *Dampness or microbial growth.*

4 (ii) *Lead-based paint.*

5 (iii) *Asbestos or manmade fibers.*

6 (iv) *Ionizing radiation.*

7 (v) *Biocides.*

8 (vi) *Carbon monoxide.*

9 (vii) *Volatile organic compounds.*

10 (viii) *Infectious agents.*

11 (ix) *Fine particulate matter.*

12 (B) *Psychological hazards, including ease of*
 13 *access by unlawful intruders or lighting issues.*

14 (C) *Poor ventilation.*

15 (D) *Safety hazards.*

16 (E) *Other hazards as determined by the In-*
 17 *spector General of the Department.*

18 **SEC. 749. COMPTROLLER GENERAL STUDY ON PRENATAL**
 19 **AND POSTPARTUM MENTAL HEALTH CONDI-**
 20 **TIONS AMONG MEMBERS OF THE ARMED**
 21 **FORCES AND THEIR DEPENDENTS.**

22 (a) *STUDY.—*

23 (1) *IN GENERAL.—The Comptroller General of*
 24 *the United States shall conduct a study on prenatal*
 25 *and postpartum mental health conditions among*

1 *members of the Armed Forces and dependents of such*
2 *members.*

3 (2) *ELEMENTS.—The study required under para-*
4 *graph (1) shall include the following:*

5 (A) *An assessment of the extent to which*
6 *beneficiaries under the TRICARE program, in-*
7 *cluding members of the Armed Forces and de-*
8 *pendents of such members, are diagnosed with*
9 *prenatal or postpartum mental health condi-*
10 *tions, including—*

11 (i) *prenatal or postpartum depression;*

12 (ii) *prenatal or postpartum anxiety*
13 *disorder;*

14 (iii) *prenatal or postpartum obsessive*
15 *compulsive disorder;*

16 (iv) *prenatal or postpartum psychosis;*

17 *and*

18 (v) *other relevant mood disorders.*

19 (B) *A demographic assessment of the popu-*
20 *lation included in the study with respect to race,*
21 *ethnicity, sex, age, relationship status, military*
22 *service, military occupation, and rank, where*
23 *applicable.*

24 (C) *An assessment of the status of prenatal*
25 *and postpartum mental health care for bene-*

1 *ficiaries under the TRICARE program, includ-*
2 *ing those who seek care at military medical*
3 *treatment facilities and those who rely on civil-*
4 *ian providers.*

5 *(D) An assessment of the ease or delay for*
6 *beneficiaries under the TRICARE program in*
7 *obtaining treatment for prenatal and*
8 *postpartum mental health conditions, includ-*
9 *ing—*

10 *(i) an assessment of wait times for*
11 *mental health treatment at each military*
12 *medical treatment facility; and*

13 *(ii) a description of the reasons such*
14 *beneficiaries may cease seeking such treat-*
15 *ment.*

16 *(E) A comparison of the rates of prenatal or*
17 *postpartum mental health conditions within the*
18 *military community to such rates in the civilian*
19 *population, as reported by the Centers for Dis-*
20 *ease Control and Prevention.*

21 *(F) An assessment of any effects of implicit*
22 *or explicit bias in prenatal and postpartum*
23 *mental health care under the TRICARE pro-*
24 *gram, or evidence of racial or socioeconomic bar-*
25 *riers to such care.*

1 (b) *REPORT.*—Not later than one year after the date
2 of the enactment of this Act, the Comptroller General shall
3 submit to the Committees on Armed Services of the Senate
4 and the House of Representatives a report on the findings
5 of the study conducted under subsection (a), including—

- 6 (1) recommendations for actions to be taken by
7 the Secretary of Defense to improve prenatal and
8 postpartum mental health among members of the
9 Armed Forces and dependents of such members; and
10 (2) such other recommendations as the Comp-
11 troller General determines appropriate.

12 (c) *DEFINITIONS.*—In this section, the terms “depend-
13 ent” and “TRICARE program” have the meanings given
14 those terms in section 1072 of title 10, United States Code.

15 **SEC. 750. PLAN FOR EVALUATION OF FLEXIBLE SPENDING**
16 **ACCOUNT OPTIONS FOR MEMBERS OF THE**
17 **UNIFORMED SERVICES AND THEIR FAMILIES.**

18 (a) *IN GENERAL.*—Not later than March 1, 2021, the
19 Secretary of Defense shall submit to the congressional de-
20 fense committees a plan to evaluate flexible spending ac-
21 count options that allow pre-tax payment of health and
22 dental insurance premiums, out-of-pocket health care ex-
23 penses, and dependent care expenses for members of the uni-
24 formed services and their family members, including an

1 *identification of any legislative or administrative barriers*
2 *to achieving the implementation of such options.*

3 (b) *UNIFORMED SERVICES DEFINED.*—*In this section,*
4 *the term “uniformed services” has the meaning given that*
5 *term in section 101 of title 37, United States Code.*

6 **SEC. 751. ASSESSMENT OF RECEIPT BY CIVILIANS OF EMER-**
7 **GENCY MEDICAL TREATMENT AT MILITARY**
8 **MEDICAL TREATMENT FACILITIES.**

9 (a) *ASSESSMENT.*—*Not later than one year after the*
10 *date of the enactment of this Act, the Comptroller General*
11 *of the United States shall complete an assessment of the pro-*
12 *vision by the Department of Defense of emergency medical*
13 *treatment to civilians who are not covered beneficiaries at*
14 *military medical treatment facilities during the period be-*
15 *ginning on October 1, 2015, and ending on September 30,*
16 *2020.*

17 (b) *ELEMENTS OF ASSESSMENT.*—*The assessment*
18 *completed under subsection (a) shall include, with respect*
19 *to civilians who received emergency medical treatment at*
20 *a military medical treatment facility during the period*
21 *specified in such paragraph, the following:*

22 (1) *The total fees charged to such civilians for*
23 *such treatment and the total fees collected.*

24 (2) *The amount of medical debt from such treat-*
25 *ment that was garnished from such civilians, cat-*

1 *egorized by garnishment from Social Security bene-*
2 *fits, tax refunds, wages, or other financial asset.*

3 *(3) The number of such civilians from whom*
4 *medical debt from such treatment was garnished.*

5 *(4) The total fees for such treatment that were*
6 *waived for such civilians.*

7 *(5) With respect to medical debt incurred by*
8 *such civilians from such treatment—*

9 *(A) the amount of such debt that was col-*
10 *lected by the Department of Defense;*

11 *(B) the amount of such debt still owed to*
12 *the Department; and*

13 *(C) the amount of debt transferred from the*
14 *Department of Defense to the Department of the*
15 *Treasury for collection.*

16 *(6) The number of such civilians from whom*
17 *such medical debt was collected who did not possess*
18 *medical insurance at the time of such treatment.*

19 *(7) The number of such civilians from whom*
20 *such medical debt was collected who collected Social*
21 *Security benefits at the time of such treatment.*

22 *(8) The number of such civilians from whom*
23 *such medical debt was collected who, at the time of*
24 *such treatment, earned—*

25 *(A) less than the poverty line;*

1 (B) less than 200 percent of the poverty
2 line;

3 (C) less than 300 percent of the poverty
4 line; and

5 (D) less than 400 percent of the poverty
6 line.

7 (9) An assessment of the process through which
8 military medical treatment facilities seek to recover
9 unpaid medical debt from such civilians, including
10 whether the Department of Defense contracts with pri-
11 vate debt collectors to recover such unpaid medical
12 debt.

13 (10) An assessment of the process, if any,
14 through which such civilians can apply to have med-
15 ical debt for such treatment waived, forgiven, can-
16 celed, or otherwise determined to not be a financial
17 obligation of the civilian.

18 (11) Such other information as the Comptroller
19 General determines appropriate.

20 (c) *REPORT.*—Not later than 180 days after the com-
21 pletion of the assessment under subsection (a), the Comp-
22 troller General shall submit to the Committees on Armed
23 Services of the Senate and the House of Representatives a
24 report containing the results of the assessment.

25 (d) *DEFINITIONS.*—In this section:

1 (1) *CIVILIAN*.—The term “civilian” means an
2 individual who is not—

3 (A) a member of the Armed Forces;

4 (B) a contractor of the Department of De-
5 fense; or

6 (C) a civilian employee of the Department.

7 (2) *COVERED BENEFICIARY*.—The term “covered
8 beneficiary” has the meaning given that term in sec-
9 tion 1072(5) of title 10, United States Code.

10 (3) *POVERTY LINE*.—The term “poverty line”
11 has the meaning given that term in section 673 of the
12 Community Services Block Grant Act (42 U.S.C.
13 9902).

14 **SEC. 752. REPORT ON BILLING PRACTICES FOR HEALTH**
15 **CARE FROM DEPARTMENT OF DEFENSE.**

16 (a) *FINDINGS*.—Congress finds the following:

17 (1) Through the *TRICARE* program, the Depart-
18 ment of Defense provides health care benefits and
19 services to approximately 9,500,000 beneficiaries.

20 (2) The Department of Defense is not structured
21 as a typical health care provider, which can lead to
22 complicated billing practices and strict deadlines for
23 members of the Armed Forces, former members of the
24 Armed Forces, and their dependents, as well as for
25 providers.

1 (3) *Numerous findings issued by the Inspector*
2 *General of the Department of Defense between 2014*
3 *and 2019 describe the third-party collection program*
4 *of the Department as inadequately managed, result-*
5 *ing in substantial uncollected funds that could be used*
6 *to improve the quality of health care at military med-*
7 *ical treatment facilities.*

8 (4) *Numerous press reports have found that the*
9 *Federal Government aggressively collects unpaid debts*
10 *from uninsured or low-income civilian patients who*
11 *happen to receive treatment at a military medical*
12 *treatment facility, even though providing that treat-*
13 *ment often benefits military readiness by providing*
14 *experience to military medical professionals.*

15 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
16 *that it is in the national interest of the United States to*
17 *ensure members of the Armed Forces, former members of*
18 *the Armed Forces, and their dependents receive high-quality*
19 *health care, and that Federal agencies prioritize fairness*
20 *and accessibility when administering health care.*

21 (c) *REPORT.—*

22 (1) *IN GENERAL.—Not later than one year after*
23 *the date of the enactment of this Act, the Comptroller*
24 *General of the United States shall submit to Congress*
25 *a report assessing the billing practices of the Depart-*

1 *ment of Defense for care received under the TRICARE*
2 *program or at military medical treatment facilities.*

3 (2) *ELEMENTS.—The report required by para-*
4 *graph (1) shall include the following:*

5 (A) *A description of the extent to which*
6 *data is being collected and maintained on wheth-*
7 *er beneficiaries under the TRICARE program*
8 *have other forms of health insurance.*

9 (B) *A description of the extent to which the*
10 *Secretary of Defense has implemented the rec-*
11 *ommendations of the Inspector General of the*
12 *Department of Defense to improve collections of*
13 *third-party payments for care at military med-*
14 *ical treatment facilities and a description of the*
15 *impact such implementation has had on such*
16 *beneficiaries.*

17 (C) *A description of the extent to which the*
18 *process used by managed care support contrac-*
19 *tors under the TRICARE program to adjudicate*
20 *third-party liability claims is efficient and effec-*
21 *tive, including with respect to communication*
22 *with such beneficiaries.*

23 (d) *TRICARE PROGRAM DEFINED.—In this section,*
24 *the term “TRICARE program” has the meaning given that*
25 *term in section 1072 of title 10, United States Code.*

1 **SEC. 753. ACCESS OF VETERANS TO INDIVIDUAL LONGITU-**
2 **DINAL EXPOSURE RECORD.**

3 *The Secretary of Veterans Affairs, in consultation with*
4 *the Secretary of Defense, shall provide to a veteran read-*
5 *only access to the documents of the veteran contained in*
6 *the Individual Longitudinal Exposure Record in a print-*
7 *able format through a portal accessible through a website*
8 *of the Department of Veterans Affairs and a website of the*
9 *Department of Defense.*

10 **SEC. 754. STUDY ON THE INCIDENCE OF CANCER DIAG-**
11 **NOSIS AND MORTALITY AMONG MILITARY**
12 **AVIATORS AND AVIATION SUPPORT PER-**
13 **SONNEL.**

14 *(a) STUDY.—*

15 *(1) IN GENERAL.—The Secretary of Defense, in*
16 *conjunction with the National Institutes of Health*
17 *and the National Cancer Institute, shall conduct a*
18 *study on cancer among covered individuals in two*
19 *phases as provided in this subsection.*

20 *(2) PHASE 1.—*

21 *(A) IN GENERAL.—Under the initial phase*
22 *of the study conducted under paragraph (1), the*
23 *Secretary of Defense shall determine if there is a*
24 *higher incidence of cancers occurring for covered*
25 *individuals as compared to similar age groups*
26 *in the general population through the use of the*

1 *database of the Surveillance, Epidemiology, and*
2 *End Results program of the National Cancer In-*
3 *stitute.*

4 *(B) REPORT.—Not later than one year after*
5 *the date of the enactment of this Act, the Sec-*
6 *retary shall submit to the appropriate commit-*
7 *tees of Congress a report on the findings of the*
8 *initial phase of the study under subparagraph*
9 *(A).*

10 (3) *PHASE 2.—*

11 *(A) IN GENERAL.—If, pursuant to the ini-*
12 *tial phase of the study under paragraph (2), the*
13 *Secretary concludes that there is an increased*
14 *rate of cancers among covered individuals, the*
15 *Secretary shall conduct a second phase of the*
16 *study under which the Secretary shall do the fol-*
17 *lowing:*

18 *(i) Identify the carcinogenic toxins or*
19 *hazardous materials associated with mili-*
20 *tary flight operations from shipboard or*
21 *land bases or facilities, such as fuels, fumes,*
22 *and other liquids.*

23 *(ii) Identify the operating environ-*
24 *ments, including frequencies or electro-*
25 *magnetic fields, where exposure to ionizing*

1 *radiation (associated with high altitude*
2 *flight) and nonionizing radiation (associ-*
3 *ated with airborne, ground, and shipboard*
4 *radars) occurred in which covered individ-*
5 *uals could have received increased radiation*
6 *amounts.*

7 *(iii) Identify, for each covered indi-*
8 *vidual, duty stations, dates of service, air-*
9 *craft flown, and additional duties (includ-*
10 *ing Landing Safety Officer, Catapult and*
11 *Arresting Gear Officer, Air Liaison Officer,*
12 *Tactical Air Control Party, or personnel as-*
13 *sociated with aircraft maintenance, supply,*
14 *logistics, fuels, or transportation) that could*
15 *have increased the risk of cancer for such*
16 *covered individual.*

17 *(iv) Determine locations where a cov-*
18 *ered individual served or additional duties*
19 *of a covered individual that are associated*
20 *with higher incidences of cancers.*

21 *(v) Identify potential exposures due to*
22 *service in the Armed Forces that are not re-*
23 *lated to aviation, such as exposure to burn*
24 *pits or toxins in contaminated water, em-*

1 *bedded in the soil, or inside bases or hous-*
2 *ing.*

3 *(vi) Determine the appropriate age to*
4 *begin screening covered individuals for can-*
5 *cer based on race, gender, flying hours, pe-*
6 *riod of service as aviation support per-*
7 *sonnel, Armed Force, type of aircraft, and*
8 *mission.*

9 *(B) DATA.—The Secretary shall format all*
10 *data included in the study conducted under this*
11 *paragraph in accordance with the Surveillance,*
12 *Epidemiology, and End Results program of the*
13 *National Cancer Institute, including by*
14 *disaggregating such data by race, gender, and*
15 *age.*

16 *(C) REPORT.—Not later than one year after*
17 *the submittal of the report under paragraph*
18 *(2)(B), if the Secretary conducts the second*
19 *phase of the study under this paragraph, the*
20 *Secretary shall submit to the appropriate com-*
21 *mittees of Congress a report on the findings of*
22 *the study conducted under this paragraph.*

23 *(4) USE OF DATA FROM PREVIOUS STUDIES.—In*
24 *conducting the study under this subsection, the Sec-*
25 *retary of Defense shall incorporate data from previous*

1 *studies conducted by the Air Force, the Navy, or the*
2 *Marine Corps that are relevant to the study under*
3 *this subsection, including data from the comprehen-*
4 *sive study conducted by the Air Force identifying*
5 *each covered individual and documenting the cancers,*
6 *dates of diagnoses, and mortality of each covered in-*
7 *dividual.*

8 *(b) DEFINITIONS.—In this section:*

9 *(1) APPROPRIATE COMMITTEE OF CONGRESS.—*

10 *The term “appropriate committees of Congress”*
11 *means—*

12 *(A) the Committee on Armed Services and*
13 *the Committee on Veterans’ Affairs of the Senate;*
14 *and*

15 *(B) the Committee on Armed Services and*
16 *the Committee on Veterans’ Affairs of the House*
17 *of Representatives.*

18 *(2) ARMED FORCES.—The term “Armed*
19 *Forces”—*

20 *(A) has the meaning given the term “armed*
21 *forces” in section 101 of title 10, United States*
22 *Code; and*

23 *(B) includes the reserve components named*
24 *in section 10101 of such title.*

1 (3) *COVERED INDIVIDUAL*.—The term “covered
2 individual”—

3 (A) means an aviator or aviation support
4 personnel who—

5 (i) served in the Armed Forces on or
6 after February 28, 1961; and

7 (ii) receives benefits under chapter 55
8 of title 10, United States Code; and

9 (B) includes any air crew member of fixed-
10 wing aircraft and personnel supporting genera-
11 tion of the aircraft, including pilots, navigators,
12 weapons systems operators, aircraft system oper-
13 ators, personnel associated with aircraft mainte-
14 nance, supply, logistics, fuels, or transportation,
15 and any other crew member who regularly flies
16 in an aircraft or is required to complete the mis-
17 sion of the aircraft.

18 ***Subtitle D—Mental Health Services***
19 ***From Department of Veterans***
20 ***Affairs for Members of Reserve***
21 ***Components***

22 ***SEC. 761. SHORT TITLE.***

23 This subtitle may be cited as the “Care and Readiness
24 Enhancement for Reservists Act of 2020” or the “CARE for
25 Reservists Act of 2020”.

1 **SEC. 762. EXPANSION OF ELIGIBILITY FOR READJUSTMENT**
2 **COUNSELING AND RELATED OUTPATIENT**
3 **SERVICES FROM DEPARTMENT OF VETERANS**
4 **AFFAIRS TO INCLUDE MEMBERS OF RESERVE**
5 **COMPONENTS OF THE ARMED FORCES.**

6 (a) *READJUSTMENT COUNSELING.*—Subsection (a)(1)
7 of section 1712A of title 38, United States Code, is amended
8 by adding at the end the following new subparagraph:

9 “(D)(i) *The Secretary, in consultation with the Sec-*
10 *retary of Defense, may furnish to any member of the reserve*
11 *components of the Armed Forces who has a behavioral*
12 *health condition or psychological trauma, counseling under*
13 *subparagraph (A)(i), which may include a comprehensive*
14 *individual assessment under subparagraph (B)(i).*

15 “(ii) *A member of the reserve components of the Armed*
16 *Forces described in clause (i) shall not be required to obtain*
17 *a referral before being furnished counseling or an assess-*
18 *ment under this subparagraph.”.*

19 (b) *OUTPATIENT SERVICES.*—Subsection (b) of such
20 section is amended—

21 (1) *in paragraph (1)—*

22 (A) *by inserting “to an individual” after*
23 *“If, on the basis of the assessment furnished”;*
24 *and*

25 (B) *by striking “veteran” each place it ap-*
26 *pears and inserting “individual”; and*

1 (2) *in paragraph (2), by striking “veteran” and*
2 *inserting “individual”.*

3 (c) *EFFECTIVE DATE.—The amendments made by this*
4 *section shall take effect on the date that is one year after*
5 *the date of the enactment of this Act.*

6 **SEC. 763. PROVISION OF MENTAL HEALTH SERVICES FROM**
7 **DEPARTMENT OF VETERANS AFFAIRS TO**
8 **MEMBERS OF RESERVE COMPONENTS OF THE**
9 **ARMED FORCES.**

10 (a) *IN GENERAL.—Subchapter VIII of chapter 17 of*
11 *title 38, United States Code, is amended by adding at the*
12 *end the following new section:*

13 **“§ 1789. Mental health services for members of the re-**
14 **serve components of the Armed Forces**

15 *“The Secretary, in consultation with the Secretary of*
16 *Defense, may furnish mental health services to members of*
17 *the reserve components of the Armed Forces.”.*

18 (b) *CLERICAL AMENDMENT.—The table of sections at*
19 *the beginning of such subchapter is amended by inserting*
20 *after the item relating to section 1788 the following new*
21 *item:*

“1789. Mental health services for members of the reserve components of the Armed
 Forces.”.

1 **SEC. 764. INCLUSION OF MEMBERS OF RESERVE COMPO-**
2 **NENTS IN MENTAL HEALTH PROGRAMS OF**
3 **DEPARTMENT OF VETERANS AFFAIRS.**

4 (a) *SUICIDE PREVENTION PROGRAM.*—

5 (1) *IN GENERAL.*—Section 1720F of title 38,
6 United States Code, is amended by adding at the end
7 the following new subsection:

8 “(l)(1) *COVERED INDIVIDUAL DEFINED.*—In this sec-
9 tion, the term ‘covered individual’ means a veteran or a
10 member of the reserve components of the Armed Forces.

11 “(2) *In determining coverage of members of the reserve*
12 *components of the Armed Forces under the comprehensive*
13 *program, the Secretary shall consult with the Secretary of*
14 *Defense.*”.

15 (2) *CONFORMING AMENDMENTS.*—Such section is
16 further amended—

17 (A) in subsection (a), by striking “veterans”
18 and inserting “covered individuals”;

19 (B) in subsection (b), by striking “veterans”
20 each place it appears and inserting “covered in-
21 dividuals”;

22 (C) in subsection (c)—

23 (i) in the subsection heading, by strik-
24 ing “OF VETERANS”;

1 (ii) by striking “veterans” each place
2 it appears and inserting “covered individ-
3 uals”; and

4 (iii) by striking “veteran” and insert-
5 ing “individual”;

6 (D) in subsection (d), by striking “to vet-
7 erans” each place it appears and inserting “to
8 covered individuals”;

9 (E) in subsection (e), in the matter pre-
10 ceding paragraph (1), by striking “veterans”
11 and inserting “covered individuals”;

12 (F) in subsection (f)—

13 (i) in the first sentence, by striking
14 “veterans” and inserting “covered individ-
15 uals”; and

16 (ii) in the second sentence, by inserting
17 “or members” after “veterans”;

18 (G) in subsection (g), by striking “veterans”
19 and inserting “covered individuals”;

20 (H) in subsection (h), by striking “vet-
21 erans” and inserting “covered individuals”;

22 (I) in subsection (i)—

23 (i) in the subsection heading, by strik-
24 ing “FOR VETERANS AND FAMILIES”;

1 (ii) in the matter preceding paragraph
2 (1), by striking “veterans and the families
3 of veterans” and inserting “covered individ-
4 uals and the families of covered individ-
5 uals”;

6 (iii) in paragraph (2), by striking
7 “veterans” and inserting “covered individ-
8 uals”; and

9 (iv) in paragraph (4), by striking “vet-
10 erans” each place it appears and inserting
11 “covered individuals”;

12 (J) in subsection (j)—

13 (i) in paragraph (1), by striking “vet-
14 erans” each place it appears and inserting
15 “covered individuals”; and

16 (ii) in paragraph (4)—

17 (I) in subparagraph (A), in the
18 matter preceding clause (i), by striking
19 “women veterans” and inserting “cov-
20 ered individuals who are women”;

21 (II) in subparagraph (B), by
22 striking “women veterans who” and
23 inserting “covered individuals who are
24 women and”; and

1 (III) in subparagraph (C), by
2 striking “women veterans” and insert-
3 ing “covered individuals who are
4 women”; and

5 (K) in subsection (k), by striking “veterans”
6 and inserting “covered individuals”.

7 (3) CLERICAL AMENDMENTS.—

8 (A) IN GENERAL.—Such section is further
9 amended, in the section heading, by inserting
10 “**and members of the reserve compo-**
11 **ponents of the Armed Forces**” after “**vet-**
12 **erans**”.

13 (B) TABLE OF SECTIONS.—The table of sec-
14 tions at the beginning of such subchapter is
15 amended by striking the item relating to section
16 1720F and inserting the following new item:

“1720F. Comprehensive program for suicide prevention among veterans and mem-
bers of the reserve components of the Armed Forces.”.

17 (b) MENTAL HEALTH TREATMENT FOR INDIVIDUALS
18 WHO SERVED IN CLASSIFIED MISSIONS.—

19 (1) IN GENERAL.—Section 1720H of such title is
20 amended—

21 (A) in subsection (a)—

22 (i) in paragraph (1)—

1 (I) by striking “eligible veteran”
2 and inserting “eligible individual”;
3 and

4 (II) by striking “the veteran” and
5 inserting “the individual”; and

6 (ii) in paragraph (3), by striking “eli-
7 gible veterans” and inserting “eligible indi-
8 viduals”;

9 (B) in subsection (b)—

10 (i) by striking “a veteran” and insert-
11 ing “an individual”; and

12 (ii) by striking “eligible veteran” and
13 inserting “eligible individual”; and

14 (C) in subsection (c)—

15 (i) in paragraph (2), in the matter
16 preceding subparagraph (A), by striking
17 “The term ‘eligible veteran’ means a vet-
18 eran” and inserting “The term ‘eligible in-
19 dividual’ means a veteran or a member of
20 the reserve components of the Armed
21 Forces”; and

22 (ii) in paragraph (3), by striking “eli-
23 gible veteran” and inserting “eligible indi-
24 vidual”.

25 (2) CLERICAL AMENDMENTS.—

1 (A) *IN GENERAL.*—Such section is further
 2 amended, in the section heading, by inserting
 3 **“and members of the reserve compo-**
 4 **ments of the Armed Forces”** after **“vet-**
 5 **erans”**.

6 (B) *TABLE OF SECTIONS.*—The table of sec-
 7 tions at the beginning of chapter 17 of such title
 8 is amended by striking the item relating to sec-
 9 tion 1720H and inserting the following new
 10 item:

*“1720H. Mental health treatment for veterans and members of the reserve compo-
 nents of the Armed Forces who served in classified missions.”.*

11 **SEC. 765. REPORT ON MENTAL HEALTH AND RELATED**
 12 **SERVICES PROVIDED BY DEPARTMENT OF**
 13 **VETERANS AFFAIRS TO MEMBERS OF THE**
 14 **ARMED FORCES.**

15 (a) *IN GENERAL.*—Not later than one year after the
 16 date of the enactment of this Act, the Secretary of Veterans
 17 Affairs shall submit to the Committee on Veterans’ Affairs
 18 and the Committee on Appropriations of the Senate and
 19 the Committee on Veterans’ Affairs and the Committee on
 20 Appropriations of the House of Representatives a report
 21 that includes an assessment of the following:

22 (1) *The increase, as compared to the day before*
 23 *the date of the enactment of this Act, of the number*
 24 *of members of the Armed Forces that use readjustment*

1 *counseling or outpatient mental health care from the*
2 *Department of Veterans Affairs, disaggregated by*
3 *State, Vet Center location, and clinical care site of the*
4 *Department, as appropriate.*

5 *(2) The number of members of the reserve compo-*
6 *nents of the Armed Forces receiving telemental health*
7 *care from the Department.*

8 *(3) The increase, as compared to the day before*
9 *the date of the enactment of this Act, of the annual*
10 *cost associated with readjustment counseling and out-*
11 *patient mental health care provided by the Depart-*
12 *ment to members of the reserve components of the*
13 *Armed Forces.*

14 *(4) The changes, as compared to the day before*
15 *the date of the enactment of this Act, in staffing,*
16 *training, organization, and resources required for the*
17 *Department to offer readjustment counseling and out-*
18 *patient mental health care to members of the reserve*
19 *components of the Armed Forces.*

20 *(5) Any challenges the Department has encoun-*
21 *tered in providing readjustment counseling and out-*
22 *patient mental health care to members of the reserve*
23 *components of the Armed Forces.*

1 (b) *VET CENTER DEFINED.*—*In this section, the term*
 2 *“Vet Center” has the meaning given that term in section*
 3 *1712A(h) of title 38, United States Code.*

4 **TITLE VIII—ACQUISITION POL-**
 5 **ICY, ACQUISITION MANAGE-**
 6 **MENT, AND RELATED MAT-**
 7 **TERS**

8 **Subtitle A—Industrial Base Matters**

9 **SEC. 801. POLICY RECOMMENDATIONS FOR IMPLEMENTA-**
 10 **TION OF EXECUTIVE ORDER 13806 (ASSESS-**
 11 **ING AND STRENGTHENING THE MANUFAC-**
 12 **TURING AND DEFENSE INDUSTRIAL BASE**
 13 **AND SUPPLY CHAIN RESILIENCY).**

14 (a) *SUBMISSION OF RECOMMENDATIONS TO SEC-*
 15 *RETARY OF DEFENSE.*—*In order to fully implement the*
 16 *July 21, 2017, Presidential Executive Order on Assessing*
 17 *and Strengthening the Manufacturing and Defense Indus-*
 18 *trial Base and Supply Chain Resiliency of the United*
 19 *States, not later than 540 days after the date of the enact-*
 20 *ment of this Act, the Under Secretary of Defense for Acqui-*
 21 *sition and Sustainment shall submit to the Secretary of De-*
 22 *fense a series of recommendations regarding United States*
 23 *industrial policies. The recommendations shall consist of*
 24 *specific executive actions, programmatic changes, regu-*

1 latory changes, and legislative proposals and changes, as
2 appropriate.

3 (b) *SCOPE OF ASSESSMENT.*—In developing the rec-
4 ommendations required under subsection (a), the Under
5 Secretary shall assess—

6 (1) *direct subsidies and investment in the econ-*
7 *omy;*

8 (2) *direct provision of credit and purchases of*
9 *private sector bonds and equity;*

10 (3) *prize-based technology challenges for critical*
11 *research and development milestones;*

12 (4) *capital controls and dollar policy;*

13 (5) *trade policy, including export control policy,*
14 *government acquisition policy, and targeted protec-*
15 *tionist policies;*

16 (6) *export promotion policies;*

17 (7) *foreign talent attraction and retention;*

18 (8) *graduate education policy; and*

19 (9) *expansion of existing or establishment of new*
20 *public-private partnerships, including the Trusted*
21 *Capital Marketplace.*

22 (c) *OBJECTIVES.*—The recommendations made pursu-
23 ant to subsection (a) shall aim to—

24 (1) *facilitate only high-value design, engineering,*
25 *and manufacturing activities;*

1 (2) *expand the defense industrial base to include*
2 *friendly and capable allies and partners;*

3 (3) *preserve the viability of domestic and inter-*
4 *national suppliers;*

5 (4) *include export and productivity incentives;*

6 (5) *accord with standing international trade*
7 *law; and*

8 (6) *strengthen the domestic national security in-*
9 *dustrial base, especially in areas currently dependent*
10 *on foreign suppliers.*

11 (d) *CONSULTATION.*—*In assessing the areas specified*
12 *in subsection (b) and developing the recommendations re-*
13 *quired under subsection (a), the Under Secretary shall con-*
14 *sult or inaugurate studies with, as appropriate, the Joint*
15 *Industrial Base Working Group, the Defense Science Board,*
16 *the Defense Innovation Board, economists, commercial in-*
17 *dustry, and federally funded research and development cen-*
18 *ters.*

19 (e) *SUBMISSION OF RECOMMENDATIONS TO PRESI-*
20 *DENT.*—*Not later than 30 days after receiving the rec-*
21 *ommendations under subsection (a), the Secretary of De-*
22 *fense shall submit the recommendations, together with any*
23 *additional views or recommendations, to the President, the*
24 *Office of Management and Budget, the National Security*
25 *Council, and the National Economic Council.*

1 (f) *SUBMISSION OF RECOMMENDATIONS TO CON-*
2 *GRESS.*—*Not later than 30 days after submitting the rec-*
3 *ommendations to the President under section (e), the Sec-*
4 *retary of Defense shall submit the recommendations to and*
5 *brief the congressional defense committees on the rec-*
6 *ommendations.*

7 **SEC. 802. ASSESSMENT OF NATIONAL SECURITY INNOVA-**
8 **TION BASE.**

9 (a) *IN GENERAL.*—*Not later than 540 days after the*
10 *date of the enactment of this Act, the Deputy Secretary of*
11 *Defense shall submit to the Secretary of Defense an assess-*
12 *ment of the economic forces and structures shaping the ca-*
13 *capacity of the national security innovation base and policy*
14 *recommendations pertaining to the outcome of such assess-*
15 *ment.*

16 (b) *ELEMENTS.*—*The assessment required under sub-*
17 *section (a) shall review the following matters as they per-*
18 *tain to the innovative and manufacturing capacity of the*
19 *national security innovation base:*

20 (1) *Competition and antitrust policy.*

21 (2) *Immigration policy, including the policies*
22 *germane to the attraction and retention of skilled im-*
23 *migrants.*

24 (3) *Graduate education funding and policy.*

1 (4) *Demand stabilization and social safety net*
2 *policies.*

3 (5) *The structure and incentives of financial*
4 *markets and businesses' access to credit.*

5 (6) *Trade policy, including export control policy.*

6 (7) *The tax code and its effect on investment, in-*
7 *cluding the Federal research and development tax*
8 *credit.*

9 (8) *Deregulation in critical economic sectors,*
10 *land use, environment review, and construction and*
11 *manufacturing activities.*

12 (9) *National economic and manufacturing infra-*
13 *structure.*

14 (10) *Intellectual property reform.*

15 (11) *Federally funded investments in the econ-*
16 *omy, including research and development and ad-*
17 *vanced manufacturing.*

18 (12) *Federally funded procurement of goods and*
19 *services.*

20 (13) *Federally funded investments to expand do-*
21 *mestic manufacturing capabilities.*

22 (c) *ENGAGEMENT WITH CERTAIN ENTITIES.—In con-*
23 *ducting the assessment required under subsection (a), the*
24 *Deputy Secretary shall engage through appropriate mecha-*
25 *nisms with the Defense Science Board, the Defense Innova-*

1 *tion Board, the Defense Business Board, academic experts,*
 2 *commercial industry, and federally funded research and de-*
 3 *velopment centers.*

4 (d) *SUBMISSION OF ASSESSMENT.*—*Not later than 30*
 5 *days after receiving the assessment and recommendations*
 6 *under subsection (a), the Secretary of Defense shall submit*
 7 *the assessment, together with recommendations and any ad-*
 8 *ditional views of the Secretary, to the President, the Office*
 9 *of Management and Budget, the National Security Council,*
 10 *the National Economic Council, and the congressional de-*
 11 *fense committees.*

12 **SEC. 803. IMPROVING IMPLEMENTATION OF POLICY PER-**
 13 **TAINING TO THE NATIONAL TECHNOLOGY**
 14 **AND INDUSTRIAL BASE.**

15 (a) *NATIONAL TECHNOLOGY AND INDUSTRIAL BASE*
 16 *IMPLEMENTATION.*—

17 (1) *ASSESSMENT OF RESEARCH AND DEVELOP-*
 18 *MENT, MANUFACTURING, AND PRODUCTION CAPABILI-*
 19 *TIES.*—

20 (A) *IN GENERAL.*—*In developing the strat-*
 21 *egy required by section 2501 of title 10, United*
 22 *States Code, carrying out the analysis of the na-*
 23 *tional technology and industrial base required by*
 24 *section 2503 of such title, and performing the*
 25 *periodic assessments required under section 2505*

1 *of such title, the Secretary of Defense shall, in*
2 *consultation with the Under Secretary of Defense*
3 *for Acquisition and Sustainment and the Under*
4 *Secretary of Research and Engineering, assess*
5 *the research and development, manufacturing,*
6 *and production capabilities of entities within the*
7 *United States and non-United States members of*
8 *the national technology and industrial base as*
9 *well as other friendly nations.*

10 *(B) IDENTIFICATION OF SPECIFIC TECH-*
11 *NOLOGIES, COMPANIES, LABORATORIES, AND FAC-*
12 *TORIES.—The assessment shall include identi-*
13 *fication of specific technologies, companies, lab-*
14 *oratories, and factories of or located in the*
15 *United States and the non-United States mem-*
16 *bers of the national technology and industrial*
17 *base of potential value to current and future De-*
18 *partment of Defense plans and programs.*

19 *(2) POLICY AND GUIDANCE.—Consistent with*
20 *section 2440 of title 10, United States Code, the*
21 *Under Secretary of Defense for Acquisition and*
22 *Sustainment shall develop and promulgate to the*
23 *service and command acquisition executives, the heads*
24 *of the appropriate defense agencies and field activi-*
25 *ties, and relevant program managers acquisition pol-*

1 *icy and guidance germane to the use of the research*
2 *and development, manufacturing, and production ca-*
3 *pabilities identified pursuant to paragraph (1)(B)*
4 *and the technologies, companies, laboratories, and fac-*
5 *tories in specific Department of Defense research and*
6 *development, international cooperative research, pro-*
7 *urement, and sustainment activities.*

8 *(b) COOPERATIVE RESEARCH AND DEVELOPMENT.—*

9 *(1) AUTHORITY TO ENTER INTO COOPERATIVE*
10 *RESEARCH AND DEVELOPMENT PROJECTS WITH NA-*
11 *TIONS IN THE NATIONAL TECHNOLOGY AND INDUS-*
12 *TRIAL BASE.—Section 2350a(a)(2) of title 10, United*
13 *States Code, is amended by adding at the end the fol-*
14 *lowing new subparagraph:*

15 *“(F) A nation in the National Technology and*
16 *Industrial Base, as defined by section 2500 of title 10,*
17 *United States Code.”*

18 *(2) REGULATIONS.—Not later than 120 days*
19 *after the date of the enactment of this Act, the Sec-*
20 *retary of Defense shall revise the Department of De-*
21 *fense Supplement to the Federal Acquisition Regula-*
22 *tion to conform with subparagraph (F) of section*
23 *2350a(a)(2) of title 10, United States Code, as added*
24 *by paragraph (1).*

1 (c) *REGULATORY COUNCIL.*—Section 2502 of title 10,
2 *United States Code*, is amended by inserting after sub-
3 *section (d)* the following new subsection:

4 “(e) *NATIONAL TECHNOLOGY AND INDUSTRIAL BASE*
5 *REGULATORY COUNCIL.*—

6 “(1) *ESTABLISHMENT.*—The Chairman of the
7 *National Defense Technology and Industrial Base*
8 *Council shall work with the equivalent designees in*
9 *the countries that comprise the national technology*
10 *and industrial base to establish the National Tech-*
11 *nology and Industrial Base Regulatory Council.*

12 “(2) *MEETINGS.*—The *National Technology and*
13 *Industrial Base Regulatory Council shall meet bian-*
14 *nually to harmonize respective policies and regula-*
15 *tions, and to propose new legislation and regulations*
16 *that increase the integration between the policies, per-*
17 *sons, and organizations comprising the national tech-*
18 *nology and industrial base.*

19 “(3) *DUTIES.*—The *National Technology and In-*
20 *dustrial Base Regulatory Council shall—*

21 “(A) *address and review issues related to*
22 *industrial security, supply chain security, cyber-*
23 *security, regulating foreign direct investment*
24 *and foreign ownership, control and influence*
25 *mitigation, market research, technology assess-*

1 *ment, and research cooperation within public*
2 *and private research and development organiza-*
3 *tions and universities, technology and export*
4 *control measures, acquisition processes and over-*
5 *sight, and management best practices; and*

6 *“(B) establish a mechanism for national*
7 *technology and industrial base members to raise*
8 *disputes that arise within the national tech-*
9 *nology and industrial base at a government-to-*
10 *government level.”.*

11 *(d) RECOMMENDATIONS FOR ADDITIONAL MEMBERS*
12 *OF THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—*

13 *(1) IN GENERAL.—The Secretary of Defense shall*
14 *establish a process to consider the inclusion of addi-*
15 *tional member nations in the national technology and*
16 *industrial base.*

17 *(2) ELEMENTS.—The process developed under*
18 *paragraph (1) shall include—*

19 *(A) analysis of the national security costs*
20 *and benefits to the United States and allies of*
21 *the inclusion of such additional member nation*
22 *in the national technology and industrial base;*

23 *(B) analysis of the economic costs and bene-*
24 *fits to entities within the United States and al-*
25 *lies of the inclusion of such additional member*

1 *nation into the national technology and indus-*
2 *trial base, including an assessment of—*

3 *(i) specific shortfalls in the techno-*
4 *logical and industrial capacities of current*
5 *member nations of the national technology*
6 *and industrial base that would be addressed*
7 *by inclusion of such additional member na-*
8 *tion; and*

9 *(ii) specific areas in the industrial*
10 *bases of current member nations of the na-*
11 *tional technology and industrial base that*
12 *would likely be impacted by additional*
13 *competition if such additional nation were*
14 *included in the national technology and in-*
15 *dustrial base; and*

16 *(C) analysis of other factors as determined*
17 *relevant by the Secretary.*

18 *(3) RECOMMENDED LEGISLATION.—*

19 *(A) IN GENERAL.—The Secretary of Defense*
20 *may submit legislative proposals to Congress to*
21 *add new nations to the national technology and*
22 *industrial base.*

23 *(B) ELEMENTS.—Proposals submitted pur-*
24 *suant to subparagraph (A) shall include the fol-*
25 *lowing elements:*

1 (i) *A summary of the analyses per-*
2 *formed pursuant to subsection (d)(2).*

3 (ii) *A set of metrics to assess the na-*
4 *tional security and economic benefits that*
5 *such inclusion is expected to accrue to enti-*
6 *ties within the United States and allied na-*
7 *tions.*

8 (4) *REPORT.—Not later than 540 days after the*
9 *date of the enactment of this Act, the Secretary shall*
10 *submit to the congressional defense committees a re-*
11 *port with recommendations regarding whether to in-*
12 *clude in the national technology and industrial base*
13 *each country with which the United States maintains*
14 *a mutual defense treaty, a reciprocal defense procure-*
15 *ment agreement, or other defense cooperation agree-*
16 *ment. The report shall be based on assessments con-*
17 *ducted using the process established under paragraph*
18 *(1) and shall include, for each country recommended*
19 *for inclusion, the information specified in paragraph*
20 *(3)(B).*

1 **SEC. 804. MODIFICATION OF FRAMEWORK FOR MODERN-**
2 **IZING ACQUISITION PROCESSES TO ENSURE**
3 **INTEGRITY OF INDUSTRIAL BASE.**

4 *Section 2509 of title 10, United States Code, as added*
5 *by section 845(a) of the National Defense Authorization Act*
6 *for Fiscal Year 2020 (Public Law 116–92), is amended—*

7 *(1) in subsection (b)(2)—*

8 *(A) in subparagraph (A)—*

9 *(i) by inserting “, such as those identi-*
10 *fied through the Department of Defense’s*
11 *supply chain risk management process and*
12 *by the Federal Acquisition Security Coun-*
13 *cil, and” after “supply chain risks”; and*

14 *(ii) in clause (ii), by striking “(other*
15 *than optical transmission components)”;*

16 *(B) in subparagraph (C)—*

17 *(i) in clause (x), by striking “; and”*
18 *and inserting a semicolon;*

19 *(ii) by redesignating clause (xi) as*
20 *clause (xii); and*

21 *(iii) by inserting after clause (x) the*
22 *following new clause:*

23 *“(xi) processes and procedures related to*
24 *supply chain risk management, including those*
25 *implemented pursuant to section 806 of the Ike*
26 *Skelton National Defense Authorization Act for*

1 *Fiscal Year 2011 (Public Law 111–383; 10*
2 *U.S.C. 2304 note); and”;* and

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

5 “*(E) Characterization and assessment of indus-*
6 *trial base support policies, programs, and procedures,*
7 *including—*

8 “*(i) limitations and acquisition guidance*
9 *relevant to the national technology and indus-*
10 *trial base (as defined in section 2500(1) of this*
11 *title);*

12 “*(ii) limitations and acquisition guidance*
13 *relevant to section 2533a of this title;*

14 “*(iii) the Industrial Base Analysis and*
15 *Sustainment program, including direct support*
16 *and common design activities;*

17 “*(iv) the Small Business Innovation Re-*
18 *search program;*

19 “*(v) the Department of Defense Manufac-*
20 *turing Technology program;*

21 “*(vi) programs related to the Defense Pro-*
22 *duction Act of 1950 (50 U.S.C. 4511 et seq.);*

23 “*(vii) the Trusted Capital Marketplace pro-*
24 *gram; and*

1 “(viii) programs in the military services.”;

2 and

3 (2) in subsection (f)(2), by inserting “, and sup-
4 porting policies, procedures, and guidance” after
5 “pursuant to subsection (b)”.

6 **SEC. 805. ASSESSMENTS OF INDUSTRIAL BASE CAPABILI-**
7 **TIES AND CAPACITY.**

8 (a) *ASSESSMENTS.*—*The Secretary of Defense shall de-*
9 *fine intelligence and other information requirements,*
10 *sources, and organizational responsibilities for assessing*
11 *foreign adversary technological and industrial bases and*
12 *conducting comparative analyses of such technological and*
13 *industrial bases. The requirements, sources, and responsibil-*
14 *ities shall include—*

15 (1) *examining the competitive advantages for-*
16 *foreign adversaries are pursuing, including with respect*
17 *to regulation, raw materials, educational capacity,*
18 *labor, and capital accessibility;*

19 (2) *assessing relative cost, speed of product devel-*
20 *opment, age and value of the installed capital base,*
21 *leadership’s technical competence and agility, nation-*
22 *ally imposed inhibiting conditions, the availability of*
23 *human and material resources, and the burdens of*
24 *government oversight;*

1 (3) *a temporal evaluation of the competitive*
2 *strengths and weaknesses of United States industry,*
3 *including manufacturing surge capacity, versus the*
4 *directed priorities and capabilities of foreign adver-*
5 *sary governments; and*

6 (4) *assessing any other issues that the Secretary*
7 *of Defense determines appropriate.*

8 (b) *METHODOLOGY.—The Deputy Assistant Secretary*
9 *of Defense for Industrial Policy shall incorporate inputs*
10 *pursuant to subsection (a) as part of a methodology to con-*
11 *tinuously assess domestic and foreign industries, markets,*
12 *and companies of significance to military and industrial*
13 *advantage to identify supply chain vulnerabilities.*

14 (c) *REPORT.—*

15 (1) *IN GENERAL.—Not later than March 15,*
16 *2021, the Secretary of Defense shall submit to the con-*
17 *gressional defense committees a report on efforts to es-*
18 *tablish the continuous assessment activity required*
19 *under subsections (a) and (b).*

20 (2) *ELEMENTS.—The report submitted under*
21 *paragraph (1) shall include a consideration of wheth-*
22 *er it would be appropriate to task some of the assess-*
23 *ment work to an organization independent of the De-*
24 *partment, and any recommendations regarding which*
25 *organization should perform such work.*

1 **SEC. 806. ANALYSES OF CERTAIN MATERIALS AND TECH-**
2 **NOLOGY SECTORS FOR ACTION TO ADDRESS**
3 **SOURCING AND INDUSTRIAL CAPACITY.**

4 *(a) ANALYSES REQUIRED.—*

5 *(1) IN GENERAL.—The Secretary of Defense, act-*
6 *ing through the Undersecretary for Acquisition and*
7 *Sustainment and other appropriate officials, shall re-*
8 *view the materials, processes, and technology sectors*
9 *under subsection (c) to determine and develop appro-*
10 *priate actions, consistent with the policies, programs,*
11 *and activities required under chapter 148 of title 10,*
12 *United States Code, including—*

13 *(A) restricting procurement, with appro-*
14 *priate waivers for cost, emergency requirements,*
15 *and non-availability of suppliers, including re-*
16 *stricting procurement to—*

17 *(i) suppliers in the United States;*

18 *(ii) suppliers in the national tech-*
19 *nology and industrial base (as defined in*
20 *section 2500(1) of title 10, United States*
21 *Code);*

22 *(iii) suppliers in other allied nations;*

23 *or*

24 *(iv) other suppliers;*

25 *(B) increasing investment to expand capac-*
26 *ity or diversifying sources of supply or alter-*

1 *native approaches to addressing military re-*
2 *quirements, through use of research and develop-*
3 *ment or procurement activities and acquisition*
4 *authorities;*

5 *(C) taking a combination of actions de-*
6 *scribed under subparagraphs (A) and (B); or*

7 *(D) taking no actions, restrictions, or addi-*
8 *tional investment.*

9 (2) *CONSIDERATIONS.*—*The analyses conducted*
10 *pursuant to paragraph (1) shall consider national se-*
11 *curity, economic, and treaty implications, as well as*
12 *impacts on current and potential suppliers of goods*
13 *and services.*

14 (b) *RECOMMENDATIONS.*—*The analyses conducted*
15 *pursuant to subsection (a) shall be used to inform policy,*
16 *agreements, guidance and reporting requirements under*
17 *chapter 148 of title 10, United States Code, including—*

18 (1) *the annual report to Congress required under*
19 *section 2504 of such title;*

20 (2) *the annual report on unfunded priorities of*
21 *the national technology and industrial base required*
22 *under section 2504a of such title;*

23 (3) *Department of Defense technology and indus-*
24 *trial base policy guidance prescribed under section*
25 *2506 of such title;*

1 (4) *activities to modernize acquisition processes*
2 *to ensure integrity of industrial base pursuant to sec-*
3 *tion 2509 of such title;*

4 (5) *defense memoranda of understanding and re-*
5 *lated agreements considered in accordance with sec-*
6 *tion 2531 of such title;*

7 (6) *other requirements as appropriate.*

8 (c) *MATERIALS, TECHNOLOGIES, AND PROCESSES OF*
9 *INTEREST.—The Secretary of Defense shall prioritize un-*
10 *dertaking analyses and making recommendations under*
11 *this section for the following goods and services:*

12 (1) *Goods and services covered under existing re-*
13 *strictions, where a domestic non-availability deter-*
14 *mination has been made.*

15 (2) *Critical technologies identified in the Na-*
16 *tional Defense Strategy.*

17 (3) *Technologies and sectors identified in reports*
18 *required regarding the defense industrial base.*

19 (4) *Microelectronics.*

20 (5) *Printed circuit boards and other electronics*
21 *components.*

22 (6) *Pharmaceuticals.*

23 (7) *Medical devices.*

24 (8) *Personal protective equipment.*

25 (9) *Rare earth materials.*

1 (10) *Synthetic graphite.*

2 (11) *Coal-based rayon carbon fibers.*

3 (12) *Aluminum.*

4 **SEC. 807. MICROELECTRONICS MANUFACTURING STRAT-**
5 **EGY.**

6 (a) *IN GENERAL.*—Not later than January 1, 2021,
7 *the Deputy Secretary of Defense, in consultation with the*
8 *Under Secretary of Defense for Acquisition and*
9 *Sustainment, the Under Secretary for Research and Engi-*
10 *neering, and the Director of the Defense Advanced Research*
11 *Projects Agency, shall submit to the Secretary of Defense*
12 *and the Chairman of the Joint Chiefs of Staff a strategy*
13 *to manufacture state-of-the art integrated circuits in the*
14 *United States within a period of three to five years that*
15 *includes a plan to explore and evaluate options for re-estab-*
16 *lishing microelectronics foundry services and the industrial*
17 *capabilities associated with such services.*

18 (b) *ELEMENTS.*—*In developing the strategy required*
19 *under subsection (a), the Under Secretary shall consider—*

20 (1) *multiple models of public-private partner-*
21 *ships to execute the strategy;*

22 (2) *processes and criteria for competitive selec-*
23 *tion of commercial companies, including companies*
24 *headquartered in allied and partner countries, to pro-*
25 *vide design, foundry and assembly, and packaging*

1 *contractors, or subcontractors at any tier, that provide cov-*
2 *ered printed circuit boards for use by the Department of*
3 *Defense certify that, of the total value of the covered printed*
4 *circuit boards provided by the contractor or subcontractor*
5 *pursuant to a contract or subcontract with the Department*
6 *of Defense, not less than the percentages set forth in sub-*
7 *section (b) were manufactured and assembled within a cov-*
8 *ered nation.*

9 *(b) IMPLEMENTATION.—*

10 *(1) ESTABLISHMENT OF REQUIRED PERCENT-*
11 *AGES.—In establishing the certification process under*
12 *subsection (a), the Secretary shall establish and pub-*
13 *lish increasing percentages of values of the covered*
14 *printed circuit boards under subsection (a) to be com-*
15 *plied with by appropriate contractors and subcontract-*
16 *ors, based on—*

17 *(A) assessment of covered nation capacity to*
18 *supply printed circuit boards, over time;*

19 *(B) assessment of threats to national secu-*
20 *rity capabilities from use of printed circuit*
21 *boards from non-covered nations;*

22 *(C) economic benefits accrued by non-cov-*
23 *ered nations which would otherwise be accrued*
24 *by covered nations;*

1 (D) achieving a goal of production of 100
2 percent of manufacture and assembly of printed
3 circuit boards in covered nations within ten
4 years; and

5 (E) other criteria as determined appro-
6 priate.

7 (2) *MINIMUM PERCENTAGES.*—The percentages
8 established by the Secretary under this subsection
9 shall, in any case, be equal to or greater than, unless
10 specifically directed by the Secretary for an indi-
11 vidual contract or subcontract—

12 (A) 25 percent by October 1, 2023;

13 (B) 50 percent by October 1, 2025;

14 (C) 75 percent by October 1, 2029; and

15 (D) 100 percent by October 1, 2032.

16 (3) *LIMITED EXCEPTIONS.*—If the Secretary of
17 Defense directs that a specific contract or subcontract
18 is required to comply with a different percentage than
19 those prescribed under this subsection, the Secretary
20 shall notify the congressional defense committees not
21 later than 30 days after such direction is issued,
22 along with a rationale for the changed percentage.

23 (c) *REMEDIATION.*—In the event that a contractor or
24 subcontractor is unable to complete the certification re-
25 quired under subsection (a), the Secretary may accept cov-

1 *ered printed circuit boards from the contractor or subcon-*
2 *tractor for an appropriate time period, not to exceed 18*
3 *months over a five-year period, while requiring the con-*
4 *tractor to complete a remediation plan. Such a plan shall*
5 *be submitted to the congressional defense committees and*
6 *shall require the contractor or subcontractor to—*

7 (1) *audit its supply chain to identify any areas*
8 *of security vulnerability and compliance with section*
9 *224 of the National Defense Authorization Act for*
10 *Fiscal Year 2020 (Public Law 119–92); and*

11 (2) *meet the requirements of subsection (a) with-*
12 *in in an expedited fashion after the initial missed*
13 *certification deadline to address national security*
14 *threats.*

15 (d) *WAIVER.—A contractor may request that the Sec-*
16 *retary of Defense waive the requirement for certification,*
17 *and the Secretary may grant such a waiver, if the Secretary*
18 *has conclusively determined that—*

19 (1) *there are no significant national security*
20 *concerns regarding counterfeiting, quality, or unau-*
21 *thorized access created by any covered printed circuit*
22 *boards provided to the Department of Defense by the*
23 *contractor in the fiscal year under the certification*
24 *requirement or the previous fiscal year;*

1 (2) *the contractor is otherwise in compliance*
2 *with all relevant cybersecurity provisions relating to*
3 *members of the defense industrial base, including sec-*
4 *tion 244 of the National Defense Authorization Act*
5 *for Fiscal Year 2020; and*

6 (3) *the waiver is required to support national se-*
7 *curity needs, particularly with respect to acquisitions*
8 *of commercial items.*

9 (e) *AVAILABILITY AND COST EXCEPTIONS.—Subsection*
10 *(a) shall not apply to the extent that the Secretary of De-*
11 *fense or the Secretary of the military department concerned*
12 *determines that covered printed circuit boards of satisfac-*
13 *tory quality and sufficient quantity, in the required form,*
14 *cannot be procured as and when needed from covered na-*
15 *tions at reasonable cost, excluding comparisons with non-*
16 *market economies, or in time to meet an operational re-*
17 *quirement.*

18 (f) *DEFINITIONS.—In this section—*

19 (1) *the term “covered printed circuit board”*
20 *means any printed circuit board that is a—*

21 (A) *noncommercial item; or*

22 (B) *commercial or commercially available*
23 *off-the-shelf item that transmits or stores na-*
24 *tional security sensitive information for—*

25 (i) *telecommunications;*

- 1 (ii) data communications;
- 2 (iii) data storage;
- 3 (iv) medical applications;
- 4 (v) networking;
- 5 (vi) fifth-generation cellular commu-
- 6 nications;
- 7 (vii) computing;
- 8 (viii) radar;
- 9 (ix) munitions; or
- 10 (x) any other system that the Secretary
- 11 of Defense determines should be covered
- 12 under this section; and
- 13 (2) the term “covered nation” means—
- 14 (A) the United States;
- 15 (B) a member nation of the national tech-
- 16 nology and industrial base under section 2500 of
- 17 title 10, United States Code; or
- 18 (C) a nation that has agreed, in compliance
- 19 with section 36 of the Arms Export Control Act
- 20 (22 U.S.C. 2776) and section 2457 of title 10,
- 21 United States Code—
- 22 (i) to comply with agreements with
- 23 foreign governments requiring the United
- 24 States to purchase supplies from foreign
- 25 sources for the purposes of offsetting sales

1 *made by the United States Government or*
2 *United States firms under approved pro-*
3 *grams serving defense requirements; or*

4 *(ii) along with the United States Gov-*
5 *ernment, to remove barriers to purchases of*
6 *supplies produced in the other country or*
7 *services performed by sources of the other*
8 *country; or*

9 *(D) any country, other than the People's*
10 *Republic of China, the Russian Federation, Iran,*
11 *or the Democratic People's Republic of Korea,*
12 *that the Secretary designates, upon a determina-*
13 *tion to be published in the Federal Register, that*
14 *accepting covered printed circuit boards from*
15 *which—*

16 *(i) is in the national security interests*
17 *of the United States; and*

18 *(ii) does not pose a significant risk to*
19 *national security systems.*

20 *(g) RULE OF CONSTRUCTION.—Nothing in this section*
21 *shall be construed to prohibit the Department of Defense*
22 *from entering into a contract with an entity that connects*
23 *to the facilities of a third party, for the purposes of*
24 *backhaul, roaming, or interconnection arrangements, on the*

1 *basis of the third party's noncompliance with the provisions*
2 *of this section.*

3 **SEC. 809. STATEMENT OF POLICY WITH RESPECT TO SUP-**
4 **PLY OF STRATEGIC MINERALS AND METALS**
5 **FOR DEPARTMENT OF DEFENSE PURPOSES.**

6 (a) *STATEMENT OF POLICY.—It is the policy of the*
7 *United States that the Department of Defense shall pursue*
8 *the following goals:*

9 (1) *Ensure, by 2030, secure sources of supply of*
10 *strategic minerals and metals that will—*

11 (A) *fully meet the demands of the domestic*
12 *defense industrial base;*

13 (B) *eliminate the dependence of the United*
14 *States on unsecure sources of supply of strategic*
15 *minerals and metals; and*

16 (C) *ensure that the Department of Defense*
17 *is not reliant upon unsecure sources of supply*
18 *for the processing or manufacturing of any stra-*
19 *tegic mineral and metal deemed essential to na-*
20 *tional security by the Secretary of Defense.*

21 (2) *Provide incentives for the defense industrial*
22 *base to develop robust processing and manufacturing*
23 *capabilities in the United States to refine strategic*
24 *minerals and metals for Department of Defense pur-*
25 *poses.*

1 (3) *Maintain secure sources of supply of strategic*
2 *minerals and metals required to maintain current*
3 *military requirements in the event that international*
4 *supply chains are disrupted.*

5 (4) *Achieve the goals described in paragraphs (1)*
6 *through (3) through, among other methods—*

7 (A) *the continued and expanded use of ex-*
8 *isting programs, such as the National Defense*
9 *Stockpile administered by the Defense Logistics*
10 *Agency; and*

11 (B) *the continued use of authorities under*
12 *title III of the Defense Production Act of 1950*
13 *(50 U.S.C. 4531 et seq.).*

14 (b) *STRATEGIC MINERALS AND METALS.—For pur-*
15 *poses of this section, strategic minerals and metals include*
16 *critical minerals, as defined pursuant to Executive Order*
17 *13817.*

18 **SEC. 810. REPORT ON STRATEGIC AND CRITICAL MINERALS**
19 **AND METALS.**

20 (a) *REPORT REQUIRED.—Not later than June 30,*
21 *2021, the Secretary of Defense shall submit to the Commit-*
22 *tees on Armed Services of the Senate and the House of Rep-*
23 *resentatives a report on the results of a study, conducted*
24 *for purposes of this section, concerning strategic and crit-*

1 ical minerals and metals and vulnerabilities in supply
2 chains of such minerals and metals.

3 (b) *STRATEGIC AND CRITICAL MINERALS AND MET-*
4 *ALS.*—For purposes of this section, strategic and critical
5 minerals and metals are minerals and metals, including
6 rare earth elements, that are necessary to meet national de-
7 fense and national security requirements, including supply
8 chain resiliency, and for the economic security of the United
9 States.

10 (c) *ELEMENTS.*—The study required for purposes of
11 the report under subsection (a) shall do the following:

12 (1) Identify the strategic and critical minerals
13 and metals that are currently utilized by the Depart-
14 ment of Defense.

15 (2) To the extent practicable, identify the overall
16 annual tonnage of each strategic or critical mineral
17 or metal identified pursuant to paragraph (1) that
18 was utilized by the Department during the 10-year
19 period ending on December 31, 2020.

20 (3) Identify domestic and international sources
21 for the strategic and critical minerals and metals
22 identified pursuant to paragraph (1).

23 (4) Identify risks to access to the strategic and
24 critical minerals and metals identified pursuant to

1 *paragraph (1) from supply chain disruptions due to*
2 *geopolitical, economic, and other vulnerabilities.*

3 *(5) Evaluate the benefits of a robust domestic*
4 *supply chain for providing strategic and critical min-*
5 *erals and metals to Department manufacturing sup-*
6 *ply chains in real time.*

7 *(6) Evaluate the effects of the use of waivers by*
8 *the Department of Defense Strategic Materials Protec-*
9 *tion Board on the domestic supply of strategic and*
10 *critical minerals and metals.*

11 *(7) Recommend policies and procedures for the*
12 *Department to ensure a capability to secure strategic*
13 *and critical minerals and metals necessary for emerg-*
14 *ing technologies such as anti-microbial products, min-*
15 *erals, and metals for use in medical equipment*
16 *among other technologies.*

17 *(8) Identify improvements required to the Na-*
18 *tional Defense Stockpile in order to ensure the De-*
19 *partment has access to the strategic and critical min-*
20 *erals and metals identified pursuant to paragraph*
21 *(1).*

22 *(9) Evaluate the domestic processing and manu-*
23 *facturing capacity needed to supply the Department*
24 *with the strategic and critical minerals and metals*

1 *Labor for the purpose of enhancing integration of*
2 *programs, resources, and expertise to strengthen the*
3 *shipbuilding industrial base, as well as to provide*
4 *recommendations to Congress, to better stabilize the*
5 *shipbuilding industrial base workforce and determine*
6 *appropriate solutions for workforce fluctuations.*

7 (2) *DUTIES.*—*The working group shall carry out*
8 *the following activities related to the ongoing chal-*
9 *lenges with workforce stability:*

10 (A) *Analyze existing Department of the*
11 *Navy contracts with the shipbuilding industry*
12 *and other relevant information to better antici-*
13 *pate future employment trends and tailor work-*
14 *force resources and opportunities for workers*
15 *most vulnerable to upcoming workforce fluctua-*
16 *tions.*

17 (B) *Identify existing Department of Labor*
18 *programs for unemployed, underemployed, and*
19 *furloughed employees that could benefit the ship-*
20 *building industrial base workforce during times*
21 *of workload fluctuations and workforce insta-*
22 *bility, and explore potential partnerships to con-*
23 *nect employees with appropriate resources.*

24 (C) *Explore possible cost sharing agree-*
25 *ments to enable the Department of the Navy to*

1 *contribute funding to existing Department of*
2 *Labor workforce programs to support the ship-*
3 *building workforce.*

4 *(D) Examine possible programs that will*
5 *specifically assist furloughed employees who may*
6 *sporadically rely on unemployment benefits.*

7 *(E) Explore opportunities for unemployed,*
8 *underemployed, or furloughed employees to pro-*
9 *vide workforce training through temporary part-*
10 *nerships with States, technical schools, commu-*
11 *nity colleges, and other local workforce develop-*
12 *ment opportunities.*

13 *(F) Review existing training programs for*
14 *the shipbuilding workforce to maximize relevant*
15 *and necessary training opportunities that would*
16 *broaden employee skillset during times of unem-*
17 *ployment, underemployment, or furlough, where*
18 *applicable.*

19 *(G) Assess the possibility of shipbuilding*
20 *worker support programs to weather a period of*
21 *unemployment, underemployment, or furlough,*
22 *including compensation options, alternative em-*
23 *ployment, temporary stipends, or other worker*
24 *support opportunities.*

1 *(H) Study cross-State credentialing require-*
2 *ments and identify any restrictions that inhibit*
3 *the flexibility of the shipbuilding workforce to*
4 *seek employment opportunities across State lines,*
5 *and make recommendations to streamline licens-*
6 *ing, credentialing, certification, and qualifica-*
7 *tion requirements within the shipbuilding indus-*
8 *try.*

9 *(I) Review additional or new contracting*
10 *authorities that could enable the Department of*
11 *the Navy to award short-term, flexible contracts*
12 *that will prioritize work for unemployed, under-*
13 *employed, or furloughed employees within the*
14 *shipbuilding workforce.*

15 *(J) Identify specific workforce support pro-*
16 *grams to support suppliers of all sizes within the*
17 *shipbuilding industrial base, and assess any ad-*
18 *ditional support from prime contractors that*
19 *would improve the stability of such suppliers.*

20 *(K) Assess whether greater collaboration*
21 *with the United States Coast Guard and its*
22 *shipbuilding contractors and subcontractors*
23 *would improve workforce stability by assessing a*
24 *totality of shipbuilding demands.*

1 (L) Consider potential pilot programs that
2 will specifically address shipbuilding industrial
3 base workforce stability.

4 (M) Explore any additional opportunities
5 to invest in recruiting, retaining, and training
6 a skilled shipbuilding workforce.

7 (N) Consider and incorporate the findings
8 and recommendations, as appropriate, of the re-
9 port on shipbuilder training and the defense in-
10 dustrial base required under section 1037 of the
11 National Defense Authorization Act for Fiscal
12 Year 2020 (Public Law 116–92).

13 (3) NOTIFICATION REQUIREMENT REGARDING ES-
14 TABLISHMENT AND STRUCTURE.—Not later than 90
15 days after the date of the enactment of this Act, the
16 Secretary of the Navy, in coordination with the Sec-
17 retary of Labor, shall notify the congressional defense
18 committees regarding the membership and structure
19 of the working group.

20 (4) REPORT.—Not later than one year after the
21 date of the enactment of this Act, the Secretary of the
22 Navy, in consultation with the Secretary of Labor,
23 shall submit to the congressional defense committees,
24 the Committee on Health, Education, Labor, and
25 Pensions of the Senate, and the Committee on Edu-

1 (D) in paragraph (3), as redesignated by
2 subparagraph (C), by striking “(k)” and insert-
3 ing “(j)”;

4 (2) in subsection (b)—

5 (A) by striking paragraph (2) and redesign-
6 ating paragraph (3) as paragraph (2); and

7 (B) in paragraph (2), as redesignated by
8 subparagraph (A), by striking “subsection
9 (a)(3)(A)(iii)” and inserting “subsection
10 (a)(2)(A)”;

11 (3) in subsection (c)—

12 (A) by striking “ITEMS.” and all that fol-
13 lows through “Subsection (a) does not apply” in
14 paragraph (1) and inserting “ITEMS.—Sub-
15 section (a) does not apply”; and

16 (B) by striking paragraphs (2) through (5);

17 (4) in subsection (g)—

18 (A) by striking “(1) This section” and in-
19 serting “This section”; and

20 (B) by striking paragraph (2);

21 (5) in subsection (h), by striking “subsection
22 (a)(3)(B)” and inserting “subsection (a)(2)(B)”;

23 (6) in subsection (i)(3), by striking “Acquisition,
24 Technology, and Logistics” and inserting “Acquisi-
25 tion and Sustainment”;

1 (7) by striking subsection (j); and

2 (8) by redesignating the first subsection des-
3 ignated subsection (k) as subsection (j).

4 **SEC. 813. USE OF DOMESTICALLY SOURCED STAR TRACK-**
5 **ERS IN NATIONAL SECURITY SATELLITES.**

6 (a) *IN GENERAL.*— Except as provided in subsection
7 (a), any acquisition executive of the Department of Defense
8 who approves a contract for a national security satellite
9 after October 1, 2021, shall require any star tracker system
10 included in the design of such national security satellite to
11 be domestically sourced.

12 (b) *EXCEPTIONS.*— The application of subsection (a)
13 may be waived if the acquisition executive certifies in writ-
14 ing that—

15 (1) there is no available domestically sourced
16 star tracker system that meets the national security
17 satellite systems mission and design requirements;

18 (2) the cost of the available domestically sourced
19 star tracker system is unreasonably priced based on
20 a market survey; or

21 (3) an urgent and compelling national security
22 need exists to necessitate a foreign-made star tracker.

23 (c) *NATIONAL SECURITY SATELLITE DEFINED.*— In
24 this section, “national security satellite” is a satellite the

1 *principle purpose of which is to support the national secu-*
2 *rity needs of the United States Government.*

3 **SEC. 814. MODIFICATION TO SMALL PURCHASE THRESHOLD**
4 **EXCEPTION TO SOURCING REQUIREMENTS**
5 **FOR CERTAIN ARTICLES.**

6 *Subsection (h) of section 2533a of title 10, United*
7 *States Code, is amended to read as follows:*

8 *“(h) EXCEPTION FOR SMALL PURCHASES.—Sub-*
9 *section (a) does not apply to purchases for amounts not*
10 *greater than \$150,000. A proposed purchase or contract for*
11 *an amount greater than \$150,000 may not be divided into*
12 *several purchases or contracts for lesser amounts in order*
13 *to qualify for this exception. On October 1 of each year*
14 *evenly divisible by 5, the Secretary of Defense may adjust*
15 *the dollar threshold in this subsection based on changes in*
16 *the Consumer Price Index. The Secretary shall publish no-*
17 *tice of any such adjustment in the Federal Register, and*
18 *the new price threshold shall take effect on the date of publi-*
19 *cation.”.*

1 ***Subtitle B—Acquisition Policy and***
2 ***Management***

3 ***SEC. 831. REPORT ON ACQUISITION RISK ASSESSMENT AND***
4 ***MITIGATION AS PART OF ADAPTIVE ACQUI-***
5 ***SITION FRAMEWORK IMPLEMENTATION.***

6 (a) *SERVICE ACQUISITION EXECUTIVES INPUT.*—*The*
7 *Service Acquisition Executives shall report to the Secretary*
8 *of Defense, the Under Secretary of Defense for Acquisition*
9 *and Sustainment, the Under Secretary of Defense for Re-*
10 *search and Engineering, and the Chief Information Officer*
11 *of the Department of Defense how they are assessing, miti-*
12 *gating, and reporting on the following risks in acquisition*
13 *programs:*

14 (1) *Technical risks in engineering, software,*
15 *manufacturing and testing.*

16 (2) *Integration and interoperability risks, in-*
17 *cluding complications related to systems working*
18 *across multiple domains while using machine learn-*
19 *ing and artificial intelligence capabilities to continu-*
20 *ously change and optimize system performance.*

21 (3) *Operations and sustainment risks, including*
22 *as mediated by access to technical data and intellec-*
23 *tual property rights.*

1 (4) *Workforce and training risks, including con-*
2 *sideration of the role of contractors as part of the*
3 *total workforce.*

4 (5) *Supply chain risks, including cybersecurity,*
5 *foreign control and ownership of key elements of sup-*
6 *ply chains, and the consequences a fragile and weak-*
7 *ening defense industrial base, combined with barriers*
8 *to industrial cooperation with allies and partners*
9 *pose for delivering systems and technologies in a*
10 *trusted and assured manner.*

11 (b) *REPORT TO CONGRESS.*—*Not later than March 31,*
12 *2021, the Under Secretary of Defense for Acquisition and*
13 *Sustainment shall submit to the congressional defense com-*
14 *mittees a report including—*

15 (1) *the input received from the Service Acquisi-*
16 *tion Executives pursuant to subsection (a); and*

17 (2) *the views of the Under Secretary with respect*
18 *to the matters described in paragraphs (1) through*
19 *(5) of such subsection.*

20 **SEC. 832. COMPTROLLER GENERAL REPORT ON IMPLEMEN-**
21 **TATION OF SOFTWARE ACQUISITION RE-**
22 **FORMS.**

23 (a) *IN GENERAL.*—*Not later than March 15, 2021, the*
24 *Comptroller General of the United States shall brief the con-*
25 *gressional defense committees on the implementation by the*

1 *Department of Defense of required acquisition reforms with*
2 *respect to acquiring software for weapon systems, business*
3 *systems, and other activities that are part of the defense*
4 *acquisition system, with a report, or reports, to follow as*
5 *agreed upon by the committees and the Comptroller Gen-*
6 *eral.*

7 (b) *ELEMENTS.—The briefing and report, or reports,*
8 *required under subsection (a) shall include an assessment*
9 *of the extent to which the Department of Defense has imple-*
10 *mented requirements related to the following:*

11 (1) *Software acquisition studies and their imple-*
12 *mentation, including pursuant to section 872 of the*
13 *National Defense Authorization Act for Fiscal Year*
14 *2018 (Public Law 115–91; Defense Innovation Board*
15 *analysis of software acquisition regulations), section*
16 *868 of the John S. McCain National Defense Author-*
17 *ization Act for Fiscal Year 2019 (Public Law 115–*
18 *232; implementation of recommendations of the final*
19 *report of the Defense Science Board Task Force on the*
20 *Design and Acquisition of Software for Defense Sys-*
21 *tems).*

22 (2) *Software acquisition activities pursuant to*
23 *section 2322a of title 10, United States Code (related*
24 *to consideration of certain matters during the acquisi-*
25 *tion of noncommercial computer software), section*

1 875 of the National Defense Authorization Act for
2 Fiscal Year 2018 (Public Law 115–91; pilot program
3 for open source software), and section 800 of the Na-
4 tional Defense Authorization Act for Fiscal Year 2020
5 (Public Law 116–92, related to continuous integra-
6 tion and delivery of software applications and up-
7 grades to embedded systems).

8 (3) Software acquisition pilots, including the
9 pilot program pursuant to section 873 of the National
10 Defense Authorization Act for Fiscal Year 2018 (Pub-
11 lic Law 115–91; relating to the use of agile or
12 iterative development methods to tailor major soft-
13 ware-intensive warfighting systems and defense busi-
14 ness systems) and the pilot program pursuant to sec-
15 tion 874 of such Act (relating to using agile best
16 practices for software development).

17 (c) ASSESSMENT OF ACQUISITION POLICY, GUIDANCE,
18 AND PRACTICES.—Each report under subsection (a) should
19 include an assessment of the extent to which Department
20 of Defense software acquisition policy, guidance, and prac-
21 tices reflect implementation of relevant recommendations
22 from related studies, pilot programs, and directives from
23 the congressional defense committees.

24 (d) MODIFICATION OF REQUIREMENTS FOR COMP-
25 ROLLER GENERAL ASSESSMENT OF ACQUISITION PRO-

1 GRAMS AND INITIATIVES.—Section 2229b(b)(2) of title 10,
2 United States Code, is amended by striking “a summary
3 of organizational and legislative changes and emerging as-
4 sessment methodologies since the last assessment, and a dis-
5 cussion of the implications” and inserting “a discussion of
6 selected organizational, policy, and legislative changes, as
7 determined appropriate by the Comptroller General, and
8 the potential implications”.

9 (e) DEFENSE ACQUISITION SYSTEM DEFINED.—In
10 this section, the term “defense acquisition system” has the
11 meaning given that term in section 2545(2) of title 10,
12 United States Code.

13 **Subtitle C—Amendments to General**
14 **Contracting Authorities, Proce-**
15 **dures, and Limitations**

16 **SEC. 841. AUTHORITY TO ACQUIRE INNOVATIVE COMMER-**
17 **CIAL PRODUCTS AND SERVICES USING GEN-**
18 **ERAL SOLICITATION COMPETITIVE PROCE-**
19 **DURES.**

20 (a) AUTHORITY.—

21 (1) IN GENERAL.—Chapter 140 of title 10,
22 United States Code, is amended by adding at the end
23 the following new section:

1 **“§2380c. Authority to acquire innovative commercial**
2 **products and services using general solici-**
3 **itation competitive procedures**

4 “(a) *AUTHORITY.*—*The Secretary of Defense may ac-*
5 *quire innovative commercial products and services through*
6 *a competitive selection of proposals resulting from a general*
7 *solicitation and the peer review of such proposals.*

8 “(b) *TREATMENT AS COMPETITIVE PROCEDURES.*—
9 *Use of general solicitation competitive procedures under*
10 *subsection (a) shall be considered to be use of competitive*
11 *procedures for purposes of chapter 137 of this title.*

12 “(c) *LIMITATIONS.*—(1) *The Secretary may not enter*
13 *into a contract or agreement in excess of \$100,000,000 using*
14 *the authority under subsection (a) without a written deter-*
15 *mination from the Under Secretary of Defense for Acquisi-*
16 *tion and Sustainment or the relevant service acquisition ex-*
17 *ecutive of the efficacy of the effort to meet mission needs*
18 *of the Department of Defense or the relevant military de-*
19 *partment.*

20 “(2) *Contracts or agreements entered into using the*
21 *authority under subsection (a) shall be fixed-price, includ-*
22 *ing fixed-price incentive fee contracts.*

23 “(3) *Notwithstanding section 2376(1) of this title,*
24 *products and services acquired using the authority under*
25 *subsection (a) shall be treated as commercial products and*
26 *services.*

1 “(d) *CONGRESSIONAL NOTIFICATION REQUIRED.—(1)*
2 *Not later than 45 days after the award of a contract for*
3 *an amount exceeding \$100,000,000 using the authority in*
4 *subsection (a), the Secretary of Defense shall notify the con-*
5 *gressional defense committees of such award.*

6 “(2) *Notice of an award under paragraph (1) shall in-*
7 *clude the following:*

8 “(A) *Description of the innovative commercial*
9 *product or service acquired.*

10 “(B) *Description of the requirement, capability*
11 *gap, or potential technological advancement with re-*
12 *spect to which the innovative commercial product or*
13 *service acquired provides a solution or a potential*
14 *new capability.*

15 “(C) *Amount of the contract awarded.*

16 “(D) *Identification of contractor awarded the*
17 *contract.*

18 “(e) *INNOVATIVE DEFINED.—. In this section, the term*
19 *’innovative’ means—*

20 “(1) *any technology, process, or method, includ-*
21 *ing research and development, that is new as of the*
22 *date of submission of a proposal; or*

23 “(2) *any application that is new as of the date*
24 *of submission of a proposal of a technology, process,*
25 *or method existing as of such date.”.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of chapter 140 of title 10,*
 3 *United States Code, is amended by inserting after the*
 4 *item relating to section 2380b the following new item:*

 “2380c. *Authority to acquire innovative commercial products and services using*
 general solicitation competitive procedures.”.

5 (b) *REPEAL OF OBSOLETE AUTHORITY.*—*Section 879*
 6 *of the National Defense Authorization Act for Fiscal Year*
 7 *2017 (Public Law 114–328; 10 U.S.C. 2302 note) is hereby*
 8 *repealed.*

9 **SEC. 842. TRUTH IN NEGOTIATIONS ACT THRESHOLD FOR**
 10 **DEPARTMENT OF DEFENSE CONTRACTS.**

11 *Section 2306a(a)(1) of title 10, United States Code,*
 12 *is amended—*

13 (1) *in subparagraph (B), by striking “contract*
 14 *if” and all that follows through clause (iii) and in-*
 15 *serting “contract if the price adjustment is expected*
 16 *to exceed \$2,000,000.”;*

17 (2) *in subparagraph (C), by striking “section*
 18 *and—” and all that follows through clause (iii) and*
 19 *inserting “section and the price of the subcontract is*
 20 *expected to exceed \$2,000,000.”; and*

21 (3) *in subparagraph (D), by striking “sub-*
 22 *contract if—” and all that follows through clause (ii)*
 23 *and inserting “subcontract if the price adjustment is*
 24 *expected to exceed \$2,000,000.”.*

1 **SEC. 843. REVISION OF PROOF REQUIRED WHEN USING AN**
 2 **EVALUATION FACTOR FOR DEFENSE CON-**
 3 **TRACTORS EMPLOYING OR SUBCON-**
 4 **TRACTING WITH MEMBERS OF THE SELECTED**
 5 **RESERVE OF THE RESERVE COMPONENTS OF**
 6 **THE ARMED FORCES.**

7 *Section 819 of the National Defense Authorization Act*
 8 *for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3385;*
 9 *10 U.S.C. 2305 note) is amended—*

10 *(1) by striking subsection (b); and*

11 *(2) by redesignating subsection (c) as subsection*
 12 *(b).*

13 **SEC. 844. CONTRACT AUTHORITY FOR ADVANCED DEVELOP-**
 14 **MENT OF INITIAL OR ADDITIONAL PROTO-**
 15 **TYPE UNITS.**

16 *(a) IN GENERAL.—Section 2302e of title 10, United*
 17 *States Code, is amended—*

18 *(1) in the heading, by striking “**advanced de-***
 19 ***velopment**” and inserting “**development and***
 20 ***demonstration**”; and*

21 *(2) in subsection (a)(1), by striking “provision of*
 22 *advanced component development, prototype,” and in-*
 23 *serting “development and demonstration”.*

24 *(b) CLERICAL AMENDMENT.—The table of sections at*
 25 *the beginning of chapter 137 of title 10, United States Code,*

1 *is amended by striking the item relating to section 2302e*
2 *and inserting the following new item:*

“2302e. Contract authority for development and demonstration of initial or additional prototype units.”.

3 **SEC. 845. DEFINITION OF BUSINESS SYSTEM DEFICIENCIES**
4 **FOR CONTRACTOR BUSINESS SYSTEMS.**

5 *Section 893 of the Ike Skelton National Defense Au-*
6 *thorization Act for Fiscal Year 2011 (Public Law 111–383;*
7 *10 U.S.C. 2302 note) is amended—*

8 *(1) by striking “significant deficiencies” both*
9 *places it appears and inserting “material weak-*
10 *nesses”;*

11 *(2) by striking “significant deficiency” each*
12 *place it appears and inserting “material weakness”;*
13 *and*

14 *(3) by amending paragraph (4) of subsection (g)*
15 *to read as follows:*

16 *“(4) The term ‘material weakness’ means a defi-*
17 *ciency, or combination of deficiencies, in internal*
18 *control over risks related to Government contract com-*
19 *pliance or other shortcomings in the system, such that*
20 *there is a reasonable possibility that a material non-*
21 *compliance will not be prevented, or detected and cor-*
22 *rected, on a timely basis. A reasonable possibility ex-*
23 *ists when the likelihood of an event occurring is either*
24 *reasonably possible, meaning the chance of the future*

1 *event occurring is more than remote but less than*
 2 *likely, or is probable.”.*

3 **SEC. 846. REPEAL OF PILOT PROGRAM ON PAYMENT OF**
 4 **COSTS FOR DENIED GOVERNMENT ACCOUNT-**
 5 **ABILITY OFFICE BID PROTESTS.**

6 *Section 827 of the National Defense Authorization Act*
 7 *for Fiscal Year 2018 (Public Law 115–91) is repealed.*

8 **Subtitle D—Provisions Relating to**
 9 **Major Defense Acquisition Pro-**
 10 **grams**

11 **SEC. 861. IMPLEMENTATION OF MODULAR OPEN SYSTEMS**
 12 **ARCHITECTURE REQUIREMENTS.**

13 *(a) REQUIREMENTS FOR INTERFACE DELIVERY.—*

14 *(1) IN GENERAL.—Not later than one year after*
 15 *the date of the enactment of this Act, the Under Sec-*
 16 *retary of Defense for Acquisition and Sustainment, in*
 17 *coordination with the Joint All Domain Command*
 18 *and Control Cross Functional Team under the super-*
 19 *vision of the Department of Defense Chief Informa-*
 20 *tion Officer and the Joint Staff Director for Com-*
 21 *mand, Control, Communications, and Computers/*
 22 *Cyber, shall prescribe regulations and issue guidance*
 23 *to the military services, defense agencies and field ac-*
 24 *tivities, and combatant commands, as appropriate, in*
 25 *order to—*

1 (A) facilitate the Department of Defense's
2 access to and utilization of system, major sub-
3 system, and major component software-defined
4 interfaces;

5 (B) fully meet the intent of chapter 144B of
6 title 10, United States Code; and

7 (C) advance the Department's efforts to gen-
8 erate diverse and recomposable kill chains.

9 (2) *ELEMENTS.*—The regulations and guidance
10 required in subsection (a)(1) shall include, at a min-
11 imum—

12 (A) requirements that each relevant pro-
13 gram office characterizes the desired modularity
14 of the system for which it is responsible, either,
15 in the case of major defense acquisition pro-
16 grams, in the acquisition strategy required under
17 section 2431a of title 10, United States Code, or,
18 in the case of other programs, via other docu-
19 mentation, including—

20 (i) specification of which system, major
21 subsystems, and major components should
22 be able to execute without requiring coinci-
23 dent execution of other systems, major sub-
24 systems, and major components;

1 (ii) a default configuration specifying
2 which systems, major subsystems, and
3 major components should communicate with
4 other systems, major subsystems, and major
5 components; and

6 (iii) specification of what information
7 should be communicated, the method of the
8 communication, and the desired function of
9 the communication;

10 (B) requirements that relevant Department
11 of Defense contracts include mandates for the de-
12 livery of system, major subsystem, and major
13 component software-defined interfaces for sys-
14 tems, major subsystems, and major components
15 deemed relevant in the acquisition strategy or
16 documentation referred to in subsection
17 (a)(2)(a), including—

18 (i) software-defined interface syntax
19 and properties, specifically governing how
20 values are validly passed and received be-
21 tween major subsystems and components, in
22 machine-readable format;

23 (ii) a machine-readable definition of
24 the relationship between the delivered inter-
25 face and existing common standards or

1 *interfaces available in the interface reposi-*
2 *tory of subsection (c), if appropriate and*
3 *available, using interface field transform*
4 *technology developed under the Defense Ad-*
5 *vanced Research Projects Agency System of*
6 *Systems Technology Integration Tool Chain*
7 *for Heterogeneous Electronic Systems*
8 *(STITCHES) program or technology that is*
9 *functionally similar; and*

10 *(iii) documentation with functional de-*
11 *scriptions of software-defined interfaces,*
12 *conveying semantic meaning of interface*
13 *elements, such as the function of a given*
14 *interface field;*

15 *(C) requirements that relevant program of-*
16 *fices, including those responsible for maintaining*
17 *and upgrading legacy systems, that have award-*
18 *ed contracts that do not include the requirements*
19 *specified in subparagraph (B) of paragraph (2)*
20 *nevertheless acquire the items specified in clauses*
21 *(i) through (iii) of such subparagraph, either*
22 *through contractual updates, separate negotia-*
23 *tions or contracts, or program management*
24 *mechanisms; and*

1 (D) requirements that program offices de-
2 liver these interfaces and the associated docu-
3 mentation to the controlled repository established
4 under subsection (c).

5 (3) *APPLICABILITY OF REGULATIONS AND GUID-*
6 *ANCE.—*

7 (A) *APPLICABILITY.—*The regulations and
8 guidance required under subsection (a)(1) shall
9 apply, at a minimum, to program offices respon-
10 sible for the prototyping, acquisition, or
11 sustainment of new or existing cyber-physical
12 weapon systems with software-defined interfaces,
13 or with major subsystems or components with
14 software-defined interfaces, developed or to be de-
15 veloped, wholly or in part with Federal funds,
16 including those applicable program offices using
17 other transaction authorities (OTA).

18 (B) *EXTENSION OF SCOPE.—*One year after
19 the promulgation of the regulations and guid-
20 ance required under subsection (a)(1) for cyber-
21 physical systems, the Under Secretary of Defense
22 for Acquisition and Sustainment shall extend the
23 regulations and guidance to apply to purely soft-
24 ware systems, including business systems and cy-
25 bersecurity systems. The Secretary may make the

1 *regulations and guidance applicable, as prac-*
2 *ticable, to program offices responsible for the ac-*
3 *quisition of systems and capabilities under part*
4 *12 of the Federal Acquisition Regulation and*
5 *commercially available off the-the-shelf items.*

6 (C) *INCLUSION OF SUBSYSTEMS AND COM-*
7 *PONENTS.—The major subsystems and compo-*
8 *nents covered under paragraph (2)(A) shall in-*
9 *clude all subsystems and components covered by*
10 *contract line items.*

11 (b) *RIGHTS IN INTERFACE SOFTWARE.—*

12 (1) *REGULATIONS.—Not later than one year*
13 *after the date of the enactment of this Act, the Under*
14 *Secretary of Defense for Acquisition and Sustainment*
15 *shall prescribe regulations to define the legitimate in-*
16 *terest of the United States and of a contractor or sub-*
17 *contractor in interface software. The regulations shall*
18 *be included in regulations of the Department of De-*
19 *fense prescribed as part of the Defense Supplement to*
20 *the Federal Acquisition Regulation.*

21 (2) *LIMITATION ON REGULATIONS.—The regula-*
22 *tions prescribed pursuant to paragraph (1) may*
23 *not—*

24 (A) *impair any right of the United States*
25 *or of any contractor or subcontractor with re-*

1 *spect to patents or copyrights or any other right*
2 *in software otherwise established by law; or*

3 *(B) impair the right of a contractor or sub-*
4 *contractor to receive from a third party a fee or*
5 *royalty for the use of software pertaining to an*
6 *item or process developed exclusively at private*
7 *expense by the contractor or subcontractor, except*
8 *as otherwise specifically provided by law.*

9 *(3) ELEMENTS.—Such regulations shall include*
10 *the following provisions:*

11 *(A) In the case of a software interface that*
12 *is developed by a contractor or subcontractor ex-*
13 *clusively with Federal funds (other than an item*
14 *developed under a contract or subcontract to*
15 *which regulations under section 9(j)(2) of the*
16 *Small Business Act (15 U.S.C. 638(j)(2)) apply),*
17 *the United States shall have the unlimited and*
18 *non-expiring right to use the software or release*
19 *or disclose the software to persons outside the*
20 *government or permit the use of the software by*
21 *such persons.*

22 *(B) In the case of a software interface that*
23 *is developed in part with Federal funds and in*
24 *part at private expense and except in any case*
25 *in which the Secretary of Defense determines*

1 *that negotiation of different rights in such soft-*
2 *ware would be in the best interest of the United*
3 *States, the Government—*

4 *(i) shall have Government-purpose*
5 *rights to the software interface, and, in ad-*
6 *dition, may release or disclose the software*
7 *interface, or authorize others to do so, if—*

8 *(I) prior to release or disclosure,*
9 *the intended recipient is subject to an*
10 *exclusive for-Government-use and non-*
11 *disclosure agreement;*

12 *(II) the intended recipient is a*
13 *Government contractor receiving access*
14 *to the interface for the performance of*
15 *a Government contract; and*

16 *(III) the intended use is for the*
17 *purpose of system, major subsystem,*
18 *and major component segregation,*
19 *interoperability, integration, or re-*
20 *integration; and*

21 *(ii) may not use, or authorize other*
22 *persons to use, interface software for com-*
23 *mercial purposes.*

24 *(C) In the case of a software interface that*
25 *is developed exclusively at private expense, the*

1 *Government shall negotiate with the contractor*
2 *or the subcontractor to best achieve, if practical,*
3 *Government-purpose rights to the software inter-*
4 *face and rights to release or disclose the software*
5 *interface, or authorize others to do so, if—*

6 *(i) prior to release or disclosure, the*
7 *intended recipient is subject to an exclusive*
8 *for-Government use and non-disclosure*
9 *agreement;*

10 *(ii) the intended recipient is a Govern-*
11 *ment contractor receiving access to the*
12 *interface for the performance of a Govern-*
13 *ment contract; and*

14 *(iii) the intended use is for the purpose*
15 *of system, major subsystem, and major com-*
16 *ponent segregation, interoperability, inte-*
17 *gration and reintegration.*

18 *(c) INTERFACE REPOSITORY.—*

19 *(1) ESTABLISHMENT.—The Under Secretary of*
20 *Defense for Acquisition and Sustainment shall estab-*
21 *lish and maintain, at the appropriate classification*
22 *level, an interface repository for interfaces, syntax*
23 *and properties, documentation, and communication*
24 *implementations delivered pursuant to the require-*
25 *ments established under subsection (a)(2)(B) and*

1 *shall provide interfaces, access to interfaces, and rel-*
2 *evant documentation to the military services, defense*
3 *agencies and field activities, combatant commands,*
4 *and contractors, as appropriate, to facilitate system,*
5 *major subsystem, and major component segregation*
6 *and reintegration.*

7 (2) *DISTRIBUTION OF INTERFACES.—Consistent*
8 *with section 2320 of title 10, United States Code, and*
9 *in accordance with subsection (b), the Under Sec-*
10 *retary of Defense for Acquisition and Sustainment*
11 *may distribute interfaces, access to interfaces, and rel-*
12 *evant documentation to Government entities and con-*
13 *tractors. Any such protected transfer or disclosure by*
14 *the Government to a recipient is limited to only those*
15 *data necessary for segregation, interoperability, inte-*
16 *gration, or reintegration.*

17 (d) *SYSTEM OF SYSTEMS INTEGRATION TECHNOLOGY*
18 *AND EXPERIMENTATION.—*

19 (1) *DEMONSTRATIONS AND ASSESSMENT.—No*
20 *later than one year after the date of the enactment of*
21 *this Act, the Joint Staff Director for Command, Con-*
22 *trol, Communications, and Computers/Cyber and De-*
23 *partment of Defense Chief Information Officer,*
24 *through the Joint All Domain Command and Control*
25 *Cross Functional Team, shall conduct demonstrations*

1 *and complete an assessment of the technologies devel-*
2 *oped under the Defense Advanced Research Projects*
3 *Agency's System of Systems Integration Technology*
4 *and Experimentation program, including the*
5 *STITCHES technology, and their applicability to the*
6 *Joint All-Domain Command and Control architec-*
7 *ture. The demonstrations and assessment shall in-*
8 *clude—*

9 *(A) at least three demonstrations of the use*
10 *of the STITCHES technology to create, under*
11 *constrained schedules and budgets, novel kill*
12 *chains involving previously incompatible weapon*
13 *systems, sensors, and command, control, and*
14 *communication systems from multiple military*
15 *services in cooperation with United States Indo-*
16 *Pacific Command or United States European*
17 *Command;*

18 *(B) an evaluation as to whether the commu-*
19 *nications enabled via the STITCHES technology*
20 *are sufficient for military missions and whether*
21 *the technology results in any substantial per-*
22 *formance loss in communication between sys-*
23 *tems, major subsystems, and major components;*

24 *(C) an evaluation as to whether the*
25 *STITCHES technology obviates the need to de-*

1 *velop, impose, and maintain strict adherence to*
2 *common communication and interface standards*
3 *for Department of Defense systems;*

4 *(D) the appropriate roles and responsibil-*
5 *ities of the Department of Defense Chief Infor-*
6 *mation Officer, the Under Secretary of Defense*
7 *for Acquisition and Sustainment, the geographic*
8 *combatant commands, the military services, the*
9 *Defense Advanced Research Projects Agency, and*
10 *the defense industrial base in using and main-*
11 *taining the STITCHES technology to generate*
12 *diverse and recomposable kill chains as part of*
13 *the Joint All-Domain Command and Control ar-*
14 *chitecture; and*

15 *(E) coordination with the program man-*
16 *ager for the Time Sensitive Targeting Defeat*
17 *program under the Under Secretary of Defense*
18 *for Research and Engineering and the Under*
19 *Secretary of Defense for Intelligence.*

20 *(2) CHIEF INFORMATION OFFICER ASSESS-*
21 *MENT.—The Department of Defense Chief Information*
22 *Officer shall assess the technologies developed under*
23 *the Defense Advanced Research Projects Agency’s Sys-*
24 *tem of Systems Integration Technology and Experi-*
25 *mentation program, including the STITCHES inter-*

1 *face field transform technology, and their applica-*
2 *bility to the Department's business systems and cyber-*
3 *security tools. This assessment shall include—*

4 *(A) at least two demonstrations of the use*
5 *of the STITCHES technology in enabling com-*
6 *munication between business systems;*

7 *(B) in coordination with the Cross Func-*
8 *tional Team under the Principal Cyber Adviser*
9 *and the Integrated Adaptive Cyber Defense pro-*
10 *gram office of the National Security Agency, at*
11 *least two demonstrations of the use of the*
12 *STITCHES technology in enabling communica-*
13 *tion between and orchestration of previously in-*
14 *compatible cybersecurity tools; and*

15 *(C) an evaluation as to how the STITCH-*
16 *ES technology could be used in concert with or*
17 *instead of existing cybersecurity standards,*
18 *frameworks, and technologies designed to enable*
19 *communication across cybersecurity tools.*

20 *(3) SUSTAINMENT OF STITCHES ENGINEERING*
21 *RESOURCES AND CAPABILITIES DEVELOPED BY*
22 *DARPA.—To conduct the demonstrations and assess-*
23 *ments required under this subsection and to execute*
24 *the Joint All Domain Command and Control pro-*
25 *gram, the Joint All Domain Command and Control*

1 *program office shall sustain the STITCHES engineer-*
2 *ing resources and capabilities developed by the De-*
3 *fense Advanced Research Projects Agency.*

4 (e) *TRANSFER OF RESPONSIBILITY FOR STITCH-*
5 *ES.—One year after the date of enactment of this Act, the*
6 *Secretary of Defense may transfer responsibility for main-*
7 *taining the STITCHES engineering capabilities to a dif-*
8 *ferent organization.*

9 (f) *DEFINITIONS.—In this section:*

10 (1) *DESIRED MODULARITY.—The term “desired*
11 *modularity” means the desired degree to which sys-*
12 *tems, major constitutive subsystems and components*
13 *within a system, and major subsystems and compo-*
14 *nents across subsystems can function as modules that*
15 *can communicate across component boundaries and*
16 *through interfaces and can be separated and recom-*
17 *bined to achieve various effects, missions, or capabili-*
18 *ties.*

19 (2) *MACHINE-READABLE FORMAT.—The term*
20 *“machine-readable format” means a format that can*
21 *be easily processed by a computer without human*
22 *intervention.*

23 **SEC. 862. SUSTAINMENT REVIEWS.**

24 (a) *ANNUAL SUSTAINMENT REVIEWS.—Section*
25 *2441(a) of title 10, United States Code, is amended by in-*

1 *serting “annually thereafter” before “throughout the life*
2 *cycle of the weapon system”.*

3 **(b) SUBMISSION TO CONGRESS OF SUSTAINMENT RE-**
4 *IEWS.—Section 2441 of title 10, United States Code, is*
5 *amended by adding at the end the following new subsection:*

6 **“(d) SUBMISSION TO CONGRESS OF SUSTAINMENT RE-**
7 *IEWS.—(1) The Secretary of each military department*
8 *shall submit no fewer than ten sustainment reviews re-*
9 *quired by this section to the congressional defense commit-*
10 *tees annually. The Secretary of each military department*
11 *shall select the ten reviews from among the systems with*
12 *the highest independent cost estimates for the remainder of*
13 *the life cycle of the program.*

14 **“(2) The Secretary shall submit the reviews required**
15 *under paragraph (1) to the congressional defense commit-*
16 *tees annually not later than 30 days after submission of*
17 *the President’s annual budget request to Congress under sec-*
18 *tion 1105 of title 31. The sustainment reviews shall be post-*
19 *ed on a publicly available website maintained by the Direc-*
20 *tor of the Cost Assessment and Program Evaluation office*
21 *and, for those systems with operating and support cost*
22 *growth, shall include comments from the military depart-*
23 *ments regarding actions being taken to reduce the operating*
24 *and support costs. The reviews may include classified ap-*
25 *pendices, as appropriate.”.*

1 (c) *COMPTROLLER GENERAL STUDY.*—Not later than
2 180 days after the Secretaries of the military departments
3 post the initial sustainment reviews required under para-
4 graph (1) of subsection (d) of section 2441 of title 10,
5 United States Code (as added by subsection (b) of this sec-
6 tion) on a publicly available website as required under
7 paragraph (2) of such subsection (d), the Comptroller Gen-
8 eral of the United States shall assess steps the military de-
9 partments are taking to quantify and address operating
10 and support cost growth. The assessment shall include—

11 (1) an evaluation of—

12 (A) the causes of operating and support cost
13 growth for selected systems covered by the
14 sustainment reviews, as well as any other sys-
15 tems the Comptroller General determines appro-
16 priate;

17 (B) the extent to which the Department has
18 mitigated operating and support cost growth of
19 these systems; and

20 (C) any other issues related to potential op-
21 erating and support cost growth the Comptroller
22 General determines appropriate; and

23 (2) any recommendations of the Comptroller
24 General, including steps the military departments
25 could take to reduce operating and support cost

1 *growth for fielded weapon systems, as well as lessons*
2 *learned to be incorporated in future weapon system*
3 *acquisitions.*

4 **SEC. 863. RECOMMENDATIONS FOR FUTURE DIRECT SELEC-**
5 **TIONS.**

6 *The Secretary of each military department shall pro-*
7 *vide to the congressional defense committees in the future-*
8 *years defense program submitted under section 221 of title*
9 *10, United States Code, for fiscal year 2022 a list of at*
10 *least one acquisition program for which it would be appro-*
11 *priate to have a large number of users provide direct assess-*
12 *ment of the outcome of a competitive contract award.*

13 **SEC. 864. DISCLOSURES FOR CERTAIN SHIPBUILDING**
14 **MAJOR DEFENSE ACQUISITION PROGRAM OF-**
15 **FERS.**

16 *(a) IN GENERAL.—Chapter 137 of title 10, United*
17 *States Code, is amended by adding at the end the following*
18 *new section:*

19 **“§2339c. Disclosures for certain shipbuilding major**
20 **defense acquisition program offers**

21 *“(a) GENERAL.—Any covered offeror seeking to be*
22 *awarded a shipbuilding construction contract as part of a*
23 *major defense acquisition program with funds from the*
24 *Shipbuilding and Conversion, Navy account shall disclose*
25 *with its offer and any subsequent offer revisions, including*

1 *the final proposal revision offer, whether any part of the*
2 *offeror’s planned contract performance will or is expected*
3 *to include foreign government subsidized performance, fi-*
4 *ancing, financial guarantees, or tax concessions.*

5 “(b) *DISCLOSURE.*—*An offeror shall make a disclosure*
6 *required under subsection (a) in a format prescribed by the*
7 *Secretary of the Navy and shall include therein a specific*
8 *description of the extent to which the offeror’s planned con-*
9 *tract performance will include, with or without contin-*
10 *gencies, any foreign government subsidized performance, fi-*
11 *ancing, financial guarantees, or tax concessions.*

12 “(c) *CONGRESSIONAL NOTIFICATION.*—*Not later than*
13 *5 days after awarding a contract described under subsection*
14 *(a) to an offeror that made a disclosure under subsection*
15 *(b), the Secretary of the Navy shall notify the congressional*
16 *defense committees and summarize such disclosure.*

17 “(d) *DEFINITIONS.*—*In this section:*

18 “(1) *COVERED OFFEROR.*—*The term ‘covered of-*
19 *feror’ means any offeror that currently requires or*
20 *may reasonably be expected to require during the pe-*
21 *riod of contract performance a method to mitigate or*
22 *negate foreign ownership under subsection (f)(6) of*
23 *part 2004.34 of title 32, Code of Federal Regulations.*

24 “(2) *FOREIGN GOVERNMENT SUBSIDIZED PER-*
25 *FORMANCE.*—*The term ‘foreign government subsidized*

1 *performance’ means any financial support, materiel,*
 2 *services, or guarantees of support, services, supply,*
 3 *performance, or intellectual property concessions, that*
 4 *may be provided to or for the offeror or the offeror’s*
 5 *Department of Defense customer by a foreign govern-*
 6 *ment or entity effectively owned or controlled by a*
 7 *foreign government, which may have the effect of*
 8 *supplementing, supplying, servicing, or reducing the*
 9 *cost or price of an end item, or supporting, financing*
 10 *in whole or in part, or guaranteeing contract per-*
 11 *formance by the offeror.*

12 “(3) MAJOR DEFENSE ACQUISITION PROGRAM.—
 13 *The term ‘major defense acquisition program’ has the*
 14 *meaning given the term in section 2430 of this title.”.*

15 (b) CLERICAL AMENDMENT.—*The table of sections at*
 16 *the beginning of chapter 137 of title 10, United States Code,*
 17 *is amended by inserting after the item relating to section*
 18 *2339b the following new item:*

“2339c. Disclosures for certain shipbuilding major defense acquisition program of-
fers.”.

19 ***Subtitle E—Small Business Matters***

20 ***SEC. 871. PROMPT PAYMENT OF CONTRACTORS.***

21 *Section 2307(a)(2) of title 10, United States Code, is*
 22 *amended—*

1 (1) in subparagraph (A), by striking “if a spe-
2 cific payment date is not established by contract”;
3 and

4 (2) in subparagraph (B), by striking “if—” and
5 all that follows through “the prime contractor agrees”
6 in clause (ii) and inserting “if the prime contractor
7 agrees or proposes”.

8 **SEC. 872. EXTENSION OF PILOT PROGRAM FOR STREAM-**
9 **LINED AWARDS FOR INNOVATIVE TECH-**
10 **NOLOGY PROGRAMS.**

11 Section 873(f) of the National Defense Authorization
12 Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.
13 2306a) is amended by striking “2020” and inserting
14 “2023”.

15 **SEC. 873. REPORTING REQUIREMENTS.**

16 Section 9(b) of the Small Business Act (15 U.S.C.
17 638(b)) is amended—

18 (1) in paragraph (7)—

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

21 (B) in subparagraph (G), by adding “and”
22 at the end; and

23 (C) by adding at the end the following:

24 “(H) with respect to a Federal agency to
25 which subsection (f)(1) or (n)(1) applies, whether

1 the Federal agency has satisfied the requirement
2 under each applicable subsection for the year
3 covered by the report;”;

4 (2) in paragraph (9), by striking “and” at the
5 end;

6 (3) in paragraph (10), by striking the period at
7 the end and inserting “; and”; and

8 (4) by adding at the end the following:

9 “(11) with respect to a Federal agency to which
10 subsection (f)(1) or (n)(1) applies and that the Ad-
11 ministration determines has not satisfied the require-
12 ment under either applicable subsection, require the
13 head of that Federal agency to submit to the Com-
14 mittee on Small Business and Entrepreneurship of
15 the Senate and the Committee on Small Business of
16 the House of Representatives a report regarding why
17 the Federal agency has not satisfied the require-
18 ment.”.

19 ***Subtitle F—Provisions Related to***
20 ***Software-Driven Capabilities***

21 ***SEC. 881. INCLUSION OF SOFTWARE IN GOVERNMENT PER-***
22 ***FORMANCE OF ACQUISITION FUNCTIONS.***

23 (a) *INCLUSION OF SOFTWARE.*—Section 1706(a) of
24 title 10, United States Code, is amended by adding at the
25 end the following new paragraph:

1 “(14) Program lead software.”.

2 (b) *TECHNICAL AMENDMENTS.*—Section 1706 of such
3 title is further amended—

4 (1) in subsection (a), by striking “for each major
5 defense acquisition program and each major auto-
6 mated information system program” and inserting
7 “for each acquisition program”; and

8 (2) by striking subsection (c).

9 **SEC. 882. BALANCING SECURITY AND INNOVATION IN SOFT-**
10 **WARE DEVELOPMENT AND ACQUISITION.**

11 (a) *REQUIREMENTS FOR SOLICITATIONS OF COMMER-*
12 *CIAL AND DEVELOPMENTAL SOLUTIONS.*—The Under Sec-
13 retary of Defense for Acquisition and Sustainment, in co-
14 ordination with the Chief Information Officer of the De-
15 partment of Defense, shall develop requirements for inclu-
16 sion in solicitations for both commercial and developmental
17 solutions, and for the evaluation of bids, of appropriate soft-
18 ware security criteria, including—

19 (1) delineation of what processes were or will be
20 used for a secure software development lifecycle, in-
21 cluding management of supply chain and third-party
22 software sources and component risks; and

23 (2) an associated vulnerability management plan
24 or tools.

1 (b) *SECURITY REVIEW OF CODE.*—The Under Sec-
2 retary of Defense for Acquisition and Sustainment, in co-
3 ordination with the Chief Information Officer of the De-
4 partment of Defense, shall develop processes for security re-
5 view of code for the purpose of publication and other proce-
6 dures necessary to fully implement the pilot program re-
7 quired under section 875 of the National Defense Authoriza-
8 tion Act for Fiscal Year 2018 (Public Law 115–91; 10
9 U.S.C. 2223 note).

10 (c) *COORDINATION WITH SOFTWARE ACQUISITION*
11 *PATHWAY EFFORTS.*—The requirements and procedures re-
12 quired under subsections (a) and (b) shall be developed in
13 conjunction with the Department of Defense’s efforts to in-
14 corporate input and finalize the procedures described in the
15 Interim Procedures for Operation of the Software Acquisi-
16 tion Pathway.

17 **SEC. 883. COMPTROLLER GENERAL REPORT ON INTELLEC-**
18 **TUAL PROPERTY ACQUISITION AND LICENS-**
19 **ING.**

20 (a) *IN GENERAL.*—Not later than October 1, 2021, the
21 Comptroller General of the United States shall submit to
22 the congressional defense committees a report evaluating the
23 implementation of the Department of Defense’s Instruction
24 on Intellectual Property Acquisition and Licensing (DODI

1 5010.44), established under section 2322 of title 10, United
2 States Code.

3 (b) *ELEMENTS.*—The report required under subsection
4 (a) shall assess the following:

5 (1) *The extent to which the Department of De-*
6 *fense is fulfilling the core principles established in*
7 *DODI 5010.44.*

8 (2) *The extent to which the Defense Acquisition*
9 *University, Department of Defense components, and*
10 *program offices are carrying out their responsibilities*
11 *under DODI 5010.44.*

12 (3) *The progress of the Department in estab-*
13 *lishing an IP Cadre, including the extent to which*
14 *such experts are executing their roles and responsibil-*
15 *ities.*

16 (4) *The performance of the Department in assess-*
17 *ing and demonstrating the implementation of DODI*
18 *5010.44, including the effectiveness of the IP Cadre;*

19 (5) *The effect implementation of DODI 5010.44*
20 *has had on particular acquisitions;*

21 (6) *Any other matters the Comptroller General*
22 *determines appropriate.*

1 **SEC. 884. PILOT PROGRAM EXPLORING THE USE OF CON-**
2 **SUMPTION-BASED SOLUTIONS TO ADDRESS**
3 **SOFTWARE-INTENSIVE WARFIGHTING CAPA-**
4 **BILITY.**

5 (a) *FINDING.*—*In its final report, the Section 809*
6 *Panel recommended the adoption of consumption-based ap-*
7 *proaches at the Department of Defense, stating, “More*
8 *things will be sold as a service in the future. XaaS could*
9 *really mean everything in the context of the Internet of*
10 *things (IoT). Consumption-based solutions are appearing*
11 *in many industry sectors, from last mile transportation*
12 *(e.g., bike shares and electric scooters) to agriculture (e.g.,*
13 *tractor-as-a-service for farmers in developing countries).*
14 *Most smart phone users are familiar with software updates*
15 *that provide bug fixes or new features. A more extreme ex-*
16 *ample of technology innovation enabled by the IoT is the*
17 *ability to deliver physical performance improvements to ve-*
18 *hicles through over-the-air software updates. . . In the not-*
19 *so-distant future, cloud computing and the IoT will enable*
20 *consumption-based solution offerings and delivery models*
21 *that are hard to imagine today.”*

22 (b) *SENSE OF CONGRESS.*—*It is the sense of Con-*
23 *gress—*

24 (1) *that the Department of Defense should take*
25 *advantage of “as-a-service” or “aaS” approaches in*
26 *commercial capability development, particularly*

1 *where the capability is software-defined, and cloud-*
2 *enabled;*

3 (2) *to support the Department of Defense's com-*
4 *mitment to new approaches to development and ac-*
5 *quisition of software;*

6 (3) *that the Department should explore a variety*
7 *of approaches, to include the use of consumption-*
8 *based solutions for software-intensive warfighting ca-*
9 *pability; and*

10 (4) *that, in conducting activities under the pilot*
11 *program established under this program, the Depart-*
12 *ment should use the Software pathway under the new*
13 *Adaptive Acquisition Framework.*

14 (c) *IN GENERAL.—Subject to the availability of appro-*
15 *priations, the Secretary of Defense is authorized to establish*
16 *a pilot program to explore the use of consumption-based so-*
17 *lutions to address software-intensive warfighting capa-*
18 *bility.*

19 (d) *SELECTION OF INITIATIVES.—The Secretary of*
20 *each military department and the commander of each com-*
21 *batant command with acquisition authority shall propose*
22 *for selection by the Secretary of Defense for the pilot pro-*
23 *gram at least one and not more than three initiatives that*
24 *are well-suited to explore consumption-based solutions to*
25 *address software-intensive warfighting capability. The ini-*

1 *tatives may be new or existing programs of record and*
2 *shall focus on software-defined or machine-enabled*
3 *warfighting applications, and may include applications*
4 *that—*

5 *(1) rapidly analyze sensor data;*

6 *(2) secure warfighter networks, including multi-*
7 *level security;*

8 *(3) swiftly transport information across various*
9 *networks and network modalities; or*

10 *(4) otherwise enable joint all-domain operational*
11 *concepts, including in a contested environment.*

12 *(e) CONTRACT REQUIREMENTS.—Contracts for con-*
13 *sumption-based solutions entered into pursuant to the pilot*
14 *program shall provide for—*

15 *(1) the solution to be measurable on a frequent*
16 *interval customary for the type of solution;*

17 *(2) the contractor to notify the government when*
18 *consumption reaches 75 percent and 90 percent of the*
19 *contract funded amount; and*

20 *(3) discretion for the contracting officer to add*
21 *new features or capabilities without additional com-*
22 *petition for the contract, provided that the amount of*
23 *the new features or capabilities does not exceed 25*
24 *percent of the total contract value.*

1 (f) *DURATION OF INITIATIVES.*—Each initiative car-
2 ried out under the pilot program shall be carried out during
3 the three-year period following selection of the initiative.

4 (g) *MONITORING AND EVALUATION OF PILOT PRO-*
5 *GRAM.*—The Director of the Office of Cost Assessment and
6 Program Evaluation shall establish continuous monitoring
7 to evaluate the pilot program established under subsection
8 (c), including collecting data on cost, schedule, and per-
9 formance from the program office, the user community, and
10 the contractors.

11 (h) *REPORTS.*—

12 (1) *INITIAL REPORT.*—Not later than January
13 31, 2021, the Secretary of Defense shall submit to the
14 congressional defense committees a report on initia-
15 tives selected for the pilot program, roles and respon-
16 sibilities for implementing the pilot program, and the
17 monitoring and evaluation approach for the pilot.

18 (2) *PROGRESS REPORT.*—Not later than April
19 15, 2021, the Secretary of Defense shall submit to the
20 congressional defense committees a report on the
21 progress of the initiatives.

22 (3) *FINAL REPORT.*—Not later than 3 years after
23 the date of the enactment of this Act, the Secretary of
24 Defense shall submit to the congressional defense com-
25 mittees a report on the cost, schedule, and perform-

1 *ance outcomes of the initiatives. The report shall also*
2 *include lessons learned about the use of consumption-*
3 *based solutions for software-intensive capabilities and*
4 *any recommendations for statutory or regulatory*
5 *changes to facilitate their use.*

6 *(i) CONSUMPTION-BASED SOLUTION DEFINED.—In*
7 *this section, the term “consumption-based solution” means*
8 *any combination of software, hardware or equipment, and*
9 *labor or services that provides a seamless capability that*
10 *is metered and billed based on actual usage and predeter-*
11 *mined pricing per resource unit, and includes the ability*
12 *to rapidly scale capacity up or down.*

13 ***Subtitle G—Other Matters***

14 ***SEC. 891. SAFEGUARDING DEFENSE-SENSITIVE UNITED*** 15 ***STATES INTELLECTUAL PROPERTY, TECH-*** 16 ***NOLOGY, AND OTHER DATA AND INFORMA-*** 17 ***TION.***

18 *(a) IN GENERAL.—The Secretary of Defense shall es-*
19 *tablish, enforce, and track actions being taken to protect*
20 *defense-sensitive United States intellectual property, tech-*
21 *nology, and other data and information, including hard-*
22 *ware and software, from acquisition by the Government of*
23 *the People’s Republic of China.*

1 (b) *LIST OF CRITICAL TECHNOLOGY.*—The Secretary
2 of Defense shall establish and maintain a list of critical
3 national security technology.

4 (c) *RESTRICTIONS ON EMPLOYMENT OF DEFENSE IN-*
5 *DUSTRIAL BASE EMPLOYEES WITH CHINESE COMPA-*
6 *NIES.*—The Secretary of Defense shall provide for mecha-
7 nisms to restrict employees or former employees of the de-
8 fense industrial base that contribute to the technology ref-
9 erenced in subsection (b) from working directly for compa-
10 nies wholly owned by, or under the direction of, the Govern-
11 ment of the Peoples Republic of China.

12 (d) *REPORTS.*—

13 (1) *DEPARTMENT OF DEFENSE REPORT.*—Not
14 later than May 1, 2021, the Secretary of Defense shall
15 submit to the congressional defense committees a re-
16 port on progress in implementing the measures de-
17 scribed in subsections (a) through (c).

18 (2) *COMPTROLLER GENERAL REPORT.*— Not
19 later than December 1, 2021, the Comptroller General
20 of the United States shall submit to the congressional
21 defense committees a report reviewing the report sub-
22 mitted under paragraph (1) and providing an assess-
23 ment of the effectiveness of the measures implemented
24 under this section.

1 (3) *FORM.*—*The reports required under this sub-*
2 *section shall be submitted in unclassified form but*
3 *may contain classified annexes.*

4 **SEC. 892. DOMESTIC COMPARATIVE TESTING ACTIVITIES.**

5 *Section 2350a(g)(1)(A) of title 10, United States Code,*
6 *is amended by inserting “and conventional defense equip-*
7 *ment, munitions, and technologies manufactured and devel-*
8 *oped domestically” after “in subsection (a)(2)”.*

9 **SEC. 893. REPEAL OF APPRENTICESHIP PROGRAM.**

10 (a) *IN GENERAL.*—*Section 2870 of title 10, United*
11 *States Code, as added by section 865 of the National Defense*
12 *Authorization Act for Fiscal Year 2020 (Public Law 116–*
13 *92), is repealed.*

14 (b) *CONFORMING AMENDMENTS.*—

15 (1) *CLERICAL AMENDMENT.*—*The table of sec-*
16 *tions at the beginning of subchapter III of chapter*
17 *169 of title 10, United States Code, is amended by*
18 *striking the item relating to section 2870.*

19 (2) *OBSOLETE PROVISION.*—*Section 865 of the*
20 *National Defense Authorization Act for Fiscal Year*
21 *2020 (Public Law 116–92) is repealed.*

1 **TITLE IX—DEPARTMENT OF DE-**
2 **FENSE ORGANIZATION AND**
3 **MANAGEMENT**

4 **Subtitle A—Office of the Secretary**
5 **of Defense and Related Matters**

6 **SEC. 901. ASSISTANT SECRETARY OF DEFENSE FOR SPE-**
7 **CIAL OPERATIONS AND LOW INTENSITY CON-**
8 **FLICT AND RELATED MATTERS.**

9 (a) *IN GENERAL.*—

10 (1) *CLARIFICATION OF CHAIN OF ADMINISTRA-*
11 *TIVE COMMAND.*—Section 138(b)(2) of title 10, United
12 States Code, is amended—

13 (A) by redesignating clauses (i), (ii), and
14 (iii) of subparagraph (B) as subclauses (I), (II),
15 and (III), respectively;

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

18 (C) by inserting “(A)” after “(2)”;

19 (D) in clause (i) of subparagraph (A), as
20 redesignated by this paragraph, by inserting be-
21 fore the period at the end the following: “through
22 the administrative chain of command specified
23 in section 167(f) of this title;” and

24 (E) by adding at the end the following new
25 subparagraph:

1 “(B) *In the discharge of the responsibilities specified*
 2 *in subparagraph (A)(i), the Assistant Secretary is imme-*
 3 *diately subordinate to the Secretary of Defense and the Dep-*
 4 *uty Secretary of Defense. No officer below the Secretary or*
 5 *the Deputy Secretary may intervene to exercise authority,*
 6 *direction, or control over the Assistant Secretary in the dis-*
 7 *charge of such responsibilities.”.*

8 (2) *TECHNICAL AMENDMENT.—Subparagraph*
 9 *(A) of such section, as redesignated by paragraph (2),*
 10 *is further amended in the matter preceding clause (i),*
 11 *as so redesignated, by striking “section 167(j)” and*
 12 *inserting “section 167(k)”.*

13 (b) *FULFILLMENT OF SPECIAL OPERATIONS RESPON-*
 14 *SIBILITIES.—*

15 (1) *IN GENERAL.—Section 139b of title 10,*
 16 *United States Code, is amended to read as follows:*

17 **“§ 139b. Secretariat for Special Operations; Special**
 18 **Operations Policy and Oversight Council**

19 “(a) *SECRETARIAT FOR SPECIAL OPERATIONS.—*

20 “(1) *IN GENERAL.—In order to fulfill the respon-*
 21 *sibilities of the Assistant Secretary of Defense for Spe-*
 22 *cial Operations and Low Intensity Conflict specified*
 23 *in section 138(b)(2)(A)(i) of this title, there shall be*
 24 *within the Office of the Assistant Secretary of Defense*
 25 *for Special Operations and Low Intensity Conflict an*

1 *office to be known as the ‘Secretariat for Special Op-*
2 *erations’.*

3 “(2) *PURPOSE.*—*The purpose of the Secretariat*
4 *is to assist the Assistant Secretary in exercising au-*
5 *thority, direction, and control with respect to the spe-*
6 *cial operations-peculiar administration and support*
7 *of the special operations command, including the*
8 *readiness and organization of special operations*
9 *forces, resources and equipment, and civilian per-*
10 *sonnel as specified in such section.*

11 “(3) *DIRECTOR.*—*The Director of the Secretariat*
12 *for Special Operations shall be appointed by the Sec-*
13 *retary of Defense from among individuals qualified to*
14 *serve as the Director. The Director shall have a grade*
15 *of Deputy Assistant Secretary of Defense.*

16 “(4) *ADMINISTRATIVE CHAIN OF COMMAND.*—*For*
17 *purposes of the support of the Secretariat for the As-*
18 *istant Secretary in the fulfillment of the responsibil-*
19 *ities referred to in paragraph (1), the administrative*
20 *chain of command is as specified in section 167(f) of*
21 *this title. No officer below the Secretary of Defense or*
22 *the Deputy Secretary of Defense (other than the As-*
23 *istant Secretary) may intervene to exercise author-*
24 *ity, direction, or control over the Secretariat in its*

1 *support of the Assistant Secretary in the discharge of*
2 *such responsibilities.*

3 “(b) *SPECIAL OPERATIONS POLICY AND OVERSIGHT*
4 *COUNCIL.—*

5 “(1) *IN GENERAL.—In order to fulfill the respon-*
6 *sibilities specified in section 138(b)(2)(A)(i) of this*
7 *title, there shall also be within the Office of the Assist-*
8 *ant Secretary of Defense for Special Operations and*
9 *Low Intensity Conflict a team known as the ‘Special*
10 *Operation Policy and Oversight Council’. The team is*
11 *lead by the Assistant Secretary of Defense for Special*
12 *Operations and Low Intensity Conflict, or the Assist-*
13 *ant Secretary’s designee..*

14 “(2) *PURPOSE.—The purpose of the Council is to*
15 *integrate the functional activities of the headquarters*
16 *of the Department of Defense in order to most effi-*
17 *ciently and effectively provide for special operations*
18 *forces and capabilities. In fulfilling this purpose, the*
19 *Council shall develop and continuously improve pol-*
20 *icy, joint processes, and procedures that facilitate the*
21 *development, acquisition, integration, employment,*
22 *and sustainment of special operations forces and ca-*
23 *pabilities.*

24 “(3) *MEMBERSHIP.—The Council shall include*
25 *the following:*

1 “(A) *The Assistant Secretary, who shall act*
2 *as leader of the Council.*

3 “(B) *Appropriate senior representatives of*
4 *each of the following:*

5 “(i) *The Under Secretary of Defense*
6 *for Research and Engineering.*

7 “(ii) *The Under Secretary of Defense*
8 *for Management and Support.*

9 “(iii) *The Under Secretary of Defense*
10 *(Comptroller).*

11 “(iv) *The Under Secretary of Defense*
12 *for Personnel and Readiness.*

13 “(v) *The Under Secretary of Defense*
14 *for Intelligence.*

15 “(vi) *The General Counsel of the De-*
16 *partment of Defense.*

17 “(vii) *The other Assistant Secretaries*
18 *of Defense under the Under Secretary of De-*
19 *fense for Policy.*

20 “(viii) *The military departments.*

21 “(ix) *The Joint Staff.*

22 “(x) *The United States Special Oper-*
23 *ations Command.*

24 “(xi) *Such other officials or Agencies,*
25 *elements, or components of the Department*

1 of Defense as the Secretary of Defense con-
2 siders appropriate.

3 “(4) OPERATION.—The Council shall operate
4 continuously.”.

5 (2) CLERICAL AMENDMENT.—The table of sec-
6 tions at the beginning of chapter 4 of such title is
7 amended by striking the item relating to section 139b
8 and inserting the following new item:

 “139b. Secretariat for Special Operations; Special Operations Policy and Over-
 sight Council.”.

9 (c) DOD DIRECTIVE ON RESPONSIBILITIES OF ASD
10 SOLIC.—

11 (1) IN GENERAL.—Not later than 180 days after
12 the date of the enactment of this Act, the Secretary of
13 Defense shall publish a Department of Defense direc-
14 tive establishing policy and procedures related to the
15 exercise of authority, direction, and control of all spe-
16 cial-operations peculiar administrative matters relat-
17 ing to the organization, training, and equipping of
18 special operations forces by the Assistant Secretary of
19 Defense for Special Operations and Low Intensity
20 Conflict as specified by section 138(b)(2)(A)(i) of title
21 10, United States Code, as amended by subsection
22 (a)(1).

23 (2) MATTERS FOR INCLUDING.—The directive re-
24 quired by paragraph (1) shall include the following:

1 (A) *A specification of responsibilities for co-*
2 *ordination on matters affecting the organization,*
3 *training, and equipping of special operations*
4 *forces.*

5 (B) *An identification and specification of*
6 *updates to applicable documents and instruc-*
7 *tions of the Department of Defense.*

8 (C) *Mechanisms to ensure the inclusion of*
9 *the Assistant Secretary in all Departmental gov-*
10 *ernance forums affecting the organization, train-*
11 *ing, and equipping of special operations forces.*

12 (D) *Such other matters as the Secretary*
13 *considers appropriate.*

14 (3) *APPLICABILITY.— The directive required by*
15 *paragraph (1) shall apply throughout the Department*
16 *of Defense to all components of the Department of De-*
17 *fense.*

18 (4) *LIMITATION ON AVAILABILITY OF CERTAIN*
19 *FUNDING PENDING PUBLICATION.—Of the amounts*
20 *authorized to be appropriated by this Act for fiscal*
21 *year 2021 for operation and maintenance, Defense-*
22 *wide, and available for the Office of the Secretary of*
23 *Defense, not more than 75 percent may be obligated*
24 *or expended until the date that is 15 days after the*

1 *tion, who shall be assigned to such position by the Under*
2 *Secretary from among civilian employees of the Department*
3 *of Defense who are qualified to serve in the position.*

4 “(c) *FUNCTIONS.*—*Subject to the authority, direction,*
5 *and control of the Under Secretary, the Office shall—*

6 “(1) *in cooperation with the other components, of*
7 *the Department of Defense be the primary office with-*
8 *in the Department for the provision of assistance to*
9 *States, counties, municipalities, regions, and commu-*
10 *nities intended to—*

11 “(A) *foster greater cooperation with mili-*
12 *tary installations in order to enhance the mili-*
13 *tary mission, achieve facility and infrastructure*
14 *savings and reduced operating costs, address en-*
15 *croachment and compatible land use issues, sup-*
16 *port military families, and increase military, ci-*
17 *vilian, and industrial readiness and resiliency;*
18 *and*

19 “(B) *address impacts caused by changes in*
20 *defense programs, including basing decisions, de-*
21 *fense industry expansions or contractions, in-*
22 *creases or reductions in Federal civilian or con-*
23 *tractor personnel, and expansions, realignments,*
24 *and closures of military installations;*

1 “(2) provide support to the Economic Adjust-
 2 ment Committee within the Executive Office of the
 3 President, or any successor interagency coordination
 4 body; and

5 “(3) perform such other functions as the Sec-
 6 retary of Defense may prescribe.

7 “(d) ANNUAL REPORT TO CONGRESS.—Not later than
 8 June 1 each year, the Director of the Office of Local Defense
 9 Community Cooperation shall submit to the congressional
 10 defense committees a report on the activities of the Office
 11 during the preceding year, including the assistance pro-
 12 vided pursuant to subsection (c)(1) during such year.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
 14 tions at the beginning of chapter 4 of such title is
 15 amended by adding at the end the following new item:
 “146. Office of Local Defense Community Cooperation.”.

16 **SEC. 903. MODERNIZATION OF PROCESS USED BY THE DE-**
 17 **PARTMENT OF DEFENSE TO IDENTIFY, TASK,**
 18 **AND MANAGE CONGRESSIONAL REPORTING**
 19 **REQUIREMENTS.**

20 (a) ANALYSIS REQUIRED.—The Assistant Secretary of
 21 Defense for Legislative Affairs shall conduct an analysis of
 22 the process used by the Department of Defense to identify
 23 reports to Congress required by annual national defense au-
 24 thorization Acts, assign responsibility for preparation of
 25 such reports, and manage the completion and delivery of

1 *such reports to Congress for the purpose of identifying*
2 *mechanisms to optimize and otherwise modernize the proc-*
3 *ess.*

4 (b) *CONSULTATION.*—*The Assistant Secretary shall*
5 *conduct the analysis required by subsection (a) with the as-*
6 *sistance of and in consultation with the Chief Data Officer*
7 *of the Department of Defense and the Director of the Defense*
8 *Digital Service.*

9 (c) *ELEMENTS.*—*The analysis required by subsection*
10 *(a) shall include the following:*

11 (1) *A business process reengineering of the proc-*
12 *ess described in subsection (a).*

13 (2) *An assessment of applicable commercially*
14 *available analytics tools, technologies, and services in*
15 *connection with such business process reengineering.*

16 (3) *Such other actions as the Assistant Secretary*
17 *considers appropriate for purposes of the analysis.*

18 (d) *BRIEFING.*—*Not later than November 15, 2020, the*
19 *Assistant Secretary shall brief the congressional defense*
20 *committees on the results of the analysis required by sub-*
21 *section (a). The briefing shall address the following:*

22 (1) *The results of the analysis and of the busi-*
23 *ness process reengineering described in subsection*
24 *(c)(1).*

1 (2) *A description of the actions being taken, and*
 2 *to be taken, to optimize and otherwise improve the*
 3 *process described in subsection (a).*

4 (3) *Such recommendations for administrative*
 5 *and legislative action as the Assistant Secretary con-*
 6 *siders appropriate to facilitate the optimization and*
 7 *improvement of the process described in subsection (a)*
 8 *as a result of the analysis and the business process re-*
 9 *engineering.*

10 (4) *Such other matters as the Assistant Secretary*
 11 *considers appropriate in connection with the anal-*
 12 *ysis, the business process reengineering and the opti-*
 13 *mization and improvement of the process described in*
 14 *subsection (a).*

15 **SEC. 904. INCLUSION OF VICE CHIEF OF THE NATIONAL**
 16 **GUARD BUREAU AS AN ADVISOR TO THE**
 17 **JOINT REQUIREMENTS OVERSIGHT COUNCIL.**

18 *Section 181(d)(3) of title 10, United States Code, is*
 19 *amended—*

20 (1) *in the heading, by inserting “AND VICE*
 21 *CHIEF OF THE NATIONAL GUARD BUREAU” after “OF*
 22 *STAFF”;*

23 (2) *by striking “of the Chiefs of Staff” and in-*
 24 *serting “of—*

25 *“(A) the Chiefs of Staff”;*

1 (3) by striking the period at the end and insert-
2 ing “; and”; and

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

5 “(B) the Vice Chief of the National Guard
6 Bureau when matters involving non-Federalized
7 National Guard capabilities in support of home-
8 land defense or civil support missions are under
9 consideration by the Council.”.

10 **SEC. 905. ASSIGNMENT OF RESPONSIBILITY FOR THE ARC-**
11 **TIC REGION WITHIN THE OFFICE OF THE SEC-**
12 **RETARY OF DEFENSE.**

13 *The Assistant Secretary of Defense for International*
14 *Security Affairs shall assign responsibility for the Arctic*
15 *region to the Deputy Assistant Secretary of Defense for the*
16 *Western Hemisphere or any other Deputy Assistant Sec-*
17 *retary of Defense the Secretary of Defense considers appro-*
18 *priate.*

19 ***Subtitle B—Department of Defense***
20 ***Management Reform***

21 **SEC. 911. TERMINATION OF POSITION OF CHIEF MANAGE-**
22 **MENT OFFICER OF THE DEPARTMENT OF DE-**
23 **FENSE.**

24 (a) *TERMINATION.*—

1 (1) *IN GENERAL.*—*The position of Chief Manage-*
2 *ment Officer of the Department of Defense is termi-*
3 *nated, effective on the date specified by the Secretary*
4 *of Defense, which date may not be later than Sep-*
5 *tember 30, 2022.*

6 (2) *NOTICE.*—*The Secretary shall submit to the*
7 *Committees on Armed Services of the Senate and the*
8 *House of Representatives a notice on the effective date*
9 *specified pursuant to paragraph (1).*

10 (b) *CONFORMING REPEAL OF ESTABLISHING AUTHOR-*
11 *ITY.*—

12 (1) *IN GENERAL.*—*Section 132a of title 10,*
13 *United States Code, is repealed.*

14 (2) *TABLE OF SECTIONS.*—*The table of sections*
15 *at the beginning of chapter 4 of such title is amended*
16 *by striking the item relating to section 132a.*

17 (3) *EFFECTIVE DATE.*—*The amendments made*
18 *by this subsection shall take effect on the effective date*
19 *specified pursuant to subsection (a)(1).*

1 **SEC. 912. REPORT ON ASSIGNMENT OF RESPONSIBILITIES,**
2 **DUTIES, AND AUTHORITIES OF CHIEF MAN-**
3 **AGEMENT OFFICER TO OTHER OFFICERS OR**
4 **EMPLOYEES OF THE DEPARTMENT OF DE-**
5 **FENSE.**

6 (a) *REPORT.*—Not later than 45 days before the effec-
7 tive date specified pursuant to section 911(a)(1), the Sec-
8 retary of Defense shall submit to the Committees on Armed
9 Services of the Senate and the House of Representatives a
10 report setting forth the following:

11 (1) *The position and title of each officer or em-*
12 *ployee of the Department of Defense, and the compo-*
13 *nent of such officer or employee, in whom the Sec-*
14 *retary will vest responsibility and authority to per-*
15 *form responsibilities and duties, and exercise authori-*
16 *ties, assigned to the Chief Management Officer of the*
17 *Department of Defense, whether by statute or by di-*
18 *rective, instruction, policy, or practice of the Depart-*
19 *ment of Defense, on the termination of the position of*
20 *Chief Management Officer under section 911.*

21 (2) *A description of the responsibilities, duties,*
22 *and authorities, if any, assigned to the Chief Manage-*
23 *ment Officer by statute that the Secretary rec-*
24 *ommends for discontinuation or modification, and a*
25 *justification for such recommendation.*

1 (3) *A description of the responsibilities, duties,*
2 *and authorities, if any, assigned to the Chief Manage-*
3 *ment Officer by directive, instruction, policy, or prac-*
4 *tice of the Department that the Secretary recommends*
5 *for discontinuation or modification, and a justifica-*
6 *tion for such recommendation.*

7 (4) *A description of the general process and*
8 *timeline for the effective transfer of each responsi-*
9 *bility, duty, and authority assigned to the Chief Man-*
10 *agement Officer by statute or by policy, instruction,*
11 *or practice of the Department to the officer or em-*
12 *ployee in whom such responsibility, duty, and author-*
13 *ity will be vested as described in paragraph (1).*

14 (5) *A description of the manner and timeline in*
15 *which the resources of the Chief Management Officer,*
16 *including funding and human capital, will be re-*
17 *aligned or repurposed to other organizations in the*
18 *Office of the Secretary of Defense or to other compo-*
19 *nents of the Department.*

20 (6) *A description of the general process and*
21 *timeline for the assignment of responsibility of each*
22 *issue under the jurisdiction of the Chief Management*
23 *Officer current identified by the Comptroller General*
24 *of the United States as “high risk” to an officer or*
25 *employee in the Department who is specifically*

1 *charged by the Secretary to initiate and sustain*
2 *progress toward resolution of such issue.*

3 (7) *Such recommendations (including rec-*
4 *ommendations for legislative action) as the Secretary*
5 *considers appropriate for additional authorities and*
6 *resources (including funding and human capital re-*
7 *sources) necessary to ensure that each officer or em-*
8 *ployee, in whom the Secretary vests responsibility and*
9 *authority as described in paragraph (1) is capable of*
10 *exercising such responsibility and authority effec-*
11 *tively.*

12 (8) *Such other matters in connection with the*
13 *termination of the position of Chief Management Offi-*
14 *cer, and the transition of the responsibilities, duties,*
15 *and authorities of the Chief Management Officer in*
16 *connection with such termination, as the Secretary*
17 *considers appropriate.*

18 (b) *VESTING OF CERTAIN RESPONSIBILITIES, DUTIES,*
19 *AND AUTHORITIES IN PARTICULAR OFFICERS.—In setting*
20 *forth matters under paragraph (1) of subsection (a), the re-*
21 *port required by that subsection shall address, in par-*
22 *ticular, the following:*

23 (1) *Vesting of responsibilities, duties, and au-*
24 *thorities of the Chief Management Officer in the Dep-*
25 *uty Secretary of Defense in the Deputy Secretary's*

1 *capacity as the Chief Operating Officer of the Depart-*
2 *ment of Defense for purposes of functions specified in*
3 *section 1123 of title 31, United States Code.*

4 (2) *Vesting of responsibilities, duties, and au-*
5 *thorities of the Chief Management Officer in the Per-*
6 *formance Improvement Officer of the Department of*
7 *Defense under section 142a of title 10, United States*
8 *Code (as added by section 913 of this Act), for pur-*
9 *poses of functions specified in section 1124 of title 31,*
10 *United States Code.*

11 (c) *OTHER RESPONSIBILITIES, DUTIES AND AUTHORI-*
12 *TIES.—In addition to any other responsibilities, duties, and*
13 *authorities of the Chief Management Officer, the report re-*
14 *quired by subsection (a) shall specifically address respon-*
15 *sibilities, duties, and authorities of the Chief Management*
16 *Officer with respect to the following:*

17 (1) *Establishment of policies for, and the direc-*
18 *tion and management of, enterprise business oper-*
19 *ations and shared business services of the Depart-*
20 *ment, as set forth in section 132a(b) of title 10,*
21 *United States Code, and section 921(b) of the John S.*
22 *McCain National Defense Authorization Act for Fis-*
23 *cal Year 2019 (10 U.S.C. 2222 note).*

24 (2) *Exercise of authority, direction, and control*
25 *over the Defense Agencies and Department of Defense*

1 *Field Activities for shared business services and budg-*
2 *et review, assessment, certification, and reporting, as*
3 *set forth in subsections (b) and (c) of section 132a of*
4 *title 10, United States Code, and section 192 of that*
5 *title.*

6 (3) *Minimization of duplication of efforts, maxi-*
7 *mization of efficiency and effectiveness, and establish-*
8 *ment of metrics for performance among and for all*
9 *components of the Department, as set forth in section*
10 *132a(b) of title 10, United States Code.*

11 (4) *Issuance and maintenance of guidance on*
12 *covered defense business systems, development and*
13 *maintenance of the defense business enterprise archi-*
14 *tecture, exercise of authorities and responsibilities*
15 *with respect to common enterprise data, leadership of*
16 *and matters within the Defense Business Council, and*
17 *service as the appropriate approval official in the*
18 *case of certain covered defense business systems and*
19 *programs, as set forth in section 2222 of title 10,*
20 *United States Code.*

21 (5) *The Financial Improvement and Audit Re-*
22 *mediation Plan, as set forth in section 240b of title*
23 *10, United States Code.*

24 (6) *Receipt of audit reports, as set forth in sec-*
25 *tion 240d of title 10, United States Code.*

1 (7) *Discharge by the Department of the annual*
2 *reviews required by section 11319 of title 40, United*
3 *States Code.*

4 (8) *Business transformation efforts of the defense*
5 *commissary system and the exchange stores system, as*
6 *set forth in section 631 of the National Defense Au-*
7 *thorization Act for Fiscal Year 2020 (Public Law*
8 *116–92).*

9 (9) *Analysis of Department business manage-*
10 *ment and operations datasets, as set forth in section*
11 *922 of the John S. McCain National Defense Author-*
12 *ization Act for Fiscal Year 2019 (10 U.S.C. 2222*
13 *note).*

14 (10) *Reviews, reports, and other actions required*
15 *by sections 924, 925, 926, 927, and 1624 of the John*
16 *S. McCain National Defense Authorization Act for*
17 *Fiscal Year 2019, to the extent such reviews, reports,*
18 *and actions have not been completed as of the date of*
19 *the report under subsection (a).*

20 (11) *Science and technology activities in support*
21 *of business systems information technology acquisi-*
22 *tion as set forth in section 217 of the National De-*
23 *fense Authorization Act for Fiscal Year 2016 (10*
24 *U.S.C. 2445a note).*

1 (12) *Relationships with the Chief Management*
2 *Officers of the military departments, and the develop-*
3 *ment and update of a strategic management plan for*
4 *the Department, as set forth in section 904 of the Na-*
5 *tional Defense Authorization Act for Fiscal Year 2008*
6 *(Public Law 110–181) and the amendments made by*
7 *that section.*

8 **SEC. 913. PERFORMANCE IMPROVEMENT OFFICER OF THE**
9 **DEPARTMENT OF DEFENSE.**

10 (a) *PERFORMANCE IMPROVEMENT OFFICER.*—

11 (1) *IN GENERAL.*—Chapter 4 of title 10, United
12 *States Code, is amended by inserting after section 142*
13 *the following new section:*

14 **“§ 142a. Performance Improvement Officer of the De-**
15 **partment of Defense**

16 “(a) *There is an Performance Improvement Officer of*
17 *the Department of Defense, who is designated as provided*
18 *in section 1124(a)(1) of title 31.*

19 “(b) *The Performance Improvement Officer shall—*

20 “(1) *perform the duties and responsibilities, and*
21 *exercise the powers set forth in section 1124 of title*
22 *31; and*

23 “(2) *perform such additional duties and respon-*
24 *sibilities, and exercise such other powers, as the Sec-*

1 *retary of Defense and the Deputy Secretary of Defense*
2 *may prescribe.*

3 “(c) *Subject to the authority, direction, and control of*
4 *the Secretary of Defense, the Performance Improvement Of-*
5 *ficer reports, without intervening authority, directly to the*
6 *Deputy Secretary of Defense, in the Deputy Secretary’s role*
7 *as the Chief Operating Officer of the Department of Defense*
8 *under section 1123 of title 31.*

9 “(d) *The Performance Improvement Officer may com-*
10 *municate views on matters within the responsibility of the*
11 *Officer directly to the Deputy Secretary of Defense, without*
12 *obtaining the approval or concurrence of any other officer*
13 *in the Department of Defense.”.*

14 (2) *CLERICAL AMENDMENT.—The table of section*
15 *at the beginning of chapter 4 of such title is amended*
16 *by inserting after the item relating to section 142 the*
17 *following new item:*

 “142a. *Performance Improvement Officer of the Department of Defense.”.*

18 (b) *EFFECTIVE DATE.—*

19 (1) *IN GENERAL.—The amendments made by*
20 *subsection (a) shall take effect on such date as the*
21 *Secretary of Defense shall specify for purposes of this*
22 *section, which date may not be later than one day be-*
23 *fore the effective date specified by the Secretary pur-*
24 *suant to section 911(a)(1).*

1 (2) NOTICE.—*The Secretary shall submit to the*
 2 *Committees on Armed Services of the Senate and the*
 3 *House of Representatives a notice on the effective date*
 4 *specified pursuant to paragraph (1).*

5 **SEC. 914. ASSIGNMENT OF CERTAIN RESPONSIBILITIES**
 6 **AND DUTIES TO PARTICULAR OFFICERS OF**
 7 **THE DEPARTMENT OF DEFENSE.**

8 (a) *CERTAIN RESPONSIBILITIES AND DUTIES OF DEP-*
 9 *UTY SECRETARY OF DEFENSE.—*

10 (1) *CHIEF OPERATING OFFICER OF THE DEPART-*
 11 *MENT OF DEFENSE.—Section 132 of title 10, United*
 12 *States Code, is amended—*

13 (A) *by redesignating subsections (c), (d),*
 14 *and (e) as subsections (d), (e), and (f), respec-*
 15 *tively; and*

16 (B) *by inserting after subsection (b) the fol-*
 17 *lowing new subsection (c):*

18 “(c)(1) *In accordance with section 1123 of title 31, the*
 19 *Deputy Secretary performs the duties, has the responsibil-*
 20 *ities, and exercises the powers of the Chief Operating Officer*
 21 *of the Department of Defense.*

22 “(2) *Subject to the authority, direction, and control*
 23 *of the Secretary of Defense, the Deputy Secretary shall su-*
 24 *perwise the Performance Improvement Officer of the Depart-*

1 *ment of Defense in the Officer's performance of duties and*
2 *responsibilities specified in section 142a of this title."*

3 (2) *DESIGNATION OF PRIORITY DEFENSE BUSI-*
4 *NESS SYSTEMS.—Section 2222(h)(5)(B) of such title*
5 *is amended by striking "the Chief Management Offi-*
6 *cer of the Department of Defense" and inserting "the*
7 *Deputy Secretary of Defense, or such other officer of*
8 *the Department of Defense as the Secretary or the*
9 *Deputy Secretary may designate,".*

10 (b) *PERIODIC REVIEWS OF DEFENSE AGENCIES AND*
11 *DEPARTMENT OF DEFENSE FIELD ACTIVITIES IN CONNEC-*
12 *TION WITH BUSINESS ENTERPRISE REFORM.—Section*
13 *192(c) of such title is amended—*

14 (1) *by redesignating paragraph (3), as redesign-*
15 *ated by section 923(a)(1) of the John S. McCain Na-*
16 *tional Defense Authorization Act for Fiscal Year 2019*
17 *(Public Law 115–232; 132 Stat. 1930), as paragraph*
18 *(4);*

19 (2) *by redesignating paragraphs (1) and (2), as*
20 *added by section 923(a)(2) of the John S. McCain*
21 *National Defense Authorization Act for Fiscal Year*
22 *2019, as paragraphs (2) and (3), respectively;*

23 (3) *in paragraph (2), as redesignated by para-*
24 *graph (2) of this subsection—*

1 (A) in subparagraph (A), by striking “the
2 Chief Management Officer of the Department of
3 Defense” and inserting “the Secretary, the Dep-
4 uty Secretary of Defense, or an officer of the De-
5 partment of Defense designated by the Secretary
6 or the Deputy Secretary”;

7 (B) in subparagraph (B), by striking “the
8 Chief Management Officer” and inserting “the
9 officer conducting such review”; and

10 (C) in subparagraph (C), by striking “the
11 Chief Management Officer” and inserting “the
12 Secretary”; and

13 (4) in paragraph (3), as so redesignated, by
14 striking “the Chief Management Officer” each place it
15 appears in subparagraphs (A) and (B) and inserting
16 “the officer conducting such review”.

17 (c) *RESPONSIBILITY OF UNDER SECRETARY OF DE-*
18 *FENSE (COMPTROLLER) FOR FINANCIAL IMPROVEMENT AND*
19 *AUDIT REMEDIATION PLAN.*—Subsection (a) of section
20 240b of such title is amended to read as follows:

21 “(a) *IN GENERAL.*—The Under Secretary of Defense
22 (Comptroller) shall, together with such other officers and
23 employees of the Department of Defense as the Secretary
24 of Defense or the Deputy Secretary of Defense may des-

1 *ignate, shall maintain a plan to be known as the ‘Financial*
2 *Improvement and Audit Remediation Plan’.*”

3 (d) *PERFORMANCE IMPROVEMENT OFFICER FUNC-*
4 *TIONS FOR DEFENSE BUSINESS SYSTEMS.—Section 2222*
5 *of such title is amended—*

6 (1) *in subsection (e)(6)(C), by inserting “and the*
7 *Performance Improvement Officer of the Department*
8 *of Defense” after “The Director of Cost Assessment*
9 *and Program Evaluation”;* and

10 (2) *in subsection (f)(2)(B)—*

11 (A) *by redesignating clauses (i) through*
12 *(iii) as clauses (ii) through (iv), respectively;*
13 *and*

14 (B) *by inserting before clause (ii), as redesi-*
15 *gnated by paragraph (1), the following new*
16 *clause (i):*

17 “(i) *The Performance Improvement Of-*
18 *ficer of the Department of Defense.*”

19 (e) *EFFECTIVE DATE.—The amendments made by this*
20 *section shall take effect on the effective date specified in sec-*
21 *tion 911(a)(1).*

1 **SEC. 915. ASSIGNMENT OF RESPONSIBILITIES AND DUTIES**
2 **OF CHIEF MANAGEMENT OFFICER TO OFFI-**
3 **CERS OR EMPLOYEES OF THE DEPARTMENT**
4 **OF DEFENSE TO BE DESIGNATED.**

5 (a) *TITLE 10, UNITED STATES CODE.*—*Title 10,*
6 *United States Code, is amended as follows:*

7 (1) *In section 240d(d)(1)(A), by striking “the*
8 *Chief Management Officer of the Department of De-*
9 *fense” and inserting “any other officer or employee of*
10 *the Department of Defense that the Secretary of De-*
11 *fense or the Deputy Secretary of Defense may des-*
12 *ignate for purposes of this section”.*

13 (2) *Section 2222 is amended—*

14 (A) *in subsection (c)(2)—*

15 (i) *by striking “the Chief Management*
16 *Officer of the Department of Defense,”; and*

17 (ii) *by striking “and the Chief Man-*
18 *agement Officer of each of the military de-*
19 *partments” and inserting “the Chief Man-*
20 *agement Officer of each of the military de-*
21 *partments, and other appropriate officers or*
22 *employees of the Department and its compo-*
23 *nents”;*

24 (B) *in subsection (e)—*

25 (i) *in paragraph (1), by striking “the*
26 *Chief Management Officer of the Depart-*

1 *ment of Defense*” and inserting “such offi-
2 *cers or employees of the Department of De-*
3 *fense as the Secretary shall designate”;*

4 *(ii) in paragraph (6)—*

5 *(I) in subparagraph (A)—*

6 *(aa) by striking “The Chief*
7 *Management Officer of the De-*
8 *partment of Defense” and insert-*
9 *ing “Such officers of the Depart-*
10 *ment of Defense as the Secretary*
11 *shall designate”; and*

12 *(bb) by striking “the Chief*
13 *Management Officer” and insert-*
14 *ing “such officers”; and*

15 *(II) in subparagraph (B), by*
16 *striking “The Chief Management Offi-*
17 *cer and the Under Secretary of Defense*
18 *(Comptroller)” and inserting “The*
19 *Under Secretary of Defense (Comp-*
20 *troller) and such other officers of the*
21 *Department as the Secretary shall des-*
22 *ignate”;*

23 *(C) in subsection (f)(1), by striking “the*
24 *Chief Management Office and the Chief Informa-*
25 *tion Office of the Department of Defense” and*

1 *inserting “the Chief Information Officer of the*
2 *Department of Defense and such other officers or*
3 *employees of the Department of Defense as the*
4 *Secretary may designate”*; and

5 *(D) in subsection (g)(2), by striking “the*
6 *Chief Management Officer of the Department of*
7 *Defense” each place it appears in subparagraphs*
8 *(A) and (B)(ii) and inserting “an officer or em-*
9 *ployee of the Department of Defense designated*
10 *by the Secretary”*.

11 *(b) TITLE 40, UNITED STATES CODE.—Section*
12 *11319(d)(4) of title 40, United States Code, is amended by*
13 *striking “the Chief Management Officer of the Department*
14 *of Defense (of any successor to such Officer)” and inserting*
15 *“the officer of the Department of Defense designated by the*
16 *Secretary of Defense or the Deputy Secretary of Defense for*
17 *such purpose”*.

18 *(c) PUBLIC LAW 116–92.—Section 631(a) of the Na-*
19 *tional Defense Authorization Act for Fiscal Year 2020 (Pub-*
20 *lic Law 116–92) is amended by striking “the Chief Manage-*
21 *ment Officer of the Department of Defense” and inserting*
22 *“such officer of the Department of Defense as the Secretary*
23 *of Defense or the Deputy Secretary of Defense may des-*
24 *ignate”*.

1 (d) *PUBLIC LAW 115–232.—The John S. McCain Na-*
2 *tional Defense Authorization Act for Fiscal Year 2019 (Pub-*
3 *lic Law 115–232) is amended as follows:*

4 (1) *In section 921(b)(1) (10 U.S.C. 2222 note)—*

5 (A) *in subparagraph (A), by striking “the*
6 *Chief Management Officer of the Department of*
7 *Defense” and inserting “such officer or employee*
8 *of the Department of Defense as the Secretary of*
9 *Defense or the Deputy Secretary of Defense shall*
10 *designate”;*

11 (B) *in subparagraph (B)—*

12 (i) *in the subparagraph heading, by*
13 *striking “CMO”;*

14 (ii) *by striking “the Chief Management*
15 *Officer” the first place it appears and in-*
16 *serting “the Secretary shall, acting through*
17 *such officer or employee of the Department*
18 *as the Secretary or the Deputy Secretary*
19 *shall designate”; and*

20 (iii) *by striking “by the Chief Manage-*
21 *ment Officer”.*

22 (2) *In section 922 (10 U.S.C. 2222 note)—*

23 (A) *in subsection (a), by striking “The*
24 *Chief Management Officer of the Department of*
25 *Defense” and inserting “An officer or employee*

1 *of the Department of Defense designated by the*
2 *Secretary of Defense or the Deputy Secretary of*
3 *Defense”;* and

4 *(B) in subsection (b)—*

5 *(i) in paragraph (1)—*

6 *(I) in the matter preceding sub-*
7 *paragraph (A), by striking “The Chief*
8 *Management Officer” and inserting*
9 *“The officer or employee designated*
10 *pursuant to subsection (a)”;* and

11 *(II) in subparagraph (B), by*
12 *striking “The Chief Management Offi-*
13 *cer” and inserting “such officer or em-*
14 *ployee”;* and

15 *(ii) in paragraph (2), by striking “the*
16 *Chief Management Officer shall take appro-*
17 *priate actions” and inserting “all appro-*
18 *priate actions shall be taken”.*

19 *(3) In section 924 (10 U.S.C. 191 note)—*

20 *(A) in subsection (a), by striking “the Chief*
21 *Management Officer of the Department of De-*
22 *fense” in the matter preceding paragraph (1)*
23 *and inserting “such officer of the Department of*
24 *Defense as the Secretary or Defense or the Dep-*
25 *uty Secretary of Defense shall designate”;*

1 (B) in subsection (b)—

2 (i) in the matter preceding paragraph
3 (1), by striking “the Chief Management Of-
4 ficer” and inserting “the officer designated
5 pursuant to subsection (a)”; and

6 (ii) in subparagraph (B), by striking
7 “the Chief Management Officer” and insert-
8 ing “such officer”; and

9 (C) in subsection (c)—

10 (i) by striking “the Chief Management
11 Officer” the first place it appears and in-
12 serting “the officer designated pursuant to
13 subsection (a)”; and

14 (ii) by striking “the Chief Management
15 Officer” the second place it appears and in-
16 serting “such officer”.

17 (4) In section 925(a) (132 Stat. 1932), by strik-
18 ing “the Chief Management Officer of the Department
19 of Defense” in the matter preceding paragraph (1)
20 and inserting “such officer of the Department of De-
21 fense as the Secretary or Defense or the Deputy Sec-
22 retary of Defense shall designate”.

23 (5) In section 926(a) (132 Stat. 1932), by strik-
24 ing “the Chief Management Officer of the Department
25 of Defense” in the matter preceding paragraph (1)

1 and inserting “such officer of the Department of De-
2 fense as the Secretary or Defense or the Deputy Sec-
3 retary of Defense shall designate”.

4 (6) In section 927 (132 Stat. 1933)—

5 (A) in subsection (a), by striking “the Chief
6 Management Officer of the Department of De-
7 fense” and inserting “such officer of the Depart-
8 ment of Defense as the Secretary or Defense or
9 the Deputy Secretary of Defense shall designate”;
10 and

11 (B) in subsections (c) and (d), by striking
12 “the Chief Management Officer” each place it
13 appears and inserting “the officer designated
14 pursuant to subsection (a)”.

15 (7) In section 1624(a) (10 U.S.C. 2222 note)—

16 (A) in paragraph (1), by striking “the Chief
17 Management Officer of the Department of De-
18 fense” and inserting “such officer of the Depart-
19 ment of Defense as the Secretary or Defense or
20 the Deputy Secretary of Defense shall designate”;

21 (B) by striking “the Chief Management Of-
22 ficer” each place it appears in paragraphs (2),
23 (3), and (4) and inserting “the officer designated
24 pursuant to paragraph (1)”; and

1 (C) by inserting “and Security” after “for
2 Intelligence” each place it appears.

3 (e) *PUBLIC LAW 114–92.—The National Defense Au-*
4 *thorization Act for Fiscal Year 2016 (Public Law 114–92)*
5 *is amended as follows:*

6 (1) *In section 217—*

7 (A) *in subsection (a), by striking “the Dep-*
8 *uty Chief Management Officer, and the Chief In-*
9 *formation Officer” and inserting “the Chief In-*
10 *formation Officer, and any other officer of the*
11 *Department of Defense designated by the Sec-*
12 *retary of Defense or the Deputy Secretary of De-*
13 *fense for such purpose”; and*

14 (B) *in subsections (b), (f)(1)(A)(ii), and*
15 *(f)(2)(B), by striking “the Deputy Chief Manage-*
16 *ment Officer” each place it appears and insert-*
17 *ing “any officer designated pursuant to sub-*
18 *section (a)”.*

19 (2) *In section 881(a) (10 U.S.C. 2302 note), by*
20 *striking “the Deputy Chief Management Officer,”.*

21 (f) *PUBLIC LAW 110–81.—Section 904 of the National*
22 *Defense Authorization Act for Fiscal Year 2008 (Public*
23 *Law 110–81; 122 Stat. 273)) is amended—*

24 (1) *in subsection (b)(4), by striking “the Chief*
25 *Management Officer and Deputy Chief Management*

1 *Officer of the Department of Defense” and inserting*
 2 *“such officer of the Department of Defense as the Sec-*
 3 *retary of Defense or the Deputy Secretary of Defense*
 4 *shall designate”; and*

5 *(2) in subsection (d)—*

6 *(A) in paragraph (1), by striking “the Chief*
 7 *Management Officer of the Department of De-*
 8 *fense” and inserting “such officer of the Depart-*
 9 *ment of Defense as the Secretary of Defense or*
 10 *the Deputy Secretary of Defense may designate*
 11 *for purposes of this subsection”; and*

12 *(B) in paragraph (3), by striking “the Chief*
 13 *Management Officer” and inserting “the officer*
 14 *designated pursuant to paragraph (1)”.*

15 *(g) EFFECTIVE DATE.—The amendments made by this*
 16 *section shall take effect on the effective date specified in sec-*
 17 *tion 911(a)(1).*

18 **SEC. 916. DEFINITION OF ENTERPRISE BUSINESS OPER-**
 19 **ATIONS FOR TITLE 10, UNITED STATES CODE.**

20 *Effective on the effective date specified in section*
 21 *911(a)(1) of this Act, section 101(e) of title 10, United*
 22 *States Code, is amended by adding at the end the following*
 23 *new paragraph:*

24 *“(9) ENTERPRISE BUSINESS OPERATIONS.—The*
 25 *term ‘enterprise business operations’—*

1 “(A) means activities that constitute cross-
2 cutting business operations used by multiple
3 components of the Department of Defense, but ex-
4 cludes activities that are directly tied to a single
5 military department or Department of Defense
6 component; and

7 “(B) includes business-support functions
8 designated by the Secretary of Defense or the
9 Deputy Secretary of Defense, including aspects of
10 financial management, healthcare, acquisition
11 and procurement, supply chain and logistics,
12 certain information technology, real property,
13 and human resources operations.”.

14 **SEC. 917. ANNUAL REPORT ON ENTERPRISE BUSINESS OP-**
15 **ERATIONS OF THE DEPARTMENT OF DE-**
16 **FENSE.**

17 (a) *ANNUAL REPORT REQUIRED.*—Not later than
18 March 31 each year, the Secretary of Defense shall submit
19 to Congress a report that includes the following:

20 (1) *Each proposed budget for the enterprise busi-*
21 *ness operations of a Defense Agency or Department of*
22 *Defense Field Activity for the fiscal year beginning in*
23 *the year in which such report is submitted.*

24 (2) *An identification of each proposed budget de-*
25 *scribed in paragraph (1) that does not achieve re-*

1 *quired levels of efficiency and effectiveness for enter-*
2 *prise business operations.*

3 (3) *A discussion of the actions that the Secretary*
4 *proposes to take, including recommendations for legis-*
5 *lative action that the Secretary considers appropriate,*
6 *to address inadequate levels of efficiency and effective-*
7 *ness for enterprise business operations achieved by the*
8 *proposed budgets described in paragraph (1).*

9 (4) *Any additional comments that the Secretary*
10 *considers appropriate regarding inadequate levels of*
11 *efficiency and effectiveness for enterprise business op-*
12 *erations achieved by the proposed budgets described in*
13 *paragraph (1).*

14 (b) *SUBMITTAL.—The Secretary may submit a report*
15 *required by subsection (a) through the Deputy Secretary of*
16 *Defense.*

17 (c) *ENTERPRISE BUSINESS OPERATIONS DEFINED.—*
18 *In this section, the term “enterprise business operations”*
19 *has the meaning given that term in paragraph (9) of section*
20 *101(e) of title 10, United States Code (as added by section*
21 *916 of this Act).*

22 **SEC. 918. CONFORMING AMENDMENTS.**

23 (a) *TITLE 10, UNITED STATES CODE.—Title 10,*
24 *United States Code, is amended as follows:*

25 (1) *In section 131(b)—*

1 (A) by striking paragraph (2);

2 (B) by redesignating paragraphs (3)
3 through (9) as paragraphs (2) through (8), re-
4 spectively; and

5 (C) in paragraph (7), as redesignated by
6 subparagraph (B)—

7 (i) by redesignating subparagraphs (A)
8 through (F) as subparagraphs (B) through
9 (G), respectively; and

10 (ii) by inserting before subparagraph
11 (B), as redesignated by clause (i), the fol-
12 lowing new subparagraph (A):

13 “(A) *The Performance Improvement Officer of*
14 *the Department of Defense.*”.

15 (2) In section 133a(c)—

16 (A) in paragraph (1), by striking “, the
17 *Deputy Secretary of Defense, and the Chief Man-*
18 *agement Officer of the Department of Defense*”
19 and inserting “and the Deputy Secretary of De-
20 *fense*”; and

21 (B) in paragraph (2), by striking “the Chief
22 *Management Officer,*”.

23 (3) In section 133b(c)—

1 (A) in paragraph (1), by striking “the Chief
2 Management Officer of the Department of De-
3 fense,”; and

4 (B) in paragraph (2), by striking “the Chief
5 Management Officer,”.

6 (4) In section 137a(d), by striking “the Chief
7 Management Officer of the Department of Defense,”.

8 (5) In section 138(d), by striking “the Chief
9 Management Officer of the Department of Defense,”.

10 (6) In section 240b(b)(1)(C)(ii), by striking “,
11 the Chief Management Officer,”.

12 (b) *EXECUTIVE SCHEDULE LEVEL II.*—Section 5313
13 of title 5, United States Code, is amended by striking the
14 item relating to the Chief Management Officer of the De-
15 partment of Defense.

16 (c) *EFFECTIVE DATE.*—The amendments made by this
17 section shall take effect on the effective date specified in sec-
18 tion 911(a)(1).

1 ***Subtitle C—Space Force Matters***

2 ***PART I—AMENDMENTS TO INTEGRATE THE***

3 ***SPACE FORCE INTO LAW***

4 ***SEC. 931. CLARIFICATION OF SPACE FORCE AND CHIEF OF***

5 ***SPACE OPERATIONS AUTHORITIES.***

6 *(a) COMPOSITION OF SPACE FORCE.—Section 9081 of*
7 *title 10, United States Code, is amended by striking sub-*
8 *section (b) and inserting the following new subsection (b):*

9 *“(b) COMPOSITION.—The Space Force consists of—*

10 *“(1) the Regular Space Force;*

11 *“(2) all persons appointed or enlisted in, or con-*
12 *scripted into, the Space Force, including those not as-*
13 *signed to units, necessary to form the basis for a com-*
14 *plete and immediate mobilization for the national de-*
15 *fense in the event of a national emergency; and*

16 *“(3) all Space Force units and other Space Force*
17 *organizations, including installations and supporting*
18 *and auxiliary combat, training, administrative, and*
19 *logistic elements.”.*

20 *(b) FUNCTIONS.—Section 9081 of title 10, United*
21 *States Code, is further amended—*

22 *(1) by striking subsection (c) and inserting the*
23 *following new subsection (c):*

24 *“(c) FUNCTIONS.—The Space Force shall be organized,*
25 *trained, and equipped to—*

1 “(1) provide freedom of operation for the United
2 States in, from, and to space;

3 “(2) conduct space operations; and

4 “(3) protect the interests of the United States in
5 space.”; and

6 (2) by striking subsection (d).

7 (c) *CLARIFICATION OF CHIEF OF SPACE OPERATIONS*
8 *AUTHORITIES.*—Section 9082 of title 10, United States
9 Code, is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “general
12 officers of the Air Force” and inserting “general,
13 flag, or equivalent officers of the Space Force”;
14 and

15 (B) by adding at the end the following new
16 paragraphs:

17 “(3) The President may appoint an officer as Chief
18 of Space Operations only if—

19 (A) the officer has had significant experience in
20 joint duty assignments; and

21 (B) such experience includes at least one full
22 tour of duty in a joint duty assignment (as defined
23 in section 664(d) of this title) as a general, flag, or
24 equivalent officer of the Space Force.

1 “(4) *The President may waive paragraph (3) in the*
2 *case of an officer if the President determines such action*
3 *is necessary in the national interest.*”;

4 (2) *in subsection (b), by striking “grade of gen-*
5 *eral” and inserting “grade in the Space Force equiva-*
6 *lent to the grade of general in the Army, Air Force,*
7 *and Marine Corps, or admiral in the Navy”; and*

8 (3) *in subsection (d)—*

9 (A) *in paragraph (4), by striking “and” at*
10 *the end;*

11 (B) *by redesignating paragraph (5) as*
12 *paragraph (6); and*

13 (C) *by inserting after paragraph (4) the fol-*
14 *lowing new paragraph (5):*

15 “(5) *perform duties prescribed for the Chief of*
16 *Space Operations by sections 171 and 2547 of this*
17 *title and other provision of law; and”.*

18 (d) *REPEAL OF OFFICER CAREER FIELD FOR*
19 *SPACE.—Section 9083 of title 10, United States Code, is*
20 *repealed.*

21 (e) *REGULAR SPACE FORCE.—Chapter 908 of title 10,*
22 *United States Code, as amended by subsection (d), is further*
23 *amended by adding at the end the following new section*
24 *9083:*

1 **“§ 9083. Regular Space Force: composition**

2 “(a) *IN GENERAL.*—*The Regular Space Force is the*
3 *component of the Space Force that consists of persons whose*
4 *continuous service on active duty in both peace and war*
5 *is contemplated by law, and of retired members of the Reg-*
6 *ular Space Force.*

7 “(b) *COMPOSITION.*—*The Regular Space Force in-*
8 *cludes—*

9 “(1) *the officers and enlisted members of the Reg-*
10 *ular Space Force; and*

11 “(2) *the retired officers and enlisted members of*
12 *the Regular Space Force.*”

13 “(f) *TABLE OF SECTIONS.*—*The table of sections at the*
14 *beginning of chapter 908 of title 10, United States Code,*
15 *is amended by striking the item relating to section 9083*
16 *and inserting the following new item:*

 “9083. *Regular Space Force: composition.*”.

17 **SEC. 931A. OFFICE OF THE CHIEF OF SPACE OPERATIONS.**

18 “(a) *IN GENERAL.*—*Chapter 908 of title 10, United*
19 *States Code, as amended by section 931(e) of this Act, is*
20 *further amended—*

21 “(1) *by redesignating section 9083 as section*
22 *9085; and*

23 “(2) *by inserting after section 9082 the following*
24 *new sections:*

1 **“§ 9083. Office of the Chief of Space Operations: func-**
2 **tion; composition**

3 “(a) *FUNCTION.*—*There is in the executive part of the*
4 *Department of the Air Force an Office of the Chief of Space*
5 *Operations to assist the Secretary of the Air Force in car-*
6 *rying out the responsibilities of the Secretary.*

7 “(b) *COMPOSITION.*—*The Office of the Chief of Space*
8 *Operations is composed of the following:*

9 “(1) *The Chief of Space Operations.*

10 “(2) *Such other offices and officials as may be*
11 *established by law or as the Secretary of the Air Force*
12 *may establish or designate.*

13 “(3) *Other members of the Space Force and Air*
14 *Force assigned or detailed to the Office of the Chief*
15 *of Space Operations.*

16 “(4) *Civilian employees in the Department of the*
17 *Air Force assigned or detailed to the Office of the*
18 *Chief of Space Operations.*

19 “(c) *ORGANIZATION.*—*Except as otherwise specifically*
20 *prescribed by law, the Office of the Chief of Space Oper-*
21 *ations shall be organized in such manner, and the members*
22 *of the Office of the Chief of Space Operations shall perform*
23 *such duties and have such titles, as the Secretary of the Air*
24 *Force may prescribe.*

1 **“§9084. Office of the Chief of Space Operations: gen-**
2 **eral duties**

3 “(a) *PROFESSIONAL ASSISTANCE.*—*The Office of the*
4 *Chief of Space Operations shall furnish professional assist-*
5 *ance to the Secretary of the Air Force, the Chief of Space*
6 *Operations, and other personnel of the Office of the Sec-*
7 *retary of the Air Force or the Office of the Chief of Space*
8 *Operations.*

9 “(b) *AUTHORITIES.*—*Under the authority, direction,*
10 *and control of the Secretary of the Air Force, the Office*
11 *of the Chief of Space Operations shall—*

12 “(1) *subject to subsections (c) and (d) of section*
13 *9014 of this title, prepare for such employment of the*
14 *Space Force, and for such recruiting, organizing, sup-*
15 *plying, equipping (including research and develop-*
16 *ment), training, servicing, mobilizing, demobilizing,*
17 *administering, and maintaining of the Space Force,*
18 *as will assist in the execution of any power, duty, or*
19 *function of the Secretary of the Air Force or the Chief*
20 *of Space Operations;*

21 “(2) *investigate and report upon the efficiency of*
22 *the Space Force and its preparation to support mili-*
23 *tary operations by commanders of the combatant*
24 *commands;*

1 “(3) prepare detailed instructions for the execu-
2 tion of approved plans and supervise the execution of
3 those plans and instructions;

4 “(4) as directed by the Secretary of the Air Force
5 or the Chief of Space Operations, coordinate the ac-
6 tion of organizations of the Space Force; and

7 “(5) perform such other duties, not otherwise as-
8 signed by law, as may be prescribed by the Secretary
9 of the Air Force.”.

10 (b) *TABLE OF SECTIONS.*—The table of sections at the
11 beginning of chapter 908 of such title, as amended by sec-
12 tion 931(f) of this Act, is further amended by striking the
13 item related to section 9083 and inserting the following the
14 following new items:

“9083. Office of the Chief of Space Operations: function; composition.

“9084. Office of the Chief of Space Operations: general duties.

“9085. Regular Space Force: composition.”.

15 **SEC. 932. AMENDMENTS TO DEPARTMENT OF THE AIR**
16 **FORCE PROVISIONS IN TITLE 10, UNITED**
17 **STATES CODE.**

18 (a) *SUBTITLE.*—

19 (1) *HEADING.*—The heading of subtitle D of title
20 10, United States Code, is amended to read as follows:

21 **“Subtitle D—Air Force and Space**
22 **Force”.**

23 (2) *TABLE OF SUBTITLES.*—The table of subtitles
24 at the beginning of such title is amended is amended

1 *by striking the item relating to subtitle D and insert-*
 2 *ing the following new item:*

“D. Air Force and Space Force 9011”.

3 **(b) ORGANIZATION.—**

4 **(1) SECRETARY OF THE AIR FORCE.—***Section*
 5 *9013 of title 10, United States Code, is amended—*

6 *(A) in subsection (f), by inserting “and offi-*
 7 *cers of the Space Force” after “Officers of the Air*
 8 *Force”; and*

9 *(B) in subsection (g)(1), by inserting “,*
 10 *members of the Space Force,” after “members of*
 11 *the Air Force”.*

12 **(2) OFFICE OF THE SECRETARY OF THE AIR**
 13 **FORCE.—***Section 9014 of such title is amended—*

14 *(A) in subsection (b), by striking paragraph*
 15 *(4) and inserting the following new paragraph*

16 **(4)**

17 *“(4) The Inspector General of the Department of*
 18 *the Air Force.”;*

19 **(B) in subsection (c)—**

20 *(i) in paragraph (1), by striking “and*
 21 *the Air Staff” and inserting “, the Air*
 22 *Staff, and the Office of the Chief of Space*
 23 *Operations”;*

1 (ii) in paragraph (2), by inserting “or
2 the Office of the Chief of Space Operations”
3 after “the Air Staff”;

4 (iii) in paragraph (3), by striking “to
5 the Chief of Staff and to the Air Staff” and
6 all that follows through the end and insert-
7 ing “to the Chief of Staff of the Air Force
8 and the Air Staff, and to the Chief of Space
9 Operations and the Office of the Chief of
10 Space Operations, and shall ensure that
11 each such office or entity provides the Chief
12 of Staff and Chief of Space Operations such
13 staff support as the Chief concerned con-
14 siders necessary to perform the Chief’s du-
15 ties and responsibilities.”; and

16 (iv) in paragraph (4)—

17 (I) by inserting “and the Office of
18 the Chief of Space Operations” after
19 “the Air Staff”; and

20 (II) by inserting “and the Chief of
21 Space Operations” after “Chief of
22 Staff”;

23 (C) in subsection (d)—

24 (i) in paragraph (1), by striking “and
25 the Air Staff” and inserting “, the Air

1 *Staff, and the Office of the Chief of Space*
2 *Operations”;*

3 (ii) *in paragraph (2), by inserting*
4 *“and the Office of the Chief of Space Oper-*
5 *ations” after “the Air Staff”; and*

6 (iii) *in paragraph (4), by striking “to*
7 *the Chief of Staff of the Air Force and to*
8 *the Air Staff” and all that follows through*
9 *the end and inserting “to the Chief of Staff*
10 *of the Air Force and the Air Staff, and to*
11 *the Chief of Space Operations and the Office*
12 *of the Chief of Space Operations, and shall*
13 *ensure that each such office or entity pro-*
14 *vides the Chief of Staff and Chief of Space*
15 *Operations such staff support as the Chief*
16 *concerned considers necessary to perform the*
17 *Chief’s duties and responsibilities.”; and*

18 (D) *in subsection (e)—*

19 (i) *by striking “and the Air Staff” and*
20 *inserting “, the Air Staff, and the Office of*
21 *the Chief of Space Operations”;* and

22 (ii) *by striking “to the other” and in-*
23 *serting “to any of the others”.*

24 (3) *SECRETARY OF THE AIR FORCE: SUCCESSORS*
25 *TO DUTIES.—Section 9017(4) of such title is amended*

1 *by inserting before the period the following: “of the*
2 *Air Force and the Chief of Space Operations, in the*
3 *order prescribed by the Secretary of the Air Force and*
4 *approved by the Secretary of Defense”.*

5 (4) *INSPECTOR GENERAL.—Section 9020 of such*
6 *title is amended—*

7 (A) *in subsection (a)—*

8 (i) *by inserting “Department of the”*
9 *after “Inspector General of the”; and*

10 (ii) *by inserting “or the general, flag,*
11 *or equivalent officers of the Space Force”*
12 *after “general officers of the Air Force”;*

13 (B) *in subsection (b)—*

14 (i) *in the matter preceding paragraph*
15 *(1), by striking “or the Chief of Staff” and*
16 *inserting “, the Chief of Staff of the Air*
17 *Force, or the Chief of Space Operations”;*

18 (ii) *in paragraph (1), by inserting*
19 *“Department of the” before “Air Force”;*
20 *and*

21 (iii) *in paragraph (2), by striking “or*
22 *the Chief of Staff” and inserting “, the*
23 *Chief of Staff, or the Chief of Space Oper-*
24 *ations” ; and*

1 (C) in subsection (e), by inserting “or the
2 Space Force” before “for a tour of duty”.

3 (5) *THE AIR STAFF: FUNCTION; COMPOSITION.*—
4 Section 9031(b)(8) of such title is amended by insert-
5 ing “or the Space Force” after “of the Air Force”.

6 (6) *SURGEON GENERAL: APPOINTMENT; DU-*
7 *TIES.*—Section 9036(b) of such title is amended—

8 (A) in paragraph (1), by striking “Sec-
9 retary of the Air Force and the Chief of Staff of
10 the Air Force on all health and medical matters
11 of the Air Force” and inserting “Secretary of the
12 Air Force, the Chief of Staff of the Air Force,
13 and the Chief of Space Operations on all health
14 and medical matters of the Air Force and the
15 Space Force”; and

16 (B) in paragraph (2)—

17 (i) by inserting “and the Space Force”
18 after “of the Air Force” the first place it
19 appears; and

20 (ii) by inserting “and members of the
21 Space Force” after “of the Air Force” the
22 second place it appears.

23 (7) *JUDGE ADVOCATE GENERAL, DEPUTY JUDGE*
24 *ADVOCATE GENERAL: APPOINTMENT; DUTIES.*—Sec-
25 tion 9037 of such title is amended—

1 (A) in subsection (e)(2)(B), by inserting “or
2 the Space Force” after “of the Air Force”; and

3 (B) in subsection (f)(1), by striking “the
4 Secretary of the Air Force or the Chief of Staff
5 of the Air Force” and inserting “the Secretary of
6 the Air Force, the Chief of Staff of the Air Force,
7 or the Chief of Space Operations”.

8 (8) *CHIEF OF CHAPLAINS: APPOINTMENT; DU-*
9 *TIES.*—Section 9039(a) of such title is amended by
10 striking “in the Air Force” and inserting “for the Air
11 Force and the Space Force”.

12 (9) *PROVISION OF CERTAIN PROFESSIONAL FUNC-*
13 *TIONS FOR THE SPACE FORCE.*—Section 9063 of such
14 title is amended—

15 (A) in subsections (a) through (i), by strik-
16 ing “in the Air Force” each place it appears and
17 inserting “in the Air Force and the Space
18 Force”; and

19 (B) in subsection (i), as amended by sub-
20 paragraph (A), by inserting “or the Space
21 Force” after “members of the Air Force”.

22 (c) *PERSONNEL.*—

23 (1) *GENDER-FREE BASIS FOR ACCEPTANCE OF*
24 *ORIGINAL ENLISTMENTS.*—

1 (A) *IN GENERAL.*—Section 9132 of title 10,
 2 *United States Code, is amended by inserting “or*
 3 *the Regular Space Force” after “Regular Air*
 4 *Force”.*

5 (B) *HEADING.*—The heading of such section
 6 9132 is amended to read as follows:

7 **“§9132. Regular Air Force and Regular Space Force:**
 8 ***gender-free basis for acceptance of origi-***
 9 ***nal enlistments”.***

10 (C) *TABLE OF SECTIONS.*—The table of sec-
 11 *tions at the beginning of chapter 913 of such title*
 12 *is amended by striking the item relating to sec-*
 13 *tion 9132 and inserting the following new item:*

 “9132. *Regular Air Force and Regular Space Force: gender-free basis for accept-*
 ance of original enlistments.”.

14 (2) *REENLISTMENT AFTER SERVICE AS AN OFFI-*
 15 *CER.*—

16 (A) *IN GENERAL.*—Section 9138 of such
 17 *title is amended in subsection (a)—*

18 (i) by inserting “or the Regular Space
 19 *Force” after “Regular Air Force” both*
 20 *places it appears; and*

21 (ii) by inserting “or the Space Force”
 22 *after “officer of the Air Force” both places*
 23 *it appears.*

1 (B) *HEADING*.—*The heading of such section*
 2 9132 is amended to read as follows:

3 **“§9132. Regular Air Force and Regular Space Force:**
 4 ***reenlistment after service as an officer*”.**

5 (C) *TABLE OF SECTIONS*.—*The table of sec-*
 6 *tions at the beginning of chapter 913 of such*
 7 *title, as amended by paragraph (1)(C), is further*
 8 *by striking the item relating to section 9138 and*
 9 *inserting the following new item:*

 “9138. *Regular Air Force and Regular Space Force: reenlistment after service as*
 an officer.”.

10 (3) *APPOINTMENTS IN THE REGULAR AIR FORCE*
 11 *AND REGULAR SPACE FORCE*.—

12 (A) *IN GENERAL*.—*Section 9160 of such*
 13 *title is amended—*

14 (i) *by inserting “or the Regular Space*
 15 *Force” after “Regular Air Force”; and*

16 (ii) *by inserting “or the Space Force”*
 17 *before the period.*

18 (B) *CHAPTER HEADING*.—*The heading of*
 19 *chapter 915 of such title is amended to read as*
 20 *follows:*

1 **“CHAPTER 915—APPOINTMENTS IN THE**
 2 **REGULAR AIR FORCE AND THE REG-**
 3 **ULAR SPACE FORCE”.**

4 (C) *TABLES OF CHAPTERS.*—The table of
 5 chapters at the beginning of subtitle D of such
 6 title, and at the beginning of part II of subtitle
 7 D of such title, are each amended by striking the
 8 item relating to chapter 915 and inserting the
 9 following new item:

**“915. Appointments in the Regular Air Force and the
 Regular Space Force 9151”.**

10 (4) *RETIRED COMMISSIONED OFFICERS: STA-*
 11 *TUS.*—Section 9203 of such title is amended by in-
 12 sserting “or the Space Force” after “the Air Force”.

13 (5) *DUTIES: CHAPLAINS; ASSISTANCE REQUIRED*
 14 *OF COMMANDING OFFICERS.*—Section 9217(a) of such
 15 title is amended by inserting “or the Space Force”
 16 after “the Air Force”.

17 (6) *RANK: COMMISSIONED OFFICERS SERVING*
 18 *UNDER TEMPORARY APPOINTMENTS.*—Section 9222 of
 19 such title is amended by inserting “or the Space
 20 Force” after “the Air Force” both places it appears.

21 (7) *REQUIREMENT OF EXEMPLARY CONDUCT.*—
 22 Section 9233 of such title is amended—

1 (A) in the matter preceding paragraph (1),
2 by inserting “and in the Space Force” after “the
3 Air Force”; and

4 (B) in paragraphs (3) and (4), by inserting
5 “or the Space Force, respectively” after “the Air
6 Force”.

7 (8) *ENLISTED MEMBERS: OFFICERS NOT TO USE*
8 *AS SERVANTS.*—Section 9239 of such title is amended
9 by inserting “or the Space Force” after “Air Force”
10 both places it appears.

11 (9) *PRESENTATION OF UNITED STATES FLAG*
12 *UPON RETIREMENT.*—Section 9251(a) of such title is
13 amended by inserting “or the Space Force” after
14 “member of the Air Force”.

15 (10) *SERVICE CREDIT: REGULAR ENLISTED MEM-*
16 *BERS; SERVICE AS AN OFFICER TO BE COUNTED AS*
17 *ENLISTED SERVICE.*—Section 9252 of such title is
18 amended—

19 (A) by inserting “or the Regular Space
20 Force” after “Regular Air Force”; and

21 (B) by inserting “in the Space Force,” after
22 “in the Air Force,”.

23 (11) *WHEN SECRETARY MAY REQUIRE HOS-*
24 *PITALIZATION.*—Section 9263 of such title is amended

1 *by inserting “or the Space Force” after “member of*
2 *the Air Force”.*

3 (12) *DECORATIONS AND AWARDS.—*

4 (A) *IN GENERAL.—Chapter 937 of such title*
5 *is amended by inserting “or the Space Force”*
6 *after “the Air Force” each place it appears in*
7 *the following provisions:*

8 (i) *Section 9271.*

9 (ii) *Section 9272.*

10 (iii) *Section 9273.*

11 (iv) *Section 9276.*

12 (v) *Section 9281 other than the first*
13 *place it appears in subsection (a).*

14 (vi) *Section 9286(a) other than the*
15 *first place it appears.*

16 (B) *MEDAL OF HONOR; AIR FORCE CROSS;*
17 *DISTINGUISHED-SERVICE MEDAL: DELEGATION*
18 *OF POWER TO AWARD.—Section 9275 of such*
19 *title is amended by inserting before the period at*
20 *the end the following: “, or to an equivalent com-*
21 *mander of a separate space force or higher unit*
22 *in the field”.*

23 (13) *TWENTY YEARS OR MORE: REGULAR OR RE-*
24 *SERVE COMMISSIONED OFFICERS.—Section 9311(a) of*

1 *such title is amended by inserting “or the Space*
 2 *Force” after “officer of the Air Force”.*

3 (14) *TWENTY TO THIRTY YEARS: ENLISTED MEM-*
 4 *BERS.—Section 9314 of such title is amended by in-*
 5 *serting “or the Space Force” after “member of the Air*
 6 *Force”.*

7 (15) *THIRTY YEARS OR MORE: REGULAR EN-*
 8 *LISTED MEMBERS.—Section 9317 of such title is*
 9 *amended by inserting “or the Space Force” after “Air*
 10 *Force”.*

11 (16) *THIRTY YEARS OR MORE: REGULAR COMMIS-*
 12 *SIONED OFFICERS.—Section 9318 of such title is*
 13 *amended by inserting “or the Space Force” after “Air*
 14 *Force”.*

15 (17) *FORTY YEARS OR MORE: AIR FORCE OFFI-*
 16 *CERS.—*

17 (A) *IN GENERAL.—Section 9324 of such*
 18 *title is amended in subsections (a) and (b) by in-*
 19 *serting “or the Space Force” after “Air Force”.*

20 (B) *HEADING.—The heading of such section*
 21 *9324 is amended to read as follows:*

22 **“§9324. Forty years or more: Air Force officers and**
 23 **Space Force officers”.**

24 (C) *TABLE OF SECTIONS AMENDMENT.—The*
 25 *table of sections at the beginning of chapter 941*

1 *of such title is amended by striking the item re-*
 2 *lating to section 9324 and inserting the following*
 3 *new item:*

“9324. Forty years or more: Air Force officers and Space Force officers.”.

4 (18) *COMPUTATION OF YEARS OF SERVICE: VOL-*
 5 *UNTARY RETIREMENT; ENLISTED MEMBERS.—Section*
 6 *9325(a) of such title is amended by inserting “or the*
 7 *Space Force” after “Air Force”.*

8 (19) *COMPUTATION OF YEARS OF SERVICE: VOL-*
 9 *UNTARY RETIREMENT; REGULAR AND RESERVE COM-*
 10 *MISSIONED OFFICERS.—*

11 (A) *IN GENERAL.—Section 9326(a) of such*
 12 *title is amended—*

13 (i) *in the matter preceding paragraph*
 14 (1), *by inserting “or the Space Force” after*
 15 *“of the Air Force”; and*

16 (ii) *in paragraph (1), by striking “or*
 17 *the Air Force” and inserting “, the Air*
 18 *Force, or the Space Force”.*

19 (B) *TECHNICAL AMENDMENTS.—Such sec-*
 20 *tion 9326(a) is further amended by striking*
 21 *“his” each place it appears and inserting “the*
 22 *officer’s”.*

23 (20) *COMPUTATION OF RETIRED PAY: LAW APPLI-*
 24 *CABLE.—Section 9329 of such title is amended by in-*
 25 *serting “or the Space Force” after “Air Force”.*

1 (21) *RETIRED GRADE.*—

2 (A) *HIGHER GRADE AFTER 30 YEARS OF*
3 *SERVICE: WARRANT OFFICERS AND ENLISTED*
4 *MEMBERS.*—Section 9344 of such title is amend-
5 *ed—*

6 (i) *in subsection (a), by inserting “or*
7 *the Space Force” after “member of the Air*
8 *Force”; and*

9 (ii) *in subsection (b)—*

10 (I) *in paragraphs (1) and (3), by*
11 *inserting “or the Space Force” after*
12 *“Air Force” each place it appears; and*

13 (II) *in paragraph (2), by insert-*
14 *ing “or the Regular Space Force” after*
15 *“Regular Air Force”.*

16 (B) *RESTORATION TO FORMER GRADE: RE-*
17 *TIRED WARRANT OFFICERS AND ENLISTED MEM-*
18 *BERS.*—Section 9345 of such title is amended by
19 *inserting “or the Space Force” after “member of*
20 *the Air Force”.*

21 (C) *RETIRED LISTS.*—Section 9346 of such
22 *title is amended—*

23 (i) *in subsections (a) and (d), by in-*
24 *serting “or the Regular Space Force” after*
25 *“Regular Air Force”;*

1 (ii) in subsection (b)(1), by inserting
 2 before the semicolon the following: “, or for
 3 commissioned officers of the Space Force
 4 other than of the Regular Space Force”; and
 5 (iii) in subsections (b)(2) and (c), by
 6 inserting “or the Space Force” after “Air
 7 Force”.

8 (22) *RECOMPUTATION OF RETIRED PAY TO RE-*
 9 *FLECT ADVANCEMENT ON RETIRED LIST.*—Section
 10 9362(a) of such title is amended by inserting “or the
 11 Space Force” after “Air Force”.

12 (23) *FATALITY REVIEWS.*—Section 9381(a) of
 13 such title is amended in paragraphs (1), (2), and (3)
 14 by inserting “or the Space Force” after “Air Force”.

15 (d) *TRAINING.*—

16 (1) *MEMBERS OF AIR FORCE: DETAIL AS STU-*
 17 *DENTS, OBSERVERS, AND INVESTIGATORS AT EDU-*
 18 *CATIONAL INSTITUTIONS, INDUSTRIAL PLANTS, AND*
 19 *HOSPITALS.*—

20 (A) *IN GENERAL.*—Section 9401 of title 10,
 21 United States Code, is amended—

22 (i) in subsection (a), by inserting “and
 23 members of the Space Force” after “mem-
 24 bers of the Air Force”;

1 (ii) in subsection (b), by inserting “or
2 the Regular Space Force” after “Regular
3 Air Force”;

4 (iii) in subsection (c), by inserting “or
5 Reserve of the Space Force” after “Reserve
6 of the Air Force”;

7 (iv) in subsection (e), by inserting “or
8 the Space Force” after “Air Force”; and

9 (v) in subsection (f)—

10 (I) by inserting “or the Regular
11 Space Force” after “Regular Air
12 Force”; and

13 (II) by inserting “or the Space
14 Force Reserve” after “the reserve com-
15 ponents of the Air Force”.

16 (B) *TECHNICAL AMENDMENTS.*—Subsection
17 (c) of such section 9401 is further amended—

18 (i) by striking “his” and inserting “the
19 Reserve’s”; and

20 (ii) by striking “he” and inserting “the
21 Reserve”,

22 (C) *HEADING.*—The heading of such section
23 9401 is amended to read as follows:

1 **“§ 9401. Members of Air Force and Space Force: detail**
 2 **as students, observers and investigators at**
 3 **educational institutions, industrial**
 4 **plants, and hospitals”.**

5 (D) *TABLE OF SECTIONS.*—*The table of sec-*
 6 *tions at the beginning of chapter 951 of such title*
 7 *is amended by striking the item relating to sec-*
 8 *tion 9401 and inserting the following new item:*

“9401. Members of Air Force and Space Force: detail as students, observers, and
investigators at educational institutions, industrial plants, and
hospitals.”.

9 (2) *ENLISTED MEMBERS OF AIR FORCE:*
 10 *SCHOOLS.*—

11 (A) *IN GENERAL.*—*Section 9402 of such*
 12 *title is amended—*

13 (i) *in subsection (a)—*

14 (I) *in the first sentence, by insert-*
 15 *ing “and enlisted members of the*
 16 *Space Force” after “members of the*
 17 *Air Force”; and*

18 (II) *in the third sentence, by in-*
 19 *serting “and Space Force officers”*
 20 *after “Air Force officers”; and*

21 (ii) *in subsection (b), by inserting “or*
 22 *the Space Force” after “Air Force” each*
 23 *place it appears.*

1 (B) *HEADING.*—*The heading of such section*
 2 9402 is amended to read as follows:

3 **“§9402. Enlisted members Air Force or Space Force:**
 4 **schools”.**

5 (C) *TABLE OF SECTIONS.*—*The table of sec-*
 6 *tions at the beginning of chapter 951 of such title*
 7 *is amended by striking the item relating to sec-*
 8 *tion 9402 and inserting the following new item:*

“9402. Enlisted members of Air Force or Space Force: schools.”.

9 (3) *SERVICE SCHOOLS: LEAVES OF ABSENCE FOR*
 10 *INSTRUCTORS.*—*Section 9406 of such title is amended*
 11 *by inserting “or Space Force” after “Air Force”.*

12 (4) *DEGREE GRANTING AUTHORITY FOR UNITED*
 13 *STATES AIR FORCE INSTITUTE OF TECHNOLOGY.*—
 14 *Section 9414(d)(1) of such title is amended by insert-*
 15 *ing “or the Space Force” after “needs of the Air*
 16 *Force”.*

17 (5) *UNITED STATES AIR FORCE INSTITUTE OF*
 18 *TECHNOLOGY: ADMINISTRATION.*—*Section 9414b(a)(2)*
 19 *is amended—*

20 (A) *by inserting “or the Space Force” after*
 21 *“the Air Force” each place it appears; and*

22 (B) *in subparagraph (B), by inserting “or*
 23 *the equivalent grade in the Space Force” after*
 24 *“brigadier general”.*

1 (6) *COMMUNITY COLLEGE OF THE AIR FORCE:*
2 *ASSOCIATE DEGREES.*—Section 9415 of such title is
3 *amended—*

4 (A) *in subsection (a) in the matter pre-*
5 *ceding paragraph (1), by striking “in the Air*
6 *Force” and inserting “in the Department of the*
7 *Air Force”; and*

8 (B) *in subsection (b)—*

9 (i) *in paragraph (1), by inserting “or*
10 *the Space Force” after “Air Force”;*

11 (ii) *in paragraph (2), by striking*
12 *“other than” and all that follows through*
13 *the end and inserting “other than the Air*
14 *Force or the Space Force who are serving as*
15 *instructors at Department of the Air Force*
16 *training schools.”; and*

17 (iii) *in paragraph (3), by inserting*
18 *“or the Space Force” after “Air Force”.*

19 (7) *AIR FORCE ACADEMY ESTABLISHMENT; SU-*
20 *PERINTENDENT; FACULTY.*—Section 9431(a) of such
21 *title is amended by striking “Air Force cadets” and*
22 *inserting “cadets”.*

23 (8) *AIR FORCE ACADEMY SUPERINTENDENT; FAC-*
24 *ULTY: APPOINTMENT AND DETAIL.*—Section 9433(a)

1 *of such title is amended by inserting “or the Space*
 2 *Force” after “Air Force”.*

3 (9) *AIR FORCE ACADEMY PERMANENT PROFES-*
 4 *SORS; DIRECTOR OF ADMISSIONS.—*

5 (A) *IN GENERAL.—Section 9436 of such*
 6 *title is amended—*

7 (i) *in subsection (a)—*

8 (I) *in the first sentence, by insert-*
 9 *ing “in the Air Force or the equivalent*
 10 *grade in the Space Force” after “colo-*
 11 *nel”;*

12 (II) *in the second sentence, by in-*
 13 *serting “and a permanent professor*
 14 *appointed from the Regular Space*
 15 *Force has the grade equivalent to the*
 16 *grade of colonel in the Regular Air*
 17 *Force” after “grade of colonel”; and*

18 (III) *in the third sentence, by in-*
 19 *serting “in the Air Force or the equiva-*
 20 *lent grade in the Space Force” after*
 21 *“lieutenant colonel”; and*

22 (ii) *in subsection (b)—*

23 (I) *in the first sentence, “in the*
 24 *Air Force or the equivalent grade in*

1 *the Space Force*” after “colonel” each
 2 place it appears; and

3 (II) *in the second sentence, by in-*
 4 *serting “and a person appointed from*
 5 *the Regular Space Force has the grade*
 6 *equivalent to the grade of colonel in the*
 7 *Regular Air Force” after “grade of*
 8 *colonel”.*

9 (B) *TECHNICAL AMENDMENTS.—Subsections*
 10 *(a) and (b) of such section 9436 are further*
 11 *amended by striking “he” each place it appears*
 12 *and inserting “such person”.*

13 (10) *CADETS: APPOINTMENT; NUMBERS, TERRI-*
 14 *TORIAL DISTRIBUTION.—*

15 (A) *IN GENERAL.—Section 9442 of such*
 16 *title is amended—*

17 (i) *by striking “Air Force Cadets” each*
 18 *place it appears and inserting “cadets”;*
 19 *and*

20 (ii) *in subsection (b)(2), by inserting*
 21 *“or the Regular Space Force” after “Reg-*
 22 *ular Air Force”.*

23 (B) *TECHNICAL AMENDMENT.—Subsection*
 24 *(b)(4) of such section 9442 is amended by strik-*
 25 *ing “him” and inserting “the Secretary”.*

1 (11) *CADETS: AGREEMENT TO SERVE AS OFFI-*
2 *CER.—Section 9448(a) of such title is amended—*

3 (A) *in paragraph (2)(A), by inserting “or*
4 *the Regular Space Force” after “Regular Air*
5 *Force”; and*

6 (B) *in paragraph (3)(A), by inserting before*
7 *the semicolon the following: “or as a Reserve in*
8 *the Space Force for service in the Space Force*
9 *Reserve”.*

10 (12) *CADETS: ORGANIZATION; SERVICE; INSTRUC-*
11 *TION.—Section 9449 of such title is amended by strik-*
12 *ing subsection (d).*

13 (13) *CADETS: HAZING.—Section 9452(c) of such*
14 *title is amended—*

15 (A) *by striking “an Air Force cadet” and*
16 *inserting “a cadet”; and*

17 (B) *by striking “or Marine Corps” and in-*
18 *serting “Marine Corps, or Space Force”.*

19 (14) *CADETS: DEGREE AND COMMISSION ON*
20 *GRADUATION.—Section 9453(b) of such title is*
21 *amended by inserting “or in the equivalent grade in*
22 *the Regular Space Force” after “Regular Air Force”.*

23 (15) *SUPPORT OF ATHLETIC PROGRAMS.—Sec-*
24 *tion 9462(c)(2) of such title is amended by striking*

1 *“personnel of the Air Force” and inserting “personnel*
2 *of the Department of the Air Force”.*

3 (16) *SCHOOLS AND CAMPS: ESTABLISHMENT:*
4 *PURPOSE.—Section 9481 of such title is amended—*

5 (A) *by inserting “, the Space Force,” after*

6 *“members of the Air Force,”; and*

7 (B) *by inserting “or the Space Force Re-*
8 *serve” after “the Air Force Reserve”.*

9 (17) *SCHOOLS AND CAMPS: OPERATION.—Section*
10 *9482 of such title is amended—*

11 (A) *in paragraph (4), by inserting “or the*
12 *Regular Space Force” after “Regular Air Force”;*
13 *and*

14 (B) *in paragraph (7), in the matter pre-*
15 *ceding subparagraph (A), by inserting “or Space*
16 *Force” after “Air Force”.*

17 (e) *SERVICE, SUPPLY, AND PROCUREMENT.—*

18 (1) *EQUIPMENT: BAKERIES, SCHOOLS, KITCHENS,*
19 *AND MESS HALLS.—Section 9536 of title 10, United*
20 *States Code, is amended in the matter preceding*
21 *paragraph (1) by inserting “or the Space Force” after*
22 *“the Air Force”.*

23 (2) *RATIONS.—Section 9561 of such title is*
24 *amended—*

25 (A) *in subsection (a)—*

1 (i) in the first sentence, by inserting
2 “and the Space Force ration” after “the Air
3 Force ration”; and

4 (ii) in the second sentence, by inserting
5 “or the Space Force” after “the Air Force”;
6 and

7 (B) in subsection (b), by inserting “or the
8 Space Force” after “the Air Force”.

9 (3) CLOTHING.—Section 9562 of such title is
10 amended by inserting “and members of the Space
11 Force” after “the Air Force”.

12 (4) CLOTHING: REPLACEMENT WHEN DESTROYED
13 TO PREVENT CONTAGION.—Section 9563 of such title
14 is amended by inserting “or the Space Force” after
15 “member of the Air Force”.

16 (5) COLORS, STANDARDS, AND GUIDONS OF DE-
17 MOBILIZED ORGANIZATIONS: DISPOSITION.—Section
18 9565 of such title is amended—

19 (A) in subsection (a), in the matter pre-
20 ceding paragraph (1), by inserting “or the Space
21 Force” after “organizations of the Air Force”;
22 and

23 (B) in subsection (b), by inserting “or the
24 Space Force” after “the Air Force”.

1 (6) *UTILITIES: PROCEEDS FROM OVERSEAS OP-*
2 *ERATIONS.*—Section 9591 of such title is amended by
3 inserting “or the Space Force” after “the Air Force”.

4 (7) *QUARTERS: HEAT AND LIGHT.*—Section 9593
5 of such title is amended by inserting “and members
6 of the Space Force” after “the Air Force”.

7 (8) *AIR FORCE MILITARY HISTORY INSTITUTE:*
8 *FEE FOR PROVIDING HISTORICAL INFORMATION TO*
9 *THE PUBLIC.*—

10 (A) *IN GENERAL.*—Section 9594 of such
11 title is amended—

12 (i) in subsections (a) and (d), by in-
13 serting “Department of the” before “Air
14 Force Military History” each place it ap-
15 pears; and

16 (ii) in subsection (e)(1)—

17 (I) by inserting “Department of
18 the” before “Air Force Military His-
19 tory”; and

20 (II) by inserting “and the Space
21 Force” after “materials of the Air
22 Force”.

23 (B) *HEADING.*—The heading of such section
24 9594 is amended to read as follows:

1 **“§9594. Department of the Air Force Military History**
 2 **Institute: fee for providing historical in-**
 3 **formation to the public”.**

4 (C) TABLE OF SECTIONS.—*The table of sec-*
 5 *tions at the beginning of chapter 967 of such title*
 6 *is amended by striking the item relating to sec-*
 7 *tion 9594 and inserting the following new item:*

“9594. Department of the Air Force Military History Institute: fee for providing
historical information to the public.”.

8 (9) *SUBSISTENCE AND OTHER SUPPLIES: MEM-*
 9 *BERS OF ARMED FORCES; VETERANS; EXECUTIVE OR*
 10 *MILITARY DEPARTMENTS AND EMPLOYEES; PRICES.—*
 11 *Section 9621 of such title is amended—*

12 (A) *in subsection (a)—*

13 (i) *in paragraph (1), by inserting*
 14 *“and members of the Space Force” after*
 15 *“the Air Force”; and*

16 (ii) *in paragraph (2), by inserting*
 17 *“and officers of the Space Force” after “the*
 18 *Air Force”;*

19 (B) *in subsection (b), by inserting “or the*
 20 *Space Force” after “the Air Force”;*

21 (C) *in subsection (c), by inserting “or the*
 22 *Space Force” after “the Air Force”;*

1 (D) in subsection (d), by striking “or Ma-
2 rine Corps” and inserting “Marine Corps, or
3 Space Force”;

4 (E) in subsection (e)—

5 (i) by inserting “or the Space Force”
6 after “the Air Force” the first place it ap-
7 pears; and

8 (ii) by inserting “or the Space Force,
9 respectively” after “the Air Force” the sec-
10 ond place it appears;

11 (F) in subsection (f), by inserting “or the
12 Space Force” after “the Air Force”; and

13 (G) in subsection (h)—

14 (i) by inserting “or the Space Force”
15 after “the Air Force” the first place it ap-
16 pears; and

17 (ii) by inserting “or members of the
18 Space Force” after “members of the Air
19 Force”.

20 (10) RATIONS: COMMISSIONED OFFICERS IN
21 FIELD.—Section 9622 of such title is amended by in-
22 serting “and commissioned officers of the Space
23 Force” after “officers of the Air Force”.

1 (11) *MEDICAL SUPPLIES: CIVILIAN EMPLOYEES*
2 *OF THE AIR FORCE.*—Section 9624(a) of such title is
3 *amended—*

4 (A) *by striking “air base” and inserting*
5 *“Air Force or Space Force military installa-*
6 *tion”;* and

7 (B) *by striking “Air Force when” and in-*
8 *serting “Department of the Air Force when”.*

9 (12) *ORDNANCE PROPERTY: OFFICERS OF ARMED*
10 *FORCES; CIVILIAN EMPLOYEES OF AIR FORCE.*—

11 (A) *IN GENERAL.*—Section 9625 of such
12 *title is amended—*

13 (i) *in subsection (a), by inserting “or*
14 *the Space Force” after “officers of the Air*
15 *Force”;* and

16 (ii) *in subsection (b), by striking “the*
17 *Air Force” and inserting “the Department*
18 *of the Air Force”.*

19 (B) *HEADING.*—*The heading of such section*
20 *is amended to read as follows:*

1 **“§9625. Ordnance property: officers of the armed**
 2 **forces; civilian employees of the Depart-**
 3 **ment of the Air Force; American National**
 4 **Red Cross; educational institutions;**
 5 **homes for veterans’ orphans”.**

6 (C) TABLE OF SECTIONS.—*The table of sec-*
 7 *tions at the beginning of chapter 969 of such title*
 8 *is amended by striking the item relating to sec-*
 9 *tion 9625 and inserting the following new item:*

“9625. Ordnance property: officers of the armed forces; civilian employees of the Department of the Air Force; American National Red Cross; educational institutions; homes for veterans’ orphans.”.

10 (13) SUPPLIES: EDUCATIONAL INSTITUTIONS.—
 11 *Section 9627 of such title is amended—*

12 (A) *by inserting “or the Space Force” after*
 13 *“for the Air Force”;*

14 (B) *by inserting “or the Space Force” after*
 15 *“officer of the Air Force”; and*

16 (C) *by striking “air science and tactics”*
 17 *and inserting “science and tactics”.*

18 (14) SUPPLIES: MILITARY INSTRUCTION
 19 CAMPS.—*Section 9654 of such title is amended—*

20 (A) *by inserting “or Space Force” after “an*
 21 *Air Force”; and*

22 (B) *by striking “air science and tactics”*
 23 *and inserting “science and tactics”.*

1 (15) *DISPOSITION OF EFFECTS OF DECEASED*
 2 *PERSONS BY SUMMARY COURT-MARTIAL.*—Section
 3 9712(a)(1) of such title is amended by inserting “or
 4 the Space Force” after “the Air Force”.

5 (16) *ACCEPTANCE OF DONATIONS: LAND FOR MO-*
 6 *BILIZATION, TRAINING, SUPPLY BASE, OR AVIATION*
 7 *FIELD.*—

8 (A) *IN GENERAL.*—Section 9771 of such
 9 title is amended in paragraph (2) by inserting
 10 “or space mission-related facility” after “avia-
 11 tion field”.

12 (B) *HEADING.*—The heading of such section
 13 9771 is amended to read as follows:

14 “**§9771. Acceptance of donations: land for mobiliza-**
 15 **tion, training, supply base, aviation field,**
 16 **or space mission-related facility”.**

17 (C) *TABLE OF SECTIONS.*—The table of sec-
 18 tions at the beginning of chapter 979 of such title
 19 is amended by striking the item relating to sec-
 20 tion 9771 and inserting the following new item:

 “9771. Acceptance of donations: land for mobilization, training, supply base,
 aviation field, or space mission-related facility.”.

21 (17) *ACQUISITION AND CONSTRUCTION: AIR*
 22 *BASES AND DEPOTS.*—

23 (A) *IN GENERAL.*—Section 9773 of such
 24 title is amended—

1 (i) *in subsection (a)—*

2 (I) *by striking “permanent air*
3 *bases” and inserting “permanent Air*
4 *Force and Space Force military instal-*
5 *lations”;*

6 (II) *by striking “existing air*
7 *bases” and inserting “existing installa-*
8 *tions”;* *and*

9 (III) *by inserting “or the Space*
10 *Force” after “training of the Air*
11 *Force”;*

12 (ii) *in subsections (b) and (c), by strik-*
13 *ing “air bases” each place it appears and*
14 *inserting “installations”;*

15 (iii) *in subsection (b)(7), by inserting*
16 *“or Space Force” after “Air Force”;*

17 (iv) *in subsection (c)—*

18 (I) *in paragraph (1), by inserting*
19 *“or Space Force” after “Air Force”;*
20 *and*

21 (II) *in paragraphs (3) and (4), by*
22 *inserting “or the Space Force” after*
23 *“the Air Force” both places it appears;*
24 *and*

1 (v) in subsection (f), by striking “air
2 base” and inserting “installation”.

3 (B) *HEADING*.—The heading of such section
4 9773 is amended to read as follows:

5 **“§9773. Acquisition and construction: installations
6 and depots”.**

7 (C) *TABLE OF SECTIONS*.—The table of sec-
8 tions at the beginning of chapter 979 of such title
9 is amended by striking the item relating to sec-
10 tion 9773 and inserting the following new item:

“9773. Acquisition and construction: installations and depots.”.

11 (18) *EMERGENCY CONSTRUCTION: FORTIFICA-*
12 *TIONS*.—Section 9776 of such title is amended by
13 striking “air base” and inserting “installation”.

14 (19) *USE OF PUBLIC PROPERTY*.—Section 9779
15 of such title is amended—

16 (A) in subsection (a), by inserting “or the
17 Space Force” after “economy of the Air Force”;
18 and

19 (B) in subsection (b), by inserting “or the
20 Space Force” after “support of the Air Force”.

21 (20) *DISPOSITION OF REAL PROPERTY AT MIS-*
22 *SILE SITES*.—Section 9781(a)(2) of such title is
23 amended—

1 (A) in the matter preceding subparagraph
2 (A), by striking “Air Force” and inserting “De-
3 partment of the Air Force”;

4 (B) in subparagraph (A), by striking “Air
5 Force” the first two places it appears and insert-
6 ing “Department of the Air Force”; and

7 (C) in subparagraph (C), by striking “Air
8 Force” and inserting “Department of the Air
9 Force”.

10 (21) MAINTENANCE AND REPAIR OF REAL PROP-
11 ERTY.—Section 9782 of such title is amended in sub-
12 sections (c) and (d) by inserting “or the Space Force”
13 after “the Air Force” both places it appears.

14 (22) SETTLEMENT OF ACCOUNTS: REMISSION OR
15 CANCELLATION OF INDEBTEDNESS OF MEMBERS.—
16 Section 9837(a) of such title is amended by inserting
17 “or the Space Force” after “member of the Air
18 Force”.

19 (23) FINAL SETTLEMENT OF OFFICER’S AC-
20 COUNTS.—

21 (A) IN GENERAL.—Section 9840 of such
22 title is amended by inserting “or the Space
23 Force” after “Air Force”.

24 (B) TECHNICAL AMENDMENTS.—Such sec-
25 tion 9840 is further amended—

1 (i) by striking “he” each place it ap-
2 pears and inserting “the officer”; and

3 (ii) by striking “his” each place it ap-
4 pears and inserting “the officer’s”.

5 (24) *PAYMENT OF SMALL AMOUNTS TO PUBLIC*
6 *CREDITORS.*—Section 9841 of such title is amended
7 by inserting “or Space Force” after “official of Air
8 Force”.

9 (25) *SETTLEMENT OF ACCOUNTS OF LINE OFFI-*
10 *CERS.*—Section 9842 of such title is amended by in-
11 serting “or the Space Force” after “Air Force”.

12 (f) *SERVICE OF INCUMBENTS IN CERTAIN POSITIONS*
13 *WITHOUT REAPPOINTMENT.*—

14 (1) *IN GENERAL.*—The individual serving in a
15 position under a provision of law specified in para-
16 graph (2) as of the date of the enactment of this Act
17 may continue to serve in such position after that date
18 without further appointment as otherwise provided by
19 such provision of law, notwithstanding the amend-
20 ment of such provision of law by subsection (b).

21 (2) *PROVISIONS OF LAW.*—The provisions of law
22 specified in this paragraph are the provisions of title
23 10, United States Code, as follows:

24 (A) Section 9020, relating to the Inspector
25 General of the Department of the Air Force.

1 (B) Section 9036, relating to the Surgeon
2 General of the Air Force.

3 (C) Section 9037(a), relating to the Judge
4 Advocate General of the Air Force.

5 (D) Section 9037(d), relating to the Deputy
6 Judge Advocate General of the Air Force.

7 (E) Section 9039, relating to the Chief of
8 Chaplains for the Air Force and the Space
9 Force.

10 **SEC. 933. AMENDMENTS TO OTHER PROVISIONS OF TITLE**
11 **10, UNITED STATES CODE.**

12 (a) *DEFINITIONS.*—Section 101(b)(13) of title 10,
13 *United States Code*, is amended in paragraph (13), by
14 striking “or Marine Corps” and inserting “Marine Corps,
15 or Space Force”.

16 (b) *OTHER PROVISIONS OF SUBTITLE A.*—

17 (1) *SPACE FORCE I.*—Subtitle A of title 10,
18 *United States Code*, as amended by subsection (a), is
19 further amended by striking “and Marine Corps”
20 each place it appears and inserting “Marine Corps,
21 and Space Force” in the following provisions:

22 (A) Section 116(a)(1) in the matter pre-
23 ceding subparagraph (A).

24 (B) Section 533(a)(2).

25 (C) Section 646.

1 (D) Section 661(a).

2 (E) Section 712(a).

3 (F) Section 717(c)(1).

4 (G) Subsections (c) and (d) of section 741.

5 (H) Section 743.

6 (I) Section 1111(b)(4).

7 (J) Subsections (a)(2)(A) and (c)(2)(A)(ii)
8 of section 1143.

9 (K) Section 1174(j).

10 (L) Section 1463(a)(1).

11 (M) Section 1566.

12 (N) Section 2217(c)(2).

13 (O) Section 2259(a).

14 (P) Section 2640(j).

15 (2) *SPACE FORCE II.*—

16 (A) *IN GENERAL.*—Such subtitle is further
17 amended by striking “Marine Corps,” each place
18 it appears and inserting “Marine Corps, Space
19 Force,” in the following provisions:

20 (i) Section 123(a).

21 (ii) Section 172(a).

22 (iii) Section 518.

23 (iv) Section 747.

24 (v) Section 749.

25 (vi) Section 1552(c)(1).

1 (vii) Section 2632(c)(2)(A).

2 (viii) Section 2686(a).

3 (ix) Section 2733(a).

4 (B) *HEADING.*—The heading of section 747
5 of such title is amended to read as follows:

6 **“§ 747. Command: when different commands of Army,**
7 **Navy, Air Force, Marine Corps, Space**
8 **Force, and Coast Guard join”.**

9 (C) *TABLE OF SECTIONS.*—The table of sec-
10 tions at the beginning of chapter 43 of such title
11 is amended by striking the item relating to sec-
12 tion 747 and inserting the following new item:

“747. Command: when different commands of Army, Navy, Air Force, Marine
Corps, Space Force, and Coast Guard join.”.

13 (3) *SPACE FORCE III.*—Such subtitle is further
14 amended by striking “or Marine Corps” each place it
15 appears and inserting “Marine Corps, or Space
16 Force” in the following provisions:

17 (A) Section 125(b).

18 (B) Section 541(a).

19 (C) Section 601(a).

20 (D) Section 603(a).

21 (E) Section 619(a).

22 (F) Section 619a(a).

23 (G) Section 624(c).

24 (H) Section 625(b).

- 1 *(I) Subsections (a) and (d) of section 631.*
- 2 *(J) Section 632(a).*
- 3 *(K) Section 637(a)(2).*
- 4 *(L) Section 638(a).*
- 5 *(M) Section 741(d).*
- 6 *(N) Section 771.*
- 7 *(O) Section 772.*
- 8 *(P) Section 773.*
- 9 *(Q) Section 1123.*
- 10 *(R) Section 1143(d).*
- 11 *(S) Section 1174(a)(2).*
- 12 *(T) Section 1251(a).*
- 13 *(U) Section 1252(a).*
- 14 *(V) Section 1253(a).*
- 15 *(W) Section 1375.*
- 16 *(X) Section 1413a(h).*
- 17 *(Y) Section 1551.*
- 18 *(Z) Section 1561(a).*
- 19 *(AA) Section 1731(a)(1)(A)(ii).*
- 20 *(BB) Section 2102(a).*
- 21 *(CC) Section 2103a(a)(2).*
- 22 *(DD) Section 2104(b)(5).*
- 23 *(EE) Section 2107.*
- 24 *(FF) Section 2421.*
- 25 *(GG) Section 2631(a).*

1 (HH) Section 2787(a).

2 (4) *REGULAR SPACE FORCE I.*—Such subtitle is
3 further amended by striking “or Regular Marine
4 Corps” each place it appears and inserting “Regular
5 Marine Corps, or Regular Space Force” in the fol-
6 lowing provisions:

7 (A) Section 531(c).

8 (B) Section 532(a) in the matter preceding
9 paragraph (1).

10 (C) Subsections (a)(1), (b)(1), and (f) of sec-
11 tion 533.

12 (D) Section 633(a).

13 (E) Section 634(a).

14 (F) Section 635.

15 (G) Section 636(a).

16 (H) Section 647(c).

17 (I) Section 688(b)(1).

18 (J) Section 1181.

19 (5) *REGULAR SPACE FORCE II.*—Such subtitle is
20 further amended by striking “Regular Marine Corps,”
21 each place it appears and inserting “Regular Marine
22 Corps, Regular Space Force,” in the following provi-
23 sions:

24 (A) Section 505.

25 (B) Section 506.

1 (C) *Section 508.*

2 (6) *TRANSFER, ETC. OF FUNCTIONS, POWERS,*
3 *AND DUTIES.—Section 125(b) of such title, as amend-*
4 *ed by paragraph (3)(A), is further amended by strik-*
5 *ing “or 9062(c)” and inserting “9062(c), or 9081”.*

6 (7) *JOINT STAFF MATTERS.—*

7 (A) *APPOINTMENT OF CHAIRMAN; GRADE*
8 *AND RANK.—Section 152 of such title is amend-*
9 *ed—*

10 (i) *in subsection (b)(1)(C), by striking*
11 *“or the Commandant of the Marine Corps”*
12 *and inserting “the Commandant of the Ma-*
13 *rine Corps, or the Chief of Space Oper-*
14 *ations”;* and

15 (ii) *in subsection (c), by striking “or,*
16 *in the case of the Navy, admiral” and in-*
17 *serting “, in the case of the Navy, admiral,*
18 *or, in the case of an officer of the Space*
19 *Force, the equivalent grade,”.*

20 (B) *INCLUSION OF SPACE FORCE ON JOINT*
21 *STAFF.—Section 155(a) of such title is amend-*
22 *ed—*

23 (i) *in paragraph (2) by inserting “the*
24 *Space Force and” before “the Coast Guard”;*

1 (ii) by redesignating paragraph (3) as
2 paragraph (4); and

3 (iii) by inserting after paragraph (2)
4 the following new paragraph (3):

5 “(3) Officers of the Space Force assigned to serve on
6 the Joint Staff shall be selected by the Chairman in a num-
7 ber that, to the extent practicable, bears the same proportion
8 to the numbers of officers of the armed forces selected under
9 paragraph (2) as the number of Regular members of the
10 Space Force bears to the number of Regular members of
11 the armed forces specified in that paragraph (with the Navy
12 and the Marine Corps treated as a single armed force for
13 purposes of this paragraph).”.

14 (8) ARMED FORCES POLICY COUNCIL.—Section
15 171(a) of such title is amended—

16 (A) in paragraph (15), by striking “and”;

17 (B) in paragraph (16), by striking the pe-
18 riod and inserting “; and”; and

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

21 “(17) the Chief of Space Operations.”.

22 (9) JOINT REQUIREMENTS OVERSIGHT COUN-
23 CIL.—Section 181(c)(1) of such title is amended by
24 adding at the end the following new subparagraph:

1 “(F) A Space Force officer in the grade
2 equivalent to the grade of general in the Army,
3 Air Force, or Marine Corps, or admiral in the
4 Navy.”.

5 (10) *UNFUNDED PRIORITIES*.—Section 222a(b)
6 of such title is amended—

7 (A) by redesignating paragraph (5) as
8 paragraph (6); and

9 (B) by inserting after paragraph (4) the fol-
10 lowing new paragraph:

11 “(5) *The Chief of Space Operations*.”.

12 (11) *THEATER SECURITY COOPERATION EX-*
13 *PENSES*.—Section 312(b)(3) of such title is amended
14 by inserting “*the Chief of Space Operations*,” after
15 “*the Commandant of the Marine Corps*,”.

16 (12) *WESTERN HEMISPHERE INSTITUTE*.—Sec-
17 tion 343(e)(1)(E) of such title is amended by insert-
18 ing “*or Space Force*” after “*for the Air Force*”.

19 (13) *ORIGINAL APPOINTMENTS OF COMMIS-*
20 *SIONED OFFICERS*.—Section 531(a) of such title is
21 amended—

22 (A) in paragraph (1), by striking “*and in*
23 *the grades of ensign, lieutenant (junior grade),*
24 *and lieutenant in the Regular Navy*” and insert-
25 ing “*in the grades of ensign, lieutenant (junior*

1 *grade), and lieutenant in the Regular Navy, and*
2 *in the equivalent grades in the Regular Space*
3 *Force”; and*

4 *(B) in paragraph (2), by striking “and in*
5 *the grades of lieutenant commander, commander,*
6 *and captain in the Regular Navy” and inserting*
7 *“in the grades of lieutenant commander, com-*
8 *mander, and captain in the Regular Navy, and*
9 *in the equivalent grades in the Regular Space*
10 *Force”.*

11 (14) *SERVICE CREDIT UPON ORIGINAL APPOINT-*
12 *MENT AS A COMMISSIONED OFFICER.—Section*
13 *533(b)(2) of such title is amended by striking “or*
14 *captain in the Navy” and inserting “, captain in the*
15 *Navy, or an equivalent grade in the Space Force”.*

16 (15) *SENIOR JOINT OFFICER POSITIONS: REC-*
17 *COMMENDATIONS TO THE SECRETARY OF DEFENSE.—*
18 *Section 604(a)(1)(A) of such title is amended by in-*
19 *serting “and the name of at least one Space Force of-*
20 *ficer” after “Air Force officer”.*

21 (16) *FORCE SHAPING AUTHORITY.—Section*
22 *647(a)(2) of such title is amended by striking “of that*
23 *armed force”.*

1 (17) *MEMBERS: REQUIRED SERVICE.*—Section
2 651(b) of such title is amended by striking “of his
3 armed force”.

4 (18) *CAREER FLEXIBILITY TO ENHANCE RETEN-*
5 *TION OF MEMBERS.*—Section 710(c)(1) of such title is
6 amended by striking “the armed force concerned” and
7 inserting “an armed force”.

8 (19) *SENIOR MEMBERS OF MILITARY STAFF COM-*
9 *MITTEE OF UNITED NATIONS.*—Section 711 of such
10 title is amended by inserting “or the Space Force”
11 after “Air Force”.

12 (20) *RANK: CHIEF OF SPACE OPERATIONS.*—

13 (A) *IN GENERAL.*—Section 743 of such title
14 is amended by striking “and the Commandant of
15 the Marine Corps” and inserting “the Com-
16 mandant of the Marine Corps, and the Chief of
17 Space Operations”.

18 (B) *HEADING.*—The heading of such section
19 743 is amended to read as follows:

20 **“§ 743. Rank: Chief of Staff of the Army; Chief of**
21 **Naval Operations; Chief of Staff of the Air**
22 **Force; Commandant of the Marine Corps;**
23 **Chief of Space Operations”.**

24 (C) *TABLE OF SECTIONS.*—The table of sec-
25 tions at the beginning of chapter 43 of such title

1 *is amended by striking the item relating to sec-*
2 *tion 743 and inserting the following new item:*

“743. Rank: Chief of Staff of the Army; Chief of Naval Operations; Chief of Staff
of the Air Force; Commandant of the Marine Corps; Chief of
Space Operations.”.

3 (21) *UNIFORM CODE OF MILITARY JUSTICE.—*
4 *Chapter 47 of such title (the Uniform Code of Mili-*
5 *tary Justice) is amended—*

6 (A) *in section 822(a)(7) (article 22(a)(7)),*
7 *by striking “Marine Corps” and inserting “Ma-*
8 *rine Corps, or the commanding officer of a cor-*
9 *responding unit of the Space Force”;*

10 (B) *in section 823(a) (article 23(a))—*

11 (i) *in paragraph (2)—*

12 (I) *by striking “Air Force base”*
13 *and inserting “Air Force or Space*
14 *Force military installation”;* and

15 (II) *by striking “or the Air*
16 *Force” and inserting “the Air Force,*
17 *or the Space Force”;* and

18 (ii) *in paragraph (4), by inserting “or*
19 *a corresponding unit of the Space Force”*
20 *after “Air Force”;* and

21 (C) *in section 824(a)(3) (article 24(a)(3)),*
22 *by inserting “or a corresponding unit of the*
23 *Space Force” after “Air Force”.*

1 (22) *SERVICE AS CADET OR MIDSHIPMAN NOT*
2 *COUNTED FOR LENGTH OF SERVICE.*—Section
3 971(b)(2) of such title is amended by striking “or Air
4 Force” and inserting “, Air Force, or Space Force”.

5 (23) *REFERRAL BONUS.*—Section 1030(h)(3) of
6 such title is amended by inserting “and the Space
7 Force” after “concerning the Air Force”.

8 (24) *RETURN TO ACTIVE DUTY FROM TEMPORARY*
9 *DISABILITY.*—Section 1211(a) of such title is amend-
10 ed—

11 (A) in the matter preceding paragraph (1),
12 by striking “or the Air Force” and inserting “,
13 the Air Force, or the Space Force”; and

14 (B) in paragraph (6)—

15 (i) by striking “or the Air Force, who”
16 and inserting “the Air Force, or the Space
17 Force who”; and

18 (ii) by striking “or the Air Force, as”
19 and inserting “the Air Force, or the Space
20 Force, as”.

21 (25) *YEARS OF SERVICE.*—Section 1405(c) of
22 such title is amended by striking “or Air Force” and
23 inserting “, Air Force, or Space Force”.

1 (26) *RETIRED PAY BASE FOR PERSONS WHO BE-*
 2 *CAME MEMBERS BEFORE SEPTEMBER 8, 1980.—Sec-*
 3 *tion 1406 of such title is amended—*

4 (A) *in the heading of subsection (e), by in-*
 5 *serting “AND SPACE FORCE” after “AIR FORCE”;*
 6 *and*

7 (B) *in subsection (i)(3)—*

8 (i) *in subparagraph (A)—*

9 (I) *by redesignating clause (v) as*
 10 *clause (vi); and*

11 (II) *by inserting after clause (iv)*
 12 *the following new clause (v):*

13 “*(v) Chief of Space Operations.*”; *and*

14 (ii) *in subparagraph (B)—*

15 (I) *by redesignating clause (v) as*
 16 *clause (vi); and*

17 (II) *by inserting after clause (iv)*
 18 *the following new clause (v):*

19 “*(v) The senior enlisted advisor of the*
 20 *Space Force.*”.

21 (27) *SPECIAL REQUIREMENTS FOR MILITARY*
 22 *PERSONNEL IN THE ACQUISITION FIELD.—*

23 (A) *IN GENERAL.—Section 1722a(a) of such*
 24 *title is amended by striking “and the Com-*
 25 *mandant of the Marine Corps (with respect to*

1 *the Army, Navy, Air Force, and Marine Corps,*
 2 *respectively)” and inserting “, the Commandant*
 3 *of the Marine Corps, and the Chief of Space Op-*
 4 *erations (with respect to the Army, Navy, Air*
 5 *Force, Marine Corps, and Space Force, respec-*
 6 *tively)”.*

7 (B) *CLARIFYING AMENDMENT.*—*Such sec-*
 8 *tion 1722a(a) is further amended by striking*
 9 *“the Under Secretary of Defense for Acquisition,*
 10 *Technology, and Logistics” and inserting “the*
 11 *Under Secretary of Defense for Acquisition and*
 12 *Sustainment”.*

13 (28) *SENIOR MILITARY ACQUISITION ADVI-*
 14 *SORS.*—*Section 1725(e)(1)(C) of such title is amended*
 15 *by inserting “and Space Force” before the period.*

16 (29) *MILITARY FAMILY READINESS COUNCIL.*—
 17 *Section 1781a(b)(1) of such title is amended by strik-*
 18 *ing “Marine Corps, and Air Force” each place it ap-*
 19 *pears and inserting “Air Force, Marine Corps, and*
 20 *Space Force”.*

21 (30) *FINANCIAL ASSISTANCE PROGRAM FOR SPE-*
 22 *CIALY SELECTED MEMBERS.*—*Section 2107 of such*
 23 *title is amended—*

24 (A) *in subsection (a)—*

1 (i) by striking “or as a” and inserting
2 “, as a”; and

3 (ii) by inserting “or as an officer in
4 the equivalent grade in the Space Force”
5 after “Marine Corps,”;

6 (B) in subsection (b)—

7 (i) in paragraph (3), by striking “the
8 reserve component of the armed force in
9 which he is appointed as a cadet or mid-
10 shipman” and inserting “the reserve compo-
11 nent of an armed force”; and

12 (ii) in paragraph (5), by striking “re-
13 serve component of that armed force” each
14 place it appears and inserting “reserve com-
15 ponent of an armed force”; and

16 (C) in subsection (d), by striking “second
17 lieutenant or ensign” and inserting “second lieu-
18 tenant, ensign, or an equivalent grade in the
19 Space Force”.

20 (31) SPACE RAPID CAPABILITIES OFFICE.—Sec-
21 tion 2273a(d) of such title is amended by striking
22 paragraph (3).

23 (32) ACQUISITION-RELATED FUNCTIONS OF
24 CHIEFS OF THE ARMED FORCES.—Section 2547(a) of
25 such title is amended by striking “and the Com-

1 *mandant of the Marine Corps” and inserting “the*
2 *Commandant of the Marine Corps, and the Chief of*
3 *Space Operations”.*

4 (33) *AGREEMENTS RELATED TO MILITARY TRAIN-*
5 *ING, TESTING, AND OPERATIONS.—Section 2684a(i) of*
6 *such title is amended by inserting “Space Force,” be-*
7 *fore “or Defense-wide activities” each place it ap-*
8 *pears.*

9 (c) *PROVISIONS OF SUBTITLE B.—*

10 (1) *IN GENERAL.—Subtitle B of title 10, United*
11 *States Code, is amended by striking “or Marine*
12 *Corps” each place it appears and inserting “Marine*
13 *Corps, or Space Force” in the following provisions:*

14 (A) *Section 7452(c).*

15 (B) *Section 7621(d).*

16 (2) *COMPUTATION OF YEARS OF SERVICE.—Sec-*
17 *tion 7326(a)(1) of such title is amended by striking*
18 *“or the Air Force” and inserting “, the Air Force, or*
19 *the Space Force”.*

20 (d) *PROVISIONS OF SUBTITLE C.—*

21 (1) *CADETS; HAZING.—Section 8464(f) of title*
22 *10, United States Code, is amended by striking “or*
23 *Marine Corps” and inserting “Marine Corps, or*
24 *Space Force”.*

25 (2) *SALES PRICES.—*

1 (A) *IN GENERAL.*—Section 8802 of such
2 title is amended by striking “or the Air Force”
3 and inserting “, the Air Force, or the Space
4 Force”.

5 (B) *HEADING.*—The heading of such section
6 8802 is amended to read as follows:

7 “§ 8802. **Sales: members of Army, Air Force, and Space**
8 **Force; prices”.**

9 (C) *TABLE OF SECTIONS.*—The table of sec-
10 tions at the beginning of chapter 879 of such title
11 is amended by striking the item relating to sec-
12 tion 8802 and inserting the following new item:

“8802. Sales: members of Army, Air Force, and Space Force; prices.”.

13 (3) *SALES TO CERTAIN VETERANS.*—Section
14 8803 of such title is amended by striking “or the Ma-
15 rine Corps” and inserting “the Marine Corps, or the
16 Space Force”.

17 (4) *SUBSISTENCE AND OTHER SUPPLIES.*—Sec-
18 tion 8806(d) of such title is amended by striking “or
19 Air Force or Marine Corps” and inserting “, Air
20 Force, Marine Corps, or Space Force”.

21 (5) *SCOPE OF CHAPTER ON PRIZE.*—Section
22 8851(a) of such title is amended by striking “or the
23 Air Force” and inserting “, the Air Force, or the
24 Space Force”.

1 **SEC. 934. AMENDMENTS TO PROVISIONS OF LAW RELATING**
2 **TO PAY AND ALLOWANCES.**

3 (a) *DEFINITIONS.*—Section 101 of title 37, United
4 States Code, is amended—

5 (1) in paragraphs (3) and (4), by inserting
6 “Space Force,” after “Marine Corps,” each place it
7 appears; and

8 (2) in paragraph (5)(C), by inserting “and the
9 Space Force” after “Air Force”.

10 (b) *BASIC PAY RATES.*—

11 (1) *COMMISSIONED OFFICERS.*—Footnote 2 of the
12 table titled “COMMISSIONED OFFICERS” in sec-
13 tion 601(c) of the John Warner National Defense Au-
14 thorization Act for Fiscal Year 2007 (Public Law
15 109–364; 37 U.S.C. 1009 note) is amended by insert-
16 ing after “Commandant of the Marine Corps,” the fol-
17 lowing: “Chief of Space Operations,”.

18 (2) *ENLISTED MEMBERS.*—Footnote 2 of the
19 table titled “ENLISTED MEMBERS” in section
20 601(c) of the John Warner National Defense Author-
21 ization Act for Fiscal Year 2007 (Public Law 109–
22 364; 37 U.S.C. 1009 note) is amended by inserting
23 after “Sergeant Major of the Marine Corps,” the fol-
24 lowing: “the senior enlisted advisor of the Space
25 Force,”.

1 (c) *PAY GRADES: ASSIGNMENT TO; GENERAL*
2 *RULES.*—Section 201(a) of title 37, United States Code, is
3 *amended—*

4 (1) *by striking “(a) For the purpose” and insert-*
5 *ing “(a)(1) Subject to paragraph (2), for the pur-*
6 *pose”; and*

7 (2) *by adding at the end the following new para-*
8 *graph:*

9 “(2) *For the purpose of computing their basic pay,*
10 *commissioned officers of the Space Force are assigned to*
11 *the pay grades in the table in paragraph (1) by grade or*
12 *rank in the Air Force that is equivalent to the grade or*
13 *rank in which such officers are serving in the Space Force.”.*

14 (d) *PAY OF SENIOR ENLISTED MEMBERS.*—Section
15 *210(c) of title 37, United States Code, is amended—*

16 (1) *by redesignating paragraph (5) as para-*
17 *graph (6); and*

18 (2) *by inserting after paragraph (4) the fol-*
19 *lowing new paragraph (5):*

20 “(5) *The senior enlisted advisor of the Space*
21 *Force.”.*

22 (e) *ALLOWANCES OTHER THAN TRAVEL AND TRANS-*
23 *PORTATION ALLOWANCES.*—

24 (1) *PERSONAL MONEY ALLOWANCE.*—Section 414
25 *of title 37, United States Code, is amended—*

1 (A) in subsection (a)(5), by inserting “Chief
2 of Space Operations,” after “Commandant of the
3 Marines Corps,”; and

4 (B) in subsection (b), by inserting “the sen-
5 ior enlisted advisor of the Space Force,” after
6 “the Sergeant Major of the Marine Corps,”.

7 (2) CLOTHING ALLOWANCE: ENLISTED MEM-
8 BERS.—Section 418(d) of such title is amended—

9 (A) in paragraph (1), by striking “or Ma-
10 rine Corps” and inserting “Marine Corps, or
11 Space Force”; and

12 (B) in paragraph (4), by striking “or the
13 Marine Corps” and inserting “the Marine Corps,
14 or the Space Force”.

15 (f) TRAVEL AND TRANSPORTATION ALLOWANCES:
16 PARKING EXPENSES.—Section 481i(b) of title 37, United
17 States Code, is amended by striking “or Marine Corps” and
18 inserting “Marine Corps, or Space Force”.

19 (g) LEAVE.—

20 (1) ADDITION OF SPACE FORCE.—Chapter 9 of
21 title 37, United States Code, is amended by inserting
22 “Space Force,” after “Marines Corps,” each place it
23 appears in the following provisions:

24 (A) Subsections (b)(1) and (e)(1) of section
25 501.

1 (B) *Section 502(a).*

2 (C) *Section 503(a).*

3 (2) *ADDITION OF REGULAR SPACE FORCE.*—*Sec-*
4 *tion 501(b)(5)(C) of such title is amended by striking*
5 *“or Regular Marine Corps” and inserting “Regular*
6 *Marine Corps, or Regular Space Force”.*

7 (3) *TECHNICAL AMENDMENTS.*—*Chapter 9 of*
8 *such title is further amended as follows:*

9 (A) *In section 501(b)(1)—*

10 (i) *by striking “his” each place it ap-*
11 *pears and inserting “the member’s”; and*

12 (ii) *by striking “he” and inserting “the*
13 *member”.*

14 (B) *In section 502—*

15 (i) *by striking “his designated rep-*
16 *resentative” each place it appears and in-*
17 *serting “the Secretary’s designated rep-*
18 *resentative”;*

19 (ii) *in subsection (a), by striking “he”*
20 *each place it appears and inserting “the*
21 *member”;* *and*

22 (iii) *in subsection (b), by striking*
23 *“his” and inserting “the member’s”.*

24 (h) *ALLOTMENT AND ASSIGNMENT OF PAY.*—

1 (1) *IN GENERAL.*—Subsections (a), (c), and (d)
 2 of section 701 of title 37, United States Code, are each
 3 amended by striking “or Marine Corps” and insert-
 4 ing “Marine Corps, or Space Force”.

5 (2) *TECHNICAL AMENDMENTS.*—Such section 701
 6 is further amended—

7 (A) in subsection (a), by striking “his” and
 8 inserting “the officer’s”;

9 (B) in subsection (b), by striking “his” and
 10 inserting “the person’s”; and

11 (C) in subsection (c), by striking “his pay,
 12 and if he does so” and inserting “the member’s
 13 pay, and if the member does so”.

14 (3) *HEADING.*—The heading of such section 701
 15 is amended to read as follows:

16 **“§ 701. Members of the Army, Navy, Air Force, Marine**
 17 **Corps, and Space Force; contract sur-**
 18 **geons”.**

19 (4) *TABLE OF SECTIONS.*—The table of sections
 20 at the beginning of chapter 13 of such title is amend-
 21 ed by striking the item relating to section 701 and in-
 22 serting the following new item:

“701. Members of the Army, Navy, Air Force, Marine Corps, and Space Force;
 contract surgeons.”.

23 (i) *FORFEITURE OF PAY.*—

1 (1) *FORFEITURE FOR ABSENCE FOR INTEM-*
 2 *PERATE USE OF ALCOHOL OR DRUGS.—*

3 (A) *IN GENERAL.—Section 802 of title 37,*
 4 *United States Code, is amended by striking “or*
 5 *Marine Corps” and inserting “Marine Corps, or*
 6 *Space Force”.*

7 (B) *TECHNICAL AMENDMENTS.—Such sec-*
 8 *tion 802 is further amended by striking “his”*
 9 *each place it appears and inserting “the mem-*
 10 *ber’s”.*

11 (2) *FORFEITURE WHEN DROPPED FROM*
 12 *ROLLS.—*

13 (A) *IN GENERAL.—Section 803 of such title*
 14 *is amended by striking “or the Air Force” and*
 15 *inserting “, the Air Force, or the Space Force”.*

16 (B) *HEADING.—The heading of such section*
 17 *803 is amended to read as follows:*

18 “**§ 803. Commissioned officers of the Army, Air Force,**
 19 **or Space Force: forfeiture of pay when**
 20 **dropped from rolls”.**

21 (C) *TABLE OF SECTIONS.—The table of sec-*
 22 *tions at the beginning of chapter 15 of such title*
 23 *is amended by striking the item relating to sec-*
 24 *tion 803 and inserting the following new item:*

 “803. *Commissioned officers of the Army, Air Force, or Space Force: forfeiture*
 of pay when dropped from rolls.”.

1 (j) *EFFECT ON PAY OF EXTENSION OF ENLISTMENT.*—
 2 Section 906 of title 37, United States Code, is amended by
 3 inserting “Space Force,” after “Marine Corps,”.

4 (k) *ADMINISTRATION OF PAY.*—

5 (1) *PROMPT PAYMENT REQUIRED.*—

6 (A) *IN GENERAL.*—Section 1005 of title 37,
 7 United States Code, is amended by striking “and
 8 of the Air Force” and inserting “, the Air Force,
 9 and the Space Force”.

10 (B) *HEADING.*—The heading of such section
 11 1005 is amended to read as follows:

12 “**§ 1005. Army, Air Force, and Space Force: prompt**
 13 **payments required**”.

14 (C) *TABLE OF SECTIONS.*—The table of sec-
 15 tions at the beginning of chapter 15 of such title
 16 is amended by striking the item relating to sec-
 17 tion 803 and inserting the following new item:

“1005. Army, Air Force, and Space Force: prompt payments required.”.

18 (2) *DEDUCTIONS FROM PAY.*—

19 (A) *IN GENERAL.*—Section 1007 of such
 20 title is amended—

21 (i) in subsections (b), (d), (f), and (g),
 22 by striking “or the Air Force” and inserting
 23 “, the Air Force, or the Space Force”; and

1 (ii) in subsection (e), by striking “or
2 Marine Corps” and inserting “Marine
3 Corps, or Space Force”.

4 (B) *TECHNICAL AMENDMENTS.*—Such sec-
5 tion 1007 is further amended—

6 (i) in subsection (b), by striking “him”
7 and inserting “the member”;

8 (ii) in subsection (d), by striking “his”
9 each place it appears and inserting “the
10 member’s”; and

11 (iii) in subsection (f)—

12 (I) by striking “his” and insert-
13 ing “the officer’s”; and

14 (II) by striking “he” both places
15 it appears and inserting “the officer”.

16 **SEC. 935. AMENDMENTS RELATING TO PROVISIONS OF LAW**
17 **ON VETERANS’ BENEFITS.**

18 (a) *ADDITION OF SPACE SERVICE TO REFERENCES TO*
19 *MILITARY, NAVAL, OR AIR SERVICE.*—Title 38, United
20 States Code, is amended by striking “or air service” and
21 inserting “air, or space service” each place it appears in
22 the following provisions:

23 (1) Paragraphs (2), (5), (12), (16), (17), (18),
24 (24), and (32) of section 101.

25 (2) Section 105(a).

- 1 (3) *Section 106(b).*
- 2 (4) *Section 701.*
- 3 (5) *Paragraphs (1) and (2)(A) of section 1101.*
- 4 (6) *Section 1103.*
- 5 (7) *Section 1110.*
- 6 (8) *Subsections (b)(1) and (c)(1) of section 1112.*
- 7 (9) *Section 1113(b).*
- 8 (10) *Section 1131.*
- 9 (11) *Section 1132.*
- 10 (12) *Section 1133.*
- 11 (13) *Section 1137.*
- 12 (14) *Section 1141.*
- 13 (15) *Section 1153.*
- 14 (16) *Section 1301.*
- 15 (17) *Subsections (a) and (b) of section 1302.*
- 16 (18) *Section 1310(b).*
- 17 (19) *Section 1521(j).*
- 18 (20) *Section 1541(h).*
- 19 (21) *Subsections (a)(2)(B) and (e)(3) of section*
20 *1710.*
- 21 (22) *Section 1712(a).*
- 22 (23) *Section 1712A(c).*
- 23 (24) *Section 1717(d)(1).*
- 24 (25) *Subsections (b) and (c) of section 1720A.*
- 25 (26) *Section 1720D(c)(3).*

- 1 (27) *Section 1720E(a).*
- 2 (28) *Section 1720G(a)(2)(B).*
- 3 (29) *Subsections (b)(2), (e)(1), and (e)(4) of sec-*
4 *tion 1720I.*
- 5 (30) *Section 1781(a)(3).*
- 6 (31) *Section 1783(b)(1).*
- 7 (32) *Section 1922(a).*
- 8 (33) *Section 2002(b)(1).*
- 9 (34) *Section 2101A(a)(1).*
- 10 (35) *Subsections (a)(1)(C) and (d) of section*
11 *2301.*
- 12 (36) *Section 2302(a).*
- 13 (37) *Section 2303(b)(2).*
- 14 (38) *Subsections (b)(4)(A) and (g)(2) of section*
15 *2306.*
- 16 (39) *Section 2402(a)(1).*
- 17 (40) *Section 3018B(a).*
- 18 (41) *Section 3102(a)(1)(A)(ii).*
- 19 (42) *Subsections (a) and (b)(2)(A) of section*
20 *3103.*
- 21 (43) *Section 3113(a).*
- 22 (44) *Section 3501(a).*
- 23 (45) *Section 3512(b)(1)(B)(iii).*
- 24 (46) *Section 3679(c)(2)(A).*
- 25 (47) *Section 3701(b)(2).*

1 (48) *Section 3712(e)(2).*

2 (49) *Section 3729(c)(1).*

3 (50) *Subparagraphs (A) and (B) of section*
4 *3901(1).*

5 (51) *Subsections (c)(1)(A) and (d)(2)(B) of sec-*
6 *tion 5103A.*

7 (52) *Section 5110(j).*

8 (53) *Section 5111(a)(2)(A).*

9 (54) *Section 5113(b)(3)(C).*

10 (55) *Section 5303(e).*

11 (56) *Section 6104(c).*

12 (57) *Section 6105(a).*

13 (58) *Subsections (a)(1) and (b)(3) of section*
14 *6301.*

15 (59) *Section 6303(b).*

16 (60) *Section 6304(b)(1).*

17 (61) *Section 8301.*

18 **(b) DEFINITIONS.—**

19 (1) *ARMED FORCES.—Paragraph (10) of section*
20 *101 of title 38, United States Code, is amended by in-*
21 *serting “Space Force,” after “Air Force,”.*

22 (2) *SECRETARY CONCERNED.—Paragraph*
23 *(25)(C) of such section is amended by inserting “or*
24 *the Space Force” before the semicolon.*

1 (3) *SPACE FORCE RESERVE*.—Paragraph (27) of
2 such section is amended—

3 (A) by redesignating subparagraphs (E)
4 through (G) as subparagraphs (F) through (H),
5 respectively; and

6 (B) by inserting after subparagraph (D) the
7 following new subparagraph (E):

8 “(E) *the Space Force Reserve*.”

9 (c) *PLACEMENT OF EMPLOYEES IN MILITARY INSTAL-*
10 *LATIONS*.—Section 701 of title 38, United States Code, is
11 amended by striking “and Air Force” and inserting “Air
12 Force, and Space Force”.

13 (d) *CONSIDERATION TO BE ACCORDED TIME, PLACE,*
14 *AND CIRCUMSTANCES OF SERVICE*.—Section 1154(b) of title
15 38, United States Code, is amended by striking “or air or-
16 ganization” and inserting “air, or space organization”.

17 (e) *PREMIUM PAYMENTS*.—Section 1908 of title 38,
18 United States Code, is amended by inserting “Space
19 Force,” after “Marine Corps,”.

20 (f) *SECRETARY CONCERNED FOR GI BILL*.—Section
21 3020(l)(3) of title 38, United States Code, is amended by
22 inserting “or the Space Force” before the semicolon.

23 (g) *DEFINITIONS FOR POST-9/11 GI BILL*.—Section
24 3301(2)(C) of title 38, United States Code, is amended by
25 inserting “or the Space Force” after “Air Force”.

1 (h) *PROVISION OF CREDIT PROTECTION AND OTHER*
2 *SERVICES.*—Section 5724(c)(2) of title 38, United States
3 Code, is amended by striking “or Marine Corps” and in-
4 serting “Marine Corps, or Space Force”.

5 **SEC. 936. AMENDMENTS TO OTHER PROVISIONS OF THE**
6 **UNITED STATES CODE.**

7 (a) *TITLE 5; DEFINITION OF ARMED FORCES.*—Sec-
8 tion 2101(2) of title 5, United States Code, is amended by
9 inserting after “Marine Corps,” the following: “Space
10 Force,”.

11 (b) *TITLE 14.*—

12 (1) *VOLUNTARY RETIREMENT.*—Section 2152 of
13 title 14, United States Code, is amended by striking
14 “or Marine Corps” and inserting “Marine Corps, or
15 Space Force”.

16 (2) *COMPUTATION OF LENGTH OF SERVICE.*—
17 Section 2513 of such title is amended by inserting
18 after “Air Force,” the following: “Space Force,”.

19 (c) *TITLE 18; FIREARMS AS NONMAILABLE.*—Section
20 1715 of such title is amended by inserting “Space Force,”
21 after “Marine Corps,”.

22 (d) *TITLE 31.*—

23 (1) *DEFINITIONS RELATING TO CLAIMS.*—Section
24 3701(a)(7) of title 31, United States Code, is amended
25 by inserting “Space Force,” after “Marine Corps,”.

1 (2) *COLLECTION AND COMPROMISE.*—Section
 2 3711(f) of such title is amended in paragraphs (1)
 3 and (3) by inserting “Space Force,” after “Marine
 4 Corps,” each place it appears.

5 (e) *TITLE 41; HONORABLE DISCHARGE CERTIFICATE*
 6 *IN LIEU OF BIRTH CERTIFICATE.*—Section 6309(a) of title
 7 41, United States Code, is amended by inserting “Space
 8 Force,” after “Marine Corps,”.

9 (f) *TITLE 51; POWERS OF THE ADMINISTRATION IN*
 10 *PERFORMANCE OF FUNCTIONS.*—Section 20113(l) of title
 11 51, United States Code, is amended—

12 (1) in the subsection heading, by striking “SERV-
 13 ICES” and inserting “FORCES”; and

14 (2) by striking “and Marine Corps” and insert-
 15 ing “Marine Corps, and Space Force”.

16 **SEC. 937. APPLICABILITY TO OTHER PROVISIONS OF LAW.**

17 (a) *SECRETARY OF DEFENSE AUTHORITY.*—The au-
 18 thority of the Secretary of Defense with respect to the Air
 19 Force or members of the Air Force under any covered provi-
 20 sion of law may be exercised by the Secretary with respect
 21 to the Space Force or members of the Space Force.

22 (b) *SECRETARY OF THE AIR FORCE AUTHORITY.*—The
 23 authority of the Secretary of the Air Force with respect to
 24 the Air Force or members of the Air Force under any cov-

1 *ered provision of law may be exercised with respect to the*
 2 *Space Force or members of the Space Force.*

3 *(c) BENEFITS FOR MEMBERS.—A member of the Space*
 4 *Force shall be eligible for any benefit under a covered provi-*
 5 *sion of law that is available to a member of the Air Force*
 6 *under the same terms and conditions as the provision of*
 7 *law applies to members of the Air Force.*

8 *(d) COVERED PROVISION OF LAW DEFINED.—In this*
 9 *section, the term “covered provision of law” means a provi-*
 10 *sion of law other than a provision of title 5, 10, 14, 18,*
 11 *31, 37, 38, 41, or 51, United States Code.*

12 **PART II—OTHER MATTERS**

13 **SEC. 941. MATTERS RELATING TO RESERVE COMPONENTS**
 14 **FOR THE SPACE FORCE.**

15 *(a) LIMITATION ON ESTABLISHMENT OF SPACE NA-*
 16 *TIONAL GUARD.—*

17 *(1) IN GENERAL.—The Space National Guard*
 18 *may not be established as a reserve component of the*
 19 *Space Force until the Secretary of Defense certifies in*
 20 *writing, to the congressional defense committees that*
 21 *a Space National Guard is the organization best suit-*
 22 *ed to discharge in an effective and efficient manner*
 23 *the missions intended to be assigned to the Space Na-*
 24 *tional Guard.*

1 (2) *BASIS FOR CERTIFICATION.*—*The certifi-*
 2 *cation must be based on the results of a study con-*
 3 *ducted for purposes of this subsection by the Assistant*
 4 *Secretary of the Air Force for Manpower and Reserve*
 5 *Affairs.*

6 (3) *PROPOSED MISSIONS.*—*The certification*
 7 *shall include a description of each mission proposed*
 8 *to be assigned to the Space National Guard in con-*
 9 *nection with the certification.*

10 **(b) SPACE FORCE RESERVE.**—

11 (1) *INCLUSION WITHIN SPACE FORCE.*—*Section*
 12 *9081(b)(2) of title 10, United States Code, is amended*
 13 *by inserting “, including the Regular Space Force*
 14 *and the Space Force Reserve,” after “space forces”.*

15 (2) *NAMED RESERVE COMPONENT.*—*Section*
 16 *10101 of title 10, United States Code, is amended—*

17 (A) *by redesignating paragraph (7) as*
 18 *paragraph (8); and*

19 (B) *by inserting after paragraph (6) the fol-*
 20 *lowing new paragraph (7):*

21 “*(7) The Space Force Reserve.*”.

22 (3) *COMPOSITION.*—

23 (A) *IN GENERAL.*—*Chapter 1003 of such*
 24 *title is amended—*

1 (i) by redesignating section 10114 as
2 section 10115; and

3 (ii) by inserting after section 10113 the
4 following new section 10114:

5 **“§ 10114. Space Force Reserve: composition**

6 *“The Space Force Reserve is a reserve component of*
7 *the Space Force to provide a reserve for active duty. It con-*
8 *sists of the members of the officers’ section of the Space*
9 *Force Reserve and of the enlisted section of the Space Force*
10 *Reserve.”.*

11 (B) *CLERICAL AMENDMENT.—The table of*
12 *sections at the beginning of chapter 1003 of such*
13 *title is amended by striking the item relating to*
14 *section 10114 and inserting the following new*
15 *items:*

“10114. Space Force Reserve: composition.

“10115. Coast Guard Reserve.”.

16 (4) *SPACE FORCE RESERVE COMMAND.—*

17 (A) *IN GENERAL.—Chapter 1006 of such*
18 *title is amended by adding at the end the fol-*
19 *lowing new section:*

20 **“§ 10175. Space Force Reserve Command**

21 *“(a) ESTABLISHMENT OF COMMAND.—The Secretary*
22 *of the Air Force, with the advice and assistance of the Chief*
23 *of Space Operations, shall establish a Space Force Reserve*

1 *Command. The Space Force Reserve Command shall be op-*
 2 *erated as a separate command of the Space Force.*

3 “(b) *COMMANDER.*—*The Chief of Space Force Reserve*
 4 *is the Commander of the Space Force Reserve Command.*
 5 *The commander of the Space Force Reserve Command re-*
 6 *ports directly to the Chief of Space Operations.*

7 “(c) *ASSIGNMENT OF FORCES.*—*The Secretary of the*
 8 *Air Force—*

9 “(1) *shall assign to the Space Force Reserve*
 10 *Command all forces of the Space Force Reserve sta-*
 11 *tioned in the continental United States other than*
 12 *forces assigned to the unified combatant command for*
 13 *special operations forces established pursuant to sec-*
 14 *tion 167 of this title; and*

15 “(2) *except as otherwise directed by the Secretary*
 16 *of Defense in the case of forces assigned to carry out*
 17 *functions of the Secretary of the Air Force specified*
 18 *in section 9013 of this title, shall assign to the com-*
 19 *batant commands all such forces assigned to the*
 20 *Space Force Reserve Command under paragraph (1)*
 21 *in the manner specified by the Secretary of Defense.”.*

22 (B) *CLERICAL AMENDMENT.*—*The table of*
 23 *sections at the beginning of chapter 1006 of such*
 24 *title is amended by adding at the end the fol-*
 25 *lowing new item:*

“10175. *Space Force Reserve Command.*”.

1 (c) *MILITARY PERSONNEL MANAGEMENT.*—Any au-
2 *thority in title 10, United States Code, may be applied to*
3 *a member of the Space Force Reserve in the same manner*
4 *as such authority is applied to a similarly situated member*
5 *of the Air Force Reserve. In the application of such author-*
6 *ity to a member of the Space Force Reserve, any reference*
7 *to a grade of a member of in the Air Force or Air Force*
8 *Reserve shall be deemed to refer to the equivalent grade in*
9 *the Space Force or Space Force Reserve.*

10 (d) *REPORT ON INTEGRATION OF SPACE FORCE RE-*
11 *SERVE INTO LAW.*—Not later than 270 days after the date
12 *of the enactment of this Act, the Secretary of Defense shall*
13 *submit to the Committees on Armed Services of the Senate*
14 *and the House or Representatives a report setting forth the*
15 *amendments to title 10, United States Code, and any other*
16 *laws, necessary to fully integrate the Space Force Reserve*
17 *into statutory authorities on the personnel, activities, mis-*
18 *sions, and management of the Space Force.*

19 **SEC. 942. TRANSFERS OF MILITARY AND CIVILIAN PER-**
20 **SONNEL TO THE SPACE FORCE.**

21 (a) *PROHIBITION ON INVOLUNTARY TRANSFER.*—A
22 *member of the Armed Forces or civilian employee of the*
23 *Department of Defense may not be transferred to the mili-*
24 *tary or civilian part of the Space Force, as the case may*
25 *be, without the consent of such member or employee.*

1 **(b) STATUS WITHIN SPACE FORCE UPON TRANS-**
 2 *FER.*—*Any member of the Armed Forces or civilian em-*
 3 *ployee of the Department of Defense who is transferred to*
 4 *the Space Force shall, after transfer, have the status of*
 5 *member or civilian employee, as the case may be, of the*
 6 *Space Force.*

7 **(c) DETAIL OR ASSIGNMENT OF MEMBERS.**—

8 **(1) PERMANENT NATURE OF DETAIL OR ASSIGN-**
 9 *MENT.*—*The detail or assignment of any member of*
 10 *the Armed Forces to the Space Force on or after the*
 11 *date of the enactment of this Act shall be permanent,*
 12 *and shall be treated as a transfer to which subsection*
 13 *(b) applies.*

14 **(2) ACKNOWLEDGMENT OF NATURE.**—*Any mem-*
 15 *ber undergoing a detail or assignment described in*
 16 *paragraph (1) shall execute a written acknowledg-*
 17 *ment, before undergoing such detail or assignment, of*
 18 *the permanent nature of the detail or assignment by*
 19 *reason of paragraph (1).*

20 **SEC. 943. LIMITATION ON TRANSFER OF MILITARY INSTAL-**
 21 **LATIONS TO THE JURISDICTION OF THE**
 22 **SPACE FORCE.**

23 **(a) LIMITATION.**—*A military installation (whether or*
 24 *not under the jurisdiction of the Department of the Air*
 25 *Force) may not be transferred to the jurisdiction or com-*

1 *mand of the Space Force until the Secretary of the Air*
 2 *Force briefs the congressional defense committees on the re-*
 3 *sults of a business case analysis, conducted by the Secretary*
 4 *in connection with the transfer, of the cost and efficacy of*
 5 *the transfer.*

6 (b) *TIMING OF BRIEFING.*—*The briefing on a business*
 7 *case analysis conducted pursuant to subsection (a) shall be*
 8 *provided not later than 15 days after the date of the comple-*
 9 *tion of the business case analysis by the Secretary.*

10 **SEC. 944. CLARIFICATION OF PROCUREMENT OF COMMERCIAL**
 11 **SATELLITE COMMUNICATIONS SERVICES.**
 12 **ICES.**

13 (a) *IN GENERAL.*—*Chapter 963 of title 10, United*
 14 *States Code, is amended by inserting before section 9532*
 15 *the following new section:*

16 **“§9531. Procurement of commercial satellite commu-**
 17 **nications services**

18 *“The Secretary of the Air Force shall be responsible*
 19 *for the procurement of commercial satellite communications*
 20 *services for the Department of Defense.”.*

21 (b) *TABLE OF SECTIONS.*—*The table of sections at the*
 22 *beginning of chapter 963 of such title is amended by insert-*
 23 *ing before the item relating to section 9532 the following*
 24 *new item:*

“9531. Procurement of commercial satellite communications services.”.

1 **SEC. 945. TEMPORARY EXEMPTION FROM AUTHORIZED**
2 **DAILY AVERAGE OF MEMBERS IN PAY GRADES**
3 **E-8 AND E-9.**

4 *Section 517 of title 10, United States Code, shall not*
5 *apply to the Space Force until October 1, 2023.*

6 **SEC. 946. APPLICATION OF ACQUISITION DEMONSTRATION**
7 **PROJECT TO DEPARTMENT OF THE AIR**
8 **FORCE EMPLOYEES ASSIGNED TO ACQUI-**
9 **SITION POSITIONS WITHIN THE SPACE FORCE.**

10 *(a) IN GENERAL.—Chapter 81 of title 10, United*
11 *States Code, is amended by adding at the end the following*
12 *new section:*

13 **“§ 1599i. Application of acquisition demonstration**
14 **project to Department of the Air Force em-**
15 **ployees assigned to acquisition positions**
16 **within the Space Force**

17 *“For purposes of the demonstration project authorized*
18 *by section 1762 of this title, the Secretary of Defense may*
19 *apply the provisions of such section, including any regula-*
20 *tions, procedures, waivers, or guidance implementing such*
21 *section, to employees of the Department of the Air Force*
22 *assigned to acquisition positions within the Space Force.”.*

23 *(b) TABLE OF SECTIONS.—The table of sections at the*
24 *beginning of such chapter is amended by adding at the end*
25 *the following new item:*

“1599i. Application of acquisition demonstration project to Department of the Air Force employees assigned to acquisition positions within the Space Force.”.

1 **SEC. 947. AIR AND SPACE FORCE MEDAL.**

2 (a) *SUPERSEDURE OF AIRMAN’S MEDAL WITH AIR*
3 *AND SPACE FORCE MEDAL.—*

4 (1) *IN GENERAL.—Section 9280 of title 10,*
5 *United States Code, is amended—*

6 (A) *by striking “Airman’s Medal” each*
7 *place it appears and inserting “Air and Space*
8 *Force Medal”; and*

9 (B) *in subsection (a)(1), by inserting “or*
10 *the Space Force” after “the Air Force”.*

11 (2) *SECTION HEADING.—The heading of such sec-*
12 *tion is amended to read as follows:*

13 **“§9280. Air and Space Force Medal: award; limita-**
14 **tions”.**

15 (3) *TABLE OF SECTIONS.—The table of sections*
16 *at the beginning of chapter 937 of such title is*
17 *amended by striking the item relating to section 9280*
18 *and inserting the following new item:*

“9280. Air and Space Force Medal: award; limitations.”.

19 (b) *DIFFERENTIATION IN DESIGN.—The President*
20 *shall ensure that the design of the Air and Space Force*
21 *Medal and accompanying ribbon (and any related bar or*
22 *device) awarded under section 9280 of title 10, United*
23 *States Code (as amended by subsection (a)), differs in an*

1 appropriate manner from the design of the Airman's Medal
2 and accompanying ribbon, bar, or device awarded under
3 section 9280 of title 10, United States Code, as such section
4 was in effect on the date before the date of the enactment
5 of this Act.

6 **Subtitle D—Organization and Man-**
7 **agement of Other Department of**
8 **Defense Offices and Elements**

9 **SEC. 951. ANNUAL REPORT ON ESTABLISHMENT OF FIELD**
10 **OPERATING AGENCIES.**

11 (a) *IN GENERAL.*—Subchapter I of chapter 134 of title
12 10, United States Code, is amended by inserting after sec-
13 tion 2245 the following new section:

14 **“§ 2246. Establishment of field operating agencies: an-**
15 **nual report**

16 “(a) *ANNUAL REPORT REQUIRED.*—Not later than
17 January 31 each year, the Secretary of Defense shall submit
18 to the congressional defense committees a report on each,
19 if any, field operating agency established during the pre-
20 ceding year.

21 “(b) *ELEMENTS.*—Each report under subsection (a)
22 shall include, for each field operating agency covered by
23 such report, the following:

24 “(1) *The name of such agency.*

25 “(2) *The physical location of such agency.*

1 “(3) *The title and grade (whether military or ci-*
2 *vilian) of the head of such agency.*”

3 “(4) *The chain of command, supervision, or au-*
4 *thority through which the head of such agency reports*
5 *to the Office of the Secretary of Defense or the mili-*
6 *tary department or Armed Forces headquarters, as*
7 *applicable.*”

8 “(5) *The mission of such agency.*”

9 “(6) *The number of personnel authorized to be*
10 *assigned to such agency, and the number of such au-*
11 *thorizations encumbered by military personnel and*
12 *civilian employees of the Department of Defense or*
13 *military department, as applicable.*”

14 “(7) *The purpose underlying the establishment of*
15 *such agency.*”

16 “(8) *Any cost savings or other efficiencies that*
17 *have accrued, or are anticipated to accrue, to the De-*
18 *partment of Defense or any of its components in con-*
19 *nection with the establishment and operation of such*
20 *agency.*”

21 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
22 *the beginning of subchapter I of chapter 134 of such title*
23 *is amended by inserting after the item relating to section*
24 *2245 the following new item:*

“2246. *Establishment of field operating agencies: annual report.*”

1 **SEC. 952. BRIEFING ON ASSIGNMENT OF MEMBERS OF THE**
2 **ARMED FORCES ON ACTIVE DUTY TO THE**
3 **JOINT ARTIFICIAL INTELLIGENCE CENTER OF**
4 **THE DEPARTMENT OF DEFENSE.**

5 *Not later than 90 days after the date of the enactment*
6 *of this Act, the Secretary of Defense, with appropriate rep-*
7 *resentatives of the Armed Forces, shall brief the Committees*
8 *on Armed Services of the Senate and the House of Rep-*
9 *resentatives on the feasibility and the current status of as-*
10 *signing members of the Armed Forces on active duty to the*
11 *Joint Artificial Intelligence Center (JAIC) of the Depart-*
12 *ment of Defense. The briefing shall include an assessment*
13 *of such assignment on each of the following:*

14 (1) *The strengthening of ties between the Joint*
15 *Artificial Intelligence Center and operational forces*
16 *for purposes of—*

17 (A) *identifying tactical and operational use*
18 *cases for artificial intelligence (AI);*

19 (B) *improving data collection; and*

20 (C) *establishing effective liaison between the*
21 *Center and operational forces for identification*
22 *and clarification of concerns in the widespread*
23 *adoption and dissemination of artificial intel-*
24 *ligence.*

1 (2) *The creation of opportunities for additional*
2 *non-traditional broadening assignments for members*
3 *on active duty.*

4 (3) *The career trajectory of active duty members*
5 *so assigned, including potential negative effects on ca-*
6 *reer trajectory.*

7 (4) *The improvement and enhancement of the ca-*
8 *capacity of the Center to influence Department-wide*
9 *policies that affect the adoption of artificial intel-*
10 *ligence.*

11 **SEC. 953. THREATS TO UNITED STATES FORCES FROM**
12 **SMALL UNMANNED AERIAL SYSTEMS WORLD-**
13 **WIDE.**

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

15 (1) *United States military forces face an ever in-*
16 *creasing and constantly evolving threat from small*
17 *unmanned aerial systems in operations worldwide,*
18 *whether in the United States or abroad.*

19 (2) *The Department of Defense is already doing*
20 *important work to address the threats from small un-*
21 *manned aerial systems worldwide, though the need for*
22 *engagement in that area continues.*

23 (b) *EXECUTIVE AGENT.—*

24 (1) *IN GENERAL.—The Secretary of the Army is*
25 *the executive agent of the Department of Defense for*

1 *programs, projects, and activities to counter small*
2 *unmanned aerial systems (in this section referred to*
3 *as the “Counter-Small Unmanned Aerial Systems*
4 *Program”).*

5 (2) *FUNCTIONS.—The functions of the Secretary*
6 *as executive agent shall be as follows:*

7 (A) *To develop the strategy required by sub-*
8 *section (c).*

9 (B) *To carry out such other activities to*
10 *counter threats to United States forces worldwide*
11 *from small unmanned aerial systems as the Sec-*
12 *retary of Defense and the Secretary of the Army*
13 *consider appropriate.*

14 (3) *STRUCTURE.—The Secretary as executive*
15 *agent shall carry out the functions specified in para-*
16 *graph (2) through such administrative structures as*
17 *the Secretary considers appropriate.*

18 (c) *STRATEGY TO COUNTER THREATS FROM SMALL*
19 *UNMANNED AERIAL SYSTEMS.—Not later than 90 days*
20 *after the date of the enactment of this Act, the Secretary*
21 *of the Army, as executive agent for the Counter-Small Un-*
22 *manned Aerial Systems Program, shall develop and submit*
23 *to relevant committees of Congress a strategy for the Armed*
24 *Forces to effectively counter threats from small unmanned*

1 *aerial systems worldwide. The report shall be submitted in*
2 *classified form.*

3 *(d) REPORT ON EXECUTIVE AGENT ACTIVITIES.—*

4 *(1) REPORT REQUIRED.—Not later than one*
5 *year after the date of the enactment of this Act, the*
6 *Secretary of the Army, as executive agent for the*
7 *Counter-Small Unmanned Aerial Systems Program,*
8 *shall submit to Congress a report on the Counter-*
9 *Small Unmanned Aerial Systems Program.*

10 *(2) ELEMENTS.—The report required by para-*
11 *graph (1) shall include the following:*

12 *(A) A description and assessment of the*
13 *structure and activities of the executive agent as*
14 *established and put in place by the Secretary,*
15 *including the following:*

16 *(i) Any obstacles hindering the effective*
17 *discharge of its functions and activities, in-*
18 *cluding limitations in authorities or policy.*

19 *(ii) The changes, if any, to airspace*
20 *management, rules of engagement, and*
21 *training plans that are required in order to*
22 *optimize the use by the Armed Forces of*
23 *counter-small unmanned aerial systems.*

24 *(B) An assessment of the implementation of*
25 *the strategy required by subsection (c), and a de-*

1 *scription of any updates to the strategy that are*
2 *required in light of evolving threats to the Armed*
3 *Forces from small unmanned aerial systems.*

4 *(e) REPORT ON THREAT FROM SMALL UNMANNED*
5 *AERIAL SYSTEMS.—*

6 *(1) REPORT REQUIRED.—Not later than 180*
7 *days after the submittal of the strategy required by*
8 *subsection (c), the Secretary of Defense shall submit*
9 *to the appropriate committees of Congress a report*
10 *that sets forth a direct comparison between the threats*
11 *United States forces in combat settings face from*
12 *small unmanned aerial systems and the capabilities*
13 *of the United States to counter such threats. The re-*
14 *port shall be submitted in classified form.*

15 *(2) COORDINATION.—The Secretary shall prepare*
16 *the report required by paragraph (1) in coordination*
17 *with the Director of the Defense Intelligence Agency*
18 *and with such other appropriate officials of the intel-*
19 *ligence community, and such other officials in the*
20 *United States Government, as the Secretary considers*
21 *appropriate.*

22 *(3) ELEMENTS.—The report required by para-*
23 *graph (1) shall include the following:*

24 *(A) An evaluation and assessment of the*
25 *current and evolving threat being faced by*

1 *United States forces from small unmanned aer-*
2 *ial systems.*

3 *(B) A description of the counter-small un-*
4 *manned aerial system systems acquired by the*
5 *Department of Defense as of the date of the en-*
6 *actment of this Act, and an assessment whether*
7 *such systems are adequate to meet the current*
8 *and evolving threat described in subparagraph*
9 *(A).*

10 (4) *APPROPRIATE COMMITTEES OF CONGRESS*
11 *DEFINED.—In this subsection, the term “appropriate*
12 *committees of Congress” means—*

13 (A) *the Committee on Armed Services and*
14 *the Select Committee on Intelligence of the Sen-*
15 *ate; and*

16 (B) *the Committee on Armed Services and*
17 *the Permanent Select Committee on Intelligence*
18 *of the House of Representatives.*

19 (f) *INDEPENDENT ASSESSMENT OF COUNTER-SMALL*
20 *UNMANNED AERIAL SYSTEMS PROGRAM.—*

21 (1) *ASSESSMENT.—Not later than 60 days after*
22 *the submittal of the strategy required by subsection*
23 *(c), the Secretary of Defense shall seek to enter into*
24 *a contract with a Federally funded research and de-*
25 *velopment center to conduct an assessment of the effi-*

1 *cacy of the Counter-Small Unmanned Aerial Systems*
2 *Program.*

3 (2) *ELEMENTS.*—*The assessment conducted pur-*
4 *suant to paragraph (1) shall include the following:*

5 (A) *An identification of metrics to assess*
6 *progress in the implementation of the strategy*
7 *required by subsection (c), which metrics shall*
8 *take into account the threat assessment required*
9 *for purposes of subsection (e).*

10 (B) *An assessment of progress, and key*
11 *challenges, in the implementation of the strategy*
12 *using such metrics, and recommendations for*
13 *improvements in the implementation of the*
14 *strategy.*

15 (C) *An assessment of the extent to which the*
16 *Department of Defense is coordinating ade-*
17 *quately with other departments and agencies of*
18 *the United States Government, and other appro-*
19 *priate entities, in the development and procure-*
20 *ment of counter-small unmanned aerial systems*
21 *for the Department.*

22 (D) *An assessment of the extent to which the*
23 *designation of the Secretary of the Army as exec-*
24 *utive agent for the Counter-Small Unmanned*
25 *Aerial Systems Program has reduced*

1 *redundancies and increased efficiencies in pro-*
2 *curement of counter-small unmanned aerial sys-*
3 *tems.*

4 *(E) An assessment whether United States*
5 *technological progress on counter-small un-*
6 *manned aerial systems is sufficient to maintain*
7 *a competitive edge over the small unmanned aer-*
8 *ial systems technology available to United States*
9 *adversaries.*

10 (3) *REPORT.*—*Not later than 180 days after*
11 *entry into the contract referred to in paragraph (1),*
12 *the Secretary shall submit to the congressional defense*
13 *committees a report setting forth the results of the as-*
14 *essment required under the contract.*

15 **TITLE X—GENERAL PROVISIONS**

16 **Subtitle A—Financial Matters**

17 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

18 (a) *AUTHORITY TO TRANSFER AUTHORIZATIONS.*—

19 (1) *AUTHORITY.*—*Upon determination by the*
20 *Secretary of Defense that such action is necessary in*
21 *the national interest, the Secretary may transfer*
22 *amounts of authorizations made available to the De-*
23 *partment of Defense in this division for fiscal year*
24 *2021 between any such authorizations for that fiscal*
25 *year (or any subdivisions thereof). Amounts of au-*

1 *thorizations so transferred shall be merged with and*
2 *be available for the same purposes as the authoriza-*
3 *tion to which transferred.*

4 (2) *LIMITATION.—Except as provided in para-*
5 *graph (3), the total amount of authorizations that the*
6 *Secretary may transfer under the authority of this*
7 *section may not exceed \$4,000,000,000.*

8 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*
9 *TARY PERSONNEL AUTHORIZATIONS.—A transfer of*
10 *funds between military personnel authorizations*
11 *under title IV shall not be counted toward the dollar*
12 *limitation in paragraph (2).*

13 (b) *LIMITATIONS.—The authority provided by sub-*
14 *section (a) to transfer authorizations—*

15 (1) *may only be used to provide authority for*
16 *items that have a higher priority than the items from*
17 *which authority is transferred; and*

18 (2) *may not be used to provide authority for an*
19 *item that has been denied authorization by Congress.*

20 (c) *EFFECT ON AUTHORIZATION AMOUNTS.—A trans-*
21 *fer made from one account to another under the authority*
22 *of this section shall be deemed to increase the amount au-*
23 *thorized for the account to which the amount is transferred*
24 *by an amount equal to the amount transferred.*

1 *mit to the appropriate committees of Congress a report set-*
 2 *ting forth a description and assessment of current and pro-*
 3 *posed incentives for the achievement of unqualified audit*
 4 *opinions as described in subsection (a).*

5 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 6 *FINED.—In this section, the term “appropriate committees*
 7 *of Congress” means—*

8 (1) *the Committee on Armed Services, the Com-*
 9 *mittee on the Budget, and the Committee on Appro-*
 10 *priations of the Senate; and*

11 (2) *the Committee on Armed Services, the Com-*
 12 *mittee on the Budget, and the Committee on Appro-*
 13 *priations of the House of Representatives.*

14 ***Subtitle B—Counterdrug Activities***

15 ***SEC. 1011. CODIFICATION OF AUTHORITY FOR JOINT TASK***
 16 ***FORCES OF THE DEPARTMENT OF DEFENSE***
 17 ***TO SUPPORT LAW ENFORCEMENT AGENCIES***
 18 ***CONDUCTING COUNTERTERRORISM OR***
 19 ***COUNTER-TRANSNATIONAL ORGANIZED***
 20 ***CRIME ACTIVITIES.***

21 (a) *CODIFICATION OF SECTION 1022 OF FY 2004*
 22 *NDAA.—Chapter 15 of title 10, United States Code, is*
 23 *amended by adding at the end a new section 285 consisting*
 24 *of—*

25 (1) *a heading as follows:*

1 **“§285. Authority for joint task forces to support law**
 2 **enforcement agencies conducting counter-**
 3 **terrorism or counter-transnational orga-**
 4 **nized crime activities”;** and

5 (2) a text consisting of the text of section 1022
 6 of the National Defense Authorization Act for Fiscal
 7 Year 2004 (10 U.S.C. 271 note).

8 (b) CONFORMING AMENDMENTS IN CONNECTION WITH
 9 CODIFICATION.—Section 285 of title 10, United States
 10 Code, as added by subsection (a), is amended—

11 (1) in subsection (b), by striking “During fiscal
 12 years 2006 through 2022, funds for drug interdiction”
 13 and inserting “Funds for drug interdiction”;

14 (2) in subsection (c), by striking “of each year
 15 in which the authority in subsection (a) is in effect”
 16 and inserting “each year”;

17 (3) in subsection (d)—

18 (A) in paragraph (1), by striking the para-
 19 graph designation and all that follows through
 20 “Support” in paragraph (2)(A) and inserting
 21 “(1) Support”;

22 (B) by redesignating subparagraph (B) as
 23 paragraph (2); and

24 (C) in paragraph (2), as so redesignated, by
 25 striking “subparagraph (A)” and inserting
 26 “paragraph (1)”; and

1 **SEC. 1022. WAIVER DURING WAR OR THREAT TO NATIONAL**
2 **SECURITY OF RESTRICTIONS ON OVERHAUL,**
3 **REPAIR, OR MAINTENANCE OF VESSELS IN**
4 **FOREIGN SHIPYARDS.**

5 *Section 8680 of title 10, United States Code, is amend-*
6 *ed—*

7 *(1) by redesignating subsection (c) as subsection*
8 *(d); and*

9 *(2) by inserting after subsection (b) the following*
10 *new subsection: (c)*

11 *“(c) WAIVER.—(1) The Secretary of the Navy may*
12 *waive the restrictions in subsections (a) and (b) for the du-*
13 *ration of a period of threat to the national security interests*
14 *of the United States upon a written determination by the*
15 *Secretary that such a waiver is necessary in the national*
16 *security interest of the United States.*

17 *“(2) Not later than 15 days after making a determina-*
18 *tion under paragraph (1), the Secretary shall provide to*
19 *the congressional defense committees a written notification*
20 *on the determination.*

21 *“(3) In this subsection, the term ‘period of threat to*
22 *the national security interests of the United States’ means*
23 *the following:*

24 *“(A) A period of war.*

25 *“(B) Any other period determined by Secretary*
26 *of Defense in which the national security interests of*

1 **SEC. 1024. EXTENSION OF AUTHORITY FOR REIMBURSE-**
2 **MENT OF EXPENSES FOR CERTAIN NAVY**
3 **MESS OPERATIONS AFLOAT.**

4 *Section 1014(b) of the Duncan Hunter National De-*
5 *fense Authorization Act for Fiscal Year 2009 (Public Law*
6 *110–417; 122 Stat. 4585), as most recently amended by sec-*
7 *tion 1023(a) of the National Defense Authorization Act for*
8 *Fiscal Year 2016 (Public Law 114–92; 129 Stat. 966), is*
9 *further amended by striking “September 30, 2020” and in-*
10 *serting “September 30, 2025”.*

11 **SEC. 1025. SENSE OF CONGRESS ON ACTIONS NECESSARY**
12 **TO ACHIEVE A 355-SHIP NAVY.**

13 *It is the sense of Congress that to achieve the national*
14 *policy of the United States to have available, as soon as*
15 *practicable, not fewer than 355 battle force ships—*

16 *(1) the Navy must be adequately resourced to in-*
17 *crease the size of the Navy in accordance with the na-*
18 *tional policy, which includes the associated ships, air-*
19 *craft, personnel, sustainment, and munitions;*

20 *(2) across fiscal years 2021 through 2025, the*
21 *Navy should start construction on not fewer than—*

22 *(A) 12 Arleigh Burke-class destroyers;*

23 *(B) 10 Virginia-class submarines;*

24 *(C) 2 Columbia-class submarines;*

25 *(D) 3 San Antonio-class amphibious ships;*

26 *(E) 1 LHA-class amphibious ship;*

1 (F) 6 John Lewis-class fleet oilers; and

2 (G) 5 guided missile frigates;

3 (3) new guided missile frigate construction
4 should increase to a rate of between two and four
5 ships per year once design maturity and construction
6 readiness permit;

7 (4) the Columbia-class submarine program
8 should be funded with additions to the Navy budget
9 significantly above the historical average, given the
10 critical single national mission that these vessels will
11 perform and the high priority of the shipbuilding
12 budget for implementing the National Defense Strat-
13 egy;

14 (5) stable shipbuilding rates of construction
15 should be maintained for each vessel class, utilizing
16 multi-year or block buy contract authorities when ap-
17 propriate, until a deliberate transition plan is identi-
18 fied; and

19 (6) prototyping of potential new shipboard sub-
20 systems should be accelerated to build knowledge sys-
21 tematically, and, to the maximum extent practicable,
22 shipbuilding prototyping should occur at the sub-
23 system-level in advance of ship design.

1 ***Subtitle D—Counterterrorism***

2 ***SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS***
3 ***FOR TRANSFER OR RELEASE OF INDIVIDUALS***
4 ***DETAINED AT UNITED STATES NAVAL STA-***
5 ***TION, GUANTANAMO BAY, CUBA, TO THE***
6 ***UNITED STATES.***

7 *Section 1033 of the John S. McCain National Defense*
8 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
9 *232; 132 Stat. 1953), as amended by section 1043 of the*
10 *National Defense Authorization Act for Fiscal Year 2020*
11 *(Public Law 116–92), is further amended by striking “De-*
12 *cember 31, 2020” and inserting “December 31, 2021”.*

13 ***SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS***
14 ***TO CLOSE OR RELINQUISH CONTROL OF***
15 ***UNITED STATES NAVAL STATION, GUANTA-***
16 ***NAMO BAY, CUBA.***

17 *Section 1036 of the National Defense Authorization*
18 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*
19 *1551), as most recently amended by section 1045 of the Na-*
20 *tional Defense Authorization Act for Fiscal Year 2020 (Pub-*
21 *lic Law 116–92), is further amended by striking “fiscal*
22 *year 2018, 2019, or 2020” and inserting “fiscal years 2018*
23 *through 2021”.*

1 **SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **FOR TRANSFER OR RELEASE OF INDIVIDUALS**
3 **DETAINED AT UNITED STATES NAVAL STA-**
4 **TION, GUANTANAMO BAY, CUBA, TO CERTAIN**
5 **COUNTRIES.**

6 *Section 1035 of the John S. McCain National Defense*
7 *Authorization Act for Fiscal Year 2019 (Public Law 115-*
8 *232; 132 Stat. 1954), as amended by section 1042 of the*
9 *National Defense Authorization Act for Fiscal Year 2020*
10 *(Public Law 116-92), is further amended by striking “De-*
11 *cember 31, 2020” and inserting “December 31, 2021”.*

12 **SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS**
13 **TO CONSTRUCT OR MODIFY FACILITIES IN**
14 **THE UNITED STATES TO HOUSE DETAINEES**
15 **TRANSFERRED FROM UNITED STATES NAVAL**
16 **STATION, GUANTANAMO BAY, CUBA.**

17 *Section 1034(a) of the John S. McCain National De-*
18 *fense Authorization Act for Fiscal Year 2019 (Public Law*
19 *115-232; 132 Stat. 1954), as amended by section 1044 of*
20 *the National Defense Authorization Act for Fiscal Year*
21 *2020 (Public Law 116-92), is further amended by striking*
22 *“December 31, 2020” and inserting “December 31, 2021”.*

1 ***Subtitle E—Miscellaneous***
2 ***Authorities and Limitations***

3 ***SEC. 1041. INCLUSION OF DISASTER-RELATED EMERGENCY***
4 ***PREPAREDNESS ACTIVITIES AMONG LAW EN-***
5 ***FORCEMENT ACTIVITIES AUTHORITIES FOR***
6 ***SALE OR DONATION OF EXCESS PERSONAL***
7 ***PROPERTY OF THE DEPARTMENT OF DE-***
8 ***FENSE.***

9 ***(a) INCLUSION.***—*Subsection (a)(1)(A) of section 2576a*
10 *of title 10, United States Code, is amended by inserting*
11 *“disaster-related emergency preparedness,” after “counter-*
12 *terrorism,”.*

13 ***(b) PREFERENCE IN TRANSFERS.***—*Subsection (d) of*
14 *such section is amended to read as follows:*

15 ***“(d) PREFERENCE FOR CERTAIN TRANSFERS.***—*In*
16 *considering applications for the transfer of personal prop-*
17 *erty under this section, the Secretary shall give a preference*
18 *to applications indicating that the transferred property will*
19 *be used in the counterdrug, counterterrorism, disaster-re-*
20 *lated emergency preparedness, or border security activities*
21 *of the recipient agency. Applications that request vehicles*
22 *used for disaster-related emergency preparedness, such as*
23 *high-water rescue vehicles, should receive the highest pref-*
24 *erence.”.*

1 **SEC. 1042. EXPENDITURE OF FUNDS FOR DEPARTMENT OF**
2 **DEFENSE CLANDESTINE ACTIVITIES THAT**
3 **SUPPORT OPERATIONAL PREPARATION OF**
4 **THE ENVIRONMENT.**

5 (a) *AUTHORITY.*—Subject to subsections (b) through
6 (d), the Secretary of Defense may expend up to \$15,000,000
7 in any fiscal year for clandestine activities for any purpose
8 the Secretary determines to be proper for preparation of
9 the environment for operations of a confidential nature.
10 Such a determination is final and conclusive upon the ac-
11 counting officers of the United States. The Secretary may
12 certify the amount of any such expenditure authorized by
13 the Secretary that the Secretary considers advisable not to
14 specify, and the Secretary's certificate is sufficient voucher
15 for the expenditure of that amount.

16 (b) *FUNDS.*—Funds for expenditures under this section
17 in a fiscal year shall be derived from amounts authorized
18 to be appropriated for that fiscal year for operation and
19 maintenance, Defense-wide.

20 (c) *LIMITATION ON DELEGATION.*—The Secretary of
21 Defense may not delegate the authority under this section
22 with respect to any expenditure in excess of \$100,000.

23 (d) *EXCLUSION OF INTELLIGENCE ACTIVITIES.*—

24 (1) *IN GENERAL.*—This section does not con-
25 stitute authority to conduct, or expend funds for, in-

1 *telligence, counterintelligence, or intelligence-related*
2 *activities.*

3 (2) *DEFINITIONS.*—*In this subsection, the terms*
4 *“intelligence” and “counterintelligence” have the*
5 *meaning given those terms in section 3 of the Na-*
6 *tional Security Act of 1947 (50 U.S.C. 3003).*

7 (e) *ANNUAL REPORT.*—*Not later than December 31*
8 *each year, the Secretary of Defense shall submit to the con-*
9 *gressional defense committees a report on expenditures*
10 *made under this section during the fiscal year preceding*
11 *the year in which the report is submitted. Each report shall*
12 *include, for each expenditure under this section during the*
13 *fiscal year covered by such report—*

14 (1) *the amount and date of such expenditure;*

15 (2) *a detailed description of the purpose for*
16 *which such expenditure was made;*

17 (3) *an explanation why other authorities avail-*
18 *able to the Department of Defense could not be used*
19 *for such expenditure; and*

20 (4) *any other matters the Secretary considers ap-*
21 *propriate.*

1 **SEC. 1043. CLARIFICATION OF AUTHORITY OF MILITARY**
2 **COMMISSIONS UNDER CHAPTER 47A OF TITLE**
3 **10, UNITED STATES CODE, TO PUNISH CON-**
4 **TEMPT.**

5 (a) *CLARIFICATION.*—

6 (1) *IN GENERAL.*—*Subchapter IV of chapter 47A*
7 *of title 10, United States Code, is amended by adding*
8 *at the end the following new section:*

9 **“§ 949o-1. Contempt**

10 *“(a) AUTHORITY TO PUNISH.—(1) With respect to any*
11 *proceeding under this chapter, a judicial officer specified*
12 *in paragraph (2) may punish for contempt any person*
13 *who—*

14 *“(A) uses any menacing word, sign, or gesture in*
15 *the presence of the judicial officer during the pro-*
16 *ceeding;*

17 *“(B) disturbs the proceeding by any riot or dis-*
18 *order; or*

19 *“(C) willfully disobeys a lawful writ, process,*
20 *order, rule, decree, or command issued with respect to*
21 *the proceeding.*

22 *“(2) A judicial officer referred to in paragraph (1) is*
23 *any of the following:*

24 *“(A) Any judge of the United States Court of*
25 *Military Commission Review.*

1 “(B) *Any military judge detailed to a military*
2 *commission or any other proceeding under this chap-*
3 *ter.*

4 “(b) *PUNISHMENT.—The punishment for contempt*
5 *under subsection (a) may not exceed confinement for 30*
6 *days, a fine of \$1,000, or both.*

7 “(c) *REVIEW.—(1) A punishment under this section—*

8 “(A) *is not reviewable by the convening author-*
9 *ity of a military commission under this chapter;*

10 “(B) *if imposed by a military judge, shall con-*
11 *stitute a judgment, subject to review in the first in-*
12 *stance only by the United States Court of Military*
13 *Commission Review and then only by the United*
14 *States Court of Appeals for the District of Columbia*
15 *Circuit; and*

16 “(C) *if imposed by a judge of the United States*
17 *Court of Military Commission Review, shall con-*
18 *stitute a judgment of the court subject to review only*
19 *by the United States Court of Appeals for the District*
20 *of Columbia Circuit.*

21 “(2) *In reviewing a punishment for contempt imposed*
22 *under this section, the reviewing court shall affirm such*
23 *punishment unless the court finds that imposing such pun-*
24 *ishment was an abuse of the discretion of the judicial officer*
25 *who imposed such punishment.*

1 “(3) *A petition for review of punishment for contempt*
2 *imposed under this section shall be filed not later than 60*
3 *days after the date on which the authenticated record upon*
4 *which the contempt punishment is based and any contempt*
5 *proceedings conducted by the judicial officer are served on*
6 *the person punished for contempt.*

7 “(d) *PUNISHMENT NOT CONVICTION.—Punishment for*
8 *contempt is not a conviction or sentence within the meaning*
9 *of section 949m of this title. The imposition of punishment*
10 *for contempt is not governed by other provisions of this*
11 *chapter applicable to military commissions, except that the*
12 *Secretary of Defense may prescribe procedures for contempt*
13 *proceedings and punishments, pursuant to the authority*
14 *provided in section 949a of this title.”.*

15 (2) *CLERICAL AMENDMENT.—The table of sec-*
16 *tions at the beginning of subchapter IV of such chap-*
17 *ter is amended by adding at the end the following*
18 *new item:*

“949o–1. *Contempt.*”.

19 (b) *CONFORMING AMENDMENTS.—Section 950t of title*
20 *10, United States Code, is amended—*

21 (1) *by striking paragraph (31); and*

22 (2) *by redesignating paragraph (32) as para-*
23 *graph (31).*

24 (c) *RULE OF CONSTRUCTION.—The amendments made*
25 *by subsections (a) and (b) shall not be construed to affect*

1 *the lawfulness of any punishment for contempt adjudged*
2 *prior to the effective date of such amendments.*

3 (d) *APPLICABILITY.—The amendments made by sub-*
4 *sections (a) and (b) shall take effect on the date of the enact-*
5 *ment of this Act, and shall apply with respect to conduct*
6 *by a person that occurs on or after such date.*

7 **SEC. 1044. PROHIBITION ON ACTIONS TO INFRINGE UPON**
8 **FIRST AMENDMENT RIGHTS OF PEACEABLE**
9 **ASSEMBLY AND PETITION FOR REDRESS OF**
10 **GRIEVANCES.**

11 *Amounts authorized to be appropriated by this Act*
12 *shall not be used for any program, project, or activity, or*
13 *any use of personnel, to conduct actions against United*
14 *States citizens that infringe upon their rights under the*
15 *First Amendment to the Constitution peaceably to assemble*
16 *and/or to petition the Government for a redress of griev-*
17 *ances.*

18 **SEC. 1045. ARCTIC PLANNING, RESEARCH, AND DEVELOP-**
19 **MENT.**

20 (a) *ARCTIC PLANNING AND IMPLEMENTATION.—*

21 (1) *IN GENERAL.—The Secretary of Defense and*
22 *the Chairman of the Joint Chiefs of Staff shall begin*
23 *planning and implementing such changes as may be*
24 *necessary for requirements, training, equipment, doc-*
25 *trine, and capability development of the Armed*

1 *Forces should an expanded role of the Armed Forces*
2 *in the Arctic be determined by the Secretary to be in*
3 *the national security interests of the United States.*

4 (2) *TRAINING.*—*In carrying out paragraph (1),*
5 *the Secretary shall direct the Armed Forces to carry*
6 *out training in the Arctic or training relevant to car-*
7 *rying out military operations in the Arctic.*

8 (b) *ARCTIC RESEARCH AND DEVELOPMENT PRO-*
9 *GRAM.*—

10 (1) *IN GENERAL.*—*If pursuant to subsection (a),*
11 *the Secretary of Defense determines that an expanded*
12 *role for the Armed Forces is in the national security*
13 *interests of the United States, the Secretary shall es-*
14 *tablish a research and development program on the*
15 *current and future requirements and needs of the*
16 *Armed Forces for operations in the Arctic.*

17 (2) *ELEMENTS.*—*The program required by para-*
18 *graph (1) shall include the following:*

19 (A) *Development of materiel solutions for*
20 *operating in extreme weather environments of*
21 *the Arctic, including equipment for individual*
22 *members of the Armed Forces, ground vehicles,*
23 *and communications systems.*

24 (B) *Development of a plan for fielding fu-*
25 *ture weapons platforms able to operate in Arctic*

1 *conditions for surface combatants, submarines,*
2 *aviation platforms, assault craft unit connectors,*
3 *auxiliaries, littoral craft, unmanned aerial vehi-*
4 *cles, and any other systems that may be needed*
5 *in the Arctic.*

6 *(C) Development of capabilities to monitor,*
7 *assess, and predict environmental and weather*
8 *conditions in the Arctic and their effect on mili-*
9 *tary operations.*

10 *(D) Determining requirements for logistics*
11 *and sustainment of the Armed Forces operating*
12 *in the Arctic.*

13 **SEC. 1046. CONSIDERATION OF SECURITY RISKS IN CER-**
14 **TAIN TELECOMMUNICATIONS ARCHITECTURE**
15 **FOR FUTURE OVERSEAS BASING DECISIONS**
16 **OF THE DEPARTMENT OF DEFENSE.**

17 *The Secretary of Defense shall take into account the*
18 *security risks of 5G and 6G telecommunications network*
19 *architecture, including the use of telecommunications equip-*
20 *ment provided by at-risk vendors such as Huawei Tech-*
21 *nologies Company, Ltd., and the Zhongxing Telecommuni-*
22 *cations Equipment Corporation (ZTE), in all future over-*
23 *seas stationing decisions of the Department of Defense, in-*
24 *cluding—*

1 (1) *security risks from threats to operational and*
2 *information security of United States military per-*
3 *sonnel and equipment; and*

4 (2) *the sufficiency of potential mitigation by the*
5 *Department and the host nation concerned of such se-*
6 *curity risks, including through cost-sharing agree-*
7 *ments related to such mitigation.*

8 **SEC. 1047. FOREIGN MILITARY TRAINING PROGRAMS.**

9 (a) *SHORT TITLE.*—*This section may be cited as the*
10 *“Secure United States Bases Act”.*

11 (b) *DEFINITIONS.*—*In this section:*

12 (1) *APPROPRIATE DEFENSE COMMITTEES.*—*The*
13 *term “appropriate defense committees” means—*

14 (A) *the Committee on Armed Services of the*
15 *Senate; and*

16 (B) *the Committee on Armed Services of the*
17 *House of Representatives.*

18 (2) *COVERED INDIVIDUALS.*—*The term “covered*
19 *individuals” means any foreign national (except for-*
20 *oreign nationals of Australia, Canada, New Zealand,*
21 *and the United Kingdom who have been granted a se-*
22 *curity clearance that is reciprocally accepted by the*
23 *United States for access to classified information)*
24 *who—*

1 (A) is seeking physical access to a Depart-
 2 ment of Defense installation or facility within
 3 the United States; and

4 (B)(i) is selected, nominated, or accepted for
 5 training or education for a period of more than
 6 30 days occurring on a Department of Defense
 7 installation or facility within the United States;
 8 or

9 (ii) is an immediate family member accom-
 10 panying any foreign national who has been se-
 11 lected, nominated, or accepted for such training
 12 or education.

13 (3) *IMMEDIATE FAMILY MEMBER.*—The term
 14 “immediate family member” means—

15 (A) spouse;

16 (B) parents and stepparents;

17 (C) siblings, stepsiblings, and half-siblings;

18 and

19 (D) children and stepchildren.

20 (4) *UNITED STATES.*—The term “United States”
 21 means the several States, the District of Columbia, the
 22 Commonwealth of Puerto Rico, and Guam.

23 (c) *ESTABLISHMENT OF VETTING PROCEDURES; MONI-*
 24 *TORING REQUIREMENTS FOR CERTAIN MILITARY TRAIN-*
 25 *ING.*—

1 (1) *ESTABLISHMENT OF VETTING PROCE-*
2 *DURES.—*

3 (A) *IN GENERAL.—Not later than 90 days*
4 *after the date of the enactment of this Act, the*
5 *Secretary of Defense shall establish procedures to*
6 *vet covered individuals for eligibility for physical*
7 *access to Department of Defense installations*
8 *and facilities within the United States, includ-*
9 *ing—*

10 (i) *biographic and biometric screening*
11 *of covered individuals;*

12 (ii) *continuous review of whether cov-*
13 *ered individuals should continue to be au-*
14 *thorized such physical access;*

15 (iii) *biographic checks of the covered*
16 *individual's immediate family members;*
17 *and*

18 (iv) *any other measures that the Sec-*
19 *retary of Defense determines appropriate for*
20 *vetting.*

21 (B) *INFORMATION REQUIRED.—The Sec-*
22 *retary of Defense shall identify the information*
23 *required to conduct the vetting.*

24 (C) *COLLECTION OF INFORMATION.—The*
25 *Secretary of Defense shall—*

1 (i) collect information to vet individ-
2 uals under the procedures established under
3 this subsection; and

4 (ii) as required for the effective imple-
5 mentation of this section, shall seek to enter
6 into agreements with the relevant Federal
7 departments and agencies to facilitate the
8 sharing of information in the possession of
9 such departments and agencies concerning
10 the covered individuals.

11 (2) *DETERMINATION AUTHORITY.*—

12 (A) *REVIEW.*—*The results of vetting—*

13 (i) will be reviewed within the Depart-
14 ment of Defense by an organization with an
15 assigned security and counterintelligence
16 mission; and

17 (ii) will be the basis for that organiza-
18 tion's recommendation regarding whether
19 physical access should be authorized by the
20 appropriate authority.

21 (B) *EFFECT OF DENIAL.*—*If the organiza-*
22 *tion recommends that a covered individual not*
23 *be authorized physical access to Department of*
24 *Defense installations and facilities within the*
25 *United States, such physical access may only be*

1 *authorized for such covered individual by the*
2 *Secretary of Defense or the Deputy Secretary of*
3 *Defense.*

4 (C) *NOTIFICATION.*—*The Secretary of State*
5 *shall be notified of any covered individuals who*
6 *are not authorized physical access based on the*
7 *results of the vetting under this subsection.*

8 (3) *ADDITIONAL SECURITY MEASURES.*—*Begin-*
9 *ning on the date that is 181 days after the date of*
10 *the enactment of this Act, the Secretary of Defense*
11 *shall—*

12 (A) *ensure that all Department of Defense*
13 *Common Access Cards issued to foreign nationals*
14 *in the United States—*

15 (i) *comply with the credentialing*
16 *standards issued by the Office of Personnel*
17 *Management; and*

18 (ii) *include a visual indicator, as re-*
19 *quired by the standard developed by the Na-*
20 *tional Institute of Standards and Tech-*
21 *nology;*

22 (B) *ensure that physical access by covered*
23 *individuals is limited, as appropriate, to De-*
24 *partment of Defense installations or facilities*
25 *within the United States that are directly associ-*

1 *ated with their training or education or nec-*
2 *essary to access authorized benefits;*

3 *(C) establish a policy regarding the posses-*
4 *sion of firearms on Department of Defense prop-*
5 *erty by covered individuals; and*

6 *(D) ensure that covered individuals who*
7 *have been granted physical access are incor-*
8 *porated into the Department of Defense Insider*
9 *Threat Program.*

10 (4) *NOTIFICATION.*—*The Secretary of Defense*
11 *shall notify the appropriate congressional committees*
12 *of the establishment of the procedures required under*
13 *paragraph (1).*

14 (d) *REPORTING REQUIREMENTS.*—

15 (1) *BRIEFING.*—*Not later than 90 days after the*
16 *date of the enactment of this Act, the Secretary of De-*
17 *fense shall provide a briefing to the appropriate con-*
18 *gressional committees regarding the establishment of*
19 *any Department of Defense policy or guidance related*
20 *to the implementation of this section.*

21 (2) *REPORT.*—*Not later than 2 years after the*
22 *date of the enactment of this Act, the Secretary of De-*
23 *fense shall submit a report to the appropriate congres-*
24 *sional committees regarding the impact and effects of*
25 *this section, including—*

1 (A) any positive or negative impacts on the
2 training of foreign military students;

3 (B) the effectiveness of the vetting proce-
4 dures implemented in preventing harm to United
5 States military personnel or communities;

6 (C) how any of the negative impacts have
7 been mitigated; and

8 (D) a proposed plan to mitigate any ongo-
9 ing negative impacts to the vetting and training
10 of foreign military students by the Department
11 of Defense.

12 **SEC. 1048. REPORTING OF ADVERSE EVENTS RELATING TO**
13 **CONSUMER PRODUCTS ON MILITARY INSTAL-**
14 **LATIONS.**

15 (a) *IN GENERAL.*—The Secretary of Defense shall en-
16 sure that any adverse event related to a consumer product
17 that occurs on a military installation is reported on the
18 internet website *saferproducts.gov*.

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

20 (1) *ADVERSE EVENT.*—The term “adverse event”
21 means—

22 (A) any event that indicates that a con-
23 sumer product—

24 (i) fails to comply with an applicable
25 consumer product safety rule or with a vol-

1 *untary consumer product safety standard*
2 *upon which the Consumer Product Safety*
3 *Commission has relied under section 9 of*
4 *the Consumer Product Safety Act (15*
5 *U.S.C. 2058);*

6 *(ii) fails to comply with any other*
7 *rule, regulation, standard, or ban under*
8 *that Act or any other Act enforced by the*
9 *Commission;*

10 *(iii) contains a defect which could cre-*
11 *ate a substantial product hazard described*
12 *in section 15(a)(2) of the Consumer Product*
13 *Safety Act (15 U.S.C. 2064(a)(2)); or*

14 *(iv) creates an unreasonable risk of se-*
15 *rious injury or death; or*

16 *(B) any other harm described in subsection*
17 *(b)(1)(A) of section 6A of the Consumer Product*
18 *Safety Act (15 U.S.C. 2055a) and required to be*
19 *reported in the database established under sub-*
20 *section (a) of that section.*

21 *(2) CONSUMER PRODUCT.—The term “consumer*
22 *product” has the meaning given that term in section*
23 *3 of the Consumer Product Safety Act (15 U.S.C.*
24 *2052).*

1 **SEC. 1049. INCLUSION OF UNITED STATES NAVAL SEA**
2 **CADET CORPS AMONG YOUTH AND CHARI-**
3 **TABLE ORGANIZATIONS AUTHORIZED TO RE-**
4 **CEIVE ASSISTANCE FROM THE NATIONAL**
5 **GUARD.**

6 *Section 508(d) of title 32, United States Code, is*
7 *amended—*

8 *(1) by redesignating paragraph (14) as para-*
9 *graph (15); and*

10 *(2) by inserting after paragraph (13) the fol-*
11 *lowing new paragraph (14):*

12 *“(14) The United States Naval Sea Cadet*
13 *Corps.”.*

14 **SEC. 1050. DEPARTMENT OF DEFENSE POLICY FOR THE**
15 **REGULATION OF DANGEROUS DOGS.**

16 *(a) IN GENERAL.—Not later than 90 days after the*
17 *date of the enactment of this Act, the Secretary of Defense,*
18 *through the Veterinary Service Activity of the Department*
19 *of Defense, shall establish a standardized policy applicable*
20 *across all military communities for the regulation of dan-*
21 *gerous dogs that is—*

22 *(1) breed-neutral; and*

23 *(2) consistent with advice from professional vet-*
24 *erinary and animal behavior experts in regard to ef-*
25 *fective regulation of dangerous dogs.*

26 *(b) REGULATIONS.—*

1 (1) *IN GENERAL.*—Not later than 180 days after
2 the date of the enactment of this Act, the Secretary
3 shall prescribe regulations implementing the policy
4 established under subsection (a).

5 (2) *BEST PRACTICES.*—The regulations pre-
6 scribed under paragraph (1) shall include strategies,
7 for implementation within all military communities,
8 for the prevention of dog bites that are consistent with
9 the following best practices:

10 (A) *Enforcement of comprehensive, non-*
11 *breed-specific regulations relating to dangerous*
12 *dogs, with emphasis on identification of dan-*
13 *gerous dog behavior and chronically irresponsible*
14 *owners.*

15 (B) *Enforcement of animal control regula-*
16 *tions, such as leash laws and stray animal con-*
17 *trol policies.*

18 (C) *Promotion and communication of re-*
19 *sources for pet spaying and neutering.*

20 (D) *Investment in community education*
21 *initiatives, such as teaching criteria for pet selec-*
22 *tion, pet care best practices, owner responsibil-*
23 *ities, and safe and appropriate interaction with*
24 *dogs.*

1 (c) *MILITARY COMMUNITIES DEFINED.*—*In this sec-*
2 *tion, the term “military communities” means—*

3 (1) *all installations of the Department; and*

4 (2) *all military housing, including privatized*
5 *military housing under subchapter IV of chapter 169*
6 *of title 10, United States Code.*

7 **SEC. 1051. SENSE OF CONGRESS ON THE BASING OF KC-46A**
8 **AIRCRAFT OUTSIDE THE CONTIGUOUS**
9 **UNITED STATES.**

10 *It is the sense of Congress that the Secretary of the*
11 *Air Force, as part of the strategic basing process for KC-*
12 *46A aircraft at installations outside the contiguous United*
13 *States (OCONUS), should—*

14 (1) *consider the benefits derived from basing such*
15 *aircraft at locations that—*

16 (A) *support day-to-day air refueling oper-*
17 *ations, operations plans of multiple combatant*
18 *commands, and flexibility for contingency oper-*
19 *ations;*

20 (B) *have—*

21 (i) *a strategic location that is essential*
22 *to the defense of the United States and its*
23 *interests;*

- 1 (ii) receivers for boom or probe-and-
2 drogue combat training opportunities with
3 joint and international partners; and
- 4 (iii) sufficient airfield and airspace
5 availability and capacity to meet require-
6 ments;
- 7 (C) possess facilities that take full advan-
8 tage of existing infrastructure to provide—
- 9 (i) runway, hangars, and aircrew and
10 maintenance operations; and
- 11 (ii) sufficient fuel receipt, storage, and
12 distribution for 5-day peacetime operating
13 stock; and
- 14 (D) minimize overall construction and oper-
15 ational costs;
- 16 (2) prioritize United States responsiveness and
17 flexibility to continued long-term great power com-
18 petition and other major threats, as outlined in the
19 2017 National Security Strategy and the 2018 Na-
20 tional Defense Strategy; and
- 21 (3) take into account the advancement of adver-
22 sary weapons systems, with respect to both capacity
23 and range.

1 **SEC. 1052. EFFICIENT USE OF SENSITIVE COMPARTMENTED**
2 **INFORMATION FACILITIES.**

3 *Not later than 180 days after the date of the enactment*
4 *of this Act, the Director of National Intelligence, in con-*
5 *sultation with the Secretary of Defense, shall issue revised*
6 *guidance authorizing and directing Government agencies*
7 *and their appropriately cleared contractors to process, store,*
8 *use, and discuss sensitive compartmented information*
9 *(SCI) at facilities previously approved to handle such infor-*
10 *mation, without need for further approval by agency or by*
11 *site. Such guidance shall apply to controlled access pro-*
12 *grams of the intelligence community and to special access*
13 *programs of the Department of Defense.*

14 **SEC. 1053. ASSISTANCE FOR FARMER AND RANCHER**
15 **STRESS AND MENTAL HEALTH OF INDIVID-**
16 **UALS IN RURAL AREAS.**

17 (a) *DEFINITION OF SECRETARY.*—*In this section, the*
18 *term “Secretary” means the Secretary of Agriculture.*

19 (b) *FINDINGS.*—*Congress finds that—*

20 (1) *according to the Centers for Disease Control*
21 *and Prevention, the suicide rate is 45 percent greater*
22 *in rural areas of the United States than the suicide*
23 *rate in urban areas of the United States;*

24 (2) *farmers face social isolation, the potential for*
25 *financial losses, barriers to seeking mental health*

1 *services, and access to lethal means to commit suicide;*
2 *and*

3 *(3) as commodity prices fall and farmers face*
4 *uncertainty, reports of farmer suicides are increasing.*

5 *(c) PUBLIC SERVICE ANNOUNCEMENT CAMPAIGN TO*
6 *ADDRESS FARM AND RANCH MENTAL HEALTH.—*

7 *(1) IN GENERAL.—The Secretary, in consultation*
8 *with the Secretary of Health and Human Services,*
9 *shall carry out a public service announcement cam-*
10 *paign to address the mental health of farmers and*
11 *ranchers.*

12 *(2) REQUIREMENTS.—The public service an-*
13 *nouncement campaign under paragraph (1) shall in-*
14 *clude television, radio, print, outdoor, and digital*
15 *public service announcements.*

16 *(3) CONTRACTOR.—The Secretary may enter into*
17 *a contract or other agreement with a third party to*
18 *carry out the public service announcement campaign*
19 *under paragraph (1).*

20 *(4) AUTHORIZATION OF APPROPRIATIONS.—*
21 *There is authorized to be appropriated to the Sec-*
22 *retary to carry out this subsection \$3,000,000, to re-*
23 *main available until expended.*

24 *(d) EMPLOYEE TRAINING PROGRAM TO MANAGE*
25 *FARMER AND RANCHER STRESS.—*

1 (1) *IN GENERAL.*—Subtitle A of the Department
2 of Agriculture Reorganization Act of 1994 (7 U.S.C.
3 6912 *et seq.*) is amended by adding at the end the fol-
4 lowing:

5 **“SEC. 224B. EMPLOYEE TRAINING PROGRAM TO MANAGE**
6 **FARMER AND RANCHER STRESS.**

7 “(a) *IN GENERAL.*—The Secretary shall establish a
8 voluntary program to train employees of the Farm Service
9 Agency, the Risk Management Agency, and the Natural Re-
10 sources Conservation Service in the management of stress
11 experienced by farmers and ranchers, including the detec-
12 tion of stress and suicide prevention.

13 “(b) *REQUIREMENT.*—Not later than 180 days after
14 the date on which the Secretary submits a report on the
15 results of the pilot program being carried out by the Sec-
16 retary as of the date of enactment of this section to train
17 employees of the Department in the management of stress
18 experienced by farmers and ranchers, and based on the rec-
19 ommendations contained in that report, the Secretary shall
20 develop a training program to carry out subsection (a).

21 “(c) *REPORT.*—Not less frequently than once every 2
22 years, the Secretary shall submit to the Committee on Agri-
23 culture of the House of Representatives and the Committee
24 on Agriculture, Nutrition, and Forestry of the Senate a re-
25 port describing the implementation of this section.”.

1 (2) *CONFORMING AMENDMENTS.*—

2 (A) *Subtitle A of the Department of Agri-*
3 *culture Reorganization Act of 1994 is amended*
4 *by redesignating section 225 (7 U.S.C. 6925) as*
5 *section 224A.*

6 (B) *Section 296(b) of the Department of Ag-*
7 *riculture Reorganization Act of 1994 (7 U.S.C.*
8 *7014(b)) is amended by adding at the end the*
9 *following:*

10 “(11) *The authority of the Secretary to carry out*
11 *section 224B.*”.

12 (e) *TASK FORCE FOR ASSESSMENT OF CAUSES OF*
13 *MENTAL STRESS AND BEST PRACTICES FOR RESPONSE.*—

14 (1) *IN GENERAL.*—*The Secretary shall convene a*
15 *task force of agricultural and rural stakeholders at the*
16 *national, State, and local levels—*

17 (A) *to assess the causes of mental stress in*
18 *farmers and ranchers; and*

19 (B) *to identify best practices for responding*
20 *to that mental stress.*

21 (2) *SUBMISSION OF REPORT.*—*Not later than 1*
22 *year after the date of enactment of this Act, the task*
23 *force convened under paragraph (1) shall submit to*
24 *the Secretary a report containing the assessment and*

1 *best practices under subparagraphs (A) and (B), re-*
 2 *spectively, of that paragraph.*

3 (3) *COLLABORATION.*—*In carrying out this sub-*
 4 *section, the task force convened under paragraph (1)*
 5 *shall collaborate with nongovernmental organizations*
 6 *and State and local agencies.*

7 **SEC. 1054. ADDITIONAL CONDITIONS AND LIMITATIONS ON**
 8 **THE TRANSFER OF DEPARTMENT OF DE-**
 9 **FENSE PROPERTY FOR LAW ENFORCEMENT**
 10 **ACTIVITIES.**

11 (a) *ADDITIONAL TRAINING OF RECIPIENT AGENCY*
 12 *PERSONNEL REQUIRED.*—*Subsection (b)(6) of section*
 13 *2576a of title 10, United States Code, is amended by insert-*
 14 *ing before the period at the end the following: “, including*
 15 *respect for the rights of citizens under the Constitution of*
 16 *the United States and de-escalation of force”.*

17 (b) *CERTAIN PROPERTY NOT TRANSFERRABLE.*—*Such*
 18 *section is further amended—*

19 (1) *by redesignating subsections (e) and (f) as*
 20 *subsections (f) and (g), respectively; and*

21 (2) *by inserting after subsection (d) the following*
 22 *new subsection (e):*

23 “(d) *PROPERTY NOT TRANSFERRABLE.*—*The Sec-*
 24 *retary may not transfer to a Tribal, State, or local law*
 25 *enforcement agency under this section the following:*

1 “(1) Bayonets.

2 “(2) Grenades (other than stun and flash-bang
3 grenades).

4 “(3) Weaponized tracked combat vehicles.

5 “(4) Weaponized drones.”

6 ***Subtitle F—Studies and Reports***

7 ***SEC. 1061. REPORT ON POTENTIAL IMPROVEMENTS TO CER-***
8 ***TAIN MILITARY EDUCATIONAL INSTITUTIONS***
9 ***OF THE DEPARTMENT OF DEFENSE.***

10 (a) *REPORT REQUIRED.*—

11 (1) *IN GENERAL.*—Not later than December 1,
12 2021, the Secretary of Defense shall submit to the
13 Committees on Armed Services of the Senate and the
14 House of Representatives a report setting forth the re-
15 sults of a review and assessment, obtained by the Sec-
16 retary for purposes of the report, of the potential ef-
17 fects on the military education provided by the edu-
18 cational institutions of the Department of Defense
19 specified in subsection (b) of the actions described in
20 subsection (c).

21 (2) *CONDUCTING ORGANIZATION.*—The review
22 and assessment required for purposes of the report
23 shall be performed by an organization selected by the
24 Secretary from among organizations independent of

1 *the Department that have expertise in the analysis of*
2 *matters in connection with higher education.*

3 *(b) EDUCATIONAL INSTITUTIONS OF THE DEPART-*
4 *MENT OF DEFENSE.—The educational institutions of the*
5 *Department of Defense specified in this subsection are the*
6 *following:*

7 *(1) The senior level service schools and inter-*
8 *mediate level service schools (as such terms are de-*
9 *finied in section 2151(b) of title 10, United States*
10 *Code).*

11 *(2) The Air Force Institute of Technology.*

12 *(3) The National Defense University.*

13 *(4) The Joint Special Operations University.*

14 *(5) The Army Armament Graduate School.*

15 *(6) Any other military educational institution of*
16 *the Department specified by the Secretary for pur-*
17 *poses of this section.*

18 *(c) ACTIONS.—The actions described in this subsection*
19 *with respect to the educational institutions of the Depart-*
20 *ment of Defense specified in subsection (b) are the following:*

21 *(1) Modification of admission and graduation*
22 *requirements.*

23 *(2) Expansion of use of case studies in curricula*
24 *for professional military education.*

1 (3) *Reduction or expansion of degree-granting*
2 *authority.*

3 (4) *Reduction or expansion of the acceptance of*
4 *research grants.*

5 (5) *Reduction of the number of attending stu-*
6 *dents generally.*

7 (6) *Modification of military personnel career*
8 *milestones in order to prioritize instructor positions.*

9 (7) *Increase in educational and performance re-*
10 *quirements for military personnel selected to be in-*
11 *structors.*

12 (8) *Expansion of “visiting” or “adjunct” fac-*
13 *ulty.*

14 (9) *Modification of civilian faculty management*
15 *practices, including employment practices.*

16 (10) *Reduction of the number of attending stu-*
17 *dents through the sponsoring of education of an in-*
18 *creased number of students at non-Department of De-*
19 *fense institutions of higher education.*

20 (11) *Modification of enlisted personnel manage-*
21 *ment and career milestones to increase attendance at*
22 *non-Department of Defense institutions of higher edu-*
23 *cation*

1 (d) *ADDITIONAL ELEMENTS.*—*In addition to the mat-*
2 *ters described in subsection (a), the review and report under*
3 *this section shall also include the following:*

4 (1) *A comparison of admission standards and*
5 *graduation requirements of the educational institu-*
6 *tions of the Department of Defense specified in sub-*
7 *section (b) with admission standards and graduation*
8 *requirements of public and private institutions of*
9 *higher education that are comparable to the edu-*
10 *cational institutions of the Department of Defense.*

11 (2) *A comparison of the goals and missions of*
12 *the educational institutions of the Department of De-*
13 *fense specified in subsection (b) with the goals and*
14 *missions of such public and private institutions of*
15 *higher education.*

16 (3) *Any other matters the Secretary considers*
17 *appropriate for purposes of this section.*

18 (e) *JCS EVALUATION OF REVIEW AND ASSESSMENT.*—
19 *Not later than 90 days after the date on which the report*
20 *required by subsection (a) is submitted to Congress, the*
21 *Chairman of the Joint Chiefs of Staff shall, in consultation*
22 *with the other members of the Joint Chiefs of Staff, submit*
23 *to the Committees on Armed Services of the Senate and the*
24 *House of Representatives a report setting forth any evalua-*

1 *tion by the Joint Chiefs of Staff of the review and assess-*
2 *ment covered by the report under subsection (a).*

3 **SEC. 1062. REPORTS ON STATUS AND MODERNIZATION OF**
4 **THE NORTH WARNING SYSTEM.**

5 *(a) REPORT ON STATUS.—*

6 *(1) IN GENERAL.—Not later than 90 days after*
7 *the date of the enactment of this Act, the Secretary of*
8 *Defense shall submit to the congressional defense com-*
9 *mittees a report on the status of the North Warning*
10 *System.*

11 *(2) ELEMENTS.—The report under paragraph*
12 *(1) shall include the following:*

13 *(A) A description and assessment of the sta-*
14 *tus and operational integrity of the infrastruc-*
15 *ture of the North Warning System.*

16 *(B) An assessment of the technology cur-*
17 *rently used by the North Warning System com-*
18 *pared with the technology considered necessary*
19 *by the Commander of the North American Aero-*
20 *space Defense Command to detect current and*
21 *anticipated threats.*

22 *(C) An assessment of the infrastructure and*
23 *ability of the Alaska Radar System to integrate*
24 *into the broader North Warning System.*

1 (D) *An assessment of the ability of the*
2 *North Warning System to integrate with current*
3 *and anticipated space-based sensor platforms.*

4 (b) *REPORT ON PLAN FOR MODERNIZATION.—*

5 (1) *IN GENERAL.—Not later than one year after*
6 *the date of the enactment of this Act, the Secretary*
7 *shall submit to the congressional defense committees a*
8 *report setting forth a plan for the modernization of*
9 *the capabilities provided by the current North Warn-*
10 *ing System.*

11 (2) *ELEMENTS.—The plan under paragraph (1)*
12 *shall include the following:*

13 (A) *A detailed timeline for the moderniza-*
14 *tion of the North Warning System based on the*
15 *status of the system as reported pursuant to sub-*
16 *section (a).*

17 (B) *The technological advancements nec-*
18 *essary for ground-based North Warning System*
19 *sites to address current and anticipated threats*
20 *(as specified by the Commander of the North*
21 *American Aerospace Defense Command).*

22 (C) *An assessment of the number of future*
23 *North Warning System sites required in order to*
24 *address current and anticipated threats (as so*
25 *specified).*

1 (D) *Any new or complementary technologies*
2 *required to accomplish the mission of the North*
3 *Warning System.*

4 (E) *The cost and schedule, by year, of the*
5 *plan.*

6 **SEC. 1063. STUDIES ON THE FORCE STRUCTURE FOR MA-**
7 **RINE CORPS AVIATION.**

8 (a) *STUDIES REQUIRED.*—*The Secretary of Defense*
9 *shall provide for performance of three studies on the force*
10 *structure for Marine Corps aviation through 2030.*

11 (b) *RESPONSIBILITY FOR STUDIES.*—*One of the three*
12 *studies performed pursuant to subsection (a) shall be per-*
13 *formed by each of the following:*

14 (1) *The Secretary of the Navy, in consultation*
15 *with the Commandant of the Marine Corps.*

16 (2) *An appropriate Federally funded research*
17 *and development center (FFRDC), as selected by the*
18 *Secretary for purposes of this section.*

19 (3) *An appropriate organization described in*
20 *section 501(c)(3) of the Internal Revenue Code of*
21 *1986 which is exempt from taxation under section*
22 *501(a) of such code, as selected by the Secretary for*
23 *purposes of this section.*

24 (c) *PERFORMANCE.*—

1 (1) *INDEPENDENT PERFORMANCE.*—*Each study*
2 *performed pursuant to subsection (a) shall be per-*
3 *formed independently of each other such study,*

4 (2) *MATTERS TO BE CONSIDERED.*—*In per-*
5 *forming a study pursuant to subsection, the officer or*
6 *entity performing the study take into account, within*
7 *the context of the current force structure for Marine*
8 *Corps aviation, the following:*

9 (A) *The 2018 National Defense Strategy*
10 *and the 2018 National Military Strategy.*

11 (B) *The Marine Corps Force Design 2030.*

12 (C) *Potential roles and missions for Marine*
13 *Corps aviation given new operating concepts for*
14 *the Marine Corps.*

15 (D) *The potential for increased require-*
16 *ments for survivable and dispersed strike air-*
17 *craft.*

18 (E) *The potential for increased require-*
19 *ments for tactical or intratheater lift, amphib-*
20 *ious lift, or surface connectors.*

21 (d) *STUDY RESULTS.*—*The results of each study per-*
22 *formed pursuant to subsection (a) shall include the fol-*
23 *lowing:*

24 (1) *The various force structures for Marine Corps*
25 *aviation through 2030 considered under such study,*

1 *together with the assumptions and possible scenarios*
2 *identified for each such force structure.*

3 (2) *A recommendation for the force structure for*
4 *Marine Corps aviation through 2030, including the*
5 *following in connection with such force structure:*

6 (A) *Numbers and type of aviation assets,*
7 *numbers and types of associated unmanned as-*
8 *sets, and basic capabilities of each such asset.*

9 (B) *A description and assessment of the de-*
10 *viation of such force structure from the most re-*
11 *cent Marine Corps Aviation Plan.*

12 (C) *Any other information required for as-*
13 *essment of such force structure, including sup-*
14 *porting analysis.*

15 (3) *A presentation and discussion of minority*
16 *views among participants in such study.*

17 (e) *REPORT.—*

18 (1) *IN GENERAL.—Not later than April 1, 2021,*
19 *the Secretary of Defense shall submit to the congres-*
20 *sional defense committees a report setting forth the re-*
21 *sults of each study performed pursuant to subsection*
22 *(a).*

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

1 **SEC. 1064. STUDY ON UNEMPLOYMENT RATE OF FEMALE**
2 **VETERANS WHO SERVED ON ACTIVE DUTY IN**
3 **THE ARMED FORCES AFTER SEPTEMBER 11,**
4 **2001.**

5 (a) *STUDY.*—

6 (1) *IN GENERAL.*—Not later than 180 days after
7 the date of the enactment of this Act, the Secretary of
8 Veterans Affairs, in consultation with the Bureau of
9 Labor Statistics of the Department of Labor, shall
10 conduct a study on why Post-9/11 Veterans who are
11 female are at higher risk of unemployment than all
12 other groups of female veterans and their non-veteran
13 counterparts.

14 (2) *CONDUCT OF STUDY.*—

15 (A) *IN GENERAL.*—The Secretary shall con-
16 duct the study under paragraph (1) primarily
17 through the Center for Women Veterans under
18 section 318 of title 38, United States Code.

19 (B) *CONSULTATION.*—In carrying out the
20 study conducted under paragraph (1), the Sec-
21 retary may consult with—

22 (i) other Federal agencies, such as the
23 Department of Defense, the Office of Per-
24 sonnel Management, and the Small Busi-
25 ness Administration;

26 (ii) foundations; and

1 (iii) entities in the private sector.

2 (3) *ELEMENTS OF STUDY.*—The study conducted
3 under paragraph (1) shall include, with respect to
4 Post-9/11 Veterans who are female, at a minimum,
5 an analysis of the following:

6 (A) Rank at time of separation from the
7 Armed Forces.

8 (B) Geographic location upon such separa-
9 tion.

10 (C) Educational level upon such separation.

11 (D) The percentage of such veterans who en-
12 rolled in an education or employment training
13 program of the Department of Veterans Affairs
14 or the Department of Labor after such separa-
15 tion.

16 (E) Industries that have employed such vet-
17 erans.

18 (F) Military occupational specialties avail-
19 able to such veterans.

20 (G) Barriers to employment of such vet-
21 erans.

22 (H) Causes to fluctuations in employment
23 of such veterans.

24 (I) Current employment training programs
25 of the Department of Veterans Affairs or the De-

1 *partment of Labor that are available to such vet-*
2 *erans.*

3 *(J) Economic indicators that impact unem-*
4 *ployment of such veterans.*

5 *(K) Health conditions of such veterans that*
6 *could impact employment.*

7 *(L) Whether there are differences in the*
8 *analyses conducted under subparagraphs (A)*
9 *through (K) based on the race of such veteran.*

10 *(M) The difference between unemployment*
11 *rates of Post-9/11 Veterans who are female com-*
12 *pared to unemployment rates of Post-9/11 Vet-*
13 *erans who are male, including an analysis of po-*
14 *tential causes of such difference.*

15 *(b) REPORT.—*

16 *(1) IN GENERAL.—Not later than 90 days after*
17 *completing the study under subsection (a), the Sec-*
18 *retary shall submit to the Committee on Veterans' Af-*
19 *airs of the Senate and the Committee on Veterans'*
20 *Affairs of the House of Representatives a report on*
21 *such study.*

22 *(2) ELEMENTS.—The report required by para-*
23 *graph (1) shall include the following:*

24 *(A) The analyses conducted under sub-*
25 *section (a)(3).*

1 (B) *A description of the methods used to*
2 *conduct the study under subsection (a).*

3 (C) *Such other matters relating to the un-*
4 *employment rates of Post-9/11 Veterans who are*
5 *female as the Secretary considers appropriate.*

6 (c) *POST-9/11 VETERAN DEFINED.—In this section,*
7 *the term “Post-9/11 Veteran” means a veteran who served*
8 *on active duty in the Armed Forces on or after September*
9 *11, 2001.*

10 **SEC. 1065. REPORT ON GREAT LAKES AND INLAND WATER-**
11 **WAYS SEAPORTS.**

12 (a) *REPORT REQUIRED.—*

13 (1) *IN GENERAL.—Not later than 180 days after*
14 *the date of the enactment of this Act, the Secretary of*
15 *Homeland Security shall submit a report to the Com-*
16 *mittee on Homeland Security and Governmental Af-*
17 *airs of the Senate and the Committee on Homeland*
18 *Security of the House of Representatives containing*
19 *the results of the review and an explanation of the*
20 *methodology used for the review conducted pursuant*
21 *to subsection (b) regarding the screening practices for*
22 *foreign cargo arriving at seaports on the Great Lakes*
23 *and inland waterways.*

24 (2) *FORM.—The report required under para-*
25 *graph (1) shall be submitted in unclassified form, to*

1 *the maximum extent possible, but may include a clas-*
2 *sified annex, if necessary.*

3 *(b) SCOPE OF REVIEW.—*

4 *(1) SEAPORT SELECTION.—In selecting seaports*
5 *on inland waterways to include in the review under*
6 *this subsection, the Secretary of Homeland Security*
7 *shall ensure that the inland waterways seaports are—*

8 *(A) equal in number to the Great Lakes sea-*
9 *ports included in the review;*

10 *(B) comparable to Great Lakes seaports in-*
11 *cluded in the review, as measured by number of*
12 *imported shipments arriving at the seaport each*
13 *year; and*

14 *(C) covered by at least the same number of*
15 *Field Operations offices as the Great Lakes sea-*
16 *ports included in the review, but are not covered*
17 *by the same Field Operations offices as such*
18 *Great Lakes seaports.*

19 *(2) ELEMENTS.—The Secretary of Homeland Se-*
20 *curity shall conduct a review of all Great Lakes and*
21 *selected inland waterways seaports that receive inter-*
22 *national cargo—*

23 *(A) to determine, for each such seaport—*

24 *(i) the current screening capability, in-*
25 *cluding the types and numbers of screening*

1 *equipment and whether such equipment is*
2 *physically located at a seaport or assigned*
3 *and available in the area and made avail-*
4 *able to use;*

5 *(ii) the number of U.S. Customs and*
6 *Border Protection personnel assigned from*
7 *a Field Operations office, broken out by*
8 *role;*

9 *(iii) the expenditures for procurement*
10 *and overtime incurred by U.S. Customs and*
11 *Border Protection during the most recent*
12 *fiscal year;*

13 *(iv) the types of cargo received, such as*
14 *containerized, break-bulk, and bulk;*

15 *(v) the legal entity that owns the sea-*
16 *port;*

17 *(vi) a description of U.S. Customs and*
18 *Border Protection's use of space at the sea-*
19 *port, including—*

20 *(I) whether U.S. Customs and*
21 *Border Protection or the General Serv-*
22 *ices Administration owns or leases any*
23 *facilities; and*

24 *(II) if U.S. Customs and Border*
25 *Protection is provided space at the sea-*

1 port, a description of such space, in-
2 cluding the number of workstations;
3 and

4 (vii) the current cost-sharing arrange-
5 ment for screening technology or reimburs-
6 able services;

7 (B) to identify, for each Field Operations
8 office—

9 (i) any ports of entry that are staffed
10 remotely from service ports;

11 (ii) the distance of each such service
12 port from the corresponding ports of entry;
13 and

14 (iii) the number of officers and the
15 types of equipment U.S. Customs and Bor-
16 der Protection utilizes to screen cargo enter-
17 ing or exiting through such ports; and

18 (C) that includes a threat assessment of in-
19 coming containerized and noncontainerized
20 cargo at Great Lakes seaports and selected in-
21 land waterways seaports.

1 **SEC. 1066. REPORT ON THE CHEMICAL AND BIOLOGICAL**
2 **DEFENSE PROGRAM OF THE DEPARTMENT OF**
3 **DEFENSE.**

4 (a) *REPORT REQUIRED.*—Not later than 60 days after
5 the date of the enactment of this Act, the Secretary of De-
6 fense shall submit to the congressional defense committees
7 a report on the Chemical and Biological Defense Program
8 of the Department of Defense.

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

11 (1) *An assessment of the significance of the*
12 *Chemical and Biological Defense Program within the*
13 *2018 National Defense Strategy.*

14 (2) *A description and assessment of the threats*
15 *the Chemical and Biological Defense Program is de-*
16 *signed to address.*

17 (3) *An assessment of the capacity of current*
18 *Chemical and Biological Defense Program facilities to*
19 *complete their missions if funding levels for the Pro-*
20 *gram are reduced.*

21 (4) *An estimate of the length of time required to*
22 *return the Chemical and Biological Defense Program*
23 *to its current capacity if funding levels reduced for*
24 *the Program as described in paragraph (3) are re-*
25 *stored.*

1 *purposes of the report, on the feasibility and advisability*
2 *of making round-the-clock childcare available for children*
3 *of members of the Armed Forces and civilian employees of*
4 *the Department of Defense who works on rotating shifts at*
5 *military installations.*

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

8 (1) *The results of the study described in that sub-*
9 *section.*

10 (2) *If the Secretary determines that making*
11 *round-the-clock childcare available as described in*
12 *subsection (a) is feasible and advisable, such matters*
13 *as the Secretary considers appropriate in connection*
14 *with making such childcare available, including—*

15 (A) *an identification of the installations at*
16 *which such childcare would be beneficial to mem-*
17 *bers of the Armed Forces, civilian employees of*
18 *the Department, or both;*

19 (B) *an identification of any barriers to*
20 *making such childcare available at the installa-*
21 *tions identified pursuant to subparagraph (A);*

22 (C) *an assessment whether the childcare*
23 *needs of members of the Armed Forces and civil-*
24 *ian employees of the Department described in*

1 *ber of days per year that such port would be usable by ves-*
2 *sels of the Navy and the Coast Guard.*

3 **(b) DESIGNATION OF STRATEGIC ARCTIC PORTS.**—*Not*
4 *later than 90 days after the date on which the report re-*
5 *quired by subsection (a) is submitted, the Secretary of De-*
6 *fense may, in consultation with the Chairman of the Joint*
7 *Chiefs of Staff, the Commanding General of the United*
8 *States Army Corps of Engineers, the Commandant of the*
9 *Coast Guard, and the Administrator of the Maritime Ad-*
10 *ministration, designate one or more ports as Department*
11 *of Defense Strategic Arctic Ports from the sites identified*
12 *in the report referred to in subsection (a).*

13 **(c) RULE OF CONSTRUCTION.**—*Nothing in this section*
14 *may be construed to authorize any additional appropria-*
15 *tions for the Department of Defense for the establishment*
16 *of any port designated pursuant to this section.*

17 **(d) ARCTIC DEFINED.**—*In this section, the term “Arc-*
18 *tic” has the meaning given that term in section 112 of the*
19 *Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).*

20 **SEC. 1082. PERSONAL PROTECTIVE EQUIPMENT MATTERS.**

21 **(a) BRIEFINGS ON FIELDING OF NEWEST GENERA-**
22 **TIONS OF PPE TO THE ARMED FORCES.**—

23 **(1) BRIEFINGS REQUIRED.**—*Not later than Jan-*
24 *uary 31, 2021, each Secretary of a military depart-*
25 *ment shall submit to Congress a briefing on the field-*

1 *ing of the newest generations of personal protective*
2 *equipment (PPE) to the Armed Forces under the ju-*
3 *isdiction of such Secretary.*

4 (2) *ELEMENTS.—Each briefing under paragraph*
5 *(1) shall include, for each Armed Force covered by*
6 *such briefing, the following:*

7 (A) *A description and assessment of the*
8 *fielding of newest generations of personal protec-*
9 *tive equipment to members of such Armed Force,*
10 *including the following:*

11 (i) *The number (aggregated by total*
12 *number and by sex) of members of such*
13 *Armed Force issued the Army Soldiers Pro-*
14 *tection System and the Modular Scalable*
15 *Vest Generation II body armor as of Decem-*
16 *ber 31, 2020.*

17 (ii) *The number (aggregated by total*
18 *number and by sex) of members of such*
19 *Armed Force issued Marine Corps Plate*
20 *Carrier Generation III (PC Gen III) body*
21 *armor as of that date.*

22 (iii) *The number (aggregated by total*
23 *number and by sex) of members of such*
24 *Armed Force fitted with legacy personal*
25 *protective equipment as of that date.*

1 (B) *A description and assessment of the*
 2 *barriers, if any, to the fielding of such genera-*
 3 *tions of equipment to such members.*

4 (C) *A description and assessment of chal-*
 5 *lenges in the fielding of such generations of*
 6 *equipment to such members, including cost over-*
 7 *runs, contractor delays, and other challenges.*

8 (b) *SYSTEM FOR TRACKING DATA ON INJURIES AMONG*
 9 *MEMBERS OF THE ARMED FORCES IN USE OF NEWEST*
 10 *GENERATION PPE.—*

11 (1) *SYSTEM REQUIRED.—*

12 (A) *IN GENERAL.—The Director of the De-*
 13 *fense Health Agency (DHA) shall develop and*
 14 *maintain a system for tracking data on injuries*
 15 *among members of the Armed Forces in and dur-*
 16 *ing the use of newest generation personal protec-*
 17 *tive equipment.*

18 (B) *SCOPE OF SYSTEM.—The system re-*
 19 *quired by this paragraph may, at the election of*
 20 *the Director, be new for purposes of this sub-*
 21 *section or within or a modification of an appro-*
 22 *priate existing system (such as the Defense Occu-*
 23 *pational And Environmental Health Readiness*
 24 *System (DOEHRS)).*

1 (2) *BRIEFING.*—Not later than January 31,
2 2025, the Director shall submit to Congress a briefing
3 on the prevalence among members of the Armed
4 Forces of preventable injuries attributable to ill-fit-
5 ting or malfunctioning personal protective equipment.

6 (c) *ASSESSMENTS OF MEMBERS OF THE ARMED*
7 *FORCES OF INJURIES INCURRED IN CONNECTION WITH*
8 *ILL-FITTING OR MALFUNCTIONING PPE.*—

9 (1) *IN GENERAL.*—Each health assessment speci-
10 fied in paragraph (2) that is undertaken after the
11 date of the enactment of this Act shall include the fol-
12 lowing:

13 (A) *One or more questions on whether mem-*
14 *bers incurred an injury in connection with ill-*
15 *fitting or malfunctioning personal protective*
16 *equipment during the period covered by such as-*
17 *essment, including the nature of such injury.*

18 (B) *In the case members who have so in-*
19 *curred such an injury, one or more elements of*
20 *self-evaluation of such injury by such members*
21 *for purposes of facilitating timely documentation*
22 *and enhanced monitoring of such members and*
23 *injuries.*

24 (2) *ASSESSMENTS.*—The health assessments spec-
25 ified in this paragraph are the following:

1 (A) *The annual Periodic Health Assessment*
2 (PHA) *of members of the Armed Forces.*

3 (B) *The post-deployment health assessment*
4 *of members of the Armed Forces.*

5 **SEC. 1083. ESTIMATE OF DAMAGES FROM FEDERAL COMMU-**
6 **NICATIONS COMMISSION ORDER 20–48.**

7 (a) *LIMITATION, ESTIMATE, AND CERTIFICATION.—*
8 *None of the funds authorized to be appropriated by this Act*
9 *for fiscal year 2021 may be used by the Secretary of Defense*
10 *to comply with the Order and Authorization adopted by*
11 *the Federal Communications Commission on April 19,*
12 *2020 (FCC 20–48) until the Secretary—*

13 (1) *submits to the congressional defense commit-*
14 *tees an estimate of the extent of covered costs and the*
15 *range of eligible reimbursable costs associated with in-*
16 *terference resulting from such order and authorization*
17 *to the Global Positioning System of the Department*
18 *of Defense; and*

19 (2) *certifies to the congressional defense commit-*
20 *tees that the estimate submitted under paragraph (1)*
21 *is accurate with a high degree of certainty.*

22 (b) *COVERED COSTS.—For purposes of this section,*
23 *covered costs include costs that would be incurred—*

24 (1) *to upgrade, repair, or replace potentially af-*
25 *ected receivers of the Federal Government;*

1 (2) to modify, repair, or replace equipment,
2 spares, associated ancillary equipment, software, fa-
3 cilities, operating manuals, training, or compliance
4 with regulations, including with regard to the under-
5 lying platform or system in which a capability of the
6 Global Positioning System is embedded; and

7 (3) for personnel of the Department to engineer,
8 validate, and verify that any required remediation
9 provides the Department with the same operational
10 capability for the affected system prior to terrestrial
11 operation in the 1525 to 1559 megahertz or 1626.5 to
12 1660.5 megahertz bands of electromagnetic spectrum.

13 (c) *RANGE OF ELIGIBLE REIMBURSABLE COSTS.*—For
14 purposes of this section, the range of eligible reimbursable
15 costs includes—

16 (1) costs associated with engineering, equipment,
17 software, site acquisition, and construction;

18 (2) any transaction expense that the Secretary
19 determines is legitimate and prudent;

20 (3) costs relating to term-limited Federal civil
21 servant and contractor staff; and

22 (4) the costs of research, engineering studies, or
23 other expenses the Secretary determines reasonably
24 incurred.

1 **SEC. 1084. MODERNIZATION EFFORT.**

2 (a) *DEFINITIONS.—In this section—*

3 (1) *the term “Assistant Secretary” means the As-*
4 *stant Secretary of Commerce for Communications*
5 *and Information;*

6 (2) *the term “covered agency”—*

7 (A) *means any Federal entity that the As-*
8 *stant Secretary determines is appropriate; and*

9 (B) *includes the Department of Defense;*

10 (3) *the term “Federal entity” has the meaning*
11 *given the term in section 113(l) of the National Tele-*
12 *communications and Information Administration Or-*
13 *ganization Act (47 U.S.C. 923(l));*

14 (4) *the term “Federal spectrum” means fre-*
15 *quencies assigned on a primary basis to a covered*
16 *agency;*

17 (5) *the term “infrastructure” means information*
18 *technology systems and information technologies,*
19 *tools, and databases; and*

20 (6) *the term “NTIA” means the National Tele-*
21 *communications and Information Administration.*

22 (b) *INITIAL INTERAGENCY SPECTRUM INFORMATION*
23 *TECHNOLOGY COORDINATION.—Not later than 90 days*
24 *after the date of enactment of this Act, the Assistant Sec-*
25 *retary, in consultation with the Policy and Plans Steering*
26 *Group, shall identify a process to establish goals, including*

1 *parameters to measure the achievement of those goals, for*
2 *the modernization of the infrastructure of covered agencies*
3 *relating to managing the use of Federal spectrum by those*
4 *agencies, which shall include—*

5 (1) *the standardization of data inputs, modeling*
6 *algorithms, modeling and simulation processes, anal-*
7 *ysis tools with respect to Federal spectrum, assump-*
8 *tions, and any other tool to ensure interoperability*
9 *and functionality with respect to that infrastructure;*

10 (2) *other potential innovative technological capa-*
11 *bilities with respect to that infrastructure, including*
12 *cloud-based databases, artificial intelligence tech-*
13 *nologies, automation, and improved modeling and*
14 *simulation capabilities;*

15 (3) *ways to improve the management of covered*
16 *agencies' use of Federal spectrum through that infra-*
17 *structure, including by—*

18 (A) *increasing the efficiency of that infra-*
19 *structure;*

20 (B) *addressing validation of usage with re-*
21 *spect to that infrastructure;*

22 (C) *increasing the accuracy of that infra-*
23 *structure;*

24 (D) *validating models used by that infra-*
25 *structure; and*

1 (E) monitoring and enforcing requirements
2 that are imposed on covered agencies with re-
3 spect to the use of Federal spectrum by covered
4 agencies;

5 (4) ways to improve the ability of covered agen-
6 cies to meet mission requirements in congested envi-
7 ronments with respect to Federal spectrum, including
8 as part of automated adjustments to operations based
9 on changing conditions in those environments;

10 (5) the creation of a time-based automated mech-
11 anism—

12 (A) to share Federal spectrum between cov-
13 ered agencies to collaboratively and dynamically
14 increase access to Federal spectrum by those
15 agencies; and

16 (B) that could be scaled across Federal spec-
17 trum; and

18 (6) the collaboration between covered agencies
19 necessary to ensure the interoperability of Federal
20 spectrum.

21 (c) *SPECTRUM INFORMATION TECHNOLOGY MOD-*
22 *ERNIZATION.*—

23 (1) *IN GENERAL.*—Not later than 240 days after
24 the date of enactment of this Act, the Assistant Sec-
25 retary shall submit to Congress a report that contains

1 *the plan of the NTIA to modernize and automate the*
2 *infrastructure of the NTIA relating to managing the*
3 *use of Federal spectrum by covered agencies so as to*
4 *more efficiently manage that use.*

5 (2) *CONTENTS.—The report required under*
6 *paragraph (1) shall include—*

7 (A) *an assessment of the current, as of the*
8 *date on which the report is submitted, infra-*
9 *structure of the NTIA described in that para-*
10 *graph;*

11 (B) *an acquisition strategy for the modern-*
12 *ized infrastructure of the NTIA described in that*
13 *paragraph, including how that modernized in-*
14 *frastructure will enable covered agencies to be*
15 *more efficient and effective in the use of Federal*
16 *spectrum;*

17 (C) *a timeline for the implementation of the*
18 *modernization efforts described in that para-*
19 *graph;*

20 (D) *plans detailing how the modernized in-*
21 *frastructure of the NTIA described in that para-*
22 *graph will—*

23 (i) *enhance the security and reliability*
24 *of that infrastructure so that such infra-*
25 *structure satisfies the requirements of sub-*

1 *chapter II of chapter 35 of title 44, United*
2 *States Code;*

3 *(ii) improve data models and analysis*
4 *tools to increase the efficiency of the spec-*
5 *trum use described in that paragraph;*

6 *(iii) enhance automation and*
7 *workflows, and reduce the scope and level of*
8 *manual effort, in order to—*

9 *(I) administer the management of*
10 *the spectrum use described in that*
11 *paragraph; and*

12 *(II) improve data quality and*
13 *processing time; and*

14 *(iv) improve the timeliness of spectrum*
15 *analyses and requests for information, in-*
16 *cluding requests submitted pursuant to sec-*
17 *tion 552 of title 5, United States Code;*

18 *(E) an operations and maintenance plan*
19 *with respect to the modernized infrastructure of*
20 *the NTIA described in that paragraph;*

21 *(F) a strategy for coordination between the*
22 *covered agencies within the Policy and Plans*
23 *Steering Group, which shall include—*

24 *(i) a description of—*

- 1 (I) those coordination efforts, as
2 in effect on the date on which the re-
3 port is submitted; and
- 4 (II) a plan for coordination of
5 those efforts after the date on which the
6 report is submitted, including with re-
7 spect to the efforts described in sub-
8 section (d);
- 9 (ii) a plan for standardizing—
- 10 (I) electromagnetic spectrum anal-
11 ysis tools;
- 12 (II) modeling and simulation
13 processes and technologies; and
- 14 (III) databases to provide tech-
15 nical interference assessments that are
16 usable across the Federal Government
17 as part of a common spectrum man-
18 agement infrastructure for covered
19 agencies;
- 20 (iii) a plan for each covered agency to
21 implement a modernization plan described
22 in subsection (d)(1) that is tailored to the
23 particular timeline of the agency;
- 24 (G) identification of manually intensive
25 processes involved in managing Federal spec-

1 *trum and proposed enhancements to those proc-*
2 *esses;*

3 *(H) metrics to evaluate the success of the*
4 *modernization efforts described in that para-*
5 *graph and any similar future efforts; and*

6 *(I) an estimate of the cost of the moderniza-*
7 *tion efforts described in that paragraph and any*
8 *future maintenance with respect to the modern-*
9 *ized infrastructure of the NTIA described in that*
10 *paragraph, including the cost of any personnel*
11 *and equipment relating to that maintenance.*

12 *(d) INTERAGENCY INPUTS.—*

13 *(1) IN GENERAL.—Not later than 1 year after*
14 *the date of enactment of this Act, the head of each cov-*
15 *ered agency shall submit to the Assistant Secretary*
16 *and the Policy and Plans Steering Group a report*
17 *that describes the plan of the agency to modernize the*
18 *infrastructure of the agency with respect to the use of*
19 *Federal spectrum by the agency so that such modern-*
20 *ized infrastructure of the agency is interoperable with*
21 *the modernized infrastructure of the NTIA, as de-*
22 *scribed in subsection (c).*

23 *(2) CONTENTS.—Each report submitted by the*
24 *head of a covered agency under paragraph (1) shall—*

25 *(A) include—*

1 (i) an assessment of the current, as of
2 the date on which the report is submitted,
3 management capabilities of the agency with
4 respect to the use of frequencies that are as-
5 signed to the agency, which shall include a
6 description of any challenges faced by the
7 agency with respect to that management;

8 (ii) a timeline for completion of the
9 modernization efforts described in that
10 paragraph; and

11 (iii) a description of potential innova-
12 tive technological capabilities for the man-
13 agement of frequencies that are assigned to
14 the agency, as determined under subsection
15 (b);

16 (iv) identification of agency-specific re-
17 quirements or constraints relating to the in-
18 frastructure of the agency;

19 (v) identification of any existing, as of
20 the date on which the report is submitted,
21 systems of the agency that are duplicative of
22 the modernized infrastructure of the NTIA,
23 as proposed under subsection (c); and

24 (vi) with respect to the report sub-
25 mitted by the Secretary of Defense—

1 (I) a strategy for the integration
2 of systems or the flow of data among
3 the Armed Forces, the military depart-
4 ments, the Defense Agencies and De-
5 partment of Defense Field Activities,
6 and other components of the Depart-
7 ment of Defense;

8 (II) a plan for the implementa-
9 tion of solutions to the use of Federal
10 spectrum by the Department of Defense
11 involving information at multiple lev-
12 els of classification; and

13 (III) a strategy for addressing,
14 within the modernized infrastructure
15 of the Department of Defense described
16 in that paragraph, the exchange of in-
17 formation between the Department of
18 Defense and the NTIA in order to ac-
19 complish required processing of all De-
20 partment of Defense domestic spectrum
21 coordination and management activi-
22 ties; and

23 (B) be submitted in an unclassified format,
24 with a classified annex, as appropriate.

1 (3) *NOTIFICATION OF CONGRESS.*—Upon submis-
2 sion of the report required under paragraph (1), the
3 head of each covered agency shall notify Congress that
4 the head of the covered agency has submitted the re-
5 port.

6 (e) *GAO OVERSIGHT.*—The Comptroller General of the
7 United States shall—

8 (1) not later than 90 days after the date of en-
9 actment of this Act, conduct a review of the infra-
10 structure of covered agencies, as that infrastructure
11 exists on the date of enactment of this Act;

12 (2) after all of the reports required under sub-
13 section (d) have been submitted, conduct oversight of
14 the implementation of the modernization plans sub-
15 mitted by the NTLA and covered agencies under sub-
16 sections (c) and (d), respectively;

17 (3) not later than 1 year after the date on which
18 the Comptroller General begins conducting oversight
19 under paragraph (2), and annually thereafter, submit
20 a report regarding that oversight to—

21 (A) with respect to the implementation of
22 the modernization plan of the Department of De-
23 fense, the Committee on Armed Services of the
24 Senate and the Committee on Armed Services of
25 the House of Representatives; and

1 (B) with respect to the implementation of
2 the modernization plans of all covered agencies,
3 including the Department of Defense, the Com-
4 mittee on Commerce, Science, and Transpor-
5 tation of the Senate and the Committee on En-
6 ergy and Commerce of the House of Representa-
7 tives; and

8 (4) provide regular briefings to—

9 (A) with respect to the application of this
10 section to the Department of Defense, the Com-
11 mittee on Armed Services of the Senate and the
12 Committee on Armed Services of the House of
13 Representatives; and

14 (B) with respect to the application of this
15 section to all covered agencies, including the De-
16 partment of Defense, the Committee on Com-
17 merce, Science, and Transportation of the Senate
18 and the Committee on Energy and Commerce of
19 the House of Representatives.

20 **SEC. 1085. SENSE OF SENATE ON GOLD STAR FAMILIES RE-**
21 **MEMBRANCE WEEK.**

22 (a) *FINDINGS.*—The Senate makes the following find-
23 ings:

24 (1) *The last Sunday in September—*

1 (A) is designated as “Gold Star Mother’s
2 Day” under section 111 of title 36, United States
3 Code; and

4 (B) was first designated as “Gold Star
5 Mother’s Day” under the Joint Resolution enti-
6 tled “Joint Resolution designating the last Sun-
7 day in September as ‘Gold Star Mother’s Day’,
8 and for other purposes”, approved June 23, 1936
9 (49 Stat. 1895).

10 (2) There is no date dedicated to families affected
11 by the loss of a loved one who died in service to the
12 United States.

13 (3) A gold star symbolizes a family member who
14 died in the line of duty while serving in the Armed
15 Forces.

16 (4) The members and veterans of the Armed
17 Forces, through their service, bear the burden of pro-
18 tecting the freedom of the people of the United States.

19 (5) The selfless example of the service of the
20 members and veterans of the Armed Forces, as well as
21 the sacrifices made by the families of those individ-
22 uals, inspires all individuals in the United States to
23 sacrifice and work diligently for the good of the
24 United States.

1 (6) *The sacrifices of the families of the fallen*
2 *members of the Armed Forces and the families of vet-*
3 *erans of the Armed Forces should never be forgotten.*

4 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
5 *ate that the Senate—*

6 (1) *designates the week of September 20 through*
7 *September 26, 2020, as “Gold Star Families Remem-*
8 *brance Week”;*

9 (2) *honors and recognizes the sacrifices made*
10 *by—*

11 (A) *the families of members of the Armed*
12 *Forces who made the ultimate sacrifice in order*
13 *to defend freedom and protect the United States;*
14 *and*

15 (B) *the families of veterans of the Armed*
16 *Forces; and*

17 (3) *encourages the people of the United States to*
18 *observe Gold Star Families Remembrance Week by—*

19 (A) *performing acts of service and good will*
20 *in their communities; and*

21 (B) *celebrating families in which loved ones*
22 *made the ultimate sacrifice so that others could*
23 *continue to enjoy life, liberty, and the pursuit of*
24 *happiness.*

1 **SEC. 1086. CONTINUITY OF THE ECONOMY PLAN.**

2 (a) *REQUIREMENT.*—

3 (1) *IN GENERAL.*—*The President shall develop*
4 *and maintain a plan to maintain and restore the*
5 *economy of the United States in response to a signifi-*
6 *cant event.*

7 (2) *PRINCIPLES.*—*The plan required under*
8 *paragraph (1) shall—*

9 (A) *be consistent with—*

10 (i) *a free market economy; and*

11 (ii) *the rule of law; and*

12 (B) *respect private property rights.*

13 (3) *CONTENTS.*—*The plan required under para-*
14 *graph (1) shall—*

15 (A) *examine the distribution of goods and*
16 *services across the United States necessary for*
17 *the reliable functioning of the United States dur-*
18 *ing a significant event;*

19 (B) *identify the economic functions of rel-*
20 *evant actors, the disruption, corruption, or dys-*
21 *function of which would have a debilitating effect*
22 *in the United States on—*

23 (i) *security;*

24 (ii) *economic security;*

25 (iii) *defense readiness; or*

26 (iv) *public health or safety;*

1 (C) identify the critical distribution mecha-
2 nisms for each economic sector that should be
3 prioritized for operation during a significant
4 event, including—

5 (i) bulk power and electric trans-
6 mission systems;

7 (ii) national and international finan-
8 cial systems, including wholesale payments,
9 stocks, and currency exchanges;

10 (iii) national and international com-
11 munications networks, data-hosting services,
12 and cloud services;

13 (iv) interstate oil and natural gas
14 pipelines; and

15 (v) mechanisms for the interstate and
16 international trade and distribution of ma-
17 terials, food, and medical supplies, includ-
18 ing road, rail, air, and maritime shipping;

19 (D) identify economic functions of relevant
20 actors, the disruption, corruption, or dysfunction
21 of which would cause—

22 (i) catastrophic economic loss;

23 (ii) the loss of public confidence; or

24 (iii) the widespread imperilment of
25 human life;

1 (E) identify the economic functions of rel-
2 evant actors that are so vital to the economy of
3 the United States that the disruption, corrup-
4 tion, or dysfunction of those economic functions
5 would undermine response, recovery, or mobiliza-
6 tion efforts during a significant event;

7 (F) incorporate, to the greatest extent prac-
8 ticable, the principles and practices contained
9 within Federal plans for the continuity of Gov-
10 ernment and continuity of operations;

11 (G) identify—

12 (i) industrial control networks on
13 which the interests of national security out-
14 weigh the benefits of dependence on internet
15 connectivity, including networks that are
16 required to maintain defense readiness; and

17 (ii) for each industrial control network
18 described in clause (i), the most feasible and
19 optimal locations for the installation of—

20 (I) parallel services;

21 (II) stand-alone analog services;

22 and

23 (III) services that are otherwise
24 hardened against failure;

1 (H) identify critical economic sectors for
2 which the preservation of data in a protected,
3 verified, and uncorrupted status would be re-
4 quired for the quick recovery of the economy of
5 the United States in the face of a significant dis-
6 ruption following a significant event;

7 (I) include a list of raw materials, indus-
8 trial goods, and other items, the absence of which
9 would significantly undermine the ability of the
10 United States to sustain the functions described
11 in subparagraphs (B), (D), and (E);

12 (J) provide an analysis of supply chain di-
13 versification for the items described in subpara-
14 graph (I) in the event of a disruption caused by
15 a significant event;

16 (K) include—

17 (i) a recommendation as to whether the
18 United States should maintain a strategic
19 reserve of 1 or more of the items described
20 in subparagraph (I); and

21 (ii) for each item described in subpara-
22 graph (I) for which the President rec-
23 ommends maintaining a strategic reserve
24 under clause (i), an identification of mecha-

1 *nisms for tracking inventory and avail-*
2 *ability of the item in the strategic reserve;*

3 *(L) identify mechanisms in existence on the*
4 *date of enactment of this Act and mechanisms*
5 *that can be developed to ensure that the swift*
6 *transport and delivery of the items described in*
7 *subparagraph (I) is feasible in the event of a dis-*
8 *tribution network disturbance or degradation,*
9 *including a distribution network disturbance or*
10 *degradation caused by a significant event;*

11 *(M) include guidance for determining the*
12 *prioritization for the distribution of the items*
13 *described in subparagraph (I), including dis-*
14 *tribution to States and Indian Tribes;*

15 *(N) consider the advisability and feasibility*
16 *of mechanisms for extending the credit of the*
17 *United States or providing other financial sup-*
18 *port authorized by law to key participants in the*
19 *economy of the United States if the extension or*
20 *provision of other financial support—*

21 *(i) is necessary to avoid severe eco-*
22 *nommic degradation; or*

23 *(ii) allows for the recovery from a sig-*
24 *nificant event;*

1 (O) include guidance for determining cat-
2 egories of employees that should be prioritized to
3 continue to work in order to sustain the func-
4 tions described in subparagraphs (B), (D), and
5 (E) in the event that there are limitations on the
6 ability of individuals to travel to workplaces or
7 to work remotely, including considerations for
8 defense readiness;

9 (P) identify critical economic sectors nec-
10 essary to provide material and operational sup-
11 port to the defense of the United States;

12 (Q) determine whether the Secretary of
13 Homeland Security, the National Guard, and the
14 Secretary of Defense have adequate authority to
15 assist the United States in a recovery from a se-
16 vere economic degradation caused by a signifi-
17 cant event;

18 (R) review and assess the authority and ca-
19 pability of heads of other agencies that the Presi-
20 dent determines necessary to assist the United
21 States in a recovery from a severe economic deg-
22 radation caused by a significant event; and

23 (S) consider any other matter that would
24 aid in protecting and increasing the resilience of

1 *the economy of the United States from a signifi-*
2 *cant event.*

3 **(b) COORDINATION.**—*In developing the plan required*
4 *under subsection (a)(1), the President shall—*

5 **(1) receive advice from—**

6 **(A) the Secretary of Homeland Security;**

7 **(B) the Secretary of Defense;**

8 **(C) the Secretary of the Treasury;**

9 **(D) the Secretary of Health and Human**
10 **Services;**

11 **(E) the Secretary of Commerce;**

12 **(F) the Secretary of Transportation;**

13 **(G) the Secretary of Energy;**

14 **(H) the Administrator of the Small Busi-**
15 **ness Administration; and**

16 **(I) the head of any other agency that the**
17 **President determines necessary to complete the**
18 **plan;**

19 **(2) consult with economic sectors relating to criti-**
20 **cal infrastructure through sector-coordinated coun-**
21 **cils, as appropriate;**

22 **(3) consult with relevant State, Tribal, and local**
23 **governments and organizations that represent those**
24 **governments; and**

1 (4) *consult with any other non-Federal entity*
2 *that the President determines necessary to complete*
3 *the plan.*

4 (c) *SUBMISSION TO CONGRESS.—*

5 (1) *IN GENERAL.—Not later than 2 years after*
6 *the date of enactment of this Act, and not less fre-*
7 *quently than every 3 years thereafter, the President*
8 *shall submit the plan required under subsection (a)(1)*
9 *and the information described in paragraph (2) to—*

10 (A) *the majority and minority leaders of*
11 *the Senate;*

12 (B) *the Speaker and the minority leader of*
13 *the House of Representatives;*

14 (C) *the Committee on Armed Services of the*
15 *Senate;*

16 (D) *the Committee on Armed Services of the*
17 *House of Representatives;*

18 (E) *the Committee on Homeland Security*
19 *and Governmental Affairs of the Senate;*

20 (F) *the Committee on Homeland Security of*
21 *the House of Representatives;*

22 (G) *the Committee on Health, Education,*
23 *Labor, and Pensions of the Senate;*

24 (H) *the Committee on Commerce, Science,*
25 *and Transportation of the Senate;*

1 (I) the Committee on Energy and Commerce
2 of the House of Representatives;

3 (J) the Committee on Banking, Housing,
4 and Urban Affairs of the Senate;

5 (K) the Committee on Finance of the Sen-
6 ate;

7 (L) the Committee on Financial Services of
8 the House of Representatives;

9 (M) the Committee on Small Business and
10 Entrepreneurship of the Senate;

11 (N) the Committee on Small Business of the
12 House of Representatives;

13 (O) the Committee on Energy and Natural
14 Resources of the Senate;

15 (P) the Committee on Environment and
16 Public Works of the Senate; and

17 (Q) any other committee of the Senate or
18 the House of Representatives that has jurisdic-
19 tion over the subject of the plan.

20 (2) *ADDITIONAL INFORMATION.*—The informa-
21 tion described in this paragraph is—

22 (A) any change to Federal law that would
23 be necessary to carry out the plan required
24 under subsection (a)(1); and

1 (B) any proposed changes to the funding
2 levels provided in appropriation Acts for the
3 most recent fiscal year that can be implemented
4 in future appropriation Acts or additional re-
5 sources necessary to—

6 (i) implement the plan required under
7 subsection (a)(1); or

8 (ii) maintain any program offices and
9 personnel necessary to—

10 (I) maintain the plan required
11 under subsection (a)(1) and the plans
12 described in subsection (a)(3)(F); and

13 (II) conduct exercises, assessments,
14 and updates to the plans described in
15 subclause (I) over time.

16 (3) *BUDGET OF THE PRESIDENT.*—The President
17 may include the information described in paragraph
18 (2)(B) in the budget required to be submitted by the
19 President under section 1105(a) of title 31, United
20 States Code.

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

22 (1) The term “agency” has the meaning given
23 the term in section 551 of title 5, United States Code.

24 (2) The term “economic sector” means a sector
25 of the economy of the United States.

1 (3) *The term “relevant actor” means—*

2 (A) *the Federal government;*

3 (B) *a State, local, or Tribal government; or*

4 (C) *the private sector.*

5 (4) *The term “significant event” means an event*
6 *that causes severe degradation to economic activity in*
7 *the United States due to—*

8 (A) *a cyber attack; or*

9 (B) *another significant event that is nat-*
10 *ural or human-caused.*

11 (5) *The term “State” means any State of the*
12 *United States, the District of Columbia, the Common-*
13 *wealth of Puerto Rico, the Virgin Islands, Guam,*
14 *American Samoa, the Commonwealth of the Northern*
15 *Mariana Islands, and any possession of the United*
16 *States.*

17 **SEC. 1087. IMPROVING THE AUTHORITY FOR OPERATIONS**
18 **OF UNMANNED AIRCRAFT FOR EDUCATIONAL**
19 **PURPOSES.**

20 *Section 350 of the FAA Reauthorization Act of 2018*
21 *(Public Law 115–254; 49 U.S.C 44809 note) is amended*

22 (1) *in the section heading, by striking “**AT IN-***
23 ***STITUTIONS OF HIGHER EDUCATION” and in-***
24 *serting “**FOR EDUCATIONAL PURPOSES**”; and*

25 (2) *in subsection (a)—*

1 (A) by striking “aircraft system operated
2 by” and inserting the following: “aircraft sys-
3 tem—

4 “(1) operated by”;

5 (B) in paragraph (1), as added by subpara-
6 graph (A), by striking the period at the end and
7 inserting a semicolon; and

8 (C) by adding at the end the following:

9 “(2) flown as part of the established curriculum
10 of an elementary school or secondary school (as such
11 terms are defined in section 8101 of the Elementary
12 and Secondary Education Act of 1965 (20 U.S.C.
13 7801));

14 “(3) flown as part of an established Junior Re-
15 serve Officers’ Training Corps (JROTC) program; or

16 “(4) flown as part of an educational program
17 that is chartered by a recognized community-based or-
18 ganization (as defined in subsection (h) of such sec-
19 tion).”.

20 **SEC. 1088. REQUIREMENT TO POST A 100 WORD SUMMARY**
21 **TO REGULATIONS.GOV.**

22 Section 553(b) of title 5, United States Code, is amend-
23 ed—

24 (1) in paragraph (2), by striking “and” at the
25 end;

1 (2) *in paragraph (3), by striking the period at*
2 *the end and inserting “; and”; and*

3 (3) *by inserting after paragraph (3) the fol-*
4 *lowing:*

5 “(4) *the Internet address of a summary of not*
6 *more than 100 words in length of the proposed rule,*
7 *in plain language, that shall be posted on the Internet*
8 *website under section 206(d) of the E-Government Act*
9 *of 2002 (44 U.S.C. 3501 note) (commonly known as*
10 *regulations.gov).”.*

11 **SEC. 1089. MODIFICATION OF LICENSURE REQUIREMENTS**
12 **FOR HEALTH CARE PROFESSIONALS PRO-**
13 **VIDING TREATMENT VIA TELEMEDICINE.**

14 *Section 1730C(b) of title 38, United States Code, is*
15 *amended to read as follows:*

16 “(b) **COVERED HEALTH CARE PROFESSIONALS.**—*For*
17 *purposes of this section, a covered health care professional*
18 *is any of the following individuals:*

19 “(1) *A health care professional who—*

20 “(A) *is an employee of the Department ap-*
21 *pointed under section 7306, 7401, 7405, 7406, or*
22 *7408 of this title or title 5;*

23 “(B) *is authorized by the Secretary to pro-*
24 *vide health care under this chapter;*

1 “(C) is required to adhere to all standards
2 for quality relating to the provision of health
3 care in accordance with applicable policies of the
4 Department; and

5 “(D)(i) has an active, current, full, and un-
6 restricted license, registration, or certification in
7 a State to practice the health care profession of
8 the health care professional; or

9 “(ii) with respect to a health care profession
10 listed under section 7402(b) of this title, has the
11 qualifications for such profession as set forth by
12 the Secretary.

13 “(2) A postgraduate health care employee who—

14 “(A) is appointed under section 7401(1),
15 7401(3), or 7405 of this title or title 5 for any
16 category of personnel described in paragraph (1)
17 or (3) of section 7401 of this title;

18 “(B) must obtain an active, current, full,
19 and unrestricted license, registration, or certifi-
20 cation or meet qualification standards set forth
21 by the Secretary within a specified time frame;
22 and

23 “(C) is under the clinical supervision of a
24 health care professional described in paragraph
25 (1); or

1 “(3) A health professions trainee who—
2 “(A) is appointed under section 7405 or
3 7406 of this title; and
4 “(B) is under the clinical supervision of a
5 health care professional described in paragraph
6 (1).”.

7 **SEC. 1090. RESTRICTIONS ON CONFUCIUS INSTITUTES.**

8 (a) *DEFINITION.*—In this section, the term “Confucius
9 *Institute*” means a cultural institute directly or indirectly
10 *funded by the Government of the People’s Republic of*
11 *China.*

12 (b) *RESTRICTIONS ON CONFUCIUS INSTITUTES.*—An
13 *institution of higher education or other postsecondary edu-*
14 *cational institution (referred to in this section as an “insti-*
15 *tution”)* shall not be eligible to receive Federal funds from
16 *the Department of Education (except funds under title IV*
17 *of the Higher Education Act of 1965 (20 U.S.C. 1070 et*
18 *seq.) or other Department of Education funds that are pro-*
19 *vided directly to students) unless the institution ensures*
20 *that any contract or agreement between the institution and*
21 *a Confucius Institute includes clear provisions that—*

22 (1) *protect academic freedom at the institution;*
23 (2) *prohibit the application of any foreign law*
24 *on any campus of the institution; and*

1 (3) *grant full managerial authority of the Confu-*
 2 *cius Institute to the institution, including full control*
 3 *over what is being taught, the activities carried out,*
 4 *the research grants that are made, and who is em-*
 5 *ployed at the Confucius Institute.*

6 **SEC. 1090A. ADDITIONAL CARE FOR NEWBORN CHILDREN**
 7 **OF VETERANS.**

8 *Section 1786 of title 38, United States Code, is amend-*
 9 *ed—*

10 (1) *in subsection (a), by striking “The Sec-*
 11 *retary” and inserting “Except as provided in sub-*
 12 *section (c), the Secretary”; and*

13 (2) *by adding at the end the following new sub-*
 14 *section:*

15 “(c) **EXCEPTION BASED ON MEDICAL NECESSITY.—**
 16 *Pursuant to such regulations as the Secretary shall pre-*
 17 *scribe to carry out this section, the Secretary may furnish*
 18 *more than seven days of health care services described in*
 19 *subsection (b), and may furnish transportation necessary*
 20 *to receive such services, to a newborn child based on medical*
 21 *necessity if the child is in need of additional care, including*
 22 *if the child has been discharged or released from a hospital*
 23 *and requires readmittance to ensure the health and welfare*
 24 *of the child.”.*

1 **SEC. 1090B. ADDITIONAL DISEASES ASSOCIATED WITH EX-**
 2 **POSURE TO CERTAIN HERBICIDE AGENTS**
 3 **FOR WHICH THERE IS A PRESUMPTION OF**
 4 **SERVICE CONNECTION FOR VETERANS WHO**
 5 **SERVED IN THE REPUBLIC OF VIETNAM.**

6 *Section 1116(a)(2) of title 38, United States Code, is*
 7 *amended by adding at the end the following new subpara-*
 8 *graphs:*

9 *“(I) Parkinsonism.*

10 *“(J) Bladder cancer.*

11 *“(K) Hypothyroidism.”.*

12 **Subtitle H—Wireless Supply Chain**
 13 **Innovation and Multilateral Se-**
 14 **curity**

15 **SEC. 1091. DEFINITIONS.**

16 *In this subtitle:*

17 *(1) 3GPP.—The term “3GPP” means the Third*
 18 *Generation Partnership Project.*

19 *(2) 5G NETWORK.—The term “5G network”*
 20 *means a radio network as described by 3GPP Release*
 21 *15 or higher.*

22 *(3) COMMISSION.—The term “Commission”*
 23 *means the Federal Communications Commission.*

24 *(4) NTIA ADMINISTRATOR.—The term “NTIA*
 25 *Administrator” means the Assistant Secretary of*
 26 *Commerce for Communications and Information.*

1 (5) *OPEN-RAN*.—The term “Open-RAN” means
2 the Open Radio Access Network approach to stand-
3 ardization adopted by the O-RAN Alliance, Telecom
4 Infra Project, or 3GPP, or any similar set of open
5 standards for multi-vendor network equipment inter-
6 operability.

7 (6) *RELEVANT COMMITTEES OF CONGRESS*.—The
8 term “relevant committees of Congress” means—

9 (A) the Select Committee on Intelligence of
10 the Senate;

11 (B) the Committee on Foreign Relations of
12 the Senate;

13 (C) the Committee on Homeland Security
14 and Governmental Affairs of the Senate;

15 (D) the Committee on Armed Services of the
16 Senate;

17 (E) the Committee on Commerce, Science,
18 and Transportation of the Senate;

19 (F) the Committee on Appropriations of the
20 Senate;

21 (G) the Permanent Select Committee on In-
22 telligence of the House of Representatives;

23 (H) the Committee on Foreign Affairs of the
24 House of Representatives;

1 (I) the Committee on Homeland Security of
2 the House of Representatives;

3 (J) the Committee on Armed Services of the
4 House of Representatives;

5 (K) the Committee on Energy and Com-
6 merce of the House of Representatives; and

7 (L) the Committee on Appropriations of the
8 House of Representatives.

9 **SEC. 1092. COMMUNICATIONS TECHNOLOGY SECURITY**
10 **FUNDS.**

11 (a) *USE OF DIGITAL TELEVISION TRANSITION AND*
12 *PUBLIC SAFETY FUND.*—As soon as practicable after the
13 date of enactment of this Act, the Commission shall transfer
14 from the Digital Television Transition and Public Safety
15 Fund established under section 309(j)(8)(E) of the Commu-
16 nications Act of 1934 (47 U.S.C. 309(j)(8)(E))—

17 (1) \$50,000,000 to the Public Wireless Supply
18 Chain Innovation Fund established under subsection
19 (b) of this section; and

20 (2) \$25,000,000 to the Multilateral Tele-
21 communications Security Fund established under sub-
22 section (c) of this section.

23 (b) *PUBLIC WIRELESS SUPPLY CHAIN INNOVATION*
24 *FUND.*—

25 (1) *ESTABLISHMENT.*—

1 (A) *IN GENERAL.*—*There is established in*
2 *the Treasury of the United States a trust fund*
3 *to be known as the “Public Wireless Supply*
4 *Chain Innovation Fund” (referred to in this sub-*
5 *section as the “R&D Fund”).*

6 (B) *AVAILABILITY.*—

7 (i) *IN GENERAL.*—*Amounts deposited*
8 *in the R&D Fund shall remain available*
9 *through the end of the tenth fiscal year be-*
10 *ginning after the date of enactment of this*
11 *Act.*

12 (ii) *REMAINDER TO TREASURY.*—*Any*
13 *amounts remaining in the R&D Fund after*
14 *the end of the tenth fiscal year beginning*
15 *after the date of enactment of this Act shall*
16 *be deposited in the general fund of the*
17 *Treasury.*

18 (2) *USE OF FUND.*—

19 (A) *IN GENERAL.*—*Amounts deposited in*
20 *the R&D Fund shall be available to the NTIA*
21 *Administrator to make grants under this sub-*
22 *section in such amounts as the NTIA Adminis-*
23 *trator determines appropriate, subject to sub-*
24 *paragraph (B) of this subparagraph.*

1 (B) *LIMITATION ON GRANT AMOUNTS.*—*The*
2 *amount of a grant awarded under this subsection*
3 *to a recipient for a specific research focus area*
4 *may not exceed \$50,000,000.*

5 (3) *ADMINISTRATION OF FUND.*—*The NTIA Ad-*
6 *ministrator, in consultation with the Commission, the*
7 *Director of the National Institute of Standards and*
8 *Technology, the Secretary of Homeland Security, the*
9 *Secretary of Defense, and the Director of the Intel-*
10 *ligence Advanced Research Projects Activity of the Of-*
11 *fice of the Director of National Intelligence, shall es-*
12 *tablish criteria for grants awarded under this sub-*
13 *section, and administer the R&D Fund, to support*
14 *research and the commercial application of that re-*
15 *search, including in the following areas:*

16 (A) *Promoting the development of tech-*
17 *nology, including software, hardware, and*
18 *microprocessing technology, that will enhance*
19 *competitiveness in the fifth-generation (com-*
20 *monly known as “5G”) and successor wireless*
21 *technology supply chains.*

22 (B) *Accelerating development and deploy-*
23 *ment of open interface standards-based compat-*
24 *ible, interoperable equipment, such as equipment*
25 *developed pursuant to the standards set forth by*

1 *organizations such as the O-RAN Alliance, the*
2 *Telecom Infra Project, 3GPP, the Open-RAN*
3 *Software Community, or any successor organiza-*
4 *tions.*

5 *(C) Promoting compatibility of new 5G*
6 *equipment with future open standards-based,*
7 *interoperable equipment.*

8 *(D) Managing integration of multi-vendor*
9 *network environments.*

10 *(E) Objective criteria to define equipment*
11 *as compliant with open standards for multi-ven-*
12 *дор network equipment interoperability.*

13 *(F) Promoting development and inclusion*
14 *of security features enhancing the integrity and*
15 *availability of equipment in multi-vendor net-*
16 *works.*

17 *(G) Promoting the application of network*
18 *function virtualization to facilitate multi-vendor*
19 *interoperability and a more diverse vendor mar-*
20 *ket.*

21 *(4) NONDUPLICATION OF RESEARCH.—To the*
22 *greatest extent practicable, the NTIA Administrator*
23 *shall ensure that any research funded by a grant*
24 *awarded under this subsection avoids duplication of*
25 *other Federal or private sector research.*

1 (5) *TIMING.*—Not later than 1 year after the
2 date of enactment of this Act, the NTIA Adminis-
3 trator shall begin awarding grants under this sub-
4 section.

5 (6) *FEDERAL ADVISORY BODY.*—

6 (A) *ESTABLISHMENT.*—The NTIA Adminis-
7 trator shall establish a Federal advisory com-
8 mittee, in accordance with the Federal Advisory
9 Committee Act (5 U.S.C. App.), composed of gov-
10 ernment and private sector experts, to advise the
11 NTIA Administrator on the administration of
12 the R&D Fund.

13 (B) *COMPOSITION.*—The advisory com-
14 mittee established under subparagraph (A) shall
15 be composed of—

16 (i) representatives from—

17 (I) the Commission;

18 (II) the Department of Defense;

19 (III) the Intelligence Advanced
20 Research Projects Activity of the Office
21 of the Director of National Intelligence;

22 (IV) the National Institute of
23 Standards and Technology;

24 (V) the Department of State;

1 (VI) *the National Science Foun-*
2 *dation; and*

3 (VII) *the Department of Home-*
4 *land Security; and*

5 (ii) *other representatives from the pri-*
6 *vate and public sectors, at the discretion of*
7 *the NTIA Administrator.*

8 (C) *DUTIES.*—*The advisory committee es-*
9 *tablished under subparagraph (A) shall advise*
10 *the NTIA Administrator on technology develop-*
11 *ments to help inform—*

12 (i) *the strategic direction of the R&D*
13 *Fund; and*

14 (ii) *efforts of the Federal Government*
15 *to promote a more secure, diverse, sustain-*
16 *able, and competitive supply chain.*

17 (7) *REPORTS TO CONGRESS.*—

18 (A) *INITIAL REPORT.*—*Not later than 180*
19 *days after the date of enactment of this Act, the*
20 *NTIA Administrator shall submit to the relevant*
21 *committees of Congress a report with—*

22 (i) *additional recommendations on*
23 *promoting the competitiveness and sustain-*
24 *ability of trusted suppliers in the wireless*
25 *supply chain; and*

1 (ii) any additional authorities needed
2 to facilitate the timely adoption of open
3 standards-based equipment, including au-
4 thority to provide loans, loan guarantees,
5 and other forms of credit extension that
6 would maximize the use of designated funds.

7 (B) ANNUAL REPORT.—For each fiscal year
8 for which amounts in the R&D Fund are avail-
9 able under this subsection, the NTIA Adminis-
10 trator shall submit to Congress a report that—

11 (i) describes how, and to whom,
12 amounts in the R&D Fund have been de-
13 ployed;

14 (ii) details the progress of the NTIA
15 Administrator in meeting the objectives de-
16 scribed in paragraph (3); and

17 (iii) includes any additional informa-
18 tion that the NTIA Administrator deter-
19 mines appropriate.

20 (c) MULTILATERAL TELECOMMUNICATIONS SECURITY
21 FUND.—

22 (1) ESTABLISHMENT OF FUND.—

23 (A) IN GENERAL.—There is established in
24 the Treasury of the United States a trust fund

1 to be known as the “Multilateral Telecommuni-
2 cations Security Fund”.

3 (B) *USE OF FUND.*—Amounts deposited in
4 the Multilateral Telecommunications Security
5 Fund shall be available to the Secretary of State
6 to make expenditures under this subsection in
7 such amounts as the Secretary of State deter-
8 mines appropriate.

9 (C) *AVAILABILITY.*—

10 (i) *IN GENERAL.*—Amounts deposited
11 in the Multilateral Telecommunications Se-
12 curity Fund—

13 (I) shall remain available through
14 the end of the tenth fiscal year begin-
15 ning after the date of enactment of this
16 Act; and

17 (II) may only be allocated upon
18 the Secretary of State reaching an
19 agreement with foreign government
20 partners to participate in the common
21 funding mechanism described in para-
22 graph (2).

23 (ii) *REMAINDER TO TREASURY.*—Any
24 amounts remaining in the Multilateral
25 Telecommunications Security Fund after

1 *the end of the tenth fiscal year beginning*
2 *after the date of enactment of this Act shall*
3 *be deposited in the general fund of the*
4 *Treasury.*

5 (2) *ADMINISTRATION OF FUND.*—*The Secretary*
6 *of State, in consultation with the NTIA Adminis-*
7 *trator, the Secretary of Homeland Security, the Sec-*
8 *retary of Defense, the Secretary of the Treasury, the*
9 *Director of National Intelligence, and the Commis-*
10 *sion, shall establish a common funding mechanism, in*
11 *coordination with foreign partners, that uses amounts*
12 *from the Multilateral Telecommunications Security*
13 *Fund to support the development and adoption of se-*
14 *cure and trusted telecommunications technologies.*

15 (3) *ANNUAL REPORT TO CONGRESS.*—*Not later*
16 *than 1 year after the date of enactment of this Act,*
17 *and annually thereafter for each fiscal year during*
18 *which amounts in the Multilateral Telecommuni-*
19 *cations Security Fund are available, the Secretary of*
20 *State shall submit to the relevant committees of Con-*
21 *gress a report on the status and progress of the fund-*
22 *ing mechanism established under paragraph (2), in-*
23 *cluding—*

1 (A) any funding commitments from foreign
2 partners, including each specific amount com-
3 mitted;

4 (B) governing criteria for use of the Multi-
5 lateral Telecommunications Security Fund;

6 (C) an account of—

7 (i) how, and to whom, funds have been
8 deployed;

9 (ii) amounts remaining in the Multi-
10 lateral Telecommunications Security Fund;

11 and

12 (iii) the progress of the Secretary of
13 State in meeting the objective described in
14 paragraph (2); and

15 (D) additional authorities needed to en-
16 hance the effectiveness of the Multilateral Tele-
17 communications Security Fund in achieving the
18 security goals of the United States.

19 **SEC. 1093. PROMOTING UNITED STATES LEADERSHIP IN**
20 **INTERNATIONAL ORGANIZATIONS AND COM-**
21 **MUNICATIONS STANDARDS-SETTING BODIES.**

22 (a) *IN GENERAL.*—The Secretary of State, the Sec-
23 retary of Commerce, and the Chairman of the Commission,
24 or their designees, shall consider how to enhance representa-
25 tion of the United States at international forums that set

1 standards for 5G networks and for future generations of
2 wireless communications networks, including—

3 (1) the International Telecommunication Union
4 (commonly known as “ITU”);

5 (2) the International Organization for Standard-
6 ization (commonly known as “ISO”);

7 (3) the Inter-American Telecommunications
8 Commission (commonly known as “CITEL”); and

9 (4) the voluntary standards organizations that
10 develop protocols for wireless devices and other equip-
11 ment, such as the 3GPP and the Institute of Elec-
12 trical and Electronics Engineers (commonly known
13 as “IEEE”).

14 (b) ANNUAL REPORT.—The Secretary of State, the Sec-
15 retary of Commerce, and the Chairman of the Commission
16 shall jointly submit to the relevant committees of Congress
17 an annual report on the progress made under subsection
18 (a).

19 **Subtitle I—Semiconductor** 20 **Manufacturing Incentives**

21 **SEC. 1094. SEMICONDUCTOR INCENTIVE GRANTS.**

22 (a) DEFINITIONS.—In this section—

23 (1) the term “appropriate committees of Con-
24 gress” means—

1 (A) *the Select Committee on Intelligence, the*
2 *Committee on Commerce, Science, and Transpor-*
3 *tation, the Committee on Foreign Relations, the*
4 *Committee on Armed Services, the Committee on*
5 *Appropriations, the Committee on Banking,*
6 *Housing, and Urban Affairs, and the Committee*
7 *on Homeland Security and Governmental Af-*
8 *airs of the Senate; and*

9 (B) *the Permanent Select Committee on In-*
10 *telligence, the Committee on Energy and Com-*
11 *merce, the Committee on Foreign Affairs, the*
12 *Committee on Armed Services, the Committee on*
13 *Science, Space, and Technology, the Committee*
14 *on Appropriations, the Committee on Financial*
15 *Services, and the Committee on Homeland Secu-*
16 *rity of the House of Representatives;*

17 (2) *the term “covered entity” means a private*
18 *entity, a consortium of private entities, or a consor-*
19 *tium of public and private entities with a dem-*
20 *onstrated ability to construct, expand, or modernize a*
21 *facility relating to the fabrication, assembly, testing,*
22 *advanced packaging, or advanced research and devel-*
23 *opment of semiconductors;*

24 (3) *the term “covered incentive”—*

1 (A) means an incentive offered by a govern-
2 mental entity to a covered entity for the purposes
3 of constructing within the jurisdiction of the gov-
4 ernmental entity, or expanding or modernizing
5 an existing facility within that jurisdiction, a
6 facility described in paragraph (2); and

7 (B) includes any tax incentive (such as an
8 incentive or reduction with respect to employ-
9 ment or payroll taxes or a tax abatement with
10 respect to personal or real property), a work-
11 force-related incentive (including a grant agree-
12 ment relating to workforce training or vocational
13 education), any concession with respect to real
14 property, funding for research and development
15 with respect to semiconductors, and any other
16 incentive determined appropriate by the Sec-
17 retary, in consultation with the Secretary of
18 State;

19 (4) the term “foreign adversary” means any for-
20 eign government or foreign nongovernment person
21 that is engaged in a long-term pattern, or is involved
22 in a serious instance, of conduct that is significantly
23 adverse to—

24 (A) the national security of the United
25 States or an ally of the United States; or

1 (B) *the security and safety of United States*
2 *persons;*

3 (5) *the term “governmental entity” means a*
4 *State or local government;*

5 (6) *the term “Secretary” means the Secretary of*
6 *Commerce; and*

7 (7) *the term “semiconductor” has the meaning*
8 *given the term by the Secretary.*

9 (b) *GRANT PROGRAM.—*

10 (1) *IN GENERAL.—The Secretary shall establish*
11 *in the Department of Commerce a program that, in*
12 *accordance with the requirements of this section, pro-*
13 *vides grants to covered entities.*

14 (2) *PROCEDURE.—*

15 (A) *IN GENERAL.—A covered entity shall*
16 *submit to the Secretary an application that de-*
17 *scribes the project for which the covered entity is*
18 *seeking a grant under this section.*

19 (B) *ELIGIBILITY.—In order for a covered*
20 *entity to qualify for a grant under this section,*
21 *the covered entity shall demonstrate to the Sec-*
22 *retary, in the application submitted by the cov-*
23 *ered entity under subparagraph (A), that—*

24 (i) *the covered entity has a documented*
25 *interest in constructing, expanding, or mod-*

1 *ernizing a facility described in subsection*
2 *(a)(2); and*

3 *(ii) with respect to the project de-*
4 *scribed in clause (i), the covered entity*
5 *has—*

6 *(I) been offered a covered incen-*
7 *tive;*

8 *(II) made commitments to worker*
9 *and community investment, including*
10 *through—*

11 *(aa) training and education*
12 *benefits paid by the covered enti-*
13 *ty; and*

14 *(bb) programs to expand em-*
15 *ployment opportunity for eco-*
16 *nomically disadvantaged individ-*
17 *uals; and*

18 *(III) secured commitments from*
19 *regional educational and training enti-*
20 *ties and institutions of higher edu-*
21 *cation to provide workforce training,*
22 *including programming for training*
23 *and job placement of economically dis-*
24 *advantaged individuals.*

1 (C) *CONSIDERATIONS FOR REVIEW.*—*With*
2 *respect to the review by the Secretary of an ap-*
3 *plication submitted by a covered entity under*
4 *subparagraph (A)—*

5 (i) *the Secretary may not approve the*
6 *application unless the Secretary—*

7 (I) *confirms that the covered enti-*
8 *ty has satisfied the eligibility criteria*
9 *under subparagraph (B); and*

10 (II) *determines that the project to*
11 *which the application relates is in the*
12 *interest of the United States; and*

13 (ii) *the Secretary may consider wheth-*
14 *er—*

15 (I) *the covered entity has pre-*
16 *viously received a grant made under*
17 *this subsection; and*

18 (II) *the governmental entity offer-*
19 *ing the applicable covered incentive*
20 *has benefitted from a grant previously*
21 *made under this subsection.*

22 (3) *AMOUNT.*—*The amount of a grant made by*
23 *the Secretary to a covered entity under this subsection*
24 *shall be in an amount that is not more than*
25 *\$3,000,000,000.*

1 (4) *USE OF FUNDS.*—*A covered entity that re-*
2 *ceives a grant under this subsection may only use the*
3 *grant amounts to—*

4 (A) *finance the construction, expansion, or*
5 *modernization of a facility described in sub-*
6 *section (a)(2), as documented in the application*
7 *submitted by the covered entity under paragraph*
8 *(2)(A), or for similar uses in state of practice*
9 *and legacy facilities, as determined necessary by*
10 *the Secretary for purposes relating to the na-*
11 *tional security and economic competitiveness of*
12 *the United States;*

13 (B) *support workforce development for the*
14 *facility described in subparagraph (A); or*

15 (C) *support site development for the facility*
16 *described in subparagraph (A).*

17 (5) *CLAWBACK.*—*The Secretary shall recover the*
18 *full amount of a grant provided to a covered entity*
19 *under this subsection if—*

20 (A) *as of the date that is 5 years after the*
21 *date on which the Secretary makes the grant, the*
22 *project to which the grant relates has not been*
23 *completed, except that the Secretary may issue a*
24 *waiver with respect to the requirement under*
25 *this subparagraph if the Secretary determines*

1 *that issuing such a waiver is appropriate and in*
2 *the interests of the United States; or*

3 *(B) during the applicable term with respect*
4 *to the grant, the covered entity engages in any*
5 *joint research or technology licensing effort—*

6 *(i) with the Government of the People’s*
7 *Republic of China, the Government of the*
8 *Russian Federation, the Government of*
9 *Iran, the Government of North Korea, or*
10 *another foreign adversary; and*

11 *(ii) that relates to a sensitive tech-*
12 *nology or product, as determined by the*
13 *Secretary.*

14 *(c) CONSULTATION AND COORDINATION REQUIRED.—*
15 *In carrying out the program established under subsection*
16 *(b), the Secretary shall consult and coordinate with the Sec-*
17 *retary of State and the Secretary of Defense.*

18 *(d) GAO REVIEWS.—The Comptroller General of the*
19 *United States shall—*

20 *(1) not later than 2 years after the date of enact-*
21 *ment of this Act, and biennially thereafter until the*
22 *date that is 10 years after that date of enactment,*
23 *conduct a review of the program established under*
24 *subsection (b), which shall include, at a minimum—*

1 (A) a determination of the number of in-
2 stances in which grants were provided under
3 that subsection during the period covered by the
4 review in violation of a requirement of this sec-
5 tion;

6 (B) an evaluation of how—

7 (i) the program is being carried out,
8 including how recipients of grants are being
9 selected under the program; and

10 (ii) other Federal programs are lever-
11 aged for manufacturing, research, and
12 training to complement the grants awarded
13 under the program; and

14 (C) a description of the outcomes of projects
15 supported by grants made under the program,
16 including a description of—

17 (i) facilities described in subsection
18 (a)(2) that were constructed, expanded, or
19 modernized as a result of grants made
20 under the program;

21 (ii) research and development carried
22 out with grants made under the program;
23 and

24 (iii) workforce training programs car-
25 ried out with grants made under the pro-

1 *gram, including efforts to hire individuals*
2 *from disadvantaged populations; and*

3 *(2) submit to the appropriate committees of Con-*
4 *gress the results of each review conducted under para-*
5 *graph (1).*

6 **SEC. 1095. DEPARTMENT OF DEFENSE.**

7 *(a) DEPARTMENT OF DEFENSE EFFORTS.—*

8 *(1) IN GENERAL.—The Secretary of Defense*
9 *shall, in consultation with the Secretary of Commerce,*
10 *the Secretary of Homeland Security, and the Director*
11 *of National Intelligence, work with the private sector*
12 *through a public-private partnership, including by*
13 *incentivizing the formation of a consortium of United*
14 *States companies, to ensure the development and pro-*
15 *duction of advanced, measurably secure microelec-*
16 *tronics for use by the Department of Defense, the in-*
17 *telligence community, critical infrastructure sectors,*
18 *and other national security applications. Such work*
19 *may include providing incentives for the creation, ex-*
20 *pansion, or modernization of one or more commer-*
21 *cially competitive and sustainable microelectronics*
22 *manufacturing or advanced research and development*
23 *facilities.*

1 (2) *RISK MITIGATION REQUIREMENTS.*—A par-
2 *ticipant in a consortium formed with incentives*
3 *under paragraph (1) shall—*

4 (A) *have the potential to perform fabrica-*
5 *tion, assembly, package, or test functions for*
6 *microelectronics deemed critical to national secu-*
7 *rity as defined by export control regulatory*
8 *agencies in consultation with the National Secu-*
9 *rity Adviser and the Secretary of Defense;*

10 (B) *include management processes to iden-*
11 *tify and mitigate supply chain security risks;*
12 *and*

13 (C) *be able to produce microelectronics con-*
14 *sistent with applicable measurably secure supply*
15 *chain and operational security standards estab-*
16 *lished under section 224(b) of the National De-*
17 *fense Authorization Act for Fiscal Year 2020*
18 *(Public Law 116–92).*

19 (3) *NATIONAL SECURITY CONSIDERATIONS.*—*The*
20 *Secretary of Defense and the Director of National In-*
21 *telligence shall select participants for the consortium*
22 *formed with incentives under paragraph (1). In se-*
23 *lecting such participants, the Secretary and the Di-*
24 *rector may jointly consider whether the United States*
25 *companies—*

1 (A) have participated in previous programs
2 and projects of the Department of Defense, De-
3 partment of Energy, or the intelligence commu-
4 nity, including—

5 (i) the Trusted Integrated Circuit pro-
6 gram of the Intelligence Advanced Research
7 Projects Activity;

8 (ii) trusted and assured microelec-
9 tronics projects, as administered by the De-
10 partment of Defense;

11 (iii) the Electronics Resurgence Initia-
12 tive (ERI) program of the Defense Ad-
13 vanced Research Projects Agency; or

14 (iv) relevant semiconductor research
15 programs of Advanced Research Projects
16 Agency–Energy;

17 (B) have demonstrated an ongoing commit-
18 ment to performing contracts for the Department
19 of Defense and the intelligence community;

20 (C) are approved by the Defense Counter-
21 intelligence and Security Agency or the Office of
22 the Director of National Intelligence as pre-
23 senting an acceptable security risk, taking into
24 account supply chain assurance vulnerabilities,
25 counterintelligence risks, and any risks presented

1 *by companies whose owners are located outside*
2 *the United States; and*

3 *(D) are evaluated periodically for foreign*
4 *ownership, control, or influence by foreign adver-*
5 *saries.*

6 (4) *NONTRADITIONAL DEFENSE CONTRACTORS*
7 *AND COMMERCIAL ENTITIES.*—*Arrangements entered*
8 *into to carry out paragraph (1) shall be in such form*
9 *as the Secretary of Defense determines appropriate to*
10 *encourage industry participation of nontraditional*
11 *defense contractors or commercial entities and may*
12 *include a contract, a grant, a cooperative agreement,*
13 *a commercial agreement, the use of other transaction*
14 *authority under section 2371 of title 10, United*
15 *States Code, or another such arrangement.*

16 (5) *DISCHARGE.*—*The Secretary of Defense shall*
17 *carry out paragraph (1) jointly through the Office of*
18 *the Under Secretary of Defense for Research and En-*
19 *gineering and the Office of the Under Secretary of De-*
20 *fense for Acquisition and Sustainment, or such other*
21 *component of the Department of Defense as the Sec-*
22 *retary considers appropriate.*

23 (6) *OTHER INITIATIVES.*—*The Secretary of De-*
24 *fense shall dedicate initiatives within the Department*
25 *of Defense to advance radio frequency, mixed signal,*

1 *radiation tolerant, and radiation hardened microelec-*
2 *tronics that support national security and dual-use*
3 *applications.*

4 (7) *REPORTS.—*

5 (A) *REPORT BY SECRETARY OF DEFENSE.—*

6 *Not later than 90 days after the date of the en-*
7 *actment of this Act, the Secretary of Defense*
8 *shall submit to Congress a report on the plans of*
9 *the Secretary to carry out paragraph (1).*

10 (B) *BIENNIAL REPORTS BY COMPTROLLER*

11 *GENERAL OF THE UNITED STATES.—Not later*
12 *than 1 year after the date on which the Sec-*
13 *retary submits the report required by subpara-*
14 *graph (A) and not less frequently than once*
15 *every 2 years thereafter for a period of 10 years,*
16 *the Comptroller General of the United States*
17 *shall submit to Congress a report on the activi-*
18 *ties carried out under this subsection.*

19 (b) *DEFENSE PRODUCTION ACT OF 1950 EFFORTS.—*

20 (1) *IN GENERAL.—Not later than 120 days after*
21 *the date of the enactment of this Act, the President*
22 *shall submit to Congress a report on a plan for use*
23 *by the Department of Defense of authorities available*
24 *in title III of the Defense Production Act of 1950 (50*
25 *U.S.C. 4531 et seq.) to establish and enhance a do-*

1 *mestic production capability for microelectronics tech-*
2 *nologies and related technologies, subject to the avail-*
3 *ability of appropriations for that purpose.*

4 (2) *CONSULTATION.*—*The President shall develop*
5 *the plan required by paragraph (1) in coordination*
6 *with the Secretary of Defense, and in consultation*
7 *with the Secretary of State, the Secretary of Com-*
8 *merce, and appropriate stakeholders in the private*
9 *sector.*

10 **SEC. 1096. DEPARTMENT OF COMMERCE STUDY ON STATUS**
11 **OF MICROELECTRONICS TECHNOLOGIES IN**
12 **THE UNITED STATES INDUSTRIAL BASE.**

13 (a) *IN GENERAL.*—*Commencing not later than 120*
14 *days after the date of the enactment of this Act, the Sec-*
15 *retary of Commerce and the Secretary of Homeland Secu-*
16 *rity, in consultation with the Secretary of Defense and the*
17 *heads of other appropriate Federal departments and agen-*
18 *cies, shall undertake a review, which shall include a survey,*
19 *using authorities in section 705 of the Defense Production*
20 *Act (50 U.S.C. 4555), to assess the capabilities of the United*
21 *States industrial base to support the national defense in*
22 *light of the global nature of the supply chain and signifi-*
23 *cant interdependencies between the United States industrial*
24 *base and the industrial base of foreign countries with re-*

1 *spect to the manufacture, design, and end use of microelec-*
2 *tronics.*

3 (b) *RESPONSE TO SURVEY.*—*The Secretary shall en-*
4 *sure compliance with the survey from among all relevant*
5 *potential respondents, including the following:*

6 (1) *Corporations, partnerships, associations, or*
7 *any other organized groups domiciled and with sub-*
8 *stantial operations in the United States.*

9 (2) *Corporations, partnerships, associations, or*
10 *any other organized groups domiciled in the United*
11 *States with operations outside the United States.*

12 (3) *Foreign domiciled corporations, partner-*
13 *ships, associations, or any other organized groups*
14 *with substantial operations or business presence in, or*
15 *substantial revenues derived from, the United States.*

16 (4) *Foreign domiciled corporations, partner-*
17 *ships, associations, or any other organized groups in*
18 *defense treaty or assistance countries where the pro-*
19 *duction of the entity concerned involves critical tech-*
20 *nologies covered by section 2.*

21 (c) *INFORMATION REQUESTED.*—*The information*
22 *sought from a responding entity pursuant to the survey re-*
23 *quired by subsection (a) shall include, at minimum, infor-*
24 *mation on the following with respect to the manufacture,*
25 *design, or end use of microelectronics by such entity:*

1 (1) *An identification of the geographic scope of*
2 *operations.*

3 (2) *Information on relevant cost structures.*

4 (3) *An identification of types of microelectronics*
5 *development, manufacture, assembly, test, and pack-*
6 *aging equipment in operation at such entity.*

7 (4) *An identification of all relevant intellectual*
8 *property, raw materials, and semi-finished goods and*
9 *components sourced domestically and abroad by such*
10 *entity.*

11 (5) *Specifications of the microelectronics manu-*
12 *factured or designed by such entity, descriptions of*
13 *the end-uses of such microelectronics, and a descrip-*
14 *tion of any technical support provided to end-users of*
15 *such microelectronics by such entity.*

16 (6) *Information on domestic and export market*
17 *sales by such entity.*

18 (7) *Information on the financial performance,*
19 *including income and expenditures, of such entity.*

20 (8) *A list of all foreign and domestic subsidies,*
21 *and any other financial incentives, received by such*
22 *entity in each market in which such entity operates.*

23 (9) *A list of information requests from the Peo-*
24 *ple's Republic of China to such entity, and a descrip-*

1 *tion of the nature of each request and the type of in-*
2 *formation provided.*

3 (10) *Information on any joint ventures, tech-*
4 *nology licensing agreements, and cooperative research*
5 *or production arrangements of such entity.*

6 (11) *A description of efforts by such entity to*
7 *evaluate and control supply chain risks it faces.*

8 (12) *A list and description of any sales, licensing*
9 *agreements, or partnerships between such entity and*
10 *the People's Liberation Army or People's Armed Po-*
11 *lice, including any business relationships with enti-*
12 *ties through which such sales, licensing agreements, or*
13 *partnerships may occur.*

14 (d) *REPORT.—*

15 (1) *IN GENERAL.—The Secretary of Commerce*
16 *shall, in consultation with the Secretary of Defense,*
17 *the Secretary of Homeland Security, and the heads of*
18 *other appropriate Federal departments and agencies,*
19 *submit to Congress a report on the results of the re-*
20 *view required by subsection (a). The report shall in-*
21 *clude the following:*

22 (A) *An assessment of the results of the sur-*
23 *vey.*

24 (B) *A list of critical technology areas im-*
25 *pacted by potential disruptions in production of*

1 *microelectronics, and a detailed description and*
 2 *assessment of the impact of such potential dis-*
 3 *ruptions on such areas.*

4 (C) *A description and assessment of gaps*
 5 *and vulnerabilities in the microelectronics sup-*
 6 *ply chain and the national industrial supply*
 7 *base.*

8 (2) *FORM.*— *The report required by paragraph*
 9 (1) *may be submitted in classified form.*

10 **SEC. 1097. FUNDING FOR DEVELOPMENT AND ADOPTION OF**
 11 **MEASURABLY SECURE MICROELECTRONICS**
 12 **AND MEASURABLY SECURE MICROELEC-**
 13 **TRONICS SUPPLY CHAINS.**

14 (a) *MULTILATERAL MICROELECTRONICS SECURITY*
 15 *FUND.*—

16 (1) *ESTABLISHMENT OF FUND.*—*There is estab-*
 17 *lished in the Treasury of the United States a trust*
 18 *fund, to be known as the “Multilateral Microelec-*
 19 *tronics Security Fund” (in this section referred to as*
 20 *the “Fund”), consisting of such amounts as may be*
 21 *appropriated to such Fund and any amounts that*
 22 *may be credited to the Fund under paragraph (2).*

23 (2) *INVESTMENT OF AMOUNTS.*—

24 (A) *INVESTMENT OF AMOUNTS.*—*The Sec-*
 25 *retary of the Treasury shall invest such portion*

1 *of the Fund as is not required to meet current*
2 *withdrawals in interest-bearing obligations of the*
3 *United States or in obligations guaranteed as to*
4 *both principal and interest by the United States.*

5 *(B) INTEREST AND PROCEEDS.—The inter-*
6 *est on, and the proceeds from the sale or redemp-*
7 *tion of, any obligations held in the Fund shall*
8 *be credited to and form a part of the Fund.*

9 *(3) USE OF FUND.—*

10 *(A) IN GENERAL.—Subject to subparagraph*
11 *(B), amounts in the Fund shall be available, as*
12 *provided in advance in an appropriations Act,*
13 *to the Secretary of State—*

14 *(i) to provide funding through the com-*
15 *mon funding mechanism described in sub-*
16 *section (b)(1) to support the development*
17 *and adoption of measurably secure micro-*
18 *electronics and measurably secure microelec-*
19 *tronics supply chains; and*

20 *(ii) to otherwise carry out this section.*

21 *(B) AVAILABILITY CONTINGENT ON INTER-*
22 *NATIONAL AGREEMENT.—Amounts in the Fund*
23 *shall be available to the Secretary of State on*
24 *and after the date on which the Secretary enters*
25 *into an agreement with the governments of coun-*

1 tries that are partners of the United States to
2 participate in the common funding mechanism
3 under paragraph (1) of subsection (b) and the
4 commitments described in paragraph (2) of that
5 subsection.

6 (4) AVAILABILITY OF AMOUNTS.—

7 (A) IN GENERAL.—Amounts in the Fund
8 shall remain available through the end of the
9 tenth fiscal year beginning after the date of the
10 enactment of this Act.

11 (B) REMAINDER TO TREASURY.—Any
12 amounts remaining in the Fund after the end of
13 the fiscal year described in subparagraph (A)
14 shall be deposited in the general fund of the
15 Treasury.

16 (b) COMMON FUNDING MECHANISM FOR DEVELOP-
17 MENT AND ADOPTION OF MEASURABLY SECURE MICRO-
18 ELECTRONICS AND MEASURABLY SECURE MICROELEC-
19 TRONICS SUPPLY CHAINS.—

20 (1) IN GENERAL.—The Secretary of State, in
21 consultation with the Secretary of Commerce, the Sec-
22 retary of Defense, the Secretary of Homeland Secu-
23 rity, the Secretary of the Treasury, and the Director
24 of National Intelligence, shall seek to establish a com-
25 mon funding mechanism, in coordination with the

1 *governments of countries that are partners of the*
2 *United States, that uses amounts from the Fund, and*
3 *amounts committed by such governments, to support*
4 *the development and adoption of secure microelec-*
5 *tronics and secure microelectronics supply chains, in-*
6 *cluding for use in research and development collabo-*
7 *rations among countries participating in the common*
8 *funding mechanism.*

9 (2) *MUTUAL COMMITMENTS.*—*The Secretary of*
10 *State, in consultation with the United States Trade*
11 *Representative, the Secretary of the Treasury, and the*
12 *Secretary of Commerce, shall seek to negotiate a set*
13 *of mutual commitments with the governments of*
14 *countries that are partners of the United States upon*
15 *which to condition any expenditure of funds pursuant*
16 *to the common funding mechanism described in para-*
17 *graph (1). Such commitments shall, at a minimum—*

18 (A) *establish transparency requirements for*
19 *any subsidies or other financial benefits (includ-*
20 *ing revenue foregone) provided to microelec-*
21 *tronics firms located in or outside such countries;*

22 (B) *establish consistent policies with respect*
23 *to countries that—*

24 (i) *are not participating in the com-*
25 *mon funding mechanism; and*

1 (ii) do not meet transparency require-
2 ments established under subparagraph (A);

3 (C) promote harmonized treatment of
4 microelectronics and verification processes for
5 items being exported to a country considered a
6 national security risk by a country participating
7 in the common funding mechanism;

8 (D) establish consistent policies and com-
9 mon external policies to address nonmarket
10 economies as the behavior of such countries per-
11 tains to microelectronics;

12 (E) align policies on supply chain integrity
13 and microelectronics security, including with re-
14 spect to protection and enforcement of intellec-
15 tual property rights; and

16 (F) promote harmonized foreign direct in-
17 vestment screening measures with respect to
18 microelectronics to align with national and mul-
19 tilateral security priorities.

20 (c) ANNUAL REPORT TO CONGRESS.—Not later than
21 one year after the date of the enactment of this Act, and
22 annually thereafter for each fiscal year during which
23 amounts in the Fund are available under subsection (a)(4),
24 the Secretary of State shall submit to Congress a report on

1 *the status of the implementation of this section that includes*
2 *a description of—*

3 (1) *any commitments made by the governments*
4 *of countries that are partners of the United States to*
5 *providing funding for the common funding mecha-*
6 *nism described in subsection (b)(1) and the specific*
7 *amount so committed;*

8 (2) *the criteria established for expenditure of*
9 *funds through the common funding mechanism;*

10 (3) *how, and to whom, amounts have been ex-*
11 *pended from the Fund;*

12 (4) *amounts remaining in the Fund;*

13 (5) *the progress of the Secretary of State toward*
14 *entering into an agreement with the governments of*
15 *countries that are partners of the United States to*
16 *participate in the common funding mechanism and*
17 *the commitments described in subsection (b)(2); and*

18 (6) *any additional authorities needed to enhance*
19 *the effectiveness of the Fund in achieving the security*
20 *goals of the United States.*

21 **SEC. 1098. ADVANCED SEMICONDUCTOR RESEARCH AND**
22 **DESIGN.**

23 (a) *APPROPRIATE COMMITTEES OF CONGRESS.*— *In*
24 *this section, the term “appropriate committees of Congress”*
25 *means—*

1 (1) *the Committee on Intelligence, the Committee*
2 *on Commerce, Science, and Transportation, the Com-*
3 *mittee on Foreign Relations, the Committee on Armed*
4 *Services, the Committee on Energy and Natural Re-*
5 *sources, the Committee on Appropriations, the Com-*
6 *mittee on Banking, Housing, and Urban Affairs, and*
7 *the Committee on Homeland Security and Govern-*
8 *mental Affairs of the Senate; and*

9 (2) *the Permanent Select Committee on Intel-*
10 *ligence, the Committee on Energy and Commerce, the*
11 *Committee on Foreign Affairs, the Committee on*
12 *Armed Services, the Committee on Science, Space,*
13 *and Technology, the Committee on Financial Serv-*
14 *ices, and the Committee on Homeland Security of the*
15 *House of Representatives.*

16 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
17 *that the leadership of the United States in semiconductor*
18 *technology and innovation is critical to the economic*
19 *growth and national security of the United States.*

20 (c) *SUBCOMMITTEE ON SEMICONDUCTOR LEADER-*
21 *SHIP.—*

22 (1) *ESTABLISHMENT REQUIRED.—The President*
23 *shall establish in the National Science and Tech-*
24 *nology Council a subcommittee on matters relating to*

1 *leadership of the United States in semiconductor tech-*
2 *nology and innovation.*

3 (2) *DUTIES.*—*The duties of the subcommittee es-*
4 *tablished under paragraph (1) are as follows:*

5 (A) *NATIONAL STRATEGY ON SEMICON-*
6 *DUCTOR RESEARCH.*—

7 (i) *DEVELOPMENT.*—*In coordination*
8 *with the Secretary of Defense, the Secretary*
9 *of Energy, the Secretary of State, the Sec-*
10 *retary of Commerce, the Secretary of Home-*
11 *land Security, the Director of the National*
12 *Science Foundation, and the Director of the*
13 *National Institute of Standards and Tech-*
14 *nology and in consultation with the semi-*
15 *conductor industry and academia, develop a*
16 *national strategy on semiconductor re-*
17 *search, development, manufacturing, and*
18 *supply chain security, including guidance*
19 *for the funding of research, and strength-*
20 *ening of the domestic microelectronics work-*
21 *force.*

22 (ii) *REPORTING AND UPDATES.*—*Not*
23 *less frequently than once every 5 years, to*
24 *update the strategy developed under clause*

1 (i) and to submit the revised strategy to the
2 appropriate committees of Congress.

3 (iii) *IMPLEMENTATION.*—*In coordina-*
4 *tion with the Secretary of Defense, the Sec-*
5 *retary of Energy, the Secretary of State, the*
6 *Secretary of Commerce, the Secretary of*
7 *Homeland Security, the Director of the Na-*
8 *tional Science Foundation, and the Director*
9 *of the National Institute of Standards and*
10 *Technology, on an annual basis coordinate*
11 *and recommend each agency’s semicon-*
12 *ductor related research and development*
13 *programs and budgets to ensure consistency*
14 *with the National Semiconductor Strategy.*

15 (B) *FOSTERING COORDINATION OF RE-*
16 *SEARCH AND DEVELOPMENT.*—*To foster the co-*
17 *ordination of semiconductor research and devel-*
18 *opment.*

19 (3) *SUNSET.*—*The subcommittee established*
20 *under paragraph (1) shall terminate on the date that*
21 *is 10 years after the date of enactment of this Act.*

22 (d) *INDUSTRIAL ADVISORY COMMITTEE.*—*The Presi-*
23 *dent shall establish a standing subcommittee of the Presi-*
24 *dent’s Council of Advisors on Science and Technology to*

1 *advise the United States Government on matters relating*
2 *to microelectronics policy.*

3 (e) *NATIONAL SEMICONDUCTOR TECHNOLOGY CEN-*
4 *TER.—*

5 (1) *ESTABLISHMENT.—The Secretary of Com-*
6 *merce shall establish a national semiconductor tech-*
7 *nology center to conduct research and prototyping of*
8 *advanced semiconductor technology to strengthen the*
9 *economic competitiveness and security of the domestic*
10 *supply chain, which will be operated as a public pri-*
11 *rate-sector consortium with participation from the*
12 *private sector, the Department of Defense, the Depart-*
13 *ment of Energy, the Department of Homeland Secu-*
14 *rity, the National Science Foundation, and the Na-*
15 *tional Institute of Standards and Technology*

16 (2) *FUNCTIONS.—The functions of the center es-*
17 *tablished under paragraph (1) shall be as follows:*

18 (A) *To conduct advanced semiconductor*
19 *manufacturing, design research and prototyping*
20 *that strengthens the entire domestic ecosystem*
21 *and is aligned with the National Strategy on*
22 *Semiconductor Research.*

23 (B) *To establish a National Advanced Pack-*
24 *aging Manufacturing Program led by the Na-*
25 *tional Institute of Standards and Technology, in*

1 *coordination with the Center, to strengthen semi-*
2 *conductor advanced test, assembly, and pack-*
3 *aging capability in the domestic ecosystem, and*
4 *which shall coordinate with the Manufacturing*
5 *USA institute established under paragraph (4).*

6 *(C) To establish an investment fund, in*
7 *partnership with the private sector, to support*
8 *startups in the domestic semiconductor eco-*
9 *system.*

10 *(D) To establish a Semiconductor Manufac-*
11 *turing Program through the Director of the Na-*
12 *tional Institute of Standards and Technology to*
13 *enable advances and breakthroughs in measure-*
14 *ment science, standards, material characteriza-*
15 *tion, instrumentation, testing, and manufac-*
16 *turing capabilities that will accelerate the under-*
17 *lying research and development for metrology of*
18 *next generation semiconductors and ensure the*
19 *competitiveness and leadership of the United*
20 *States within this sector.*

21 *(E) To work with the Secretary of Labor,*
22 *the private sector, educational institutions, and*
23 *workforce training entities to develop workforce*
24 *training programs and apprenticeships in ad-*
25 *vanced microelectronic packaging capabilities.*

1 (3) *COMPONENTS.*—*The fund established under*
2 *paragraph (2)(C) shall cover the following:*

3 (A) *Advanced metrology and characteriza-*
4 *tion for manufacturing of microchips using 3*
5 *nanometer transistor processes or more advanced*
6 *processes.*

7 (B) *Metrology for security and supply chain*
8 *verification.*

9 (4) *CREATION OF A MANUFACTURING USA INSTI-*
10 *TUTE.*—*The fund established under paragraph (2)(C)*
11 *may also cover the creation of a Manufacturing USA*
12 *institute described in section 34(d) of the National In-*
13 *stitute of Standards and Technology Act (15 U.S.C.*
14 *278s(d)) that is focused on semiconductor manufac-*
15 *turing. Such institute may emphasize the following:*

16 (A) *Research to support the virtualization*
17 *and automation of maintenance of semicon-*
18 *ductor machinery.*

19 (B) *Development of new advanced test, as-*
20 *sembly and packaging capabilities.*

21 (C) *Developing and deploying educational*
22 *and skills training curricula needed to support*
23 *the industry sector and ensure the U.S. can build*
24 *and maintain a trusted and predictable talent*
25 *pipeline.*

1 (f) *DOMESTIC PRODUCTION REQUIREMENTS.*—The
2 head of any executive agency receiving funding under this
3 section shall develop policies to require domestic production,
4 to the extent possible, for any intellectual property resulting
5 from microelectronics research and development conducted
6 as a result of these funds and domestic control requirements
7 to protect any such intellectual property from foreign adver-
8 saries.

9 **SEC. 1099. PROHIBITION RELATING TO FOREIGN ADVER-**
10 **SARIES.**

11 None of the funds appropriated pursuant to an author-
12 ization in this subtitle may be provided to an entity—

13 (1) under the foreign ownership, control, or in-
14 fluence of the Government of the People’s Republic of
15 China or the Chinese Communist Party, or other for-
16 eign adversary (as defined in section 1091(a)(4)); or

17 (2) determined to have beneficial ownership from
18 foreign individuals subject to the jurisdiction, direc-
19 tion, or influence of foreign adversaries (as so de-
20 fined).

1 **TITLE XI—CIVILIAN PERSONNEL**
2 **MATTERS**

3 **Subtitle A—Department of Defense**
4 **Matters**

5 **SEC. 1101. ENHANCED PAY AUTHORITY FOR CERTAIN AC-**
6 **QUISITION AND TECHNOLOGY POSITIONS IN**
7 **THE DEPARTMENT OF DEFENSE.**

8 (a) *IN GENERAL.*—Subchapter I of chapter 87 of title
9 10, United States Code, is amended by inserting after sec-
10 tion 1701a the following new section:

11 **“§ 1701b. Enhanced pay authority for certain acquisi-**
12 **tion and technology positions**

13 “(a) *IN GENERAL.*—The Secretary of Defense may
14 carry out a program using the pay authority specified in
15 subsection (d) to fix the rate of basic pay for positions de-
16 scribed in subsection (c) in order to assist the Office of the
17 Secretary of Defense and the military departments in at-
18 tracting and retaining high-quality acquisition and tech-
19 nology experts in positions responsible for managing and
20 developing complex, high-cost, technological acquisition ef-
21 forts of the Department of Defense.

22 “(b) *APPROVAL REQUIRED.*—The program may be
23 carried out only with approval as follows:

1 “(1) *Approval of the Under Secretary of Defense*
2 *for Acquisition and Sustainment, in the case of posi-*
3 *tions in the Office of the Secretary of Defense.*

4 “(2) *Approval of the service acquisition executive*
5 *of the military department concerned, in the case of*
6 *positions in a military department.*

7 “(c) *POSITIONS.—The positions described in this sub-*
8 *section are positions that—*

9 “(1) *require expertise of an extremely high level*
10 *in a scientific, technical, professional, or acquisition*
11 *management field; and*

12 “(2) *are critical to the successful accomplishment*
13 *of an important acquisition or technology develop-*
14 *ment mission.*

15 “(d) *RATE OF BASIC PAY.—The pay authority speci-*
16 *fied in this subsection is authority as follows:*

17 “(1) *Authority to fix the rate of basic pay for a*
18 *position at a rate not to exceed 150 percent of the rate*
19 *of basic pay payable for level I of the Executive*
20 *Schedule, upon the approval of the Under Secretary*
21 *of Defense for Acquisition and Sustainment or the*
22 *service acquisition executive concerned, as applicable.*

23 “(2) *Authority to fix the rate of basic pay for a*
24 *position at a rate in excess of 150 percent of the rate*
25 *of basic pay payable for level I of the Executive*

1 *Schedule, upon the approval of the Secretary of De-*
2 *fense.*

3 “(e) *LIMITATIONS.*—

4 “(1) *IN GENERAL.*—*The authority in subsection*
5 *(a) may be used only to the extent necessary to com-*
6 *petitively recruit or retain individuals exceptionally*
7 *well qualified for positions described in subsection (c).*

8 “(2) *NUMBER OF POSITIONS.*—*The authority in*
9 *subsection (a) may not be used with respect to more*
10 *than five positions in the Office of the Secretary of*
11 *Defense and more than five positions in each military*
12 *department at any one time.*

13 “(3) *TERM OF POSITIONS.*—*The authority in*
14 *subsection (a) may be used only for positions having*
15 *terms less than five years.”.*

16 “(b) *CLERICAL AMENDMENT.*—*The table of sections at*
17 *the beginning of subchapter I of chapter 87 of such title*
18 *is amended by inserting after the item relating to section*
19 *1701a the following new item:*

 “1701b. *Enhanced pay authority for certain acquisition and technology posi-*
 tions.”.

20 “(c) *REPEAL OF PILOT PROGRAM.*—

21 “(1) *IN GENERAL.*—*Section 1111 of the National*
22 *Defense Authorization Act for Fiscal Year 2016 (10*
23 *U.S.C. 1701 note) is repealed.*

1 (2) *CONTINUATION OF PAY.*—*The repeal in para-*
2 *graph (1) shall not be interpreted to prohibit the pay-*
3 *ment of basic pay at rates fixed under such section*
4 *1111 before the date of the enactment of this Act for*
5 *positions having terms that continue after that date.*

6 **SEC. 1102. ENHANCED PAY AUTHORITY FOR CERTAIN RE-**
7 **SEARCH AND TECHNOLOGY POSITIONS IN**
8 **THE SCIENCE AND TECHNOLOGY REINVEN-**
9 **TION LABORATORIES OF THE DEPARTMENT**
10 **OF DEFENSE.**

11 (a) *IN GENERAL.*—*Chapter 139 of title 10, United*
12 *States Code, is amended by inserting after section 2358b*
13 *the following new section:*

14 **“§ 2358c. Enhanced pay authority for certain research**
15 **and technology positions in science and**
16 **technology reinvention laboratories**

17 “(a) *IN GENERAL.*—*The Secretary of Defense may*
18 *carry out a program using the pay authority specified in*
19 *subsection (d) to fix the rate of basic pay for positions de-*
20 *scribed in subsection (c) in order to assist the military de-*
21 *partments in attracting and retaining high quality acquisi-*
22 *tion and technology experts in positions responsible for*
23 *managing and performing complex, high-cost research and*
24 *technology development efforts in the science and technology*
25 *reinvention laboratories of the Department of Defense.*

1 “(b) *APPROVAL REQUIRED.*—*The program may be*
2 *carried out in a military department only with the ap-*
3 *proval of the service acquisition executive of the military*
4 *department concerned.*

5 “(c) *POSITIONS.*—*The positions described in this sub-*
6 *section are positions in the science and technology reinven-*
7 *tion laboratories of the Department of Defense that—*

8 “(1) *require expertise of an extremely high level*
9 *in a scientific, technical, professional, or acquisition*
10 *management field; and*

11 “(2) *are critical to the successful accomplishment*
12 *of an important research or technology development*
13 *mission.*

14 “(d) *RATE OF BASIC PAY.*—*The pay authority speci-*
15 *fied in this subsection is authority as follows:*

16 “(1) *Authority to fix the rate of basic pay for a*
17 *position at a rate not to exceed 150 percent of the rate*
18 *of basic pay payable for level I of the Executive*
19 *Schedule, upon the approval of the service acquisition*
20 *executive concerned.*

21 “(2) *Authority to fix the rate of basic pay for a*
22 *position at a rate in excess of 150 percent of the rate*
23 *of basic pay payable for level I of the Executive*
24 *Schedule, upon the approval of the Secretary of the*
25 *military department concerned.*

1 “(e) *LIMITATIONS.*—

2 “(1) *IN GENERAL.*—*The authority in subsection*
3 *(a) may be used only to the extent necessary to com-*
4 *petitively recruit or retain individuals exceptionally*
5 *well qualified for positions described in subsection (c).*

6 “(2) *NUMBER OF POSITIONS.*—*The authority in*
7 *subsection (a) may not be used with respect to more*
8 *than five positions in each military department at*
9 *any one time.*

10 “(3) *TERM OF POSITIONS.*—*The authority in*
11 *subsection (a) may be used only for positions having*
12 *a term of less than five years.*

13 “(f) *SCIENCE AND TECHNOLOGY REINVENTION LAB-*
14 *ORATORIES OF THE DEPARTMENT OF DEFENSE DE-*
15 *FINED.*—*In this section, the term ‘science and technology*
16 *reinvention laboratories of the Department of Defense’*
17 *means the laboratories designated as science and technology*
18 *reinvention laboratories by section 1105(a) of the National*
19 *Defense Authorization Act for Fiscal Year 2010 (10 U.S.C.*
20 *2358 note).’.*

21 “(b) *CLERICAL AMENDMENT.*—*The table of sections at*
22 *the beginning of chapter 139 of such title is amended by*
23 *inserting after the item relating to section 2358b the fol-*
24 *lowing new item:*

 “2358c. *Enhanced pay authority for certain research and technology positions in*
 science and technology reinvention laboratories.’.”

1 (c) *REPEAL OF PILOT PROGRAM.*—

2 (1) *IN GENERAL.*—Section 1124 of the National
3 *Defense Authorization Act for Fiscal Year 2017 (Pub-*
4 *lic Law 114–328; 130 Stat. 2456; 10 U.S.C. 2358*
5 *note) is repealed.*

6 (2) *CONTINUATION OF PAY.*—The repeal in para-
7 *graph (1) shall not be interpreted to prohibit the pay-*
8 *ment of basic pay at rates fixed under such section*
9 *1124 before the date of the enactment of this Act for*
10 *positions having terms that continue after that date.*

11 **SEC. 1103. EXTENSION OF ENHANCED APPOINTMENT AND**
12 **COMPENSATION AUTHORITY FOR CIVILIAN**
13 **PERSONNEL FOR CARE AND TREATMENT OF**
14 **WOUNDED AND INJURED MEMBERS OF THE**
15 **ARMED FORCES.**

16 Section 1599c(b) of title 10, United States Code, is
17 amended by striking “December 31, 2020” both places it
18 appears and inserting “December 31, 2025”.

1 **SEC. 1104. EXTENSION OF OVERTIME RATE AUTHORITY FOR**
2 **DEPARTMENT OF THE NAVY EMPLOYEES PER-**
3 **FORMING WORK ABOARD OR DOCKSIDE IN**
4 **SUPPORT OF THE NUCLEAR-POWERED AIR-**
5 **CRAFT CARRIER FORWARD DEPLOYED IN**
6 **JAPAN.**

7 *Section 5542(a)(6)(B) of title 5, United States Code,*
8 *is amended by striking “September 30, 2021” and inserting*
9 *“September 30, 2023”.*

10 **SEC. 1105. EXPANSION OF DIRECT HIRE AUTHORITY FOR**
11 **CERTAIN DEPARTMENT OF DEFENSE PER-**
12 **SONNEL TO INCLUDE INSTALLATION MILI-**
13 **TARY HOUSING OFFICE POSITIONS SUPER-**
14 **VISING PRIVATIZED MILITARY HOUSING.**

15 *Section 9905(a) of title 5, United States Code, is*
16 *amended by adding at the end the following new paragraph:*

17 *“(11) Any position in the military housing office*
18 *of a military installation whose primary function is*
19 *supervision of military housing covered by subchapter*
20 *IV of chapter 169 of title 10.”.*

1 **SEC. 1106. EXTENSION OF SUNSET OF INAPPLICABILITY OF**
2 **CERTIFICATION OF EXECUTIVE QUALIFICA-**
3 **TIONS BY QUALIFICATION CERTIFICATION**
4 **REVIEW BOARD OF OFFICE OF PERSONNEL**
5 **MANAGEMENT FOR INITIAL APPOINTMENTS**
6 **TO SENIOR EXECUTIVE SERVICE POSITIONS**
7 **IN DEPARTMENT OF DEFENSE.**

8 *Section 1109(e) of the John S. McCain National De-*
9 *fense Authorization Act for Fiscal Year 2019 (Public Law*
10 *115–232; 132 Stat. 2010; 5 U.S.C. 3393 note) is amended*
11 *by striking “on the date” and all that follows and inserting*
12 *“on August 13, 2023.”*

13 **SEC. 1107. PILOT PROGRAM ON ENHANCED PAY AUTHORITY**
14 **FOR CERTAIN HIGH-LEVEL MANAGEMENT PO-**
15 **SITIONS IN THE DEPARTMENT OF DEFENSE.**

16 *(a) PILOT PROGRAM AUTHORIZED.—The Secretary of*
17 *Defense may carry out a pilot program to assess the feasi-*
18 *bility and advisability of using the pay authority specified*
19 *in subsection (d) to fix the rate of basic pay for positions*
20 *described in subsection (c) in order to assist the Department*
21 *of Defense in attracting and retaining personnel with sig-*
22 *nificant experience in high-level management of complex or-*
23 *ganizations and enterprise functions in order to lead imple-*
24 *mentation by the Department of the National Defense*
25 *Strategy.*

1 (b) *APPROVAL REQUIRED.*—*The pilot program may be*
2 *carried out only with approval as follows:*

3 (1) *Approval of the Deputy Secretary of Defense,*
4 *in the case of a position not under the authority, di-*
5 *rection, and control of an Under Secretary of Defense*
6 *and not under the authority, direction, and control of*
7 *the Under Secretary of a military department.*

8 (2) *Approval of the applicable Under Secretary*
9 *of Defense, in the case of a position under the author-*
10 *ity, direction, and control of an Under Secretary of*
11 *Defense.*

12 (3) *Approval of the Under Secretary or an As-*
13 *stant Secretary of the military department con-*
14 *cerned, in the case of a position in a military depart-*
15 *ment.*

16 (c) *POSITIONS.*—*The positions described in this sub-*
17 *section are positions that require expertise of an extremely*
18 *high level in innovative leadership and management of en-*
19 *terprise-wide business operations, including financial man-*
20 *agement, health care, supply chain and logistics, informa-*
21 *tion technology, real property stewardship, and human re-*
22 *sources, across a large and complex organization.*

23 (d) *RATE OF BASIC PAY.*—*The pay authority specified*
24 *in this subsection is authority as follows:*

1 (1) *Authority to fix the rate of basic pay for a*
2 *position at a rate not to exceed 150 percent of the rate*
3 *of basic pay payable for level I of the Executive*
4 *Schedule, upon the approval of the applicable official*
5 *under subsection (b).*

6 (2) *Authority to fix the rate of basic pay for a*
7 *position at a rate in excess of 150 percent of the rate*
8 *of basic pay payable for level I of the Executive*
9 *Schedule, upon the approval of the Secretary of De-*
10 *fense.*

11 (e) *LIMITATIONS.—*

12 (1) *IN GENERAL.—The authority in subsection*
13 *(a) may be used only to the extent necessary to com-*
14 *petitively recruit or retain individuals exceptionally*
15 *well qualified for positions described in subsection (c).*

16 (2) *NUMBER OF POSITIONS.—The authority in*
17 *subsection (a) may not be used with respect to—*

18 (A) *more than 10 positions in the Office of*
19 *the Secretary of Defense and components of the*
20 *Department of Defense other than the military*
21 *departments at any one time; and*

22 (B) *more than five positions in each mili-*
23 *tary department at any one time.*

1 (3) *TERM OF POSITIONS.*—*The authority in sub-*
2 *section (a) may be used only for positions having*
3 *terms less than five years.*

4 (4) *PAST SERVICE.*—*An individual may not be*
5 *appointed to a position pursuant to the authority*
6 *provided by subsection (a) if the individual separated*
7 *or retired from Federal civil service or service as a*
8 *commissioned officer of an Armed Force on a date*
9 *that is less than five years before the date of such ap-*
10 *pointment of the individual.*

11 (f) *TERMINATION.*—

12 (1) *IN GENERAL.*—*The authority to fix rates of*
13 *basic pay for a position under this section shall ter-*
14 *minate on October 1, 2025.*

15 (2) *CONTINUATION OF PAY.*—*Nothing in para-*
16 *graph (1) shall be construed to prohibit the payment*
17 *after October 1, 2025, of basic pay at rates fixed*
18 *under this section before that date for positions whose*
19 *terms continue after that date.*

20 **SEC. 1108. PILOT PROGRAM ON EXPANDED AUTHORITY FOR**
21 **APPOINTMENT OF RECENTLY RETIRED MEM-**
22 **BERS OF THE ARMED FORCES TO POSITIONS**
23 **IN THE DEPARTMENT OF DEFENSE.**

24 (a) *PILOT PROGRAM REQUIRED.*—*The Secretary of*
25 *Defense shall carry out a pilot program to assess the feasi-*

1 *bility and advisability of expanding the use of the authority*
2 *in section 3326 of title 5, United States Code, to appoint*
3 *retired members of the Armed Forces described in subsection*
4 *(b) of that section to positions in the Department of Defense*
5 *described in subsection (b) of this section.*

6 *(b) POSITIONS.—*

7 *(1) IN GENERAL.—The positions in the Depart-*
8 *ment described in this subsection are positions classi-*
9 *fied at or below GS–13 under the General Schedule*
10 *under subchapter III of chapter 53 of title 5, United*
11 *States Code, or an equivalent level under another*
12 *wage system, in the competitive service—*

13 *(A) to which appointments are authorized*
14 *using Direct Hire Authority or Expedited Hir-*
15 *ing Authority; and*

16 *(B) that have been certified by the Secretary*
17 *of the military department concerned as lacking*
18 *sufficient numbers of potential applicants who*
19 *are not retired members of the Armed Forces.*

20 *(2) LIMITATION ON DELEGATION OF CERTIFI-*
21 *CATION.—The Secretary of a military department*
22 *may not delegate the authority to make a certification*
23 *described in paragraph (1)(B) to an individual in a*
24 *grade lower than colonel, captain in the Navy, or an*

1 *equivalent grade in the Space Force, or an individual*
2 *with an equivalent civilian grade.*

3 (c) *DURATION.*—*The duration of the pilot program*
4 *shall be three years.*

5 (d) *REPORT.*—*Not later than two years after the com-*
6 *mencement of the pilot program, the Secretary of Defense*
7 *shall submit to the congressional defense committees a re-*
8 *port on the pilot program. The report shall include the fol-*
9 *lowing:*

10 (1) *A description of the pilot program, including*
11 *the positions to which appointments are authorized to*
12 *be made under the pilot program and the number of*
13 *retired members appointed to each such position*
14 *under the pilot program.*

15 (2) *Any other matters in connection with the*
16 *pilot program that the Secretary considers appro-*
17 *priate.*

18 **SEC. 1109. DIRECT HIRE AUTHORITY AND RELOCATION IN-**
19 **CENTIVES FOR POSITIONS AT REMOTE LOCA-**
20 **TIONS.**

21 (a) *IN GENERAL.*—*Chapter 81 of title 10, United*
22 *States Code, is amended by adding at the end the following*
23 *new section:*

1 **“§ 1599i. Direct hire authority and relocation incen-**
2 **tives for positions at remote locations**

3 “(a) *DIRECT HIRE AUTHORITY.*—

4 “(1) *IN GENERAL.*—*The Secretary of Defense*
5 *may appoint, without regard to any provision of sub-*
6 *chapter I of chapter 33 of title 5, qualified applicants*
7 *to positions in the competitive service to fill vacancies*
8 *at covered locations.*

9 “(2) *COVERED LOCATIONS.*—*For purposes of this*
10 *section, a covered location is a location for which the*
11 *Secretary has determined that critical hiring needs*
12 *are not being met due to the geographic remoteness or*
13 *isolation or extreme climate conditions of the location.*

14 “(b) *RELOCATION INCENTIVES.*—

15 “(1) *IN GENERAL.*—*An individual appointed to*
16 *a position pursuant to subsection (a) may be paid a*
17 *relocation incentive in connection with the relocation*
18 *of the individual to the location of the position.*

19 “(2) *AMOUNT.*—*The amount of a relocation in-*
20 *centive payable to an individual under this subsection*
21 *may not exceed the amount equal to—*

22 “(A) *25 percent of the annual rate of basic*
23 *pay of the employee for the position concerned as*
24 *of the date on which the service period in such*
25 *position agreed to by the individual under para-*
26 *graph (3) commences; multiplied by*

1 “(B) the number of years (including frac-
2 tions of a year) of such service period (not to ex-
3 ceed four years).

4 “(3) SERVICE AGREEMENT.—To receive a reloca-
5 tion incentive under this subsection, an individual
6 appointed to a position under subsection (a) shall
7 enter into an agreement with the Secretary of Defense
8 to complete a period of service at the covered location.
9 The period of obligated service of the individual at
10 such location under the agreement may not exceed
11 four years. The agreement shall include such repay-
12 ment or alternative employment obligations as the
13 Secretary considers appropriate for failure of the in-
14 dividual to complete the period of obligated service
15 specified in the agreement.

16 “(4) RELATIONSHIP TO OTHER RELOCATION
17 PAY.—A relocation incentive paid to an individual
18 for a relocation under this subsection is in addition
19 to any other relocation incentive or payment payable
20 to the individual for such relocation by law.

21 “(c) SUNSET.—Effective on September 30, 2022, the
22 authority provided under subsection (a) and the authority
23 to provide relocation incentives under subsection (b) shall
24 expire.”.

1 (b) *OUTCOME MEASUREMENTS.*—*The Secretary of De-*
2 *fense shall develop outcome measurements to evaluate the*
3 *effect of the authority provided under subsection (a) of sec-*
4 *tion 1599i of title 10, United States Code, as added by sub-*
5 *section (a), and any relocation incentives provided under*
6 *subsection (b) of such section.*

7 (c) *REPORT REQUIRED.*—

8 (1) *IN GENERAL.*—*Not later than March 1, 2022,*
9 *the Secretary of Defense shall submit to the congress-*
10 *sional defense committees a report on the effect of the*
11 *authority provided under subsection (a) of section*
12 *1599i of title 10, United States Code, as added by*
13 *subsection (a), and any relocation incentives provided*
14 *under subsection (b) of such section.*

15 (2) *ELEMENTS.*—*The report required by para-*
16 *graph (1) shall include the following:*

17 (A) *A description and assessment of the ef-*
18 *fectiveness and achievements of the authority and*
19 *relocation incentives described in paragraph (1),*
20 *including—*

21 (i) *the number of employees hired to*
22 *covered locations described in section*
23 *1599i(a)(2) of title 10, United States Code,*
24 *as added by subsection (a); and*

1 (ii) the cost-per-placement of such em-
2 ployees.

3 (B) A comparison of the effectiveness and
4 use of the authority and relocation incentives de-
5 scribed in paragraph (1) to authorities under
6 title 5, United States Code, used by the Depart-
7 ment of Defense before the date of the enactment
8 of this Act to support hiring at remote or rural
9 locations.

10 (C) An assessment of—

11 (i) the minority community outreach
12 efforts made in using the authority and
13 providing relocation incentives described in
14 paragraph (1); and

15 (ii) participation outcomes.

16 (D) Such other matters as the Secretary
17 considers appropriate.

18 (d) *CLERICAL AMENDMENT.*—The table of sections at
19 the beginning of chapter 81 of title 10, United States Code,
20 is amended by adding at the end the following new item:

“1599i. Direct hire authority and relocation incentives for positions at remote lo-
cations.”.

1 **SEC. 1110. MODIFICATION OF DIRECT HIRE AUTHORITY FOR**
2 **CERTAIN PERSONNEL INVOLVED WITH DE-**
3 **PARTMENT OF DEFENSE MAINTENANCE AC-**
4 **TIVITIES.**

5 *Section 9905(a)(1) of title 5, United States Code, is*
6 *amended by striking “including” and all that follows and*
7 *inserting the following: “including—*

8 *“(A) depot-level maintenance and repair;*

9 *and*

10 *“(B) support functions for such activities.”.*

11 **SEC. 1110A. FIRE FIGHTERS ALTERNATIVE WORK SCHED-**
12 **ULE DEMONSTRATION PROJECT FOR THE**
13 **NAVY REGION MID-ATLANTIC FIRE AND**
14 **EMERGENCY SERVICES.**

15 *(a) IN GENERAL.—Not later than 180 days after the*
16 *date of the enactment of this Act, the Commander, Navy*
17 *Region Mid-Atlantic, shall establish and carry out, for a*
18 *period of not less than five years, a Fire Fighters Alter-*
19 *native Work Schedule demonstration project for the Navy*
20 *Region Mid-Atlantic Fire and Emergency Services. Such*
21 *demonstration project shall provide, with respect to each*
22 *employee of the Navy Region Mid-Atlantic Fire and Emer-*
23 *gency Services, that—*

24 *(1) assignments to tours of duty are scheduled in*
25 *advance over periods of not less than two weeks;*

1 (2) *tours of duty are scheduled using a regularly*
2 *recurring pattern of 48-hour shifts followed by 48 or*
3 *72 consecutive non-work hours, as determined by mu-*
4 *tual agreement between the Commander, Navy Region*
5 *Mid-Atlantic, and the exclusive employee representa-*
6 *tive at each Navy Region Mid-Atlantic installation,*
7 *in such a manner that each employee is regularly*
8 *scheduled for 144-hours in any two-week period;*

9 (3) *for any such employee that is a fire fighter*
10 *working an alternative work schedule, such employee*
11 *shall earn overtime compensation in a manner con-*
12 *sistent with other applicable law and regulation;*

13 (4) *no right shall be established to any form of*
14 *premium pay, including night, Sunday, holiday, or*
15 *hazard duty pay; and*

16 (5) *leave accrual and use shall be consistent with*
17 *other applicable law and regulation.*

18 (b) *REPORT.—Not later than 180 days after the date*
19 *on which the demonstration project under this section ter-*
20 *minates, the Commander, Navy Region Mid-Atlantic, shall*
21 *submit to the Committees on Armed Services of the Senate*
22 *and the House of Representatives a report detailing—*

23 (1) *any financial savings or expenses directly*
24 *and inseparably linked to the demonstration project;*

1 (2) *any intangible quality of life and morale im-*
2 *provements achieved by the demonstration project;*
3 *and*

4 (3) *any adverse impact of the demonstration*
5 *project occurring solely as the result of the transition*
6 *to the demonstration project.*

7 **SEC. 1110B. REPORT BY COMPTROLLER GENERAL OF THE**
8 **UNITED STATES ON DIVERSITY AND INCLU-**
9 **SION WITHIN THE CIVILIAN WORKFORCE OF**
10 **THE DEPARTMENT OF DEFENSE.**

11 (a) *IN GENERAL.*—*Not later than 1 year after enact-*
12 *ment of this act, the Comptroller General of the United*
13 *States shall submit to Congress a report on issues related*
14 *to diversity and inclusion within the civilian workforce of*
15 *the Department of Defense.*

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

18 (1) *A description of the demographic composition*
19 *of the civilian workforce of the Department.*

20 (2) *An assessment of any differences in pro-*
21 *motion outcomes among demographic groups of the ci-*
22 *vilian workforce of the Department.*

23 (3) *An assessment of the extent to which the De-*
24 *partment has identified barriers to diversity in its ci-*
25 *vilian workforce.*

1 **Subtitle B—Government-Wide**
2 **Matters**

3 **SEC. 1111. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
4 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
5 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
6 **FICIAL DUTY IN A COMBAT ZONE.**

7 *Paragraph (2) of section 1603(a) of the Emergency*
8 *Supplemental Appropriations Act for Defense, the Global*
9 *War on Terror, and Hurricane Recovery, 2006 (Public Law*
10 *109–234; 120 Stat. 443), as added by section 1102 of the*
11 *Duncan Hunter National Defense Authorization Act for*
12 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)*
13 *and as most recently amended by section 1104 of the Na-*
14 *tional Defense Authorization Act for Fiscal Year 2020 (Pub-*
15 *lic Law 116–92), is further amended by striking “2021”*
16 *and inserting “2022”.*

17 **SEC. 1112. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
18 **ANNUAL LIMITATION ON PREMIUM PAY AND**
19 **AGGREGATE LIMITATION ON PAY FOR FED-**
20 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
21 **SEAS.**

22 *Subsection (a) of section 1101 of the Duncan Hunter*
23 *National Defense Authorization Act for Fiscal Year 2009*
24 *(Public Law 110–417; 122 Stat. 4615), as most recently*
25 *amended by section 1105 of the National Defense Authoriza-*

1 *tion Act for Fiscal Year 2020 (Public Law 116–92), is fur-*
2 *ther amended by striking “through 2020” and inserting*
3 *“through 2021”.*

4 **SEC. 1113. TECHNICAL AMENDMENTS TO AUTHORITY FOR**
5 **REIMBURSEMENT OF FEDERAL, STATE, AND**
6 **LOCAL INCOME TAXES INCURRED DURING**
7 **TRAVEL, TRANSPORTATION, AND RELOCA-**
8 **TION.**

9 (a) *IN GENERAL.*—Section 5724b(b) of title 5, United
10 States Code, is amended—

11 (1) *by striking “or relocation expenses reim-*
12 *bursed” and inserting “and relocation expenses reim-*
13 *bursed”;* and

14 (2) *by striking “of chapter 41” and inserting “or*
15 *chapter 41”.*

16 (b) *EFFECTIVE DATE.*—The amendments made by sub-
17 section (a) shall take effect on January 1, 2018, imme-
18 diately after the coming into effect of the amendments made
19 by subsection (a) of section 1114 of the National Defense
20 Authorization Act for Fiscal Year 2020 (Public Law 116–
21 92), as provided for in subsection (c) of such section 1114.

1 **TITLE XII—MATTERS RELATING**
2 **TO FOREIGN NATIONS**
3 **Subtitle A—Assistance and**
4 **Training**

5 **SEC. 1201. AUTHORITY TO BUILD CAPACITY FOR ADDI-**
6 **TIONAL OPERATIONS.**

7 *Section 333(a) of title 10, United States Code, is*
8 *amended by adding at the end the following new paragraph:*

9 *“(8) Cyberspace operations.”*

10 **SEC. 1202. AUTHORITY TO BUILD CAPACITY FOR AIR SOV-**
11 **EREIGNTY OPERATIONS.**

12 *Section 333(a) of title 10, United States Code, as*
13 *amended by section 1201, is further amended—*

14 *(1) by redesignating paragraphs (7) and (8) as*
15 *paragraphs (8) and (9), respectively; and*

16 *(2) by inserting after paragraph (6) the fol-*
17 *lowing new paragraph (7):*

18 *“(7) Air sovereignty operations.”*

19 **SEC. 1203. MODIFICATION TO THE INTER-EUROPEAN AIR**
20 **FORCES ACADEMY.**

21 *Section 350(b) of title 10, United States Code, is*
22 *amended by striking “that are” and all that follows through*
23 *the period at the end and inserting “that are—*

24 *“(1) members of the North Atlantic Treaty Orga-*
25 *nization;*

1 “(2) signatories to the Partnership for Peace
2 *Framework Documents*; or

3 “(3)(A) *within the United States Africa Com-*
4 *mand area of responsibility*; and

5 “(B) *eligible for assistance under chapter 5 of*
6 *part II of the Foreign Assistance Act of 1961 (22*
7 *U.S.C. 2347 et seq.)*.”.

8 **SEC. 1204. MODIFICATION TO SUPPORT OF SPECIAL OPER-**
9 **ATIONS FOR IRREGULAR WARFARE.**

10 *Subsection (a) of section 1202 of the National Defense*
11 *Authorization Act for Fiscal Year 2018 (Public Law 115–*
12 *91; 131 Stat. 1639), as most recently amended by section*
13 *1207 of the National Defense Authorization Act for Fiscal*
14 *Year 2020 (Public Law 116–92), is further amended by*
15 *striking “\$10,000,000” and inserting “\$15,000,000”.*

16 **SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY**
17 **TO SUPPORT BORDER SECURITY OPER-**
18 **ATIONS OF CERTAIN FOREIGN COUNTRIES.**

19 *(a) FUNDS AVAILABLE FOR SUPPORT.—Subsection (b)*
20 *of section 1226 of the National Defense Authorization Act*
21 *for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended to*
22 *read as follows:*

23 “(b) *FUNDS AVAILABLE FOR SUPPORT.—Amounts to*
24 *provide support under the authority of subsection (a) may*
25 *be derived only from amounts authorized to be appropriated*

1 *and available for operation and maintenance, Defense-*
2 *wide.”.*

3 (b) *EXTENSION.*—*Subsection (h) of such section is*
4 *amended by striking “December 31, 2021” and inserting*
5 *“December 31, 2023”.*

6 **SEC. 1206. MODIFICATION OF AUTHORITY FOR PARTICIPA-**
7 **TION IN MULTINATIONAL CENTERS OF EX-**
8 **CELLENCE.**

9 (a) *IN GENERAL.*—*Section 344 of title 10, United*
10 *States Code, is amended—*

11 (1) *in the section heading, by striking “multi-*
12 *national military centers of excellence”*
13 *and inserting “multinational centers of ex-*
14 *cellence”;*

15 (2) *by striking “multinational military center of*
16 *excellence” each place it appears and inserting “mul-*
17 *tinational center of excellence”;*

18 (3) *by striking “multinational military centers*
19 *of excellence” each place it appears and inserting*
20 *“multinational centers of excellence”;*

21 (4) *in subsection (b)(1), by inserting “or entered*
22 *into by the Secretary of State,” after “Secretary of*
23 *State,”;*

24 (5) *in subsection (e)—*

1 (A) in the subsection heading, by striking
2 “*MULTINATIONAL MILITARY CENTER OF EXCEL-*
3 *LENCE* ” and inserting “*MULTINATIONAL CEN-*
4 *TER OF EXCELLENCE*”;

5 (B) by redesignating paragraphs (1)
6 through (4) as subparagraphs (A) through (D),
7 respectively, and moving the subparagraphs two
8 ems to the right;

9 (C) in the matter preceding subparagraph
10 (A), as so redesignated, by striking “means an
11 entity” and inserting “means—
12 “(1) an entity”;

13 (D) in subparagraph (D), as so redesign-
14 ated, by striking the period at the end and in-
15 serting “; and”; and

16 (E) by adding at the end the following new
17 paragraph:

18 “(2) *the European Centre of Excellence for Coun-*
19 *tering Hybrid Threats, established in 2017 and lo-*
20 *cated in Helsinki, Finland.*”;

21 (6) by redesignating subsection (e) as subsection
22 (f); and

23 (7) by inserting after subsection (d) the following
24 new subsection (e):

1 “(e) *NOTIFICATION.*—Not later than 30 days before the
 2 date on which the Secretary of Defense authorizes participa-
 3 tion under subsection (a) in a new multinational center of
 4 excellence, the Secretary shall notify the congressional de-
 5 fense committees of such participation.”.

6 (b) *CONFORMING AMENDMENT.*—Title 10, United
 7 States Code, is amended, in the table of sections at the be-
 8 ginning of subchapter V of chapter 16, by striking the item
 9 relating to section 344 and inserting the following:

“344. *Participation in multinational centers of excellence.*”.

10 **SEC. 1207. IMPLEMENTATION OF THE WOMEN, PEACE, AND**
 11 **SECURITY ACT OF 2017.**

12 (a) *IN GENERAL.*—During the period beginning on the
 13 date of the enactment of this Act and ending on September
 14 30, 2025, the Secretary of Defense shall undertake activities
 15 consistent with the Women, Peace, and Security Act of 2017
 16 (Public Law 115–68; 131 Stat. 1202) and with the guid-
 17 ance specified in this section, including—

18 (1) *establishing Department of Defense-wide*
 19 *policies and programs that advance the implementa-*
 20 *tion of that Act, including military doctrine and De-*
 21 *partment-specific and combatant command-specific*
 22 *programs;*

23 (2) *ensuring the Department sufficient personnel*
 24 *to serve as gender advisors, including by hiring and*
 25 *training full-time equivalent personnel, as necessary,*

1 *and establishing roles, responsibilities, and require-*
2 *ments for gender advisors;*

3 *(3) the deliberate integration of gender analysis*
4 *into relevant training for members of the Armed*
5 *Forces across ranks, as described in the Women’s En-*
6 *trepreneurship and Economic Empowerment Act of*
7 *2018 (Public Law 115–428; 132 Stat. 5509); and*

8 *(4) security cooperation activities that further*
9 *the implementation of the Women, Peace, and Secu-*
10 *rity Act of 2017 (Public Law 115–68; 131 Stat.*
11 *1202).*

12 *(b) BUILDING PARTNER DEFENSE INSTITUTION AND*
13 *SECURITY FORCE CAPACITY.—*

14 *(1) INCORPORATION OF GENDER ANALYSIS AND*
15 *PARTICIPATION OF WOMEN INTO SECURITY COOPERA-*
16 *TION ACTIVITIES.—Consistent with the Women, Peace,*
17 *and Security Act of 2017 (Public Law 115–68; 131*
18 *Stat. 1202), the Secretary of Defense, in coordination*
19 *with the Secretary of State, shall seek to incorporate*
20 *gender analysis and participation by women, as ap-*
21 *propriate, into the institutional and national security*
22 *force capacity-building activities of security coopera-*
23 *tion programs carried out under title 10, United*
24 *States Code, including by—*

1 (A) *incorporating gender analysis and*
2 *women, peace, and security priorities, including*
3 *sex-disaggregated data, into educational and*
4 *training materials and programs authorized by*
5 *section 333 of title 10, United States Code;*

6 (B) *advising on the recruitment, employ-*
7 *ment, development, retention, and promotion of*
8 *women in such national security forces, includ-*
9 *ing by—*

10 (i) *identifying existing military career*
11 *opportunities for women;*

12 (ii) *exposing women and girls to ca-*
13 *reers available in such national security*
14 *forces and the skills necessary for such ca-*
15 *reers; and*

16 (iii) *encouraging women’s and girls’*
17 *interest in such careers by highlighting as*
18 *role models women of the United States and*
19 *applicable foreign countries in uniform;*

20 (C) *addressing sexual harassment and abuse*
21 *against women within such national security*
22 *forces;*

23 (D) *integrating gender analysis into secu-*
24 *rity sector policy, planning, and training for*
25 *such national security forces; and*

1 (E) improving infrastructure to address the
2 requirements of women serving in such national
3 security forces, including appropriate equipment
4 for female security and police forces.

5 (2) *BARRIERS AND OPPORTUNITIES.*—Partner
6 country assessments conducted in the course of De-
7 partment security cooperation activities to build the
8 capacity of the national security forces of foreign
9 countries shall include attention to the barriers and
10 opportunities with respect to strengthening recruit-
11 ment, employment, development, retention, and pro-
12 motion of women in the military forces of such part-
13 ner countries.

14 (c) *DEPARTMENT-WIDE POLICIES ON WOMEN, PEACE,*
15 *AND SECURITY.*—Not later than 90 days after the date of
16 the enactment of this Act, the Secretary of Defense shall ini-
17 tiate a process to establish standardized policies described
18 in subsection (a)(1).

19 (d) *FUNDING.*—The Secretary of Defense may use
20 funds authorized to be appropriated in each fiscal year to
21 the Department of Defense for operation and maintenance
22 as specified in the table in section 4301 for carrying out
23 the full implementation of the Women, Peace, and Security
24 Act of 2017 (Public Law 115–68; 131 Stat. 1202) and the
25 guidance on the matters described in paragraphs (1)

1 *through (4) of subsection (a) and subparagraphs (A)*
2 *through (E) of subsection (b)(1).*

3 *(e) ANNUAL REPORT.—Not later than one year after*
4 *the date of the enactment of this Act, and annually there-*
5 *after through 2025, the Secretary of Defense shall submit*
6 *to the appropriate committees of Congress a report on the*
7 *steps the Department has taken to implement the Women,*
8 *Peace, and Security Act of 2017 (Public Law 115–68; 131*
9 *Stat. 1202), including—*

10 *(1) a description of the progress made on each*
11 *matter described in paragraphs (1) through (4) of*
12 *subsection (a) and subparagraphs (A) through (E) of*
13 *subsection (b)(1); and*

14 *(2) an identification of the amounts used for*
15 *such purposes.*

16 *(f) APPROPRIATE COMMITTEES OF CONGRESS DE-*
17 *FINED.—In this section, the term “appropriate committees*
18 *of Congress” means—*

19 *(1) the Committee on Armed Services and the*
20 *Committee on Foreign Relations of the Senate; and*

21 *(2) the Committee on Armed Services and the*
22 *Committee on Foreign Affairs of the House of Rep-*
23 *resentatives.*

1 **SEC. 1208. TED STEVENS CENTER FOR ARCTIC SECURITY**
2 **STUDIES.**

3 (a) *PLAN REQUIRED.*—

4 (1) *IN GENERAL.*—Not later than 90 days after
5 the date of the enactment of this Act, the Secretary of
6 Defense, in coordination with the Secretary of State,
7 shall submit to the congressional defense committees a
8 plan to establish a Department of Defense Regional
9 Center for Security Studies for the Arctic.

10 (2) *ELEMENTS.*—The plan required by para-
11 graph (1) shall include the following:

12 (A) A description of the benefits of estab-
13 lishing such a center, including the manner in
14 which the establishment of such a center would
15 benefit United States and Department interests
16 in the Arctic region.

17 (B) A description of the mission and pur-
18 pose of such a center, including specific policy
19 guidance from the Office of the Secretary of De-
20 fense.

21 (C) An analysis of suitable reporting rela-
22 tionships with the applicable combatant com-
23 mands.

24 (D) An assessment of suitable locations for
25 such a center that are—

1 (i) *in proximity to other academic in-*
2 stitutions that study security implications
3 with respect to the Arctic region;

4 (ii) *in proximity to the designated lead*
5 *for Arctic affairs of the United States*
6 *Northern Command;*

7 (iii) *in proximity to a central hub of*
8 *assigned Arctic-focused Armed Forces so as*
9 *to suitably advance relevant professional de-*
10 *velopment of skills unique to the Arctic re-*
11 *gion; and*

12 (iv) *in a State located outside the con-*
13 *tiguous United States.*

14 (E) *A description of the establishment and*
15 *operational costs of such a center, including*
16 *for—*

17 (i) *military construction for required*
18 *facilities;*

19 (ii) *facility renovation;*

20 (iii) *personnel costs for faculty and*
21 *staff; and*

22 (iv) *other costs the Secretary of Defense*
23 *considers appropriate.*

24 (F) *An evaluation of the existing infrastruc-*
25 *ture, resources, and personnel available at mili-*

1 *tary installations and at universities and other*
2 *academic institutions that could reduce the costs*
3 *described in accordance with subparagraph (E).*

4 *(G) An examination of partnership oppor-*
5 *tunities with United States allies and partners*
6 *for potential collaboration and burden sharing.*

7 *(H) A description of potential courses and*
8 *programs that such a center could carry out, in-*
9 *cluding—*

10 *(i) core, specialized, and advanced*
11 *courses;*

12 *(ii) planning workshops;*

13 *(iii) seminars;*

14 *(iv) confidence-building initiatives;*

15 *and*

16 *(v) academic research.*

17 *(I) A description of any modification to*
18 *title 10, United States Code, necessary for the ef-*
19 *fective operation of such a center.*

20 *(3) FORM.—The plan required by paragraph (1)*
21 *shall be submitted in unclassified form, but may in-*
22 *clude a classified annex.*

23 *(b) ESTABLISHMENT.—*

24 *(1) IN GENERAL.—Not earlier than 30 days after*
25 *the submittal of the plan required by subsection (a),*

1 *and subject to the availability of appropriations, the*
2 *Secretary of Defense may establish and administer a*
3 *Department of Defense Regional Center for Security*
4 *Studies for the Arctic, to be known as the “Ted Ste-*
5 *vens Center for Arctic Security Studies”, for the pur-*
6 *pose described in section 342(a) of title 10, United*
7 *States Code.*

8 (2) *LOCATION.—The Ted Stevens Center for Arc-*
9 *tic Security Studies may be located—*

10 (A) *in proximity to other academic institu-*
11 *tions that study security implications with re-*
12 *spect to the Arctic region;*

13 (B) *in proximity to the designated lead for*
14 *Arctic affairs of the United States Northern*
15 *Command;*

16 (C) *in proximity to a central hub of as-*
17 *signed Arctic-focused Armed Forces so as to suit-*
18 *ably advance relevant professional development*
19 *of skills unique to the Arctic region; and*

20 (D) *in a State located outside the contig-*
21 *uous United States.*

22 **SEC. 1209. FUNCTIONAL CENTER FOR SECURITY STUDIES**
23 **IN IRREGULAR WARFARE.**

24 (a) *REPORT REQUIRED.—*

1 (1) *IN GENERAL.*—Not later than 90 days after
2 the date of the enactment of this Act, the Secretary of
3 Defense, in consultation with the Secretary of State,
4 shall submit to the congressional defense committees a
5 report that assesses the merits and feasibility of estab-
6 lishing and administering a Department of Defense
7 Functional Center for Security Studies in Irregular
8 Warfare.

9 (2) *ELEMENTS.*—The report required by para-
10 graph (1) shall include the following:

11 (A) A description of the benefits to the
12 United States, and the allies and partners of the
13 United States, of establishing such a functional
14 center, including the manner in which the estab-
15 lishment of such a functional center would en-
16 hance and sustain focus on, and advance knowl-
17 edge and understanding of, matters of irregular
18 warfare, including cybersecurity, nonstate actors,
19 information operations, counterterrorism, sta-
20 bility operations, and the hybridization of such
21 matters.

22 (B) A detailed description of the mission
23 and purpose of such a functional center, includ-
24 ing applicable policy guidance from the Office of
25 the Secretary of Defense.

1 (C) *An analysis of appropriate reporting*
2 *and liaison relationships between such a func-*
3 *tional center and—*

4 (i) *the geographic and functional com-*
5 *batant commands;*

6 (ii) *other Department of Defense stake-*
7 *holders; and*

8 (iii) *other government and nongovern-*
9 *ment entities and organizations.*

10 (D) *An enumeration and valuation of cri-*
11 *teria applicable to the determination of a suit-*
12 *able location for such a functional center.*

13 (E) *A description of the establishment and*
14 *operational costs of such a functional center, in-*
15 *cluding for—*

16 (i) *military construction for required*
17 *facilities;*

18 (ii) *facility renovation;*

19 (iii) *personnel costs for faculty and*
20 *staff; and*

21 (iv) *other costs the Secretary of Defense*
22 *considers appropriate.*

23 (F) *An evaluation of the existing infrastruc-*
24 *ture, resources, and personnel available at mili-*
25 *tary installations and at universities and other*

1 *academic and research institutions that could re-*
2 *duce the costs described in subparagraph (E).*

3 *(G) An examination of partnership oppor-*
4 *tunities with United States allies and partners*
5 *for potential collaboration and burden sharing.*

6 *(H) A description of potential courses and*
7 *programs that such a functional center could*
8 *carry out, including—*

9 *(i) core, specialized, and advanced*
10 *courses;*

11 *(ii) planning workshops and structured*
12 *after-action reviews or debriefs;*

13 *(iii) seminars;*

14 *(iv) initiatives on executive develop-*
15 *ment, relationship building, partnership*
16 *outreach, and any other matter the Sec-*
17 *retary of Defense considers appropriate; and*

18 *(v) focused academic research and*
19 *studies in support of Department priorities.*

20 *(I) A description of any modification to*
21 *title 10, United States Code, or any other provi-*
22 *sion of law, necessary for the effective establish-*
23 *ment and administration of such a functional*
24 *center.*

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

4 (b) *ESTABLISHMENT.*—

5 (1) *IN GENERAL.*—*Not earlier than 30 days after*
6 *the submittal of the report required by subsection (a),*
7 *and subject to the availability of appropriated funds,*
8 *the Secretary of Defense may establish and admin-*
9 *ister a Department of Defense Functional Center for*
10 *Security Studies in Irregular Warfare.*

11 (2) *TREATMENT AS A REGIONAL CENTER FOR SE-*
12 *URITY STUDIES.*—*A Department of Defense Func-*
13 *tional Center for Security Studies in Irregular War-*
14 *fare established under paragraph (1) shall be operated*
15 *and administered in the same manner as the Depart-*
16 *ment of Defense Regional Centers for Security Studies*
17 *under section 342 of title 10, United States Code, and*
18 *in accordance with such regulations as the Secretary*
19 *of Defense may prescribe.*

20 (3) *LIMITATION.*—*No other institution or ele-*
21 *ment of the Department may be designated as a De-*
22 *partment of Defense functional center, except by an*
23 *Act of Congress.*

24 (4) *LOCATION.*—*The location of a Department of*
25 *Defense Functional Center for Security Studies in Ir-*

1 *regular Warfare established under paragraph (1)*
2 *shall be selected based on an objective, criteria-driven*
3 *administrative or competitive award process, in ac-*
4 *cordance with which the merits of locating such func-*
5 *tional center in Tempe, Arizona, may be evaluated to-*
6 *gether with other suitable locations.*

7 **SEC. 1210. OPEN TECHNOLOGY FUND.**

8 *(a) SHORT TITLE.—This section may be cited as the*
9 *“Open Technology Fund Authorization Act”.*

10 *(b) FINDINGS.—Congress finds the following:*

11 *(1) The political, economic, and social benefits of*
12 *the internet are important to advancing democracy*
13 *and freedom throughout the world.*

14 *(2) Authoritarian governments are investing bil-*
15 *lions of dollars each year to create, maintain, and ex-*
16 *pend repressive internet censorship and surveillance*
17 *systems to limit free association, control access to in-*
18 *formation, and prevent citizens from exercising their*
19 *rights to free speech.*

20 *(3) Over $\frac{2}{3}$ of the world’s population live in*
21 *countries in which the internet is restricted. Govern-*
22 *ments shut down the internet more than 200 times*
23 *every year.*

24 *(4) Internet censorship and surveillance tech-*
25 *nology is rapidly being exported around the world,*

1 *particularly by the Government of the People’s Re-*
 2 *public of China, enabling widespread abuses by au-*
 3 *thoritarian governments.*

4 (c) *SENSE OF CONGRESS.—It is the sense of Congress*
 5 *that it is in the interest of the United States—*

6 (1) *to promote global internet freedom by coun-*
 7 *tering internet censorship and repressive surveillance;*

8 (2) *to protect the internet as a platform for—*

9 (A) *the free exchange of ideas;*

10 (B) *the promotion of human rights and de-*
 11 *mocracy; and*

12 (C) *the advancement of a free press; and*

13 (3) *to support efforts that prevent the deliberate*
 14 *misuse of the internet to repress individuals from ex-*
 15 *ercising their rights to free speech and association, in-*
 16 *cluding countering the use of such technologies by au-*
 17 *thoritarian regimes.*

18 (d) *ESTABLISHMENT OF THE OPEN TECHNOLOGY*
 19 *FUND.—*

20 (1) *IN GENERAL.—The United States Inter-*
 21 *national Broadcasting Act of 1994 (22 U.S.C. 6201*
 22 *et seq.) is amended by inserting after section 309 the*
 23 *following:*

24 **“SEC. 309A. OPEN TECHNOLOGY FUND.**

25 **“(a) AUTHORITY.—**

1 “(1) *ESTABLISHMENT.*—*There is established a*
2 *grantee entity, to be known as the ‘Open Technology*
3 *Fund’, which shall carry out this section.*

4 “(2) *IN GENERAL.*—*Grants authorized under sec-*
5 *tion 305 shall be available to award annual grants to*
6 *the Open Technology fund for the purpose of—*

7 “(A) *promoting, consistent with United*
8 *States law, unrestricted access to uncensored*
9 *sources of information via the internet; and*

10 “(B) *enabling journalists, including jour-*
11 *nalists employed by or affiliated with the Voice*
12 *of America, Radio Free Europe/Radio Liberty,*
13 *Radio Free Asia, the Middle East Broadcasting*
14 *Networks, the Office of Cuba Broadcasting, or*
15 *any entity funded by or partnering with the*
16 *United States Agency for Global Media to create*
17 *and disseminate news and information con-*
18 *sistent with the purposes, standards, and prin-*
19 *ciples specified in sections 302 and 303.*

20 “(b) *USE OF GRANT FUNDS.*—*The Open Technology*
21 *Fund shall use grant funds received pursuant to subsection*
22 *(a)(2)—*

23 “(1) *to advance freedom of the press and unre-*
24 *stricted access to the internet in repressive environ-*

1 *ments overseas through technology development, rather*
2 *than through media messaging;*

3 *“(2) to research, develop, implement, and main-*
4 *tain—*

5 *“(A) technologies that circumvent techniques*
6 *used by authoritarian governments, nonstate ac-*
7 *tors, and others to block or censor access to the*
8 *internet, including circumvention tools that by-*
9 *pass internet blocking, filtering, and other cen-*
10 *sorship techniques used to limit or block legiti-*
11 *mate access to content and information; and*

12 *“(B) secure communication tools and other*
13 *forms of privacy and security technology that fa-*
14 *facilitate the creation and distribution of news and*
15 *enable audiences to access media content on*
16 *censored websites;*

17 *“(3) to advance internet freedom by supporting*
18 *private and public sector research, development, im-*
19 *plementation, and maintenance of technologies that*
20 *provide secure and uncensored access to the internet*
21 *to counter attempts by authoritarian governments,*
22 *nonstate actors, and others to improperly restrict free-*
23 *dom online;*

24 *“(4) to research and analyze emerging technical*
25 *threats and develop innovative solutions through col-*

1 *laboration with the private and public sectors to*
2 *maintain the technological advantage of the United*
3 *States Government over authoritarian governments,*
4 *nonstate actors, and others;*

5 “(5) to develop, acquire, and distribute requisite
6 *internet freedom technologies and techniques for the*
7 *United States Agency for Global Media, in accordance*
8 *with paragraph (2), and digital security interven-*
9 *tions, to fully enable the creation and distribution of*
10 *digital content between and to all users and regional*
11 *audiences;*

12 “(6) to prioritize programs for countries, the
13 *governments of which restrict freedom of expression*
14 *on the internet, that are important to the national in-*
15 *terest of the United States in accordance with section*
16 *7050(b)(2)(C) of the Department of State, Foreign*
17 *Operations, and Related Programs Appropriations*
18 *Act, 2020 (division G of Public Law 116–94); and*

19 “(7) to carry out any other effort consistent with
20 *the purposes of this Act or press freedom overseas if*
21 *requested or approved by the United States Agency*
22 *for Global Media.*

23 “(c) *METHODOLOGY.*—*In carrying out subsection (b),*
24 *the Open Technology Fund shall—*

1 “(1)(A) support fully open-source tools, code, and
2 components, to the extent practicable, to ensure such
3 supported tools and technologies are as secure, trans-
4 parent, and accessible as possible; and

5 “(B) require that any such tools, components,
6 code, or technology supported by the Open Technology
7 Fund remain fully open-source, to the extent prac-
8 ticable;

9 “(2) support technologies that undergo com-
10 prehensive security audits to ensure that such tech-
11 nologies are secure and have not been compromised in
12 a manner detrimental to the interests of the United
13 States or to individuals or organizations benefitting
14 from programs supported by the Open Technology
15 Fund;

16 “(3) review and periodically update, as nec-
17 essary, security auditing procedures used by the Open
18 Technology Fund to reflect current industry security
19 standards;

20 “(4) establish safeguards to mitigate the use of
21 such supported technologies for illicit purposes;

22 “(5) solicit project proposals through an open,
23 transparent, and competitive application process to
24 attract innovative applications and reduce barriers to
25 entry;

1 “(6)(A) seek input from technical, regional, and
2 subject matter experts from a wide range of relevant
3 disciplines; and

4 “(B) to review, provide feedback, and evaluate
5 proposals to ensure that the most competitive projects
6 are funded;

7 “(7) implement an independent review process,
8 through which proposals are reviewed by such experts
9 to ensure the highest degree of technical review and
10 due diligence;

11 “(8) maximize cooperation with the public and
12 private sectors, foreign allies, and partner countries
13 to maximize efficiencies and eliminate duplication of
14 efforts; and

15 “(9) utilize any other methodology approved by
16 the United States Agency for Global Media in further-
17 ance of the mission of the Open Technology Fund.

18 “(d) GRANT AGREEMENT.—Any grant agreement with,
19 or grants made to, the Open Technology Fund under this
20 section shall be subject to the following limitations and re-
21 strictions:

22 “(1) The headquarters of the Open Technology
23 Fund and its senior administrative and managerial
24 staff shall be located in a location which ensures econ-

1 *omy, operational effectiveness, and accountability to*
2 *the United States Agency for Global Media.*

3 *“(2) Grants awarded under this section shall be*
4 *made pursuant to a grant agreement requiring that—*

5 *“(A) grant funds are only used only activi-*
6 *ties consistent with this section; and*

7 *“(B) failure to comply with such require-*
8 *ment shall result in termination of the grant*
9 *without further fiscal obligation to the United*
10 *States.*

11 *“(3) Each grant agreement under this section*
12 *shall require that each contract entered into by the*
13 *Open Technology Fund specify that all obligations*
14 *are assumed by the grantee and not by the United*
15 *States Government.*

16 *“(4) Each grant agreement under this section*
17 *shall require that any lease agreements entered into*
18 *by the Open Technology Fund shall be, to the max-*
19 *imum extent possible, assignable to the United States*
20 *Government.*

21 *“(5) Administrative and managerial costs for*
22 *operation of the Open Technology Fund—*

23 *“(A) should be kept to a minimum; and*

24 *“(B) to the maximum extent feasible, should*
25 *not exceed the costs that would have been in-*

1 *curred if the Open Technology Fund had been*
2 *operated as a Federal entity rather than as a*
3 *grantee.*

4 “(6) *Grant funds may not be used for any activ-*
5 *ity whose purpose is influencing the passage or defeat*
6 *of legislation considered by Congress.*

7 “(e) *RELATIONSHIP TO THE UNITED STATES AGENCY*
8 *FOR GLOBAL MEDIA.—*

9 “(1) *IN GENERAL.—The Open Technology Fund*
10 *shall be subject to the oversight and governance by the*
11 *United States Agency for Global Media in accordance*
12 *with section 305.*

13 “(2) *ASSISTANCE.—The United States Agency*
14 *for Global Media, its broadcast entities, and the Open*
15 *Technology Fund should render such assistance to*
16 *each other as may be necessary to carry out the pur-*
17 *poses of this section or any other provision under this*
18 *Act.*

19 “(3) *NOT A FEDERAL AGENCY OR INSTRUMEN-*
20 *TALITY.—Nothing in this section may be construed to*
21 *make the Open Technology Fund an agency or instru-*
22 *mentality of the Federal Government.*

23 “(4) *DETAILEES.—Employees of a grantee of the*
24 *United States Agency for Global Media may be de-*
25 *tailed to the Agency, in accordance with the Intergov-*

1 *ernmental Personnel Act of 1970 (42 U.S.C. 4701 et*
2 *seq.) and Federal employees may be detailed to a*
3 *grantee of the United States Agency for Global Media,*
4 *in accordance with such Act.*

5 “(f) *RELATIONSHIP TO OTHER UNITED STATES GOV-*
6 *ERNMENT-FUNDED INTERNET FREEDOM PROGRAMS.—The*
7 *United States Agency for Global Media shall ensure that*
8 *internet freedom research and development projects of the*
9 *Open Technology Fund are deconflicted with internet free-*
10 *dom programs of the Department of State and other rel-*
11 *evant United States Government departments. Agencies*
12 *should still share information and best practices relating*
13 *to the implementation of subsections (b) and (c).*

14 “(g) *REPORTING REQUIREMENTS.—*

15 “(1) *ANNUAL REPORT.—The Open Technology*
16 *Fund shall highlight, in its annual report, internet*
17 *freedom activities, including a comprehensive assess-*
18 *ment of the Open Technology Fund’s activities relat-*
19 *ing to the implementation of subsections (b) and (c),*
20 *which shall include—*

21 “(A) *an assessment of the current state of*
22 *global internet freedom, including—*

23 “(i) *trends in censorship and surveil-*
24 *lance technologies and internet shutdowns;*
25 *and*

1 “(ii) the threats such pose to journal-
2 ists, citizens, and human rights and civil
3 society organizations; and

4 “(B) a description of the technology projects
5 supported by the Open Technology Fund and the
6 associated impact of such projects in the most re-
7 cently completed year, including—

8 “(i) the countries and regions in which
9 such technologies were deployed;

10 “(ii) any associated metrics indicating
11 audience usage of such technologies; and

12 “(iii) future-year technology project
13 initiatives.

14 “(2) ASSESSMENT OF THE EFFECTIVENESS OF
15 THE OPEN TECHNOLOGY FUND.—Not later than 2
16 years after the date of the enactment of this section,
17 the Inspector General of the Department of State and
18 the Foreign Service shall submit a report to the ap-
19 propriate congressional committees that indicates—

20 “(A) whether the Open Technology Fund
21 is—

22 “(i) technically sound;

23 “(ii) cost effective; and

24 “(iii) satisfying the requirements
25 under this section; and

1 “(B) *the extent to which the interests of the*
2 *United States are being served by maintaining*
3 *the work of the Open Technology Fund.*

4 “(h) *AUDIT AUTHORITIES.—*

5 “(1) *IN GENERAL.—Financial transactions of the*
6 *Open Technology Fund that relate to functions car-*
7 *ried out under this section may be audited by the*
8 *Government Accountability Office in accordance with*
9 *such principles and procedures and under such rules*
10 *and regulations as may be prescribed by the Comp-*
11 *troller General of the United States. Any such audit*
12 *shall be conducted at the place or places at which ac-*
13 *counts of the Open Technology Fund are normally*
14 *kept.*

15 “(2) *ACCESS BY GAO.—The Government Ac-*
16 *countability Office shall have access to all books, ac-*
17 *counts, records, reports, files, papers, and property be-*
18 *longing to or in use by the Open Technology Fund*
19 *pertaining to financial transactions as may be nec-*
20 *essary to facilitate an audit. The Government Ac-*
21 *countability Office shall be afforded full facilities for*
22 *verifying transactions with any assets held by deposi-*
23 *tories, fiscal agents, and custodians. All such books,*
24 *accounts, records, reports, files, papers, and property*

1 of the Open Technology Fund shall remain in the pos-
2 session and custody of the Open Technology Fund.

3 “(3) *EXERCISE OF AUTHORITIES.*—Notwith-
4 standing any other provision of law, the Inspector
5 General of the Department of State and the Foreign
6 Service is authorized to exercise the authorities of the
7 Inspector General Act of 1978 with respect to the
8 Open Technology Fund.”.

9 (2) *CONFORMING AMENDMENTS.*—The United
10 States International Broadcasting Act of 1994 is
11 amended—

12 (A) in section 304(d) (22 U.S.C. 6203(d)),
13 by inserting “the Open Technology Fund,” before
14 “the Middle East Broadcasting Networks”;

15 (B) in sections 305(a)(20) and 310(c) (22
16 U.S.C. 6204(a)(20) and 6209(c)), by inserting
17 “the Open Technology Fund,” before “or the
18 Middle East Broadcasting Networks” each place
19 such term appears; and

20 (C) in section 310 (22 U.S.C. 6209), by in-
21 serting “the Open Technology Fund,” before
22 “and the Middle East Broadcasting Networks”
23 each place such term appears.

24 (3) *AUTHORIZATION OF APPROPRIATIONS.*—
25 There is authorized to be appropriated for the Open

1 *Technology Fund, which shall be used to carry out*
2 *section 309A of the United States International*
3 *Broadcasting Act of 1994, as added by paragraph*
4 *(1)—*

5 *(A) \$20,000,000 for fiscal year 2021; and*

6 *(B) \$25,000,000 for fiscal year 2022.*

7 *(e) UNITED STATES ADVISORY COMMISSION ON PUB-*
8 *LIC DIPLOMACY.— Section 1334 of the Foreign Affairs Re-*
9 *form and Restructuring Act of 1998 (22 U.S.C. 6553) is*
10 *amended by striking “October 1, 2020” and inserting “Oc-*
11 *tober 1, 2025”.*

12 ***Subtitle B—Matters Relating to***
13 ***Afghanistan and Pakistan***

14 ***SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY***
15 ***FOR REIMBURSEMENT OF CERTAIN COALI-***
16 ***TION NATIONS FOR SUPPORT PROVIDED TO***
17 ***UNITED STATES MILITARY OPERATIONS.***

18 *(a) EXTENSION.—Subsection (a) of section 1233 of the*
19 *National Defense Authorization Act for Fiscal Year 2008*
20 *(Public Law 110–181; 122 Stat. 393), as most recently*
21 *amended by section 1217 of the National Defense Authoriza-*
22 *tion Act for Fiscal Year 2020 (Public Law 116–92), is fur-*
23 *ther amended by striking “beginning on October 1, 2019,*
24 *and ending on December 31, 2020” and inserting “begin-*

1 *ning on October 1, 2020, and ending on December 31,*
2 *2021”.*

3 *(b) MODIFICATION TO LIMITATION.—Subsection (d)(1)*
4 *of such section is amended—*

5 *(1) by striking “beginning on October 1, 2019,*
6 *and ending on December 31, 2020” and inserting “be-*
7 *ginning on October 1, 2020, and ending on December*
8 *31, 2021”; and*

9 *(2) by striking “\$450,000,000” and inserting*
10 *“\$180,000,000”.*

11 **SEC. 1212. EXTENSION AND MODIFICATION OF COM-**
12 **MANDERS’ EMERGENCY RESPONSE PROGRAM.**

13 *Section 1201 of the National Defense Authorization*
14 *Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.*
15 *1619), as most recently amended by section 1208(a) of the*
16 *National Defense Authorization Act for Fiscal Year 2020*
17 *(Public Law 116–92), is further amended—*

18 *(1) in subsection (a)—*

19 *(A) by striking “December 31, 2020” and*
20 *inserting “December 31, 2021”; and*

21 *(B) by striking “\$2,500,000” and inserting*
22 *“\$2,000,000”;*

23 *(2) in subsection (b), by striking the subsection*
24 *designation and heading and all that follows through*

1 *the period at the end of paragraph (1) and inserting*
2 *the following:*

3 “(b) *QUARTERLY REPORTS.*—

4 “(1) *IN GENERAL.*—*Beginning in fiscal year*
5 *2021, not later than 45 days after the end of each*
6 *quarter fiscal year, the Secretary of Defense shall sub-*
7 *mit to the congressional defense committees a report*
8 *regarding the source of funds and the allocation and*
9 *use of funds during that quarter fiscal year that were*
10 *made available pursuant to the authority provided in*
11 *this section or under any other provision of law for*
12 *the purposes of the program under subsection (a).”;*
13 *and*

14 (3) *in subsection (f), by striking “December 31,*
15 *2020” and inserting “December 31, 2021”.*

16 **SEC. 1213. EXTENSION AND MODIFICATION OF SUPPORT**
17 **FOR RECONCILIATION ACTIVITIES LED BY**
18 **THE GOVERNMENT OF AFGHANISTAN.**

19 (a) *MODIFICATION OF AUTHORITY TO PROVIDE COV-*
20 *ERED SUPPORT.*—*Subsection (a) of section 1218 of the Na-*
21 *tional Defense Authorization Act for Fiscal Year 2020 (Pub-*
22 *lic Law 116–92) is amended—*

23 (1) *by striking the subsection designation and*
24 *heading and all that follows through “The Secretary*
25 *of Defense” and inserting the following:*

1 “(a) *AUTHORITY TO PROVIDE COVERED SUPPORT.*—

2 “(1) *IN GENERAL.*—Subject to paragraph (2), the
3 *Secretary of Defense*”; and

4 (2) *by adding at the end the following new para-*
5 *graph:*

6 “(2) *LIMITATION ON USE OF FUNDS.*—Amounts
7 *authorized to be appropriated or otherwise made*
8 *available for the Department of Defense by this Act*
9 *may not be obligated or expended to provide covered*
10 *support until the date on which the Secretary of De-*
11 *fense submits to the appropriate committees of Con-*
12 *gress the report required by subsection (b).”.*

13 (b) *PARTICIPATION IN RECONCILIATION ACTIVITIES.*—
14 *Such section is further amended—*

15 (1) *by redesignating subsections (i) through (k)*
16 *as subsections (j) through (l), respectively;*

17 (2) *by inserting after subsection (h) the following*
18 *new subsection (i):*

19 “(i) *PARTICIPATION IN RECONCILIATION ACTIVI-*
20 *TIES.*—Covered support may only be used to support a rec-
21 *onciliation activity that—*

22 “(1) *includes the participation of members of the*
23 *Government of Afghanistan; and*

24 “(2) *does not restrict the participation of*
25 *women.”.*

1 (c) *EXTENSION.*—Subsection (k) of such section, as so
 2 redesignated, is amended by striking “December 31, 2020”
 3 and inserting “December 31, 2021”.

4 (d) *EXCLUSIONS FROM COVERED SUPPORT.*—Such
 5 section is further amended in paragraph (2)(B) of sub-
 6 section (l), as so redesignated—

7 (1) in clause (ii), by inserting “, reimbursement
 8 for travel or lodging, and stipends or per diem pay-
 9 ments” before the period at the end; and

10 (2) by adding at the end the following new
 11 clause:

12 “(iii) Any activity involving one or
 13 more members of an organization des-
 14 ignated as a foreign terrorist organization
 15 pursuant to section 219 of the Immigration
 16 and Nationality Act (8 U.S.C. 1189) or an
 17 individual designated as a specially des-
 18 ignated global terrorist pursuant to Execu-
 19 tive Order 13224 (50 U.S.C. 1701 note; re-
 20 lating to blocking property and prohibiting
 21 transactions with persons who commit,
 22 threaten to commit, or support terrorism).”.

23 **SEC. 1214. SENSE OF SENATE ON SPECIAL IMMIGRANT VISA**
 24 **PROGRAM FOR AFGHAN ALLIES.**

25 *It is the sense of the Senate that—*

1 (1) *the special immigrant visa program for Af-*
2 *ghan allies is critical to the mission in Afghanistan*
3 *and the long-term interests of the United States;*

4 (2) *maintaining a robust special immigrant visa*
5 *program for Afghan allies is necessary to support*
6 *United States Government personnel in Afghanistan*
7 *who need translation, interpretation, security, and*
8 *other services;*

9 (3) *Afghan allies routinely risk their lives to as-*
10 *ist United States military and diplomatic personnel;*

11 (4) *honoring the commitments made to Afghan*
12 *allies with respect to the special immigrant visa pro-*
13 *gram is essential to ensuring—*

14 (A) *the continued service and safety of such*
15 *allies; and*

16 (B) *the willingness of other like-minded in-*
17 *dividuals to provide similar services in any fu-*
18 *ture contingency;*

19 (5) *the Afghan Allies Protection Act of 2009 (8*
20 *U.S.C. 1101 note) states that all Government-con-*
21 *trolled processing of applications for special immi-*
22 *grant visas under that Act “should be completed not*
23 *later than 9 months after the date on which an eligi-*
24 *ble alien submits all required materials to complete*
25 *an application for such visa”;*

1 (6) any backlog in processing special immigrant
2 visa applications should be addressed as quickly as
3 possible so as to honor the United States commitment
4 to Afghan allies as soon as possible;

5 (7) failure to process such applications in an ex-
6 peditious manner puts lives at risk and jeopardizes a
7 critical element of support to United States oper-
8 ations in Afghanistan; and

9 (8) to prevent harm to the operations of the
10 United States Government in Afghanistan, additional
11 visas should be made available to principal aliens
12 who are eligible for special immigrant status under
13 that Act.

14 **SEC. 1215. SENSE OF SENATE AND REPORT ON UNITED**
15 **STATES PRESENCE IN AFGHANISTAN.**

16 (a) *SENSE OF THE SENATE.*—It is the sense of the Sen-
17 ate that—

18 (1) the United States and our coalition partners
19 have made progress in the fight against al-Qaeda and
20 ISIS in Afghanistan; however, both groups—

21 (A) maintain an ability to operate in Af-
22 ghanistan;

23 (B) seek to undermine stability in the re-
24 gion; and

1 (C) threaten the security of Afghanistan, the
2 United States, and the allies of the United
3 States;

4 (2) the South Asia strategy correctly emphasizes
5 the importance of a conditions-based United States
6 presence in Afghanistan; therefore, any decision to
7 withdraw the Armed Forces of the United States from
8 Afghanistan should be done in an orderly manner in
9 response to conditions on the ground, and in coordi-
10 nation with the Government of Afghanistan and
11 United States allies and partners in the Resolute
12 Support mission, rather than arbitrary timelines;

13 (3) a precipitous withdrawal of the Armed
14 Forces of the United States and United States diplo-
15 matic and intelligence personnel from Afghanistan
16 without effective, countervailing efforts to secure gains
17 in Afghanistan may allow violent extremist groups to
18 regenerate, threatening the security of the Afghan peo-
19 ple and creating a security vacuum that could desta-
20 bilize the region and provide ample safe haven for ex-
21 tremist groups seeking to conduct external attacks;

22 (4) ongoing diplomatic efforts to secure a peace-
23 ful, negotiated solution to the conflict in Afghanistan
24 are the best path forward for establishing long-term

1 *stability and eliminating the threat posed by extrem-*
2 *ist groups in Afghanistan;*

3 *(5) the United States supports international dip-*
4 *lomatic efforts to facilitate peaceful, negotiated resolu-*
5 *tion to the ongoing conflict in Afghanistan on terms*
6 *that respect the rights of innocent civilians and deny*
7 *safe havens to terrorists; and*

8 *(6) as part of such diplomatic efforts, and as a*
9 *condition to be met prior to withdrawal, the United*
10 *States should seek to secure the release of any United*
11 *States citizens being held against their will in Af-*
12 *ghanistan.*

13 *(b) REPORT.—*

14 *(1) IN GENERAL.—Not later than September 1,*
15 *2020, the Secretary of Defense shall submit to the*
16 *Committees on Armed Services of the Senate and the*
17 *House of Representative a report that includes—*

18 *(A) an assessment of—*

19 *(i) the external threat posed by extrem-*
20 *ist groups operating in Afghanistan to the*
21 *United States homeland and the homelands*
22 *of United States allies;*

23 *(ii) the impact of cessation of United*
24 *States counterterrorism activities on the*

1 *size, strength, and external aims of such*
2 *groups; and*

3 *(iii) the international financial sup-*
4 *port the Afghan National Defense and Secu-*
5 *rity Forces requires in order to maintain*
6 *current operational capabilities, including*
7 *force cohesion and combat effectiveness;*

8 *(B) a plan for the orderly transition of all*
9 *security-related tasks currently undertaken by*
10 *the Armed Forces of the United States in support*
11 *of the Afghan National Defense and Security*
12 *Forces to Afghanistan, including—*

13 *(i) precision targeting of Afghanistan-*
14 *based terrorists;*

15 *(ii) combat-enabler support, such as*
16 *artillery and aviation assets; and*

17 *(iii) noncombat-enabler support, such*
18 *as intelligence, surveillance and reconnais-*
19 *sance, medical evacuation, and contractor*
20 *logistic support; and*

21 *(C) an update on the status of any United*
22 *States citizens detained in Afghanistan, and an*
23 *overview of Administration efforts to secure their*
24 *release.*

1 (2) *FORM.*—*The report required by paragraph*
2 (1) *shall be submitted in unclassified form but may*
3 *contain a classified annex.*

4 ***Subtitle C—Matters Relating to***
5 ***Syria, Iraq, and Iran***

6 ***SEC. 1221. EXTENSION OF AUTHORITY AND LIMITATION ON***
7 ***USE OF FUNDS TO PROVIDE ASSISTANCE TO***
8 ***COUNTER THE ISLAMIC STATE OF IRAQ AND***
9 ***SYRIA.***

10 (a) *EXTENSION.*—*Subsection (a) of section 1236 of the*
11 *Carl Levin and Howard P. “Buck” McKeon National De-*
12 *fense Authorization Act for Fiscal Year 2015 (Public Law*
13 *113–291; 128 Stat. 3558), as most recently amended by sec-*
14 *tion 1233(a) of the John S. McCain National Defense Au-*
15 *thorization Act for Fiscal Year 2019 (Public Law 115–232;*
16 *132 Stat. 2039), is further amended, in the matter pre-*
17 *ceding paragraph (1), by striking “December 31, 2020” and*
18 *inserting “December 31, 2021”.*

19 (b) *FUNDING.*—*Subsection (g) of such section 1236, as*
20 *most recently amended by section 1221 of the National De-*
21 *fense Authorization Act for Fiscal year 2020 (Public Law*
22 *116–92), is amended to read as follows:*

23 “(g) *FUNDING.*—

24 “(1) *IN GENERAL.*—*Of the amounts authorized to*
25 *be appropriated for the Department of Defense for*

1 *Overseas Contingency Operations for fiscal year 2021,*
2 *not more than \$322,500,000 may be used to carry out*
3 *this section.*

4 “(2) *LIMITATION AND REPORT.*—

5 “(A) *IN GENERAL.*—*Of the funds authorized*
6 *to be appropriated under paragraph (1), not*
7 *more than 25 percent may be obligated or ex-*
8 *pended until the date on which the Secretary of*
9 *Defense submits to the appropriate congressional*
10 *committees a report that includes the following:*

11 “(i) *An explanation of the manner in*
12 *which such support aligns with the objec-*
13 *tives contained in the national defense*
14 *strategy.*

15 “(ii) *A description of the manner in*
16 *which such support is synchronized with*
17 *larger whole-of-government funding efforts*
18 *to strengthen the bilateral relationship be-*
19 *tween the United States and Iraq.*

20 “(iii) *A description of—*

21 “(I) *actions taken by the Govern-*
22 *ment of Iraq to assert control over pop-*
23 *ular mobilization forces; and*

1 “(II) the role of popular mobiliza-
2 tion forces in the national security ap-
3 paratus of Iraq.

4 “(iv) A plan to fully transition secu-
5 rity assistance for the Iraqi Security Forces
6 from the Counter-Islamic State of Iraq and
7 Syria Train and Equip Fund to standing
8 security assistance authorities managed by
9 the Defense Security Cooperation Agency
10 and the Department of State by not later
11 than September 30, 2022.

12 “(B) FORM.—The report under subpara-
13 graph (A) shall be submitted in unclassified form
14 but may include a classified annex.”.

15 **SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY**
16 **TO PROVIDE ASSISTANCE TO VETTED SYRIAN**
17 **GROUPS AND INDIVIDUALS.**

18 Section 1209 of the Carl Levin and Howard P. “Buck”
19 McKeon National Defense Authorization Act for Fiscal Year
20 2015 (Public Law 113–291; 127 Stat. 3541), as most re-
21 cently amended by section 1222(a) of the National Defense
22 Authorization Act for Fiscal Year 2020 (Public Law 116–
23 92), is further amended—

1 (1) *in the section heading, by striking “**THE***
2 ***VETTED SYRIAN OPPOSITION” and inserting***
3 *“**VETTED SYRIAN GROUPS AND INDIVIDUALS**”;*

4 (2) *in subsection (a), in the matter preceding*
5 *paragraph (1), by striking “December 31, 2020” and*
6 *inserting “December 31, 2021”;*

7 (3) *by striking subsections (b) and (c);*

8 (4) *by redesignating subsections (d) through (m)*
9 *as subsections (b) through (k), respectively; and*

10 (5) *in paragraph (2) of subsection (b), as so re-*
11 *designated—*

12 (A) *in subparagraph (J)(iii), by redesign-*
13 *ating subclause (I) as subparagraph (M) and*
14 *moving the subparagraph four ems to the left;*

15 (B) *by redesignating subparagraphs (A)*
16 *through (F) and (G) through (J) as subpara-*
17 *graphs (B) through (G) and (I) through (L), re-*
18 *spectively;*

19 (C) *by inserting before subparagraph (B),*
20 *as so redesignated, the following new subpara-*
21 *graph (A):*

22 “(A) *An accounting of the obligation and*
23 *expenditure of authorized funding for the current*
24 *and preceding fiscal year.”;*

1 (D) by inserting after subparagraph (G), as
2 so redesignated, the following new subparagraph
3 (H):

4 “(H) The mechanisms and procedures that
5 will be used to monitor and report to the appro-
6 priate congressional committees and leadership
7 of the Senate and House of Representatives any
8 unauthorized end-use of provided training and
9 equipment or other violations of relevant law by
10 appropriately vetted recipients.”; and

11 (E) by adding at the end the following new
12 subparagraph:

13 “(N) Any other matter the Secretary con-
14 siders appropriate.”.

15 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
16 **TO SUPPORT OPERATIONS AND ACTIVITIES**
17 **OF THE OFFICE OF SECURITY COOPERATION**
18 **IN IRAQ.**

19 (a) *LIMITATION ON AMOUNT.*—Subsection (c) of sec-
20 *tion 1215 of the National Defense Authorization Act for Fis-*
21 *cal Year 2015 (10 U.S.C. 113 note) is amended—*

22 (1) by striking “fiscal year 2020” and inserting
23 “fiscal year 2021”; and

24 (2) by striking “\$30,000,000” and inserting
25 “\$15,000,000”.

1 (b) *SOURCE OF FUNDS.*—Subsection (d) of such section
2 is amended by striking “fiscal year 2020” and inserting
3 “fiscal year 2021”.

4 (c) *ADDITIONAL AUTHORITY.*—Subsection (f) of such
5 section is amended—

6 (1) in paragraph (1), in the matter preceding
7 subparagraph (A), by striking “fiscal year 2019” and
8 inserting “fiscal year 2021”; and

9 (2) in paragraph (3), by striking “the National
10 Defense Authorization Act for Fiscal Year 2020” and
11 inserting “the National Defense Authorization Act for
12 Fiscal Year 2021”.

13 (d) *REPORT.*—Subsection (g)(1) of such section is
14 amended by striking “September 30, 2020” and inserting
15 “March 1, 2021”.

16 (e) *LIMITATION ON AVAILABILITY OF FUNDS.*—Sub-
17 section (h) of such section is amended—

18 (1) in the matter preceding paragraph (1)—

19 (A) by striking “fiscal year 2020” and in-
20 serting “fiscal year 2021”; and

21 (B) by striking “\$20,000,000” and inserting
22 “\$10,000,000”;

23 (2) by striking paragraph (1);

24 (3) by redesignating paragraphs (2) and (3) as
25 paragraphs (1) and (2), respectively;

1 (4) in paragraph (1), as so redesignated, by
 2 striking “The development of a staffing plan” and in-
 3 serting “A progress report with respect to the develop-
 4 ment of a staffing plan”; and

5 (5) in paragraph (2), as so redesignated, by
 6 striking “The initiation” and inserting “A progress
 7 report with respect to the initiation”.

8 ***Subtitle D—Matters Relating to***
 9 ***Europe and the Russian Federation***

10 ***SEC. 1231. EXTENSION OF LIMITATION ON MILITARY CO-***
 11 ***OPERATION BETWEEN THE UNITED STATES***
 12 ***AND THE RUSSIAN FEDERATION.***

13 Section 1232(a) of the National Defense Authorization
 14 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
 15 2488), as most recently amended by section 1231 of the Na-
 16 tional Defense Authorization Act for Fiscal Year 2020 (Pub-
 17 lic Law 116–92), is further amended in the matter pre-
 18 ceding paragraph (1), by striking “, 2019, or 2020” and
 19 inserting “2019, 2020, or 2021”.

20 ***SEC. 1232. PROHIBITION ON AVAILABILITY OF FUNDS RE-***
 21 ***LATING TO SOVEREIGNTY OF THE RUSSIAN***
 22 ***FEDERATION OVER CRIMEA.***

23 (a) *PROHIBITION.*—None of the funds authorized to be
 24 appropriated by this Act for fiscal year 2021 for the De-
 25 partment of Defense may be obligated or expended to, and

1 *the Department may not, implement any activity that rec-*
2 *ognizes the sovereignty of the Russian Federation over Cri-*
3 *mea.*

4 (b) *WAIVER.—The Secretary of Defense, with the con-*
5 *currence of the Secretary of State, may waive the prohibi-*
6 *tion under subsection (a) if the Secretary of Defense—*

7 (1) *determines that a waiver is in the national*
8 *security interest of the United States; and*

9 (2) *on the date on which the waiver is invoked,*
10 *submits a notification of the waiver and a justifica-*
11 *tion of the reason for seeking the waiver to—*

12 (A) *the Committee on Armed Services and*
13 *the Committee on Foreign Relations of the Sen-*
14 *ate; and*

15 (B) *the Committee on Armed Services and*
16 *the Committee on Foreign Affairs of the House*
17 *of Representatives.*

18 **SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SE-**
19 **CURITY ASSISTANCE INITIATIVE.**

20 *Section 1250 of the National Defense Authorization*
21 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*
22 *1068), as most recently amended by section 1244 of the Na-*
23 *tional Defense Authorization Act for Fiscal Year 2020 (Pub-*
24 *lic Law 116–92), is further amended—*

25 (1) *in subsection (c)—*

1 (A) in paragraph (2)(B)—

2 (i) in clause (iv), by striking “; and”
3 and inserting a semicolon;

4 (ii) in clause (v), by striking the pe-
5 riod at the end and inserting a semicolon;
6 and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(vi) transformation of command and
10 control structures and roles in line with
11 North Atlantic Treaty Organization prin-
12 ciples; and

13 “(vii) improvement of human resources
14 management, including to support career
15 management reforms, enhanced social sup-
16 port to military personnel and their fami-
17 lies, and professional military education
18 systems.”; and

19 (B) by amending paragraph (5) to read as
20 follows:

21 “(5) LETHAL ASSISTANCE.—Of the funds avail-
22 able for fiscal year 2021 pursuant to subsection (f)(6),
23 \$125,000,000 shall be available only for lethal assist-
24 ance described in paragraphs (2), (3), (11), (12),
25 (13), and (14) of subsection (b).”;

1 (2) *in subsection (f), by adding at the end the*
2 *following new paragraph:*

3 “(6) *For fiscal year 2021, \$250,000,000.*”; and
4 (3) *in subsection (h), by striking “December 31,*
5 *2022” and inserting “December 31, 2024”.*

6 **SEC. 1234. REPORT ON CAPABILITY AND CAPACITY RE-**
7 **QUIREMENTS OF MILITARY FORCES OF**
8 **UKRAINE AND RESOURCE PLAN FOR SECU-**
9 **RITY ASSISTANCE.**

10 (a) *REPORT.*—*Not later than 180 days after the date*
11 *of the enactment of this Act, the Secretary of Defense and*
12 *the Secretary of State shall jointly submit to the appro-*
13 *priate committees of Congress a report on the capability*
14 *and capacity requirements of the military forces of Ukraine,*
15 *which shall include the following:*

16 (1) *An analysis of the capability gaps and ca-*
17 *capacity shortfalls of the military forces of Ukraine that*
18 *includes—*

19 (A) *an assessment of the requirements of the*
20 *navy of Ukraine to accomplish its assigned mis-*
21 *sions; and*

22 (B) *an assessment of the requirements of the*
23 *air force of Ukraine to accomplish its assigned*
24 *missions.*

1 (2) *An assessment of the relative priority as-*
2 *signed by the Government of Ukraine to addressing*
3 *such capability gaps and capacity shortfalls.*

4 (3) *An assessment of the capability gaps and ca-*
5 *capacity shortfalls that—*

6 (A) *could be addressed in a sufficient and*
7 *timely manner by unilateral efforts of the Gov-*
8 *ernment of Ukraine; and*

9 (B) *are unlikely to be addressed in a suffi-*
10 *cient and timely manner solely through unilat-*
11 *eral efforts.*

12 (4) *An assessment of the capability gaps and ca-*
13 *capacity shortfalls described in paragraph (3)(B) that*
14 *could be addressed in a sufficient and timely manner*
15 *by—*

16 (A) *the Ukraine Security Assistance Initia-*
17 *tive of the Department of Defense;*

18 (B) *Department of Defense security assist-*
19 *ance authorized by section 333 of title 10, United*
20 *States Code;*

21 (C) *the Foreign Military Financing and*
22 *Foreign Military Sales programs of the Depart-*
23 *ment of State; or*

24 (D) *the provision of excess defense articles.*

1 (5) *An assessment of the human resources re-*
2 *quirements of the Office of Defense Cooperation at the*
3 *United States Embassy in Kyiv and any gaps in the*
4 *capacity of such Office of Defense Cooperation to pro-*
5 *vide security assistance to Ukraine.*

6 (6) *Any recommendations the Secretary of De-*
7 *fense and the Secretary of State consider appropriate*
8 *concerning the coordination of security assistance ef-*
9 *forts of the Department of Defense and the Depart-*
10 *ment of State with respect to Ukraine.*

11 (b) *RESOURCE PLAN.*—*Not later than February 15,*
12 *2022, the Secretary of Defense and the Secretary of State*
13 *shall jointly submit to the appropriate committees of Con-*
14 *gress a resource plan for United States security assistance*
15 *with respect to Ukraine, which shall include the following:*

16 (1) *A plan to resource the following initiatives*
17 *and programs with respect to Ukraine in fiscal year*
18 *2023 and the four succeeding fiscal years to meet the*
19 *most critical capability gaps and capacity shortfalls*
20 *of the military forces of Ukraine:*

21 (A) *The Ukraine Security Assistance Initia-*
22 *tive of the Department of Defense.*

23 (B) *Department of Defense security assist-*
24 *ance authorized by section 333 of title 10, United*
25 *States Code.*

1 (C) *The Foreign Military Financing and*
2 *Foreign Military Sales programs of the Depart-*
3 *ment of State.*

4 (D) *The provision of excess defense articles.*

5 (2) *With respect to the navy of Ukraine, the fol-*
6 *lowing:*

7 (A) *A capability development plan, with*
8 *milestones, detailing the manner in which the*
9 *United States will assist the Government of*
10 *Ukraine in meeting the requirements referred to*
11 *in subsection (a)(1)(A).*

12 (B) *A plan for United States cooperation*
13 *with third countries and international organiza-*
14 *tions that have the resources and ability to pro-*
15 *vide immediate assistance to the navy of*
16 *Ukraine while maintaining interoperability with*
17 *United States platforms to the extent feasible.*

18 (C) *A plan to prioritize the provision of ex-*
19 *cess defense articles for the navy of Ukraine to*
20 *the extent practicable during fiscal year 2023*
21 *and the four succeeding fiscal years.*

22 (D) *An assessment of the manner in which*
23 *United States security assistance to the navy of*
24 *Ukraine is in the national security interests of*
25 *the United States.*

1 (3) *With respect to the air force of Ukraine, the*
2 *following:*

3 (A) *A capability development plan, with*
4 *milestones, detailing the manner in which the*
5 *United States will assist the Government of*
6 *Ukraine in meeting the requirements referred to*
7 *in subsection (a)(1)(B).*

8 (B) *A plan for United States cooperation*
9 *with third countries and international organiza-*
10 *tions that have the resources and ability to pro-*
11 *vide immediate assistance to the air force of*
12 *Ukraine while maintaining interoperability with*
13 *United States platforms to the extent feasible.*

14 (C) *A plan to prioritize the provision of ex-*
15 *cess defense articles for the air force of Ukraine*
16 *to the extent practicable during fiscal year 2023*
17 *and the four succeeding fiscal years.*

18 (D) *An assessment of the manner in which*
19 *United States security assistance to the air force*
20 *of Ukraine is in the national security interests*
21 *of the United States.*

22 (4) *An assessment of progress on defense institu-*
23 *tional reforms in Ukraine, including with respect to*
24 *the navy and air force of Ukraine, during fiscal year*

1 2023 and the four succeeding fiscal years that will be
2 essential for—

3 (A) enabling effective use and sustainment
4 of capabilities developed under security assist-
5 ance authorities described in this section;

6 (B) enhancing the defense of the sovereignty
7 and territorial integrity of Ukraine;

8 (C) achieving the stated goal of the Govern-
9 ment of Ukraine of meeting North Atlantic Trea-
10 ty Organization standards; and

11 (D) allowing Ukraine to achieve its full po-
12 tential as a strategic partner of the United
13 States.

14 (c) *FORM.*—The report required by subsection (a) and
15 the resource plan required by subsection (b) shall each be
16 submitted in a classified form with an unclassified sum-
17 mary.

18 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
19 *FINED.*—In this section, the term “appropriate committees
20 of Congress” means—

21 (1) the Committee on Armed Services, the Com-
22 mittee on Foreign Relations, and the Committee on
23 Appropriations of the Senate; and

1 (2) *the Committee on Armed Services, the Com-*
2 *mittee on Foreign Affairs, and the Committee on Ap-*
3 *propriations of the House of Representatives.*

4 **SEC. 1235. SENSE OF SENATE ON NORTH ATLANTIC TREATY**
5 **ORGANIZATION ENHANCED OPPORTUNITIES**
6 **PARTNER STATUS FOR UKRAINE.**

7 *It is the sense of the Senate that—*

8 (1) *the United States should support the designa-*
9 *tion of Ukraine as an enhanced opportunities partner*
10 *as part of the Partnership Interoperability Initiative*
11 *of the North Atlantic Treaty Organization;*

12 (2) *the participation of Ukraine in the enhanced*
13 *opportunities partner program is in the shared secu-*
14 *rity interests of Ukraine, the United States, and the*
15 *North Atlantic Treaty Organization alliance;*

16 (3) *the unique experience, capabilities, and tech-*
17 *nical expertise of Ukraine, especially with respect to*
18 *hybrid warfare, cybersecurity, and foreign*
19 *disinformation, would enable Ukraine to make a posi-*
20 *tive contribution to the North Atlantic Treaty Orga-*
21 *nization alliance through participation in the en-*
22 *hanced opportunities partner program;*

23 (4) *while not a replacement for North Atlantic*
24 *Treaty Organization membership, participation in*
25 *the enhanced opportunities partner program would*

1 *have significant benefits for the security of Ukraine,*
2 *including—*

3 *(A) more regular consultations on security*
4 *matters;*

5 *(B) enhanced access to interoperability pro-*
6 *grams and exercises;*

7 *(C) expanded information sharing; and*

8 *(D) improved coordination of crisis pre-*
9 *paredness and response; and*

10 *(5) progress on defense institutional reforms in*
11 *Ukraine, including defense institutional reforms in-*
12 *tended to align the military forces of Ukraine with*
13 *North Atlantic Treaty Organization standards, re-*
14 *mains essential for—*

15 *(A) a more effective defense of the sov-*
16 *ereignty and territorial integrity of Ukraine;*

17 *(B) allowing Ukraine to achieve its full po-*
18 *tential as a strategic partner of the United*
19 *States; and*

20 *(C) increased cooperation between Ukraine*
21 *and the North Atlantic Treaty Organization.*

1 **SEC. 1236. EXTENSION OF AUTHORITY FOR TRAINING FOR**
2 **EASTERN EUROPEAN NATIONAL SECURITY**
3 **FORCES IN THE COURSE OF MULTILATERAL**
4 **EXERCISES.**

5 *Subsection (h) of section 1251 of the National Defense*
6 *Authorization Act for Fiscal Year 2016 (10 U.S.C. 333*
7 *note), as most recently amended by section 1247 of the Na-*
8 *tional Defense Authorization Act for Fiscal Year 2020 (Pub-*
9 *lic Law 116–92) is further amended—*

10 *(1) in the first sentence, by striking “December*
11 *31, 2021” and inserting “December 31, 2023”; and*

12 *(2) in the second sentence, by striking “the pe-*
13 *riod beginning on October 1, 2015, and ending on De-*
14 *cember 31, 2021” and inserting “the period beginning*
15 *on October 1, 2015, and ending on December 31,*
16 *2023”.*

17 **SEC. 1237. SENSE OF SENATE ON KOSOVO AND THE ROLE**
18 **OF THE KOSOVO FORCE OF THE NORTH AT-**
19 **LANTIC TREATY ORGANIZATION.**

20 *It is the sense of the Senate that—*

21 *(1) normalization of relations between Kosovo*
22 *and Serbia is in the interest of both countries and*
23 *would enhance security and stability in the Western*
24 *Balkans;*

25 *(2) the United States should continue to support*
26 *the diplomatic efforts of Kosovo and Serbia to reach*

1 *a historic agreement to normalize relations between*
2 *the two countries;*

3 *(3) mutual recognition should be a central ele-*
4 *ment of normalization of relations between Kosovo*
5 *and Serbia;*

6 *(4) both Kosovo and Serbia should refrain from*
7 *actions that would make an agreement more difficult*
8 *to achieve;*

9 *(5) the Kosovo Force of the North Atlantic Trea-*
10 *ty Organization continues to play an indispensable*
11 *role in maintaining security and stability, which are*
12 *the essential predicates for the success of the diplo-*
13 *matic efforts of Kosovo and Serbia to achieve normal-*
14 *ization of relations;*

15 *(6) the participation of the United States Armed*
16 *Forces in the Kosovo Force is foundational to the*
17 *credibility and success of mission of the Kosovo Force;*

18 *(7) with the North Atlantic Treaty Organization*
19 *allies and other European partners contributing over*
20 *80 percent of the troops for the mission, the Kosovo*
21 *Force represents a positive example of burden shar-*
22 *ing;*

23 *(8) together with the allies and partners of the*
24 *United States, the United States should—*

1 (A) maintain its commitment to the Kosovo
2 Force; and

3 (B) take all appropriate steps to ensure that
4 the Kosovo Force has the necessary personnel, ca-
5 pabilities, and resources to perform its critical
6 mission; and

7 (9) the United States should continue to support
8 the gradual transition of the Kosovo Security Force to
9 a multi-ethnic army for the Republic of Kosovo that
10 is interoperable with North Atlantic Treaty Organiza-
11 tion members through an inclusive and transparent
12 process that—

13 (A) respects the rights and concerns of all
14 citizens of Kosovo;

15 (B) promotes regional security and sta-
16 bility; and

17 (C) supports the aspirations of Kosovo for
18 eventual full membership in the North Atlantic
19 Treaty Organization.

20 **SEC. 1238. SENSE OF SENATE ON STRATEGIC COMPETITION**
21 **WITH THE RUSSIAN FEDERATION AND RE-**
22 **LATED ACTIVITIES OF THE DEPARTMENT OF**
23 **DEFENSE.**

24 *It is the sense of the Senate that—*

1 (1) *the 2018 National Defense Strategy affirms*
2 *the re-emergence of long-term strategic competition*
3 *with the Russian Federation as a principal priority*
4 *for the Department of Defense that requires sustained*
5 *investment due to the magnitude of the threat posed*
6 *to United States security, prosperity, and alliances*
7 *and partnerships;*

8 (2) *given the continued military modernization*
9 *of the Russian Federation, including the development*
10 *of long-range strike systems and other advanced capa-*
11 *bilities, the United States should prioritize efforts*
12 *within the North Atlantic Treaty Organization to im-*
13 *plement timely measures to ensure that the deterrence*
14 *and defense posture of the North Atlantic Treaty Or-*
15 *ganization remains credible and effective;*

16 (3) *the United States should reaffirm support for*
17 *the open-door policy of the North Atlantic Treaty Or-*
18 *ganization;*

19 (4) *to enhance deterrence against aggression by*
20 *the Russian Federation, the Department of Defense*
21 *should—*

22 (A) *continue—*

23 (i) *to prioritize funding for the Euro-*
24 *pean Deterrence Initiative to address capa-*
25 *bility gaps, capacity shortfalls, and infra-*

1 *structure requirements of the Joint Force in*
2 *Europe;*

3 *(ii) to increase pre-positioned stocks of*
4 *equipment in Europe; and*

5 *(iii) rotational deployments of United*
6 *States forces to Romania and Bulgaria*
7 *while pursuing training opportunities at*
8 *military locations such as Camp Mihail*
9 *Kogalniceanu in Romania and Novo Selo*
10 *Training Area in Bulgaria;*

11 *(B) increase—*

12 *(i) focus and resources to address the*
13 *changing military balance in the Black Sea*
14 *region;*

15 *(ii) the frequency, scale, and scope of*
16 *North Atlantic Treaty Organization and*
17 *other multilateral exercises in the Black Sea*
18 *region, including with the participation of*
19 *Ukraine and Georgia; and*

20 *(iii) presence and activities in the Arc-*
21 *tic, including special operations training*
22 *and naval operations and training;*

23 *(C) maintain robust naval presence at*
24 *Souda Bay, Greece, and pursue opportunities for*

1 *increased United States presence at other loca-*
2 *tions in Greece;*

3 *(D) enhance military-to-military engage-*
4 *ment among Western Balkan countries to pro-*
5 *mote interoperability with the North Atlantic*
6 *Treaty Organization and regional security co-*
7 *operation; and*

8 *(E) expand information sharing, improve*
9 *planning coordination, and increase the fre-*
10 *quency, scale, and scope of exercises with Sweden*
11 *and Finland to deepen interoperability; and*

12 *(5) to counter Russian Federation activities*
13 *short of armed conflict, the Department of Defense*
14 *should—*

15 *(A) integrate with United States inter-*
16 *agency efforts to employ all elements of national*
17 *power to counter Russian Federation hybrid*
18 *warfare; and*

19 *(B) bolster the capabilities of allies and*
20 *partners to counteract Russian Federation coer-*
21 *cion, including through expanded cyber coopera-*
22 *tion and enhanced resilience against*
23 *disinformation and malign influence.*

1 **SEC. 1239. REPORT ON RUSSIAN FEDERATION SUPPORT OF**
2 **RACIALLY AND ETHNICALLY MOTIVATED VIO-**
3 **LENT EXTREMISTS.**

4 (a) *IN GENERAL.*—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of Defense,
6 in consultation with the head of any other relevant Federal
7 department or agency, shall submit to the appropriate com-
8 mittees of Congress a report on Russian Federation support
9 of racially and ethnically motivated violent extremist
10 groups and networks in Europe and the United States, in-
11 cluding such support provided by agents and entities of the
12 Russian Federation acting at the direction or for the benefit
13 of the Government of the Russian Federation.

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

16 (1) A list of each racially or ethnically motivated
17 violent extremist group or network in Europe or the
18 United States known to meet, or suspected of meeting,
19 the following criteria:

20 (A) The group or network has been targeted
21 or recruited by the security services of the Rus-
22 sian Federation.

23 (B) The group or network has received sup-
24 port (including training, disinformation or am-
25 plification on social media platforms, financial
26 support, and any other support) from the Rus-

1 *sian Federation or an agent or entity of the Rus-*
2 *sian Federation acting at the direction or for the*
3 *benefit of the Government of the Russian Federa-*
4 *tion.*

5 (C) *The group—*

6 (i) *has leadership or a base of oper-*
7 *ations located within the Russian Federa-*
8 *tion; and*

9 (ii) *operates or maintains a chapter or*
10 *network of the group in Europe or the*
11 *United States.*

12 (2) *An assessment of the manner in which Rus-*
13 *sian Federation support of such groups or networks*
14 *aligns with the strategic interests of the Russian Fed-*
15 *eration with respect to Europe and the United States.*

16 (3) *An assessment of the role of such groups or*
17 *networks in—*

18 (A) *assisting Russian Federation-backed*
19 *separatist forces in the Donbas region of*
20 *Ukraine; or*

21 (B) *destabilizing security on the Crimean*
22 *peninsula of Ukraine.*

23 (4) *An assessment of the manner in which Rus-*
24 *sian Federation support of such groups or networks*
25 *has—*

1 (A) contributed to the destabilization of se-
2 curity in the Balkans; and

3 (B) threatened the support for the North At-
4 lantic Treaty Organization in Southeastern Eu-
5 rope.

6 (5) A description of any relationship or affili-
7 ation between such groups or networks and
8 ultranationalist or extremist political parties in Eu-
9 rope and the United States, and an assessment of the
10 manner in which the Russian Federation may use
11 such a relationship or affiliation to advance the stra-
12 tegic interests of the Russian Federation.

13 (6) A description of the use by the Russian Fed-
14 eration of social media platforms to support or am-
15 plify the presence or messaging of such groups or net-
16 works, and an assessment of any effort in Europe or
17 the United States to counter such support or amplifi-
18 cation.

19 (7) A description of the legal and political impli-
20 cations of the designation of the Russian Imperial
21 Movement, and members of the leadership of the Rus-
22 sian Imperial Movement, as specially designated glob-
23 al terrorists pursuant to Executive Order 13224 (50
24 U.S.C. 1701 note; relating to blocking property and
25 prohibiting transactions with persons who commit,

1 *threaten to commit, or support terrorism) and the re-*
2 *sponse of the Government of the Russian Federation*
3 *to such designation.*

4 *(8) Recommendations of the Secretary of Defense,*
5 *consistent with a whole-of-government approach to*
6 *countering Russian Federation information warfare*
7 *and malign influence operations—*

8 *(A) to mitigate the security threat posed by*
9 *such groups or networks; and*

10 *(B) to reduce or counter Russian Federation*
11 *support for such groups or networks.*

12 *(c) FORM.—The report required by subsection (a) shall*
13 *be submitted in unclassified form but may include a classi-*
14 *fied annex.*

15 *(d) APPROPRIATE COMMITTEES OF CONGRESS DE-*
16 *FINED.—In this section, the term “appropriate committees*
17 *of Congress” means—*

18 *(1) the Committee on Armed Services, the Com-*
19 *mittee on Foreign Relations, and the Select Com-*
20 *mittee on Intelligence of the Senate; and*

21 *(2) the Committee on Armed Services, the Com-*
22 *mittee on Foreign Affairs, and the Permanent Select*
23 *Committee on Intelligence of the House of Representa-*
24 *tives.*

1 **SEC. 1240. PARTICIPATION IN EUROPEAN PROGRAM ON**
2 **MULTILATERAL EXCHANGE OF SURFACE**
3 **TRANSPORTATION SERVICES.**

4 (a) *IN GENERAL.*—Subchapter II of chapter 138 of
5 title 10, United States Code, is amended by inserting after
6 subsection (l) the following new section 2350m:

7 **“§ 2350m. Participation in European program on mul-**
8 **tilateral exchange of surface transpor-**
9 **tation services**

10 “(a) *PARTICIPATION AUTHORIZED.*—

11 “(1) *IN GENERAL.*—The Secretary of Defense,
12 with the concurrence of the Secretary of State, may
13 authorize the participation of the Department of De-
14 fense in the Surface Exchange of Services program
15 (in this section referred to as the ‘SEOS program’) of
16 the Movement Coordination Centre Europe.

17 “(2) *SCOPE OF PARTICIPATION.*—Participation
18 of the Department of Defense in the SEOS program
19 under paragraph (1) may include—

20 “(A) the reciprocal exchange or transfer of
21 surface transportation on a reimbursable basis
22 or by replacement-in-kind; and

23 “(B) the exchange of surface transportation
24 services of an equal value.

25 “(b) *WRITTEN ARRANGEMENT OR AGREEMENT.*—

1 “(1) *IN GENERAL.*—*Participation of the Department*
2 *of Defense in the SEOS program shall be in ac-*
3 *cordance with a written arrangement or agreement*
4 *entered into by the Secretary of Defense, with the con-*
5 *currence of the Secretary of State, and the Movement*
6 *Coordination Centre Europe.*

7 “(2) *NOTIFICATION.*—*The Secretary of Defense*
8 *shall provide to the congressional defense committees*
9 *notification of any arrangement or agreement entered*
10 *into under paragraph (1).*

11 “(3) *FUNDING ARRANGEMENTS.*—*If Department*
12 *of Defense facilities, equipment, or funds are used to*
13 *support the SEOS program, the written arrangement*
14 *or agreement under paragraph (1) shall specify the*
15 *details of any equitable cost-sharing or other funding*
16 *arrangement.*

17 “(4) *OTHER ELEMENTS.*—*Any written arrange-*
18 *ment or agreement entered into under paragraph (1)*
19 *shall require that any accrued credits or liability re-*
20 *sulting from an unequal exchange or transfer of sur-*
21 *face transportation services shall be liquidated*
22 *through the SEOS program not less than once every*
23 *five years.*

1 “(c) *IMPLEMENTATION.*—*In carrying out any arrange-*
2 *ment or agreement entered into under subsection (b), the*
3 *Secretary of Defense may—*

4 “(1) *pay the equitable share of the Department*
5 *of Defense for the operating expenses of the Movement*
6 *Coordination Centre Europe and the SEOS program*
7 *from funds available to the Department of Defense for*
8 *operation and maintenance; and*

9 “(2) *assign members of the armed forces or De-*
10 *partment of Defense civilian personnel, within billets*
11 *authorized for the United States European Command,*
12 *to duty at the Movement Coordination Centre Europe*
13 *as necessary to fulfill Department of Defense obliga-*
14 *tions under that arrangement or agreement.*

15 “(d) *CREDITING OF RECEIPTS.*—*Any amount received*
16 *by the Department of Defense as part of the SEOS program*
17 *shall be credited, at the option of the Secretary of Defense,*
18 *to—*

19 “(1) *the appropriation, fund, or account used in*
20 *incurring the obligation for which such amount is re-*
21 *ceived; or*

22 “(2) *an appropriate appropriation, fund, or ac-*
23 *count currently available for the purposes for which*
24 *the expenditures were made.*

25 “(e) *ANNUAL REPORT.*—

1 “(1) *IN GENERAL.*—Not later than 30 days after
2 the end of each fiscal year in which the authority
3 under this section is in effect, the Secretary of Defense
4 shall submit to the congressional defense committees a
5 report on Department of Defense participation in the
6 SEOS program during such fiscal year.

7 “(2) *ELEMENTS.*—Each report required by para-
8 graph (1) shall include the following:

9 “(A) A description of the equitable share of
10 the costs and activities of the SEOS program
11 paid by the Department of Defense.

12 “(B) A description of any amount received
13 by the Department of Defense as part of such
14 program, including the country from which the
15 amount was received.

16 “(f) *LIMITATION ON STATUTORY CONSTRUCTION.*—
17 Nothing in this section may be construed to authorize the
18 use of foreign sealift in violation of section 2631.”.

19 (b) *CLERICAL AMENDMENT.*—The table of sections at
20 the beginning of such subchapter is amended by inserting
21 after the item relating to section 2350l the following new
22 item:

 “2350m. Participation in European program on multilateral exchange of surface
 transportation services.”.

1 **SEC. 1241. PARTICIPATION IN PROGRAMS RELATING TO CO-**
 2 **ORDINATION OR EXCHANGE OF AIR REFUEL-**
 3 **ING AND AIR TRANSPORTATION SERVICES.**

4 (a) *IN GENERAL.*—Subchapter II of chapter 138 of
 5 title 10, United States Code, as amended by section 1240(a),
 6 is further amended by adding at the end the following new
 7 section:

8 **“§2350o. Participation in programs relating to co-**
 9 **ordination or exchange of air refueling**
 10 **and air transportation services**

11 *“(a) PARTICIPATION AUTHORIZED.—*

12 *“(1) IN GENERAL.—The Secretary of Defense,*
 13 *with the concurrence of the Secretary of State, may*
 14 *authorize the participation of the Department of De-*
 15 *fense in programs relating to the coordination or ex-*
 16 *change of air refueling and air transportation serv-*
 17 *ices, including in the arrangement known as the Air*
 18 *Transport and Air-to-Air Refueling and other Ex-*
 19 *changes of Services program (in this section referred*
 20 *to as the ‘ATARES program’).*

21 *“(2) SCOPE OF PARTICIPATION.—Participation*
 22 *of the Department of Defense in programs referred to*
 23 *in paragraph (1) may include—*

24 *“(A) the reciprocal exchange or transfer of*
 25 *air refueling and air transportation services on*

1 *a reimbursable basis or by replacement-in-kind;*
2 *and*

3 “(B) *the exchange of air refueling and air*
4 *transportation services of an equal value.*

5 “(3) *LIMITATIONS WITH RESPECT TO PARTICIPA-*
6 *TION IN ATARES PROGRAM.—*

7 “(A) *IN GENERAL.—The Department of De-*
8 *fense balance of executed flight hours in partici-*
9 *pation in the ATARES program under para-*
10 *graph (1), whether as credits or debits, may not*
11 *exceed a total of 500 hours.*

12 “(B) *AIR REFUELING.—The Department of*
13 *Defense balance of executed flight hours for air*
14 *refueling in participation in the ATARES pro-*
15 *gram under paragraph (1) may not exceed 200*
16 *hours.*

17 “(b) *WRITTEN ARRANGEMENT OR AGREEMENT.—Par-*
18 *ticipation of the Department of Defense in a program re-*
19 *ferred to in subsection (a)(1) shall be in accordance with*
20 *a written arrangement or agreement entered into by the*
21 *Secretary of Defense, with the concurrence of the Secretary*
22 *of State.*

23 “(c) *IMPLEMENTATION.—In carrying out any arrange-*
24 *ment or agreement entered into under subsection (b), the*
25 *Secretary of Defense may—*

1 “(1) pay the equitable share of the Department
2 of Defense for the recurring and nonrecurring costs of
3 the applicable program referred to in subsection
4 (a)(1) from funds available to the Department for op-
5 eration and maintenance; and

6 “(2) assign members of the armed forces or De-
7 partment of Defense civilian personnel to fulfill De-
8 partment obligations under that arrangement or
9 agreement.”.

10 (b) *CLERICAL AMENDMENT.*—The table of sections at
11 the beginning of such subchapter, as amended by section
12 1240(b), is further amended by adding at the end the fol-
13 lowing new item:

“2350o. Participation in programs relating to coordination or exchange of air re-
fueling and air transportation services.”.

14 (c) *REPEAL.*—Section 1276 of the National Defense
15 Authorization Act for Fiscal Year 2013 (10 U.S.C. 2350c
16 note) is repealed.

17 **SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDI-**
18 **NATED ACTION TO ENSURE THE SECURITY OF**
19 **BALTIC ALLIES.**

20 It is the sense of Congress that—

21 (1) the continued security of the Baltic states of
22 Estonia, Latvia, and Lithuania is critical to achiev-
23 ing United States national security interests and de-

1 *fense objectives against the acute and formidable*
2 *threat posed by Russia;*

3 *(2) the United States and the Baltic states are*
4 *leaders in the mission of defending independence and*
5 *democracy from aggression and in promoting sta-*
6 *bility and security within the North Atlantic Treaty*
7 *Organization (NATO), with non-NATO partners, and*
8 *with other international organizations such as the*
9 *European Union;*

10 *(3) the Baltic states are model NATO allies in*
11 *terms of burden sharing and capital investment in*
12 *materiel critical to United States and allied security,*
13 *investment of over 2 percent of their gross domestic*
14 *product on defense expenditure, allocating over 20*
15 *percent of their defense budgets on capital moderniza-*
16 *tion, matching security assistance from the United*
17 *States, frequently deploying their forces around the*
18 *world in support of allied and United States objec-*
19 *tives, and sharing diplomatic, technical, military,*
20 *and analytical expertise on defense and security mat-*
21 *ters;*

22 *(4) the United States should continue to*
23 *strengthen bilateral and multilateral defense by, with,*
24 *and through allied nations, particularly those that*

1 *possess expertise and dexterity but do not enjoy the*
2 *benefits of national economies of scale;*

3 *(5) the United States should pursue a dedicated*
4 *initiative focused on defense and security assistance,*
5 *coordination, and planning designed to ensure the*
6 *continued security of the Baltic states and on deter-*
7 *ring current and future challenges to the national sov-*
8 *ereignty of United States allies and partners in the*
9 *Baltic region; and*

10 *(6) such an initiative should include an innova-*
11 *tive and comprehensive conflict deterrence strategy for*
12 *the Baltic region encompassing the unique geography*
13 *of the Baltic states, modern and diffuse threats to*
14 *their land, sea, and air spaces, and necessary im-*
15 *provements to their defense posture, including com-*
16 *mand-and-control infrastructure, intelligence, surveil-*
17 *lance, and reconnaissance capabilities, communica-*
18 *tions equipment and networks, and special forces.*

19 ***Subtitle E—Matters Relating to the***
20 ***Indo-Pacific Region***

21 ***SEC. 1251. PACIFIC DETERRENCE INITIATIVE.***

22 *(a) IN GENERAL.—The Secretary of Defense shall*
23 *carry out an initiative to ensure the effective implementa-*
24 *tion of the National Defense Strategy with respect to the*

1 *Indo-Pacific region, to be known as the “Pacific Deterrence*
2 *Initiative” (in this section referred to as the “Initiative”).*

3 (b) *PURPOSE.—The purpose of the Initiative is to*
4 *carry out only the following activities:*

5 (1) *Activities to increase the lethality of the joint*
6 *force in the Indo-Pacific region, including, but not*
7 *limited to—*

8 (A) *by improving active and passive de-*
9 *fenses against theater cruise, ballistic, and*
10 *hypersonic missiles for bases, operating locations,*
11 *and other critical infrastructure at locations*
12 *west of the International Date Line; and*

13 (B) *procurement and fielding of—*

14 (i) *long-range precision strike systems*
15 *to be stationed or pre-positioned west of the*
16 *International Date Line;*

17 (ii) *critical munitions to be pre-posi-*
18 *tioned at locations west of the International*
19 *Date Line; and*

20 (iii) *command, control, communica-*
21 *tions, computers and intelligence, surveil-*
22 *lance, and reconnaissance systems intended*
23 *for stationing or operational use in the*
24 *Indo-Pacific region.*

1 (2) *Activities to enhance the design and posture*
2 *of the joint force in the Indo-Pacific region, includ-*
3 *ing, but not limited to, by—*

4 (A) *transitioning from large, centralized,*
5 *and unhardened infrastructure to smaller, dis-*
6 *persed, resilient, and adaptive basing at loca-*
7 *tions west of the International Date Line;*

8 (B) *increasing the number and capabilities*
9 *of expeditionary airfields and ports in the Indo-*
10 *Pacific region available for operational use at lo-*
11 *cations west of the International Date Line;*

12 (C) *enhancing pre-positioned forward stocks*
13 *of fuel, munitions, equipment, and materiel at*
14 *locations west of the International Date Line;*

15 (D) *increasing the availability of strategic*
16 *mobility assets in the Indo-Pacific region;*

17 (E) *improving distributed logistics and*
18 *maintenance capabilities in the Indo-Pacific re-*
19 *gion to ensure logistics sustainment while under*
20 *persistent multidomain attack; and*

21 (F) *increasing the presence of the Armed*
22 *Forces at locations west of the International*
23 *Date Line.*

24 (3) *Activities to strengthen alliances and part-*
25 *nerships, including, but not limited to, by—*

1 (A) *building capacity of allies and part-*
2 *ners; and*

3 (B) *improving—*

4 (i) *interoperability and information*
5 *sharing with allies and partners; and*

6 (ii) *information operations capabilities*
7 *in the Indo-Pacific region, with a focus on*
8 *reinforcing United States commitment to*
9 *allies and partners and countering malign*
10 *influence.*

11 (4) *Activities to carry out a program of exer-*
12 *cises, experimentation, and innovation for the joint*
13 *force in the Indo-Pacific region.*

14 (c) *PLAN REQUIRED.—Not later than February 15,*
15 *2021, the Secretary, in consultation with the Commander*
16 *of the United States Indo-Pacific Command, shall submit*
17 *to the congressional defense committees a plan to expend*
18 *not less than the amounts authorized to be appropriated*
19 *under subsection (e)(2).*

20 (d) *BUDGET DISPLAY INFORMATION.—The Secretary*
21 *shall include in the materials of the Department of Defense*
22 *in support of the budget of the President (submitted to Con-*
23 *gress pursuant to section 1105 of title 31, United States*
24 *Code) for fiscal year 2022 and each fiscal year thereafter*

1 *a detailed budget display for the Initiative that includes*
2 *the following information:*

3 (1) *A future-years plan with respect to activities*
4 *and resources for the Initiative for the applicable fis-*
5 *cal year and not fewer than the four following fiscal*
6 *years.*

7 (2) *With respect to procurement accounts—*

8 (A) *amounts displayed by account, budget*
9 *activity, line number, line item, and line item*
10 *title; and*

11 (B) *a description of the requirements for*
12 *such amounts specific to the Initiative.*

13 (3) *With respect to research, development, test,*
14 *and evaluation accounts—*

15 (A) *amounts displayed by account, budget*
16 *activity, line number, program element, and pro-*
17 *gram element title; and*

18 (B) *a description of the requirements for*
19 *such amounts specific to the Initiative.*

20 (4) *With respect to operation and maintenance*
21 *accounts—*

22 (A) *amounts displayed by account title,*
23 *budget activity title, line number, and sub-*
24 *activity group title; and*

1 (B) a description of the specific manner in
2 which such amounts will be used.

3 (5) With respect to military personnel ac-
4 counts—

5 (A) amounts displayed by account, budget
6 activity, budget subactivity, and budget sub-
7 activity title; and

8 (B) a description of the requirements for
9 such amounts specific to the Initiative.

10 (6) With respect to each project under military
11 construction accounts (including with respect to un-
12 specified minor military construction and amounts
13 for planning and design), the country, location,
14 project title, and project amount by fiscal year.

15 (7) With respect to the activities described in
16 subsection (b)—

17 (A) amounts displayed by account title,
18 budget activity title, line number, and sub-
19 activity group title; and

20 (B) a description of the specific manner in
21 which such amounts will be used.

22 (8) With respect to each military service—

23 (A) amounts displayed by account title,
24 budget activity title, line number, and sub-
25 activity group title; and

1 (B) a description of the specific manner in
2 which such amounts will be used.

3 (9) With respect to the amounts described in
4 each of paragraphs (2)(A), (3)(A), (4)(A), (5)(A), (6),
5 (7)(A), and (8)(A), a comparison between—

6 (A) the amount in the budget of the Presi-
7 dent for the following fiscal year; and

8 (B) the amount projected in the previous
9 budget of the President for the following fiscal
10 year.

11 (e) *AUTHORIZATION OF APPROPRIATIONS.*—There are
12 authorized to be appropriated to the Secretary to carry out
13 the activities of the Initiative described in subsection (b)
14 the following:

15 (1) For fiscal year 2021, \$1,406,417,000, as spec-
16 ified in the funding table in section 4502.

17 (2) For fiscal year 2022, \$5,500,000,000.

18 (f) *REPEAL.*—Section 1251 of the National Defense
19 Authorization Act for Fiscal Year 2018 (Public Law 115-
20 91; 131 Stat. 1676), as most recently amended by section
21 1253 of the John S. McCain National Defense Authoriza-
22 tion Act for Fiscal Year 2019 (Public Law 115-232; 132
23 Stat. 2054), is repealed.

1 **SEC. 1252. SENSE OF SENATE ON THE UNITED STATES-VIET-**
2 **NAM DEFENSE RELATIONSHIP.**

3 *In commemoration of the 25th anniversary of the nor-*
4 *malization of diplomatic relations between the United*
5 *States and Vietnam, the Senate—*

6 *(1) welcomes the historic progress and achieve-*
7 *ments in United States-Vietnam relations over the*
8 *last 25 years;*

9 *(2) congratulates Vietnam on its chairmanship*
10 *of the Association of Southeast Asian Nations and its*
11 *election as a nonpermanent member of the United Na-*
12 *tions Security Council, both of which symbolize the*
13 *positive leadership role of Vietnam in regional and*
14 *global affairs;*

15 *(3) commends the commitment of Vietnam to re-*
16 *solve international disputes through peaceful means*
17 *on the basis of international law;*

18 *(4) affirms the commitment of the United*
19 *States—*

20 *(A) to respect the independence and sov-*
21 *ereignty of Vietnam; and*

22 *(B) to establish and promote friendly rela-*
23 *tions and work together on an equal footing for*
24 *mutual benefit with Vietnam;*

25 *(5) encourages the United States and Vietnam to*
26 *elevate their comprehensive partnership to a strategic*

1 *partnership based on mutual understanding, shared*
2 *interests, and a common desire to promote peace, co-*
3 *operation, prosperity, and security in the Indo-Pa-*
4 *cific region;*

5 *(6) affirms the commitment of the United States*
6 *to continue to address war legacy issues, including*
7 *through dioxin remediation, unexploded ordnance re-*
8 *moval, accounting for prisoners of war and soldiers*
9 *missing in action, and other activities; and*

10 *(7) supports deepening defense cooperation be-*
11 *tween the United States and Vietnam, including with*
12 *respect to maritime security, cybersecurity, counter-*
13 *terrorism, information sharing, humanitarian assist-*
14 *ance and disaster relief, military medicine, peace-*
15 *keeping operations, defense trade, and other areas.*

16 **SEC. 1253. AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA**
17 **DIOXIN CLEANUP.**

18 *(a) TRANSFER AUTHORITY.—Notwithstanding section*
19 *2215 of title 10, United States Code, the Secretary of De-*
20 *fense may transfer to the Secretary of State, for use by the*
21 *United States Agency for International Development,*
22 *amounts to be used for the Bien Hoa dioxin cleanup in*
23 *Vietnam.*

1 (b) *LIMITATION ON AMOUNT.*—Not more than
2 \$15,000,000 may be transferred in fiscal year 2021 under
3 the transfer authority in subsection (a).

4 (c) *ADDITIONAL TRANSFER AUTHORITY.*—The transfer
5 authority in subsection (a) is in addition to any other
6 transfer authority available to the Department of Defense.

7 (d) *NOTICE ON EXERCISE OF AUTHORITY.*—If the Sec-
8 retary of Defense determines to use the transfer authority
9 in subsection (a), the Secretary shall notify the congres-
10 sional defense committee of that determination not later
11 than 30 days before the Secretary uses the transfer author-
12 ity.

13 **SEC. 1254. COOPERATIVE PROGRAM WITH VIETNAM TO AC-**
14 **COUNT FOR VIETNAMESE PERSONNEL MISS-**
15 **ING IN ACTION.**

16 (a) *IN GENERAL.*—The Secretary of Defense, in co-
17 operation with other appropriate Federal departments and
18 agencies, is authorized to carry out a cooperative program
19 with the Ministry of Defense of Vietnam to assist in ac-
20 counting for Vietnamese personnel missing in action.

21 (b) *PURPOSE.*—The purpose of the cooperative pro-
22 gram under subsection (a) is to carry out the following ac-
23 tivities:

24 (1) *Collection, digitization, and sharing of archi-*
25 *val information.*

1 (2) *Building the capacity of Vietnam to conduct*
2 *archival research, investigations, and excavations.*

3 (3) *Improving DNA analysis capacity.*

4 (4) *Increasing veteran-to-veteran exchanges.*

5 (5) *Other support activities the Secretary con-*
6 *siders necessary and appropriate.*

7 **SEC. 1255. PROVISION OF GOODS AND SERVICES AT KWAJA-**
8 **LEIN ATOLL, REPUBLIC OF THE MARSHALL IS-**
9 **LANDS.**

10 (a) *IN GENERAL.*—Chapter 767 of title 10, United
11 *States Code, is amended by adding at the end the following*
12 *new section:*

13 **“§ 7596. Provision of goods and services at Kwajalein**
14 **Atoll**

15 “(a) *AUTHORITY.*—(1) *Except as provided in para-*
16 *graph (2), the Secretary of the Army, with the concurrence*
17 *of the Secretary of State, may provide goods and services,*
18 *including interatoll transportation, to the Government of*
19 *the Republic of the Marshall Islands and other eligible pa-*
20 *trons, as determined by the Secretary of the Army, at Kwaj-*
21 *alein Atoll.*

22 “(2) *The Secretary of the Army may not provide goods*
23 *or services under this section if doing so would be incon-*
24 *sistent, as determined by the Secretary of State, with the*
25 *Compact of Free Association between the Government of the*

1 *United States and the Government of the Republic of the*
2 *Marshall Islands or any subsidiary agreement or imple-*
3 *menting arrangement.*

4 “(b) *REIMBURSEMENT.*—(1) *The Secretary of the*
5 *Army may collect reimbursement from the Government of*
6 *the Republic of the Marshall Islands and eligible patrons*
7 *for the provision of goods or services under subsection (a).*

8 “(2) *The amount collected for goods or services under*
9 *this subsection may not be greater than the total amount*
10 *of actual costs to the United States for providing the goods*
11 *or services.*

12 “(c) *NECESSARY EXPENSES.*—*Amounts appropriated*
13 *to the Department of the Army may be used for necessary*
14 *expenses associated with providing goods and services under*
15 *this section.*

16 “(d) *REGULATIONS.*—*The Secretary of the Army shall*
17 *issue regulations to carry out this section.”.*

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

“7596. Provision of goods and services at Kwajalein Atoll.”.

21 (c) *BRIEFING.*—*Not later than December 31, 2021, the*
22 *Secretary of the Army shall provide to the congressional de-*
23 *fense committees a briefing on the use of the authority under*
24 *section 7596(a) of title 10, United States Code, as added*
25 *by subsection (a), in fiscal year 2021, including a written*

1 *summary describing the goods and services provided on a*
 2 *reimbursable basis and the goods and services provided on*
 3 *a nonreimbursable basis.*

4 **SEC. 1256. AUTHORITY TO ESTABLISH A MOVEMENT CO-**
 5 **ORDINATION CENTER PACIFIC IN THE INDO-**
 6 **PACIFIC REGION AND PARTICIPATE IN AN AIR**
 7 **TRANSPORT AND AIR-TO-AIR REFUELING AND**
 8 **OTHER EXCHANGES OF SERVICES PROGRAM.**

9 (a) *IN GENERAL.*—*The Secretary of Defense, with the*
 10 *concurrence of the Secretary of State, may authorize—*

11 (1) *the establishment of a Movement Coordina-*
 12 *tion Center Pacific (in this section referred to as the*
 13 *“Center”); and*

14 (2) *participation of the Department of Defense*
 15 *in an Air Transport and Air-to-Air Refueling and*
 16 *other Exchanges of Services program (in this section*
 17 *referred to as the “ATARES program”) of the Center.*

18 (b) *SCOPE OF PARTICIPATION.*—*Participation of the*
 19 *Department in the ATARES program shall be limited to—*

20 (1) *the reciprocal exchange or transfer of air*
 21 *transportation and air refueling services on a reim-*
 22 *bursable basis or by replacement-in-kind; and*

23 (2) *the exchange of air transportation or air re-*
 24 *fueling services of equal value.*

25 (c) *LIMITATIONS.*—

1 (1) *TRANSPORTATION HOURS.*—*The Department*
2 *balance of executed transportation hours in the*
3 *ATARES program, whether as credits or debits, may*
4 *not exceed 500 hours.*

5 (2) *FLIGHT HOURS.*—*The Department balance of*
6 *executed flight hours for air refueling in the ATARES*
7 *program may not exceed 200 hours.*

8 (d) *WRITTEN ARRANGEMENT OR AGREEMENT.*—

9 (1) *IN GENERAL.*—*Participation of the Depart-*
10 *ment in the ATARES program shall be in accordance*
11 *with a written arrangement or agreement entered into*
12 *by the Secretary of Defense, with the concurrence of*
13 *the Secretary of State.*

14 (2) *FUNDING ARRANGEMENTS.*—*If Department*
15 *facilities, equipment, or funds are used to support the*
16 *ATARES program, the written arrangement or agree-*
17 *ment under paragraph (1) shall specify the details of*
18 *any equitable cost-sharing or other funding arrange-*
19 *ment.*

20 (3) *OTHER ELEMENTS.*—*Any written arrange-*
21 *ment or agreement entered into under paragraph (1)*
22 *shall require any accrued credit or liability resulting*
23 *from an unequal exchange or transfer of air transpor-*
24 *tation or air refueling services to be liquidated*

1 *through the ATARES program not less frequently*
2 *than once every five years.*

3 (e) *IMPLEMENTATION.*—*In carrying out any written*
4 *arrangement or agreement entered into under subsection*
5 *(d), the Secretary of Defense may—*

6 (1) *pay the equitable share of the Department for*
7 *the operating expenses of the Center and the ATARES*
8 *program from funds available to the Department for*
9 *operation and maintenance; and*

10 (2) *assign members of the Armed Forces or De-*
11 *partment civilian personnel, within billets authorized*
12 *for the United States Indo-Pacific Command, to duty*
13 *at the Center as necessary to fulfill Department obli-*
14 *gations under that arrangement or agreement.*

15 **SEC. 1257. TRAINING OF ALLY AND PARTNER AIR FORCES**

16 **IN GUAM.**

17 (a) *SENSE OF SENATE.*—*It is the sense of the Senate*
18 *that—*

19 (1) *the memorandum of understanding agreed to*
20 *by the United States and the Republic of Singapore*
21 *on December 6, 2019, to establish a fighter jet train-*
22 *ing detachment in Guam should be commended;*

23 (2) *such agreement is a manifestation of the*
24 *strong, enduring, and forward-looking partnership of*
25 *the United States and the Republic of Singapore; and*

1 *and friendly relations of the United States and Tai-*
2 *wan, including defense relations;*

3 *(3) that the Taiwan Relations Act (Public Law*
4 *96–8; 22 U.S.C. 3301 et seq.) shall be implemented*
5 *and executed in a manner consistent with evolving*
6 *political, security, and economic dynamics and cir-*
7 *cumstances;*

8 *(4) that, as set forth in the Taiwan Relations*
9 *Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the*
10 *United States expects the “future of Taiwan will be*
11 *determined by peaceful means,” and that “any effort*
12 *to determine the future of Taiwan by other than*
13 *peaceful means” is “a threat to the peace and security*
14 *of the Western Pacific area and of grave concern to*
15 *the United States”;*

16 *(5) that the increasingly coercive and aggressive*
17 *behavior of the People’s Republic of China towards*
18 *Taiwan, including growing military maneuvers tar-*
19 *geting Taiwan, is contrary to the expectation of the*
20 *peaceful resolution of the future of Taiwan;*

21 *(6) that, as set forth in the Taiwan Relations*
22 *Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the*
23 *United States will support the development of capa-*
24 *ble, ready, and modern defense forces necessary for*

1 *Taiwan to maintain a sufficient self-defense capa-*
2 *bility, including by—*

3 *(A) supporting acquisition by Taiwan of*
4 *defense articles and services through foreign mili-*
5 *tary sales, direct commercial sales, and indus-*
6 *trial cooperation, with an emphasis on capabili-*
7 *ties that support the asymmetric defense strategy*
8 *of Taiwan, including antiship, coastal defense,*
9 *antiarmor, air defense, undersea warfare, ad-*
10 *vanced command, control, communications, com-*
11 *puters, intelligence, surveillance, and reconnais-*
12 *sance, and resilient command and control capa-*
13 *bilities;*

14 *(B) ensuring timely review of and response*
15 *to requests of Taiwan for defense articles and*
16 *services;*

17 *(C) conducting practical training and mili-*
18 *tary exercises with Taiwan, including, as appro-*
19 *priate, the Rim of the Pacific exercise, combined*
20 *training at the National Training Center at*
21 *Fort Erwin, and bilateral naval exercises and*
22 *training;*

23 *(D) examining the potential for expanding*
24 *professional military education and technical*

1 *training opportunities in the United States for*
2 *military personnel of Taiwan;*

3 *(E) pursuing a strategy of military engage-*
4 *ment with Taiwan that fully integrates ex-*
5 *changes at the strategic, policy, and functional*
6 *levels;*

7 *(F) increasing exchanges between senior de-*
8 *fense officials and general officers of the United*
9 *States and Taiwan consistent with the Taiwan*
10 *Travel Act (Public Law 115–135; 132 Stat. 341),*
11 *especially for the purpose of enhancing coopera-*
12 *tion on defense planning and improving the*
13 *interoperability of the military forces of the*
14 *United States and Taiwan;*

15 *(G) conducting military exchanges with*
16 *Taiwan specifically focused on improving the re-*
17 *serve force of Taiwan; and*

18 *(H) expanding cooperation in military*
19 *medicine and humanitarian assistance and dis-*
20 *aster relief, including through the participation*
21 *of medical vessels of Taiwan in appropriate exer-*
22 *cises with the United States; and*

23 *(7) that, as set forth in the Taiwan Relations*
24 *Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the*
25 *United States will maintain the capacity “to resist*

1 *any resort to force or other forms of coercion that*
2 *would jeopardize the security, or the social or eco-*
3 *nomie system, of the people on Taiwan”, including*
4 *the capacity of the United States Armed Forces to*
5 *deny a “fait accompli” operation by the People’s Re-*
6 *public of China to rapidly seize control of Taiwan.*

7 *(b) SENSE OF SENATE.—It is the sense of the Senate*
8 *that the Secretary of Defense should—*

9 *(1) ensure that policy guidance to the Depart-*
10 *ment of Defense related to United States-Taiwan de-*
11 *fense relations is fully consistent with the statement*
12 *of policy set forth in subsection (a); and*

13 *(2) issue new policy guidance required to carry*
14 *out such policy.*

15 **SEC. 1259. SENSE OF CONGRESS ON PORT CALLS IN TAIWAN**
16 **WITH THE USNS COMFORT AND THE USNS**
17 **MERCY .**

18 *It is the sense of Congress that the Department of De-*
19 *fense should conduct port calls in Taiwan with the USNS*
20 *Comfort and the USNS Mercy —*

21 *(1) to continue the collaboration between the*
22 *United States and Taiwan on COVID–19 responses,*
23 *which has included—*

24 *(A) research and development of tests, vac-*
25 *cines, and medicines; and*

1 (B) donations of face masks;

2 (2) to further improve the cooperation between
3 the United States and Taiwan on military medicine
4 and humanitarian assistance and disaster relief;

5 (3) to allow United States personnel to benefit
6 from the expertise of Taiwanese personnel, in light of
7 the successful response of Taiwan to COVID–19; and

8 (4) to continue the mission of the USNS Comfort
9 and the USNS Mercy, which have demonstrated the
10 value of the Department capacity to deploy maritime
11 medical capabilities worldwide and provide contin-
12 gency capacity in the United States during signifi-
13 cant crises.

14 **SEC. 1260. LIMITATION ON USE OF FUNDS TO REDUCE**
15 **TOTAL NUMBER OF MEMBERS OF THE ARMED**
16 **FORCES SERVING ON ACTIVE DUTY WHO ARE**
17 **DEPLOYED TO THE REPUBLIC OF KOREA.**

18 None of the funds authorized to be appropriated by this
19 Act may be obligated or expended to reduce the total number
20 of members of the Armed Forces serving on active duty and
21 deployed to the Republic of Korea to fewer than 28,500 such
22 members of the Armed Forces until 90 days after the date
23 on which the Secretary of Defense certifies to the congres-
24 sional defense committees that—

25 (1) such a reduction—

1 (A) is in the national security interest of
2 the United States; and

3 (B) will not significantly undermine the se-
4 curity of United States allies in the region; and

5 (2) the Secretary has appropriately consulted
6 with allies of the United States, including the Repub-
7 lic of Korea and Japan, regarding such a reduction.

8 **SEC. 1261. SENSE OF CONGRESS ON CO-DEVELOPMENT**
9 **WITH JAPAN OF A LONG-RANGE GROUND-**
10 **BASED ANTI-SHIP CRUISE MISSILE SYSTEM.**

11 *It is the sense of Congress that—*

12 (1) the Department of Defense should prioritize
13 consultations with the Ministry of Defense of Japan
14 to determine whether a ground-based, long-range anti-
15 ship cruise missile system would meet shared defense
16 requirements of the United States and Japan; and

17 (2) if it is determined that a ground-based, long-
18 range anti-ship cruise missile system would meet
19 shared defense requirements, the United States and
20 Japan should consider co-development of such a sys-
21 tem.

22 **SEC. 1262. STATEMENT OF POLICY ON COOPERATION IN**
23 **THE INDO-PACIFIC REGION.**

24 *It is the policy of the United States—*

1 (1) to strengthen alliances and partnerships in
2 the Indo-Pacific region and Europe and with like-
3 minded countries around the globe to effectively com-
4 pete with the People’s Republic of China; and

5 (2) to work in collaboration with such allies and
6 partners—

7 (A) to address significant diplomatic, eco-
8 nomic, and military challenges posed by the Peo-
9 ple’s Republic of China;

10 (B) to deter the People’s Republic of China
11 from pursuing military aggression;

12 (C) to promote the peaceful resolution of ter-
13 ritorial disputes in accordance with inter-
14 national law;

15 (D) to promote private sector-led long-term
16 economic development while countering efforts by
17 the Government of the People’s Republic of
18 China to leverage predatory economic practices
19 as a means of political and economic coercion in
20 the Indo-Pacific region and beyond;

21 (E) to promote the values of democracy and
22 human rights, including through efforts to end
23 the repression by the Chinese Communist Party
24 of political dissidents and Uyghurs and other

1 *ethnic Muslim minorities, Tibetan Buddhists,*
2 *Christians, and other minorities;*

3 *(F) to respond to the crackdown by the Chi-*
4 *nese Communist Party, in contravention of the*
5 *commitments made under the Sino-British Joint*
6 *Declaration of 1984 and the Basic Law of Hong*
7 *Kong, on the legitimate aspirations of the people*
8 *of Hong Kong; and*

9 *(G) to counter the Chinese Communist Par-*
10 *ty's efforts to spread disinformation in the Peo-*
11 *ple's Republic of China and beyond with respect*
12 *to the response of the Chinese Communist Party*
13 *to COVID-19.*

14 **SEC. 1263. EXTENSION OF PROHIBITION ON COMMERCIAL**
15 **EXPORT OF CERTAIN MUNITIONS TO THE**
16 **HONG KONG POLICE FORCE.**

17 *Section 3 of the Act entitled “An Act to prohibit the*
18 *commercial export of covered munitions items to the Hong*
19 *Kong Police Force”, approved November 27, 2019 (Public*
20 *Law 116-77; 133 Stat. 1174), is amended by striking “one*
21 *year after the date of the enactment of this Act” and insert-*
22 *ing “on November 27, 2021”.*

1 **SEC. 1264. IMPLEMENTATION OF THE ASIA REASSURANCE**
2 **INITIATIVE ACT WITH REGARD TO TAIWAN**
3 **ARMS SALES.**

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

5 (1) *The Department of Defense Indo-Pacific*
6 *Strategy Report, released on June 1, 2019, states:*
7 *“[T]he Asia Reassurance Initiative Act, a major bi-*
8 *partisan legislation, was signed into law by President*
9 *Trump on December 31, 2018. This legislation en-*
10 *shrines a generational whole-of-government policy*
11 *framework that demonstrates U.S. commitment to a*
12 *free and open Indo-Pacific region and includes initia-*
13 *tives that promote sovereignty, rule of law, democ-*
14 *racy, economic engagement, and regional security.”.*

15 (2) *The Indo-Pacific Strategy Report further*
16 *states: “The United States has a vital interest in up-*
17 *holding the rules-based international order, which in-*
18 *cludes a strong, prosperous, and democratic Tai-*
19 *wan. . .The Department [of Defense] is committed to*
20 *providing Taiwan with defense articles and services*
21 *in such quantity as may be necessary to enable Tai-*
22 *wan to maintain a sufficient self-defense capability.”.*

23 (3) *Section 209(b) of the Asia Reassurance Ini-*
24 *tiative Act of 2018 (22 U.S.C. 3301 note), signed into*
25 *law on December 31, 2018—*

1 (A) *builds on longstanding commitments*
2 *enshrined in the Taiwan Relations Act (22*
3 *U.S.C. 3301 et seq.) to provide Taiwan with de-*
4 *fense articles; and*

5 (B) *states: “The President should conduct*
6 *regular transfers of defense articles to Taiwan*
7 *that are tailored to meet the existing and likely*
8 *future threats from the People’s Republic of*
9 *China, including supporting the efforts of Tai-*
10 *wan to develop and integrate asymmetric capa-*
11 *bilities, as appropriate, including mobile, surviv-*
12 *able, and cost-effective capabilities, into its mili-*
13 *tary forces.”.*

14 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
15 *that—*

16 (1) *the Asia Reassurance Initiative Act of 2018*
17 *(Public Law 115–409; 132 Stat. 5387) has recommit-*
18 *ted the United States to support the close, economic,*
19 *political, and security relationship between the*
20 *United States and Taiwan; and*

21 (2) *the United States should fully implement the*
22 *provisions of that Act with regard to regular defensive*
23 *arms sales to Taiwan.*

24 (c) *BRIEFING.—Not later than 30 days after the date*
25 *of the enactment of this Act, the Secretary of State and the*

1 *Secretary of Defense, or their designees, shall brief the Com-*
2 *mittee on Foreign Relations of the Senate and the Com-*
3 *mittee on Foreign Affairs of the House of Representatives*
4 *on the efforts to implement section 209(b) of the Asia Reas-*
5 *urance Initiative Act of 2018 (22 U.S.C. 3301 note).*

6 ***Subtitle F—Reports***

7 ***SEC. 1271. REVIEW OF AND REPORT ON OVERDUE ACQUI-***
8 ***SITION AND CROSS-SERVICING AGREEMENT***
9 ***TRANSACTIONS.***

10 (a) *REVIEW.*—*The Secretary of Defense, acting*
11 *through the official designated to provide oversight of acqui-*
12 *sition and cross-servicing agreements under section 2342(f)*
13 *of title 10, United States Code, shall conduct a review of*
14 *acquisition and cross-servicing transactions for which reim-*
15 *bursement to the United States is overdue under section*
16 *2345 of that title.*

17 (b) *REPORT.*—

18 (1) *IN GENERAL.*—*Not later than March 1, 2021,*
19 *the designated official described in subsection (a) shall*
20 *submit to the congressional defense committees a re-*
21 *port on the results of the review.*

22 (2) *ELEMENTS.*—*The report required by para-*
23 *graph (1) shall include the following:*

24 (A) *For each acquisition and cross-servicing*
25 *transaction valued at \$1,000,000 or more for*

1 *which reimbursement to the United States was*
2 *overdue as of October 1, 2019—*

3 *(i) the total amount of the transaction;*

4 *(ii) the unreimbursed balance of the*
5 *transaction;*

6 *(iii) the date on which the original*
7 *transaction was made;*

8 *(iv) the date on which the most recent*
9 *request for payment was sent to the relevant*
10 *foreign partner; and*

11 *(v) a plan for securing reimbursement*
12 *from the foreign partner.*

13 *(B) A description of the steps taken to im-*
14 *plement the recommendations made in the report*
15 *of the Government Accountability Office entitled*
16 *“Defense Logistics Agreements: DOD Should Im-*
17 *prove Oversight and Seek Payment from Foreign*
18 *Partners for Thousands of Orders It Identifies as*
19 *Overdue” issued in March 2020, including efforts*
20 *to validate data reported under this subsection*
21 *and in the system of record for acquisition and*
22 *cross-servicing agreements of the Department of*
23 *Defense.*

24 *(C) The amount of reimbursement received*
25 *from foreign partners for each order—*

1 (i) for which the reimbursement is re-
2 corded as overdue in the system of record
3 for acquisition and cross-servicing agree-
4 ments of the Department of Defense; and

5 (ii) that was authorized during the pe-
6 riod beginning in October 2013 and ending
7 in September 2020.

8 (D) A plan for improving recordkeeping of
9 acquisition and cross-servicing transactions and
10 ensuring timely reimbursement by foreign part-
11 ners.

12 (E) Any other matter considered relevant by
13 the designated official described in subsection
14 (a).

15 **SEC. 1272. REPORT ON BURDEN SHARING CONTRIBUTIONS**

16 **BY DESIGNATED COUNTRIES.**

17 Section 2350j of title 10, United States Code, is
18 amended by adding at the end the following new subsection:

19 “(f) **REPORT ON CONTRIBUTIONS RECEIVED FROM**
20 **DESIGNATED COUNTRIES.**—

21 “(1) **IN GENERAL.**—Not later than January 15
22 each year, the Secretary of Defense shall submit to the
23 appropriate committees of Congress a report on the
24 burden sharing contributions received under this sec-
25 tion from designated countries.

1 “(2) *ELEMENTS.*—*Each report required by para-*
2 *graph (1) shall include the following for the preceding*
3 *fiscal year:*

4 “(A) *A list of all designated countries from*
5 *which burden sharing contributions were re-*
6 *ceived.*

7 “(B) *An explanation of the purpose for*
8 *which each such burden sharing contribution*
9 *was provided.*

10 “(C) *In the case of a written agreement en-*
11 *tered into with a designated country under this*
12 *section—*

13 “(i) *the date on which the agreement*
14 *was signed; and*

15 “(ii) *the names of the individuals who*
16 *signed the agreement.*

17 “(D) *For each designated country—*

18 “(i) *the amount provided by the des-*
19 *ignated country; and*

20 “(ii) *the amount of any remaining un-*
21 *obligated balance.*

22 “(E) *The amount of such burden sharing*
23 *contributions expended, by eligible category, in-*
24 *cluding compensation for local national employ-*

1 *ees, military construction projects, and supplies*
 2 *and services of the Department of Defense.*

3 *“(F) An explanation of any other burden*
 4 *sharing or in-kind contribution provided by a*
 5 *designated country under an agreement or au-*
 6 *thority other than the authority provided by this*
 7 *section.*

8 *“(G) Any other matter the Secretary of De-*
 9 *fenses considers relevant.*

10 *“(3) APPROPRIATE COMMITTEES OF CONGRESS*
 11 *DEFINED.—In this subsection, the term ‘appropriate*
 12 *committees of Congress’ means—*

13 *“(A) the Committee on Armed Services, the*
 14 *Committee on Foreign Relations, and the Com-*
 15 *mittee on Appropriations of the Senate; and*

16 *“(B) the Committee on Armed Services, the*
 17 *Committee on Foreign Affairs, and the Com-*
 18 *mittee on Appropriations of the House of Rep-*
 19 *resentatives.”.*

20 **SEC. 1273. REPORT ON RISK TO PERSONNEL, EQUIPMENT,**
 21 **AND OPERATIONS DUE TO HUAWEI 5G ARCHI-**
 22 **TECTURE IN HOST COUNTRIES.**

23 *(a) IN GENERAL.—Not later than one year after the*
 24 *date of the enactment of this Act, the Secretary of Defense*

1 *shall submit to the congressional defense committees a re-*
 2 *port that contains an assessment of—*

3 (1) *the risk to personnel, equipment, and oper-*
 4 *ations of the Department of Defense in host countries*
 5 *posed by the current or intended use by such countries*
 6 *of 5G telecommunications architecture provided by*
 7 *Huawei Technologies Co., Ltd.; and*

8 (2) *measures required to mitigate the risk de-*
 9 *scribed in paragraph (1), including the merit and*
 10 *feasibility of the relocation of certain personnel or*
 11 *equipment of the Department to another location*
 12 *without the presence of 5G telecommunications archi-*
 13 *itecture provided by Huawei Technologies Co., Ltd.*

14 (b) *FORM.—The report required by subsection (a) shall*
 15 *be submitted in classified form with an unclassified sum-*
 16 *mary.*

17 **SEC. 1274. ALLIED BURDEN SHARING REPORT.**

18 (a) *FINDING; SENSE OF CONGRESS.—*

19 (1) *FINDING.—Congress finds that section 1003*
 20 *of the Department of Defense Authorization Act, 1985*
 21 *(Public Law 98–525; 63 Stat. 2241)—*

22 (A) *expresses the sense of Congress that, due*
 23 *to threats that are ever-changing, Congress must*
 24 *be informed with respect to allied contributions*
 25 *to the common defense to properly assess the*

1 *readiness of the United States and the countries*
2 *described in subsection (b)(2) for threats; and*

3 *(B) requires the Secretary of Defense to sub-*
4 *mit to Congress an annual report on the con-*
5 *tributions of allies to the common defense.*

6 (2) *SENSE OF CONGRESS.—It is the sense of*
7 *Congress that—*

8 *(A) the threats facing the United States—*

9 *(i) extend beyond the global war on*
10 *terror; and*

11 *(ii) include near-peer threats; and*

12 *(B) the President should seek from each*
13 *country described in subsection (b)(2) acceptance*
14 *of international security responsibilities and*
15 *agreements to make contributions to the common*
16 *defense in accordance with the collective defense*
17 *agreements or treaties to which such country is*
18 *a party.*

19 (b) *REPORTS ON ALLIED CONTRIBUTIONS TO THE*
20 *COMMON DEFENSE.—*

21 (1) *IN GENERAL.—Not later than March 1 each*
22 *year, the Secretary of Defense, in coordination with*
23 *the heads of other Federal agencies, as the Secretary*
24 *determines to be necessary, shall submit to the appro-*

1 *priate committees of Congress a report containing a*
2 *description of—*

3 *(A) the annual defense spending by each*
4 *country described in paragraph (2), including*
5 *available data on nominal budget figures and de-*
6 *fense spending as a percentage of the gross do-*
7 *mestic products of each such country for the fis-*
8 *cal year immediately preceding the fiscal year in*
9 *which the report is submitted;*

10 *(B) the activities of each such country to*
11 *contribute to military or stability operations in*
12 *which the Armed Forces of the United States are*
13 *a participant or may be called upon in accord-*
14 *ance with a cooperative defense agreement to*
15 *which the United States is a party;*

16 *(C) any limitations placed by any such*
17 *country on the use of such contributions; and*

18 *(D) any actions undertaken by the United*
19 *States or by other countries to minimize such*
20 *limitations.*

21 *(2) COUNTRIES DESCRIBED.—The countries de-*
22 *scribed in this paragraph are the following:*

23 *(A) Each member state of the North Atlan-*
24 *tic Treaty Organization.*

1 (B) *Each member state of the Gulf Coopera-*
2 *tion Council.*

3 (C) *Each country party to the Inter-Amer-*
4 *ican Treaty of Reciprocal Assistance (Rio Trea-*
5 *ty), done at Rio de Janeiro September 2, 1947,*
6 *and entered into force December 3, 1948 (TIAS*
7 *1838).*

8 (D) *Australia.*

9 (E) *Japan.*

10 (F) *New Zealand.*

11 (G) *The Philippines.*

12 (H) *South Korea.*

13 (I) *Thailand.*

14 (3) *FORM.—Each report under paragraph (1)*
15 *shall be submitted in unclassified form, but may con-*
16 *tain a classified annex.*

17 (4) *AVAILABILITY.—A report submitted under*
18 *paragraph (1) shall be made available on request to*
19 *any Member of Congress.*

20 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
21 *FINED.—In this section, the term “appropriate committees*
22 *of Congress” means—*

23 (1) *the Committee on Armed Services, the Com-*
24 *mittee on Foreign Relations, and the Committee on*
25 *Appropriations of the Senate; and*

1 (2) *the Committee on Armed Services, the Com-*
2 *mittee on Foreign Affairs, and the Committee on Ap-*
3 *propriations of the House of Representatives.*

4 ***Subtitle G—Other Matters***

5 ***SEC. 1281. RECIPROCAL PATIENT MOVEMENT AGREEMENTS.***

6 (a) *IN GENERAL.*—*Subchapter II of chapter 138 of*
7 *title 10, United States Code, as amended by section 1241(a),*
8 *is further amended by adding at the end the following new*
9 *section:*

10 ***“§ 2350p. Reciprocal patient movement agreements***

11 “(a) *AUTHORITY.*—*Subject to the availability of ap-*
12 *propriations, the Secretary of Defense, with the concurrence*
13 *of the Secretary of State, may enter into a bilateral or mul-*
14 *tilateral memorandum of understanding or other formal*
15 *agreement with one or more governments of partner coun-*
16 *tries that provides for—*

17 “(1) *the interchangeable, nonreimbursable use of*
18 *patient movement personnel, either individually or as*
19 *members of a patient movement crew or team, and*
20 *equipment, belonging to one partner country to per-*
21 *form patient movement services aboard the aircraft,*
22 *vessels, or vehicles of another partner country;*

23 “(2) *the reciprocal recognition and acceptance of*

24 —

1 “(A) national professional credentials, cer-
2 tifications, and licenses of patient movement per-
3 sonnel; and

4 “(B) national certifications, approvals, and
5 licenses of equipment used in the provision of
6 patient movement services; and

7 “(3) the acceptance of agreed-upon standards for
8 the provision of patient movement services by air-
9 craft, vessel, or vehicle, including, as determined to be
10 beneficial and otherwise permitted by law, the harmo-
11 nization of patient treatment standards and proce-
12 dures.

13 “(b) CERTIFICATION.—(1) Before entering into a
14 memorandum of understanding or other formal agreement
15 with the government of a partner country under this sec-
16 tion, the Secretary of Defense shall certify in writing that
17 the professional credentials, certifications, licenses, and ap-
18 provals for patient movement personnel and patient move-
19 ment equipment of the partner country—

20 “(A) meet or exceed the equivalent standards of
21 the United States for similar personnel and equip-
22 ment; and

23 “(B) will provide for a level of care comparable
24 to, or better than, the level of care provided by the De-
25 partment of Defense.

1 “(2) A certification under paragraph (1) shall be—

2 “(A) submitted to the appropriate committees of
3 Congress not later than 15 days after the date on
4 which the Secretary of Defense makes the certifi-
5 cation; and

6 “(B) reviewed and recertified by the Secretary of
7 Defense not less frequently than annually.

8 “(c) *SUSPENSION.*—If the Secretary of Defense is un-
9 able to recertify a partner country as required by subsection
10 (b)(2)(B), use of the personnel or equipment of the partner
11 country by the Department of Defense under a memo-
12 randum of understanding or other formal agreement con-
13 cluded pursuant to subsection (a) shall be suspended until
14 the date on which the Secretary of Defense is able to recer-
15 tify the partner country.

16 “(d) *DEFINITIONS.*—In this section:

17 “(1) *APPROPRIATE COMMITTEES OF CON-*
18 *GRESS.*—The term ‘appropriate committees of Con-
19 gress’ means—

20 “(A) the congressional defense committees;
21 and

22 “(B) the Committee on Foreign Relations of
23 the Senate and the Committee on Foreign Affairs
24 of the House of Representatives.

1 “(2) *PARTNER COUNTRY.*—*The term ‘partner*
2 *country’ means any of the following:*

3 “(A) *A member country of the North Atlan-*
4 *tic Treaty Organization.*

5 “(B) *Australia.*

6 “(C) *Japan.*

7 “(D) *New Zealand.*

8 “(E) *The Republic of Korea.*

9 “(F) *Any other country designated as a*
10 *partner country by the Secretary of Defense,*
11 *with the concurrence of the Secretary of State,*
12 *for purposes of this section.*

13 “(3) *PATIENT MOVEMENT.*—*The term ‘patient*
14 *movement’ means the act or process of moving wound-*
15 *ed, ill, injured, or other persons (including contami-*
16 *nated, contagious, and potentially exposed patients)*
17 *to obtain medical, surgical, mental health, or dental*
18 *care or treatment.’.*

19 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
20 *the beginning of such subchapter, as amended by section*
21 *1241(b), is further amended by adding at the end the fol-*
22 *lowing new item:*

 “2350p. *Reciprocal patient movement agreements.*”.

1 **SEC. 1282. EXTENSION OF AUTHORIZATION OF NON-CON-**
2 **VENTIONAL ASSISTED RECOVERY CAPABILI-**
3 **TIES.**

4 *Subsection (g) of section 943 of the National Defense*
5 *Authorization Act for Fiscal Year 2009 (Public Law 110–*
6 *417; 122 Stat. 4578), as most recently amended by section*
7 *1282(a) of the National Defense Authorization Act for Fis-*
8 *cal Year 2017 (Public Law 114–328; 130 Stat. 2542) and*
9 *as redesignated by section 1051(n)(1) of the National De-*
10 *fense Authorization Act for Fiscal Year 2018 (Public Law*
11 *115–91; 131 Stat. 1564), is further amended by striking*
12 *“2021” and inserting “2024”.*

13 **SEC. 1283. EXTENSION OF DEPARTMENT OF DEFENSE SUP-**
14 **PORT FOR STABILIZATION ACTIVITIES IN NA-**
15 **TIONAL SECURITY INTEREST OF THE UNITED**
16 **STATES.**

17 *Section 1210A(h) of the National Defense Authoriza-*
18 *tion Act for Fiscal Year 2020 (Public Law 116–92) is*
19 *amended by striking “December 31, 2020” and inserting*
20 *“December 31, 2021”.*

21 **SEC. 1284. NOTIFICATION WITH RESPECT TO WITHDRAWAL**
22 **OF MEMBERS OF THE ARMED FORCES PAR-**
23 **TICIPATING IN THE MULTINATIONAL FORCE**
24 **AND OBSERVERS IN EGYPT.**

25 *(a) IN GENERAL.—Not later than 30 days before a re-*
26 *duction in the total number of members of the Armed Forces*

1 *deployed to the Multinational Force and Observers in*
2 *Egypt to fewer than 430 such members of the Armed Forces,*
3 *the Secretary of Defense shall submit to the appropriate*
4 *committees of Congress a notification that includes the fol-*
5 *lowing:*

6 (1) *A detailed accounting of the number of mem-*
7 *bers of the Armed Forces to be withdrawn from the*
8 *Multinational Force and Observers in Egypt and the*
9 *capabilities that such members of the Armed Forces*
10 *provide in support of the mission.*

11 (2) *An explanation of national security interests*
12 *of the United States served by such a reduction and*
13 *an assessment of the effect, if any, such a reduction*
14 *is expected to have on the security of United States*
15 *partners in the region.*

16 (3) *A description of consultations by the Sec-*
17 *retary with the other countries that contribute mili-*
18 *tary forces to the Multinational Force and Observers,*
19 *including Australia, Canada, Colombia, the Czech Re-*
20 *public, Fiji, France, Italy, Japan, New Zealand, Nor-*
21 *way, the United Kingdom, and Uruguay, with respect*
22 *to the planned force reduction and the results of such*
23 *consultations.*

24 (4) *An assessment of whether other countries, in-*
25 *cluding the countries that contribute military forces*

1 *to the Multinational Force and Observers, will in-*
2 *crease their contributions of military forces to com-*
3 *pensate for the capabilities withdrawn by the United*
4 *States.*

5 (5) *An explanation of—*

6 (A) *any anticipated negative impact of such*
7 *a reduction on the ability of the Multinational*
8 *Force and Observers in Egypt to fulfill its mis-*
9 *sion of supervising the implementation of the se-*
10 *curity provisions of the 1979 Treaty of Peace be-*
11 *tween Egypt and Israel and employing best ef-*
12 *forts to prevent any violation of the terms of*
13 *such treaty; and*

14 (B) *the manner in which any such negative*
15 *impact will be mitigated.*

16 (6) *Any other matter the Secretary considers ap-*
17 *propriate.*

18 (b) *FORM.—The notification required by subsection (a)*
19 *shall be submitted in unclassified form, but may include*
20 *a classified annex.*

21 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
22 *FINED.—In this section, the term “appropriate committees*
23 *of Congress” means—*

24 (1) *the congressional defense committees; and*

1 (2) *the Committee on Foreign Relations of the*
2 *Senate and the Committee on Foreign Affairs of the*
3 *House of Representatives.*

4 **SEC. 1285. MODIFICATION TO INITIATIVE TO SUPPORT PRO-**
5 **TECTION OF NATIONAL SECURITY ACADEMIC**
6 **RESEARCHERS FROM UNDUE INFLUENCE**
7 **AND OTHER SECURITY THREATS.**

8 *Section 1286 of the John S. McCain National Defense*
9 *Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358*
10 *note) is amended—*

11 (1) *in subsection (c)(2)—*

12 (A) *in subparagraph (A), by striking “;*
13 *and” and inserting a semicolon;*

14 (B) *in subparagraph (B), by striking the*
15 *period at the end and inserting “; and”; and*

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

18 “(C) *includes requirements for appropriate*
19 *senior officials of institutions of higher education*
20 *to receive from appropriate Government agencies*
21 *updated and periodic briefings that describe the*
22 *espionage risks posed by technical intelligence*
23 *gathering activities of near-peer strategic com-*
24 *petitors.”; and*

1 (2) *in subsection (e)(2)(D), by striking “im-*
2 *prove” and inserting “improved”.*

3 **SEC. 1286. ESTABLISHMENT OF UNITED STATES-ISRAEL OP-**
4 **ERATIONS-TECHNOLOGY WORKING GROUP.**

5 (a) *SENSE OF SENATE.—It is the sense of the Senate*
6 *that—*

7 (1) *the United States Government has a respon-*
8 *sibility to undertake all reasonable measures to ensure*
9 *that members of the Armed Forces never confront a*
10 *more technologically advanced foe;*

11 (2) *the United States and Israel have several co-*
12 *operative technology programs to develop and field ca-*
13 *pabilities in missile defense, countertunneling, and*
14 *counterunmanned aerial systems; and*

15 (3) *building on positive ongoing efforts, the*
16 *United States and Israel should further institu-*
17 *tionalize and strengthen their defense innovation*
18 *partnership by establishing a United States-Israel*
19 *Operations-Technology Working Group to identify*
20 *and expeditiously field capabilities that the military*
21 *forces of both countries need to deter and defeat re-*
22 *spective adversaries.*

23 (b) *UNITED STATES-ISRAEL OPERATIONS-TECH-*
24 *NOLOGY WORKING GROUP.—*

1 (1) *IN GENERAL.*—Not later than one year after
2 the date of the enactment of this Act, the Secretary of
3 Defense, in consultation with the Minister of Defense
4 of Israel, shall establish a United States-Israel Oper-
5 ations-Technology Working Group (in this subsection
6 referred to as the “Working Group”) for the following
7 purposes:

8 (A) *To provide a standing forum for the*
9 *United States and Israel to systematically share*
10 *intelligence-informed military capability re-*
11 *quirements.*

12 (B) *To identify military capability require-*
13 *ments common to both the Department of De-*
14 *fense and the Ministry of Defense of Israel.*

15 (C) *To assist defense suppliers in the*
16 *United States and Israel, by incorporating rec-*
17 *ommendations from such defense suppliers, with*
18 *respect to conducting joint science, technology,*
19 *research, development, test, evaluation, and pro-*
20 *duction efforts.*

21 (D) *To develop, as feasible and advisable,*
22 *combined United States-Israel plans to research,*
23 *develop, procure, and field weapons systems and*
24 *military capabilities as quickly and economi-*
25 *cally as possible to meet common capability re-*

1 *quirements of the Department of Defense and the*
2 *Ministry of Defense of Israel.*

3 (2) *WORKING GROUP LEADERSHIP.—*

4 (A) *UNITED STATES LEADERSHIP.—With*
5 *respect to the United States, the Working Group*
6 *shall be headed by—*

7 (i) *the Secretary, or a designee; and*

8 (ii) *the Chairman of the Joint Chiefs*
9 *of Staff, or a designee.*

10 (B) *ISRAEL LEADERSHIP.—The Secretary*
11 *shall invite the Government of Israel to designate*
12 *the head of the appropriate office or offices to*
13 *head the Working Group with respect to Israel.*

14 (3) *WORKING GROUP MEMBERSHIP.—*

15 (A) *UNITED STATES MEMBERSHIP.—The*
16 *Secretary, in consultation with other Cabinet*
17 *members, shall designate one or more individuals*
18 *to serve as members of the Working Group.*

19 (i) *MANDATORY UNITED STATES MEM-*
20 *BERS.—The membership of the Working*
21 *Group shall consist of, at a minimum, rep-*
22 *resentatives from—*

23 (I) *the Office of the Secretary of*
24 *Defense;*

25 (II) *the Joint Staff;*

1 (III) each of the military depart-
2 ments (including, as appropriate, sub-
3 ordinate entities such as Army Futures
4 Command and research laboratories);

5 (IV) the defense agencies (includ-
6 ing the Defense Advanced Research
7 Projects Agency, the Defense Intel-
8 ligence Agency, and the Defense Secu-
9 rity Cooperation Agency);

10 (V) United States Central Com-
11 mand; and

12 (VI) United States European
13 Command.

14 (ii) *RULE OF CONSTRUCTION.*—*Noth-*
15 *ing in this subparagraph shall be construed*
16 *as limiting the ability of the Secretary to*
17 *add members to the Working Group, as con-*
18 *sidered appropriate.*

19 (B) *ISRAEL MEMBERSHIP.*—*The Secretary*
20 *shall invite such representatives of the Govern-*
21 *ment of Israel to designate individuals from the*
22 *Government of Israel to serve as members of the*
23 *Working Group, as the Secretary considers ap-*
24 *propriate.*

25 (4) *EXISTING EFFORTS.*—

1 (A) *IN GENERAL.*—*The Secretary shall de-*
2 *termine the most efficient and effective means to*
3 *integrate the Working Group into existing*
4 *United States science and technology efforts and*
5 *research, development, test, and evaluation efforts*
6 *with Israel.*

7 (B) *RULE OF CONSTRUCTION.*—*Nothing in*
8 *this subsection shall be construed as requiring*
9 *the termination of any existing United States*
10 *defense activity, group, program, or partnership*
11 *with Israel.*

12 (5) *MEMORANDUM OF UNDERSTANDING.*—

13 (A) *IN GENERAL.*—*The Secretary shall,*
14 *with the concurrence of the Minister of Defense*
15 *of Israel, establish a memorandum of under-*
16 *standing between the United States and Israel*
17 *establishing the United States-Israel Operations*
18 *Technology Working Group.*

19 (B) *MATTERS TO BE INCLUDED.*—*The*
20 *memorandum of understanding under subpara-*
21 *graph (A) shall set forth—*

22 (i) *the purposes of the Working Group,*
23 *consistent with paragraph (1);*

24 (ii) *the membership of the Working*
25 *Group, consistent with paragraph (3); and*

1 (iii) any other matter considered ap-
2 propriate.

3 (6) *REPORTS.*—

4 (A) *INITIAL REPORT.*—

5 (i) *IN GENERAL.*—Not later than 180
6 days after the establishment of the Working
7 Group, the Secretary shall submit to the ap-
8 propriate committees of Congress an initial
9 report on the Working Group.

10 (ii) *ELEMENTS.*—The report required
11 by clause (i) shall include the following:

12 (I) The finalized memorandum of
13 understanding under paragraph (5).

14 (II) The name of each individual
15 of the Government of the United States
16 and of the Government of Israel des-
17 ignated to lead the Working Group.

18 (III) The name of each member of
19 the Working Group designated under
20 subparagraph (A) or (B) of paragraph
21 (3).

22 (IV) A description of the manner
23 in which the Working Group is antici-
24 pated to complement and augment ex-
25 isting science and technology efforts

1 *and research, development, test, and*
2 *evaluation efforts with Israel.*

3 (V) *A schedule for Working Group*
4 *meetings.*

5 (VI) *A description of key metrics*
6 *and milestones for the Working Group.*

7 (VII) *A description of any author-*
8 *ity or authorization of appropriations*
9 *required for the Working Group to*
10 *carry out the purposes described in*
11 *paragraph (1).*

12 (iii) *FORM.—The report required by*
13 *clause (i) shall be submitted in unclassified*
14 *form, but may include a classified annex.*

15 (B) *ANNUAL REPORT.—*

16 (i) *IN GENERAL.—Not later than*
17 *March 15 of each year following the sub-*
18 *mittal of the initial report required by sub-*
19 *paragraph (A), the Secretary shall submit*
20 *to the appropriate committees of Congress a*
21 *report on the activities of the Working*
22 *Group during the preceding calendar year.*

23 (ii) *ELEMENTS.—The report required*
24 *by clause (i) shall include the following:*

1 (I) *A summary of the performance*
2 *of the Working Group—*

3 (aa) *with respect to the first*
4 *annual report under this subpara-*
5 *graph, the metrics and milestones*
6 *described in the initial report in*
7 *accordance with subparagraph*
8 *(A)(ii)(VI); or*

9 (bb) *with respect to each sub-*
10 *sequent annual report under this*
11 *subparagraph, the metrics and*
12 *milestones described in the pre-*
13 *ceding annual report under sub-*
14 *clause (VIII).*

15 (II) *A description of military ca-*
16 *pabilities needed by both the United*
17 *States and Israel.*

18 (III) *A description of any United*
19 *States, or any United States-Israel,*
20 *science and technology efforts, or re-*
21 *search, development, test, and evalua-*
22 *tion efforts, associated with the mili-*
23 *tary capabilities described under sub-*
24 *clause (II) carried out during the re-*
25 *porting period.*

1 *(IV) A description of any obstacle*
2 *or challenge associated with an effort*
3 *described in subclause (III) and the*
4 *plan of the Working Group to address*
5 *such obstacle or challenge.*

6 *(V) A description of any request*
7 *to the Working Group made by a*
8 *United States or Israel defense supplier*
9 *for combined science and technology ef-*
10 *forts or combined research, develop-*
11 *ment, test, and evaluation efforts, in-*
12 *cluding—*

13 *(aa) the date on which the*
14 *request was received;*

15 *(bb) the efforts made by the*
16 *Working Group to expeditiously*
17 *address the request; and*

18 *(cc) the status of any deci-*
19 *sion associated with the request.*

20 *(VI) A description of the efforts of*
21 *the Working Group to prevent the Peo-*
22 *ple’s Republic of China or the Russian*
23 *Federation from obtaining intellectual*
24 *property or military technology associ-*
25 *ated with combined United States and*

1 *Israel science and technology efforts*
2 *and research, development, test, and*
3 *evaluation efforts.*

4 *(VII) A description of any science*
5 *and technology effort, or research, de-*
6 *velopment, test, or evaluation effort, fa-*
7 *cilitated by the Working Group, in-*
8 *cluding efforts that result in a United*
9 *States or Israel program of record.*

10 *(VIII) A description of metrics*
11 *and milestones for the Working Group*
12 *for the following calendar year.*

13 *(iii) FORM.—Each report required by*
14 *clause (i) shall be submitted in unclassified*
15 *form and shall include a classified annex in*
16 *which the elements required under sub-*
17 *clauses (II) and (VI) of clause (ii) shall be*
18 *addressed.*

19 *(C) APPROPRIATE COMMITTEES OF CON-*
20 *GRESS DEFINED.—In this paragraph, the term*
21 *“appropriate committees of Congress” means—*

22 *(i) the Committee on Armed Services,*
23 *the Committee on Foreign Relations, and*
24 *the Select Committee on Intelligence of the*
25 *Senate; and*

1 (ii) the Committee on Armed Services,
2 the Committee on Foreign Affairs, and the
3 Permanent Select Committee on Intelligence
4 of the House of Representatives.

5 **SEC. 1287. IMPROVED COORDINATION OF UNITED STATES**
6 **SANCTIONS POLICY.**

7 (a) *OFFICE OF SANCTIONS COORDINATION OF THE DE-*
8 *PARTMENT OF STATE.—*

9 (1) *IN GENERAL.—Section 1 of the State Depart-*
10 *ment Basic Authorities Act of 1956 (22 U.S.C. 2651a)*
11 *is amended—*

12 (A) *by redesignating subsection (g) as sub-*
13 *section (h); and*

14 (B) *by inserting after subsection (f) the fol-*
15 *lowing:*

16 “(g) *OFFICE OF SANCTIONS COORDINATION.—*

17 “(1) *IN GENERAL.—There is established, within*
18 *the Department of State, an Office of Sanctions Co-*
19 *ordination (in this subsection referred to as the ‘Of-*
20 *fice’).*

21 “(2) *HEAD.—The head of the Office shall—*

22 “(A) *have the rank and status of ambas-*
23 *sador;*

24 “(B) *be appointed by the President, by and*
25 *with the advice and consent of the Senate; and*

1 “(C) report directly to the Secretary.

2 “(3) DUTIES.—The head of the Office shall—

3 “(A) exercise sanctions authorities delegated
4 to the Secretary;

5 “(B) serve as the principal advisor to the
6 senior management of the Department and the
7 Secretary regarding the development and imple-
8 mentation of sanctions policy;

9 “(C) serve as the lead representative of the
10 United States in diplomatic engagement on
11 sanctions matters;

12 “(D) consult and closely coordinate with al-
13 lies and partners of the United States, including
14 the United Kingdom, the European Union and
15 member countries of the European Union, Can-
16 ada, Australia, New Zealand, Japan, and South
17 Korea, to ensure the maximum effectiveness of
18 sanctions imposed by the United States and such
19 allies and partners;

20 “(E) serve as the coordinator for the devel-
21 opment and implementation of sanctions policy
22 with respect to all activities, policies, and pro-
23 grams of all bureaus and offices of the Depart-
24 ment relating to the development and implemen-
25 tation of sanctions policy; and

1 “(F) serve as the lead representative of the
2 Department in interagency discussions with re-
3 spect to the development and implementation of
4 sanctions policy.

5 “(4) *DIRECT HIRE AUTHORITY.*—The head of the
6 Office may appoint, without regard to the provisions
7 of sections 3309 through 3318 of title 5, United States
8 Code, candidates directly to positions in the competi-
9 tive service, as defined in section 2102 of that title,
10 in the Office.”.

11 (2) *BRIEFING REQUIRED.*—Not later than 60
12 days after the date of the enactment of this Act, and
13 every 90 days thereafter until the date that is 2 years
14 after such date of enactment, the Secretary of State
15 shall brief the appropriate congressional committees
16 on the efforts of the Department of State to establish
17 the Office of Sanctions Coordination pursuant to sec-
18 tion 1(g) of the State Department Basic Authorities
19 Act of 1956, as amended by paragraph (1), including
20 a description of—

21 (A) measures taken to implement the re-
22 quirements of that section and to establish the
23 Office;

24 (B) actions taken by the Office to carry out
25 the duties listed in paragraph (3) of that section;

1 (C) the resources devoted to the Office, in-
2 cluding the number of employees working in the
3 Office; and

4 (D) plans for the use of the direct hire au-
5 thority provided under paragraph (4) of that
6 section.

7 (b) *COORDINATION WITH ALLIES AND PARTNERS OF*
8 *THE UNITED STATES.*—

9 (1) *IN GENERAL.*—*The Secretary of State shall*
10 *develop and implement mechanisms and programs, as*
11 *appropriate, through the head of the Office of Sanc-*
12 *tions Coordination established pursuant to section*
13 *1(g) of the State Department Basic Authorities Act of*
14 *1956, as amended by subsection (a)(1), to coordinate*
15 *the development and implementation of United States*
16 *sanctions policies with allies and partners of the*
17 *United States, including the United Kingdom, the*
18 *European Union and member countries of the Euro-*
19 *pean Union, Canada, Australia, New Zealand,*
20 *Japan, and South Korea.*

21 (2) *INFORMATION SHARING.*—*The Secretary*
22 *should pursue the development and implementation of*
23 *mechanisms and programs under paragraph (1), as*
24 *appropriate, that involve the sharing of information*

1 *with respect to policy development and sanctions im-*
2 *plementation.*

3 (3) *CAPACITY BUILDING.*—*The Secretary should*
4 *pursue efforts, in coordination with the Secretary of*
5 *the Treasury and the head of any other agency the*
6 *Secretary considers appropriate, to assist allies and*
7 *partners of the United States, including the countries*
8 *specified in paragraph (1), as appropriate, in the de-*
9 *velopment of their legal and technical capacities to*
10 *develop and implement sanctions authorities.*

11 (4) *EXCHANGE PROGRAMS.*—*In furtherance of*
12 *the efforts described in paragraph (3), the Secretary,*
13 *in coordination with the Secretary of the Treasury*
14 *and the head of any other agency the Secretary con-*
15 *siders appropriate, may enter into agreements with*
16 *counterpart agencies in foreign governments estab-*
17 *lishing exchange programs for the temporary detail of*
18 *government employees to share information and ex-*
19 *pertise with respect to the development and imple-*
20 *mentation of sanctions authorities.*

21 (5) *BRIEFING REQUIRED.*—*Not later than 90*
22 *days after the date of the enactment of this Act, and*
23 *every 180 days thereafter until the date that is 5*
24 *years after such date of enactment, the Secretary of*
25 *State shall brief the appropriate congressional com-*

1 *mittees on the efforts of the Department of State to*
2 *implement this section, including a description of—*

3 *(A) measures taken to implement paragraph*
4 *(1);*

5 *(B) actions taken pursuant to paragraphs*
6 *(2) through (4);*

7 *(C) the extent of coordination between the*
8 *United States and allies and partners of the*
9 *United States, including the countries specified*
10 *in paragraph (1), with respect to the develop-*
11 *ment and implementation of sanctions policy;*
12 *and*

13 *(D) obstacles preventing closer coordination*
14 *between the United States and such allies and*
15 *partners with respect to the development and im-*
16 *plementation of sanctions policy.*

17 *(e) SENSE OF CONGRESS.—It is the sense of the Con-*
18 *gress that the President should appoint a coordinator for*
19 *sanctions and national economic security issues within the*
20 *framework of the National Security Council.*

21 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
22 *FINED.—In this section, the term “appropriate congres-*
23 *sional committees” means—*

1 (1) *the Committee on Foreign Relations, the*
2 *Committee on Banking, Housing, and Urban Affairs,*
3 *and the Committee on Finance of the Senate; and*

4 (2) *the Committee on Foreign Affairs, the Com-*
5 *mittee on Financial Services, and the Committee on*
6 *Way and Means of the House of Representatives.*

7 ***Subtitle H—Robert Levinson Hos-***
8 ***tage Recovery and Hostage-Tak-***
9 ***ing Accountability Act***

10 ***SEC. 1291. SHORT TITLE.***

11 *This subtitle may be cited as the “Robert Levinson*
12 *Hostage Recovery and Hostage-Taking Accountability Act”.*

13 ***SEC. 1292. ASSISTANCE FOR UNITED STATES NATIONALS***
14 ***UNLAWFULLY OR WRONGFULLY DETAINED***
15 ***ABROAD.***

16 (a) *REVIEW.*—*The Secretary of State shall review the*
17 *cases of United States nationals detained abroad to deter-*
18 *mine if there is credible information that they are being*
19 *detained unlawfully or wrongfully, based on criteria which*
20 *may include whether—*

21 (1) *United States officials receive or possess cred-*
22 *ible information indicating innocence of the detained*
23 *individual;*

1 (2) *the individual is being detained solely or*
2 *substantially because he or she is a United States na-*
3 *tional;*

4 (3) *the individual is being detained solely or*
5 *substantially to influence United States Government*
6 *policy or to secure economic or political concessions*
7 *from the United States Government;*

8 (4) *the detention appears to be because the indi-*
9 *vidual sought to obtain, exercise, defend, or promote*
10 *freedom of the press, freedom of religion, or the right*
11 *to peacefully assemble;*

12 (5) *the individual is being detained in violation*
13 *of the laws of the detaining country;*

14 (6) *independent nongovernmental organizations*
15 *or journalists have raised legitimate questions about*
16 *the innocence of the detained individual;*

17 (7) *the United States mission in the country*
18 *where the individual is being detained has received*
19 *credible reports that the detention is a pretext for an*
20 *illegitimate purpose;*

21 (8) *the individual is detained in a country*
22 *where the Department of State has determined in its*
23 *annual human rights reports that the judicial system*
24 *is not independent or impartial, is susceptible to cor-*
25 *ruption, or is incapable of rendering just verdicts;*

1 (9) *the individual is being detained in inhumane*
2 *conditions;*

3 (10) *due process of law has been sufficiently im-*
4 *paired so as to render the detention arbitrary; and*

5 (11) *United States diplomatic engagement is*
6 *likely necessary to secure the release of the detained*
7 *individual.*

8 (b) *REFERRALS TO THE SPECIAL ENVOY.*—*Upon a de-*
9 *termination by the Secretary of State, based on the totality*
10 *of the circumstances, that there is credible information that*
11 *the detention of a United States national abroad is unlaw-*
12 *ful or wrongful, and regardless of whether the detention is*
13 *by a foreign government or a nongovernmental actor, the*
14 *Secretary shall transfer responsibility for such case from*
15 *the Bureau of Consular Affairs of the Department of State*
16 *to the Special Envoy for Hostage Affairs created pursuant*
17 *to section 1293.*

18 (c) *REPORT.*—

19 (1) *ANNUAL REPORT.*—

20 (A) *IN GENERAL.*—*The Secretary of State*
21 *shall submit to the appropriate congressional*
22 *committees an annual report with respect to*
23 *United States nationals for whom the Secretary*
24 *determines there is credible information of un-*
25 *lawful or wrongful detention abroad.*

1 (B) *FORM.*—*The report required under this*
2 *paragraph shall be submitted in unclassified*
3 *form, but may include a classified annex if nec-*
4 *essary.*

5 (2) *COMPOSITION.*—*The report required under*
6 *paragraph (1) shall include current estimates of the*
7 *number of individuals so detained, as well as relevant*
8 *information about particular cases, such as—*

9 (A) *the name of the individual, unless the*
10 *provision of such information is inconsistent*
11 *with section 552a of title 5, United States Code*
12 *(commonly known as the “Privacy Act of*
13 *1974”);*

14 (B) *basic facts about the case;*

15 (C) *a summary of the information that such*
16 *individual may be detained unlawfully or*
17 *wrongfully;*

18 (D) *a description of specific efforts, legal*
19 *and diplomatic, taken on behalf of the individual*
20 *since the last reporting period, including a de-*
21 *scription of accomplishments and setbacks; and*

22 (E) *a description of intended next steps.*

23 (d) *RESOURCE GUIDANCE.*—

24 (1) *ESTABLISHMENT.*—*Not later than 180 days*
25 *after the date of the enactment of this Act and after*

1 *consulting with relevant organizations that advocate*
2 *on behalf of United States nationals detained abroad*
3 *and the Family Engagement Coordinator established*
4 *pursuant to section 1294(c)(2), the Secretary of State*
5 *shall provide resource guidance in writing for govern-*
6 *ment officials and families of unjustly or wrongfully*
7 *detained individuals.*

8 (2) *CONTENT.—The resource guidance required*
9 *under paragraph (1) should include—*

10 (A) *information to help families understand*
11 *United States policy concerning the release of*
12 *United States nationals unlawfully or wrong-*
13 *fully held abroad;*

14 (B) *contact information for officials in the*
15 *Department of State or other government agen-*
16 *cies suited to answer family questions;*

17 (C) *relevant information about options*
18 *available to help families obtain the release of*
19 *unjustly or wrongfully detained individuals,*
20 *such as guidance on how families may engage*
21 *with United States diplomatic and consular*
22 *channels to ensure prompt and regular access for*
23 *the detained individual to legal counsel, family*
24 *members, humane treatment, and other services;*

1 (D) guidance on submitting public or pri-
2 vate letters from members of Congress or other
3 individuals who may be influential in securing
4 the release of an individual; and

5 (E) appropriate points of contacts, such as
6 legal resources and counseling services, who have
7 a record of assisting victims' families.

8 **SEC. 1293. SPECIAL ENVOY FOR HOSTAGE AFFAIRS.**

9 (a) *ESTABLISHMENT.*—There shall be a Special Presi-
10 dential Envoy for Hostage Affairs, appointed by the Presi-
11 dent, who shall report to the Secretary of State.

12 (b) *RANK.*—The Special Envoy shall have the rank
13 and status of ambassador.

14 (c) *RESPONSIBILITIES.*—The Special Presidential
15 Envoy for Hostage Affairs shall—

16 (1) lead diplomatic engagement on United States
17 hostage policy;

18 (2) coordinate all diplomatic engagements and
19 strategy in support of hostage recovery efforts, in co-
20 ordination with the Hostage Recovery Fusion Cell
21 and consistent with policy guidance communicated
22 through the Hostage Response Group;

23 (3) in coordination with the Hostage Recovery
24 Fusion Cell as appropriate, coordinate diplomatic en-
25 gagements regarding cases in which a foreign govern-

1 *ment has detained a United States national and the*
2 *United States Government regards such detention as*
3 *unlawful or wrongful;*

4 *(4) provide senior representation from the Spe-*
5 *cial Envoy's office to the Hostage Recovery Fusion*
6 *Cell established under section 1294 and the Hostage*
7 *Response Group established under section 1295; and*

8 *(5) ensure that families of United States nation-*
9 *als unlawfully or wrongly detained abroad receive up-*
10 *dated information about developments in cases and*
11 *government policy.*

12 **SEC. 1294. HOSTAGE RECOVERY FUSION CELL.**

13 *(a) ESTABLISHMENT.—The President shall establish*
14 *an interagency Hostage Recovery Fusion Cell.*

15 *(b) PARTICIPATION.—The President shall direct the*
16 *heads of each of the following executive departments, agen-*
17 *cies, and offices to make available personnel to participate*
18 *in the Hostage Recovery Fusion Cell:*

19 *(1) The Department of State.*

20 *(2) The Department of the Treasury.*

21 *(3) The Department of Defense.*

22 *(4) The Department of Justice.*

23 *(5) The Office of the Director of National Intel-*
24 *ligence.*

25 *(6) The Federal Bureau of Investigation.*

1 (7) *The Central Intelligence Agency.*

2 (8) *Other agencies as the President, from time to*
3 *time, may designate.*

4 (c) *PERSONNEL.—The Hostage Recovery Fusion Cell*
5 *shall include—*

6 (1) *a Director, who shall be a full-time senior of-*
7 *ficer or employee of the United States Government;*

8 (2) *a Family Engagement Coordinator who*
9 *shall—*

10 (A) *work to ensure that all interactions by*
11 *executive branch officials with a hostage’s family*
12 *occur in a coordinated fashion and that the fam-*
13 *ily receives consistent and accurate information*
14 *from the United States Government; and*

15 (B) *if directed, perform the same function*
16 *as set out in subparagraph (A) with regard to*
17 *the family of a United States national who is*
18 *unlawfully or wrongfully detained abroad; and*

19 (3) *other officers and employees as deemed ap-*
20 *propriate by the President.*

21 (d) *DUTIES.—The Hostage Recovery Fusion Cell*
22 *shall—*

23 (1) *coordinate efforts by participating agencies*
24 *to ensure that all relevant information, expertise, and*

1 *resources are brought to bear to secure the safe recovery*
2 *of United States nationals held hostage abroad;*

3 *(2) if directed, coordinate the United States Gov-*
4 *ernment's response to other hostage-takings occurring*
5 *abroad in which the United States has a national in-*
6 *terest;*

7 *(3) if directed, coordinate or assist the United*
8 *States Government's response to help secure the re-*
9 *lease of United States nationals unlawfully or wrong-*
10 *fully detained abroad; and*

11 *(4) pursuant to policy guidance coordinated*
12 *through the National Security Council—*

13 *(A) identify and recommend hostage recovery*
14 *options and strategies to the President*
15 *through the National Security Council or the*
16 *Deputies Committee of the National Security*
17 *Council;*

18 *(B) coordinate efforts by participating*
19 *agencies to ensure that information regarding*
20 *hostage events, including potential recovery op-*
21 *tions and engagements with families and exter-*
22 *nal actors (including foreign governments), is*
23 *appropriately shared within the United States*
24 *Government to facilitate a coordinated response*
25 *to a hostage-taking;*

1 (C) assess and track all hostage-takings of
2 United States nationals abroad and provide reg-
3 ular reports to the President and Congress on the
4 status of such cases and any measures being
5 taken toward the hostages' safe recovery;

6 (D) provide a forum for intelligence sharing
7 and, with the support of the Director of National
8 Intelligence, coordinate the declassification of rel-
9 evant information;

10 (E) coordinate efforts by participating
11 agencies to provide appropriate support and as-
12 sistance to hostages and their families in a co-
13 ordinated and consistent manner and to provide
14 families with timely information regarding sig-
15 nificant events in their cases;

16 (F) make recommendations to agencies in
17 order to reduce the likelihood of United States
18 nationals' being taken hostage abroad and en-
19 hance United States Government preparation to
20 maximize the probability of a favorable outcome
21 following a hostage-taking; and

22 (G) coordinate with agencies regarding con-
23 gressional, media, and other public inquiries
24 pertaining to hostage events.

1 (e) *ADMINISTRATION.*—*The Hostage Recovery Fusion*
2 *Cell shall be located within the Federal Bureau of Investiga-*
3 *tion for administrative purposes.*

4 **SEC. 1295. HOSTAGE RESPONSE GROUP.**

5 (a) *ESTABLISHMENT.*—*The President shall establish a*
6 *Hostage Response Group, chaired by a designated member*
7 *of the National Security Council or the Deputies Committee*
8 *of the National Security Council, to be convened on a reg-*
9 *ular basis, to further the safe recovery of United States na-*
10 *tionals held hostage abroad or unlawfully or wrongfully de-*
11 *tained abroad, and to be tasked with coordinating the*
12 *United States Government response to other hostage-takings*
13 *occurring abroad in which the United States has a national*
14 *interest.*

15 (b) *MEMBERSHIP.*—*The regular members of the Hos-*
16 *tage Response Group shall include the Director of the Hos-*
17 *tage Recovery Fusion Cell, the Hostage Recovery Fusion*
18 *Cell's Family Engagement Coordinator, the Special Envoy*
19 *appointed pursuant to section 1293, and representatives*
20 *from the Department of the Treasury, the Department of*
21 *Defense, the Department of Justice, the Federal Bureau of*
22 *Investigation, the Office of the Director of National Intel-*
23 *ligence, the Central Intelligence Agency, and other agencies*
24 *as the President, from time to time, may designate.*

25 (c) *DUTIES.*—*The Hostage Recovery Group shall—*

1 (1) *identify and recommend hostage recovery op-*
2 *tions and strategies to the President through the Na-*
3 *tional Security Council;*

4 (2) *coordinate the development and implementa-*
5 *tion of United States hostage recovery policies, strate-*
6 *gies, and procedures;*

7 (3) *receive regular updates from the Hostage Re-*
8 *covery Fusion Cell and the Special Envoy for Hostage*
9 *Affairs on the status of United States nationals being*
10 *held hostage or unlawfully or wrongfully detained*
11 *abroad and measures being taken to effect safe recov-*
12 *eries;*

13 (4) *coordinate the provision of policy guidance to*
14 *the Hostage Recovery Fusion Cell, including review-*
15 *ing recovery options proposed by the Hostage Recov-*
16 *ery Fusion Cell and working to resolve disputes with-*
17 *in the Hostage Recovery Fusion Cell;*

18 (5) *as appropriate, direct the use of resources at*
19 *the Hostage Recovery Fusion Cell to coordinate or as-*
20 *ist in the safe recovery of United States nationals*
21 *unlawfully or wrongfully detained abroad; and*

22 (6) *as appropriate, direct the use of resources at*
23 *the Hostage Recovery Fusion Cell to coordinate the*
24 *United States Government response to other hostage-*

1 *takings occurring abroad in which the United States*
2 *has a national interest.*

3 (d) *MEETINGS.—The Hostage Response Group shall*
4 *meet regularly.*

5 (e) *REPORTING.—The Hostage Response Group shall*
6 *regularly provide recommendations on hostage recovery op-*
7 *tions and strategies to the National Security Council.*

8 **SEC. 1296. AUTHORIZATION OF IMPOSITION OF SANCTIONS.**

9 (a) *IN GENERAL.—The President may impose the*
10 *sanctions described in subsection (b) with respect to any*
11 *foreign person the President determines, based on credible*
12 *evidence—*

13 (1) *is responsible for or is complicit in, or re-*
14 *sponsible for ordering, controlling, or otherwise direct-*
15 *ing, the hostage-taking of a United States national*
16 *abroad or the unlawful or wrongful detention of a*
17 *United States national abroad; or*

18 (2) *knowingly provides financial, material, or*
19 *technological support for, or goods or services in sup-*
20 *port of, an activity described in paragraph (1).*

21 (b) *SANCTIONS DESCRIBED.—The sanctions described*
22 *in this subsection are the following:*

23 (1) *INELIGIBILITY FOR VISAS, ADMISSION, OR PA-*
24 *ROLE.—*

1 (A) *VISAS, ADMISSION, OR PAROLE.*—An
2 alien described in subsection (a) may be—

3 (i) *inadmissible to the United States;*

4 (ii) *ineligible to receive a visa or other*
5 *documentation to enter the United States;*
6 and

7 (iii) *otherwise ineligible to be admitted*
8 *or paroled into the United States or to re-*
9 *ceive any other benefit under the Immigra-*
10 *tion and Nationality Act (8 U.S.C. 1101 et*
11 *seq.).*

12 (B) *CURRENT VISAS REVOKED.*—

13 (i) *IN GENERAL.*—An alien described
14 in subsection (a) may be subject to revoca-
15 tion of any visa or other entry documenta-
16 tion regardless of when the visa or other
17 entry documentation is or was issued.

18 (ii) *IMMEDIATE EFFECT.*—A revoca-
19 tion under clause (i) may—

20 (I) *take effect immediately; and*

21 (II) *cancel any other valid visa or*
22 *entry documentation that is in the*
23 *alien's possession.*

24 (2) *BLOCKING OF PROPERTY.*—

1 (A) *IN GENERAL.*—*The President may exer-*
2 *cise all of the powers granted to the President*
3 *under the International Emergency Economic*
4 *Powers Act (50 U.S.C. 1701 et seq.), to the extent*
5 *necessary to block and prohibit all transactions*
6 *in property and interests in property of a for-*
7 *ign person described in subsection (a) if such*
8 *property and interests in property are in the*
9 *United States, come within the United States, or*
10 *are or come within the possession or control of*
11 *a United States person.*

12 (B) *INAPPLICABILITY OF NATIONAL EMER-*
13 *GENCY REQUIREMENT.*—*The requirements of sec-*
14 *tion 202 of the International Emergency Eco-*
15 *nomie Powers Act (50 U.S.C. 1701) shall not*
16 *apply for purposes of this section.*

17 (c) *EXCEPTIONS.*—

18 (1) *EXCEPTION FOR INTELLIGENCE ACTIVI-*
19 *TIES.*—*Sanctions under this section shall not apply*
20 *to any activity subject to the reporting requirements*
21 *under title V of the National Security Act of 1947 (50*
22 *U.S.C. 3091 et seq.) or any authorized intelligence ac-*
23 *tivities of the United States.*

24 (2) *EXCEPTION TO COMPLY WITH INTER-*
25 *NATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT*

1 *ACTIVITIES.*—Sanctions under subsection (b)(1) shall
2 not apply with respect to an alien if admitting or pa-
3 roling the alien into the United States is necessary—

4 (A) to permit the United States to comply
5 with the Agreement regarding the Headquarters
6 of the United Nations, signed at Lake Success
7 June 26, 1947, and entered into force November
8 21, 1947, between the United Nations and the
9 United States, or other applicable international
10 obligations; or

11 (B) to carry out or assist law enforcement
12 activity in the United States.

13 (d) *PENALTIES.*—A person that violates, attempts to
14 violate, conspires to violate, or causes a violation of sub-
15 section (b)(2) or any regulation, license, or order issued to
16 carry out that subsection shall be subject to the penalties
17 set forth in subsections (b) and (c) of section 206 of the
18 International Emergency Economic Powers Act (50 U.S.C.
19 1705) to the same extent as a person that commits an un-
20 lawful act described in subsection (a) of that section.

21 (e) *TERMINATION OF SANCTIONS.*—The President may
22 terminate the application of sanctions under this section
23 with respect to a person if the President determines that—

24 (1) information exists that the person did not en-
25 gage in the activity for which sanctions were imposed;

1 (2) *the person has been prosecuted appropriately*
2 *for the activity for which sanctions were imposed;*

3 (3) *the person has credibly demonstrated a sig-*
4 *nificant change in behavior, has paid an appropriate*
5 *consequence for the activity for which sanctions were*
6 *imposed, and has credibly committed to not engage in*
7 *an activity described in subsection (a) in the future;*
8 *or*

9 (4) *the termination of the sanctions is in the na-*
10 *tional security interests of the United States.*

11 (f) *REPORTING REQUIREMENT.—If the President ter-*
12 *minates sanctions pursuant to subsection (d), the President*
13 *shall report to the appropriate congressional committees a*
14 *written justification for such termination within 15 days.*

15 (g) *IMPLEMENTATION OF REGULATORY AUTHORITY.—*
16 *The President may exercise all authorities provided under*
17 *sections 203 and 205 of the International Emergency Eco-*
18 *nomics Powers Act (50 U.S.C. 1702 and 1704) to carry out*
19 *this section.*

20 (h) *EXCEPTION RELATING TO IMPORTATION OF*
21 *GOODS.—*

22 (1) *IN GENERAL.—The authorities and require-*
23 *ments to impose sanctions authorized under this sub-*
24 *title shall not include the authority or a requirement*
25 *to impose sanctions on the importation of goods.*

1 (2) *GOOD DEFINED.*—*In this paragraph, the*
2 *term “good” means any article, natural or manmade*
3 *substance, material, supply or manufactured product,*
4 *including inspection and test equipment, and exclud-*
5 *ing technical data.*

6 (i) *DEFINITIONS.*—*In this section:*

7 (1) *FOREIGN PERSON.*—*The term “foreign per-*
8 *son” means—*

9 (A) *any citizen or national of a foreign*
10 *country (including any such individual who is*
11 *also a citizen or national of the United States);*
12 *or*

13 (B) *any entity not organized solely under*
14 *the laws of the United States or existing solely*
15 *in the United States.*

16 (2) *UNITED STATES PERSON.*—*The term “United*
17 *States person” means—*

18 (A) *an individual who is a United States*
19 *citizen or an alien lawfully admitted for perma-*
20 *nent residence to the United States;*

21 (B) *an entity organized under the laws of*
22 *the United States or any jurisdiction within the*
23 *United States, including a foreign branch of*
24 *such an entity; or*

25 (C) *any person in the United States.*

1 **SEC. 1297. DEFINITIONS.**

2 *In this subtitle:*

3 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
4 *TEES.—The term “appropriate congressional commit-*
5 *tees” means—*

6 (A) *the Committee on Foreign Relations, the*
7 *Committee on Appropriations, the Committee on*
8 *Banking, Housing, and Urban Affairs, the Com-*
9 *mittee on the Judiciary, the Committee on*
10 *Armed Services, and the Select Committee on In-*
11 *telligence of the United States Senate; and*

12 (B) *the Committee on Foreign Affairs, the*
13 *Committee on Appropriations, the Committee on*
14 *Financial Services, the Committee on the Judici-*
15 *ary, the Committee on Armed Services, and the*
16 *Permanent Select Committee on Intelligence of*
17 *the House of Representatives.*

18 (2) *UNITED STATES NATIONAL.—The term*
19 *“United States national” means—*

20 (A) *a United States national as defined in*
21 *section 101(a)(22) or section 308 of the Immi-*
22 *gration and Nationality Act (8 U.S.C.*
23 *1101(a)(22), 8 U.S.C. 1408); and*

24 (B) *a lawful permanent resident alien with*
25 *significant ties to the United States.*

1 **SEC. 1298. RULE OF CONSTRUCTION.**

2 *Nothing in this subtitle shall be construed to authorize*
3 *a private right of action.*

4 **TITLE XIII—COOPERATIVE**
5 **THREAT REDUCTION**

6 **SEC. 1301. FUNDING ALLOCATIONS FOR DEPARTMENT OF**
7 **DEFENSE COOPERATIVE THREAT REDUCTION**
8 **PROGRAM.**

9 *(a) IN GENERAL.—Of the \$288,490,000 authorized to*
10 *be appropriated to the Department of Defense for fiscal year*
11 *2021 in section 301 and made available by the funding*
12 *table in division D for the Department of Defense Coopera-*
13 *tive Threat Reduction Program established under section*
14 *1321 of the Department of Defense Cooperative Threat Re-*
15 *duction Act (50 U.S.C. 3711), the following amounts may*
16 *be obligated for the purposes specified:*

17 *(1) For strategic offensive arms elimination,*
18 *\$2,924,000.*

19 *(2) For chemical security and elimination,*
20 *\$11,806,000.*

21 *(3) For global nuclear security, \$20,152,000.*

22 *(4) For biological threat reduction, \$177,396,000.*

23 *(5) For proliferation prevention, \$52,064,000.*

24 *(6) For activities designated as Other Assess-*
25 *ments/Administrative Costs, \$24,148,000.*

1 (b) *AVAILABILITY OF FUNDS.*—*Funds appropriated*
 2 *pursuant to the authorization of appropriations in section*
 3 *301 and made available by the funding table in division*
 4 *D for the Department of Defense Cooperative Threat Reduc-*
 5 *tion Program shall be available for obligation for fiscal*
 6 *years 2021, 2022, and 2023.*

7 **TITLE XIV—OTHER**
 8 **AUTHORIZATIONS**

9 **Subtitle A—Military Programs**

10 **SEC. 1401. WORKING CAPITAL FUNDS.**

11 *Funds are hereby authorized to be appropriated for fis-*
 12 *cal year 2021 for the use of the Armed Forces and other*
 13 *activities and agencies of the Department of Defense for*
 14 *providing capital for working capital and revolving funds,*
 15 *as specified in the funding table in section 4501.*

16 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
 17 **TION, DEFENSE.**

18 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*Funds are*
 19 *hereby authorized to be appropriated for the Department*
 20 *of Defense for fiscal year 2021 for expenses, not otherwise*
 21 *provided for, for Chemical Agents and Munitions Destruc-*
 22 *tion, Defense, as specified in the funding table in section*
 23 *4501.*

24 (b) *USE.*—*Amounts authorized to be appropriated*
 25 *under subsection (a) are authorized for—*

1 (1) the destruction of lethal chemical agents and
2 munitions in accordance with section 1412 of the De-
3 partment of Defense Authorization Act, 1986 (50
4 U.S.C. 1521); and

5 (2) the destruction of chemical warfare materiel
6 of the United States that is not covered by section
7 1412 of such Act.

8 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
9 **TIVITIES, DEFENSE-WIDE.**

10 *Funds are hereby authorized to be appropriated for the*
11 *Department of Defense for fiscal year 2021 for expenses, not*
12 *otherwise provided for, for Drug Interdiction and Counter-*
13 *Drug Activities, Defense-wide, as specified in the funding*
14 *table in section 4501.*

15 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

16 *Funds are hereby authorized to be appropriated for the*
17 *Department of Defense for fiscal year 2021 for expenses, not*
18 *otherwise provided for, for the Office of the Inspector Gen-*
19 *eral of the Department of Defense, as specified in the fund-*
20 *ing table in section 4501.*

21 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

22 *Funds are hereby authorized to be appropriated for fis-*
23 *cal year 2021 for the Defense Health Program, as specified*
24 *in the funding table in section 4501, for use of the Armed*
25 *Forces and other activities and agencies of the Department*

1 of Defense in providing for the health of eligible bene-
2 ficiaries.

3 **Subtitle B—Armed Forces**
4 **Retirement Home**

5 **SEC. 1411. AUTHORIZATION OF APPROPRIATIONS FOR**
6 **ARMED FORCES RETIREMENT HOME.**

7 *There is hereby authorized to be appropriated for fiscal*
8 *year 2021 from the Armed Forces Retirement Home Trust*
9 *Fund the sum of \$64,300,000 for the operation of the Armed*
10 *Forces Retirement Home.*

11 **SEC. 1412. PERIODIC INSPECTIONS OF ARMED FORCES RE-**
12 **TIREMENT HOME FACILITIES BY NATIONALLY**
13 **RECOGNIZED ACCREDITING ORGANIZATION.**

14 *(a) IN GENERAL.—Section 1518 of the Armed Forces*
15 *Retirement Home Act of 1991 (24 U.S.C. 418) is amended*
16 *to read as follows:*

17 **“SEC. 1518. PERIODIC INSPECTION OF RETIREMENT HOME**
18 **FACILITIES.**

19 *“(a) INSPECTIONS.—The Chief Operating Officer shall*
20 *request the inspection of each facility of the Retirement*
21 *Home by a nationally recognized civilian accrediting orga-*
22 *nization in accordance with section 1511(g) on a frequency*
23 *consistent with the standards of such organization.*

24 *“(b) AVAILABILITY OF STAFF AND RECORDS.—The*
25 *Chief Operating Officer and the Administrator of a facility*

1 *being inspected under this section shall make all staff, other*
2 *personnel, and records of the facility available to the civil-*
3 *ian accrediting organization in a timely manner for pur-*
4 *poses of inspections under this section.*

5 “(c) *REPORTS.*—*Not later than 60 days after receiving*
6 *a report on an inspection from the civilian accrediting or-*
7 *ganization under this section, the Chief Operating Officer*
8 *shall submit to the Secretary of Defense, the Senior Medical*
9 *Advisor, and the Advisory Council a report containing—*

10 “(1) *the results of the inspection; and*

11 “(2) *a plan to address any recommendations and*
12 *other matters set forth in the report.*”.

13 “(b) *CONFORMING AMENDMENTS.*—*The Armed Forces*
14 *Retirement Home Act of 1991 (24 U.S.C. 401 et seq.) is*
15 *further amended as follows:*

16 “(1) *In section 1513A(c)(2) (24 U.S.C.*
17 *413a(c)(2)), by striking “(including requirements*
18 *identified in applicable reports of the Inspector Gen-*
19 *eral of the Department of Defense)”.*

20 “(2) *In section 1516(b)(3) (24 U.S.C.*
21 *416(b)(3))—*

22 “(A) *by striking “shall—” and all that fol-*
23 *lows through “provide for” and inserting “shall*
24 *provide for”;*

1 (B) by striking “; and” and inserting a pe-
2 riod; and

3 (C) by striking subparagraph (B).

4 (3) In section 1517(e)(2) (24 U.S.C. 417(e)(2)),
5 by striking “the Inspector General of the Department
6 of Defense,”.

7 **SEC. 1413. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT**
8 **THE ARMED FORCES RETIREMENT HOME.**

9 (a) *EXPANSION OF ELIGIBILITY.*—Section 1512(a) of
10 *the Armed Forces Retirement Home Act of 1991* (24 U.S.C.
11 *412(a)*) is amended—

12 (1) in the matter preceding paragraph (1), by
13 striking “active” in the first sentence;

14 (2) in paragraph (1), by striking “are 60 years
15 of age or over and”; and

16 (3) by adding the following new paragraph:

17 “(5) Persons who are eligible for retired pay
18 under chapter 1223 of title 10, United States Code,
19 and—

20 “(A) are eligible for care under section 1710
21 of title 38, United States Code;

22 “(B) are enrolled in coverage under chapter
23 55 of title 10, United States Code; or

24 “(C) are enrolled in a qualified health plan
25 acceptable to the Chief Operating Officer.”.

1 (b) *PARITY OF FEES AND DEDUCTIONS.*—Section
2 1514(c) of such Act (24 U.S.C. 414(c)) is amended—

3 (1) by striking paragraph (2) and inserting the
4 following new paragraph (2)

5 “(2)(A) *The fee shall be fixed as a percentage of the*
6 *monthly income and monthly payments (including Federal*
7 *payments) received by a resident. The percentage shall be*
8 *the same for each facility of the Retirement Home. The Sec-*
9 *retary of Defense may make any adjustment in a percentage*
10 *that the Secretary determines appropriate.*

11 “(B) *The calculation of monthly income and monthly*
12 *payments under subparagraph (A) for a resident eligible*
13 *under section 1512(a)(5) shall not be less than the retire-*
14 *ment pay for equivalent active duty service as determined*
15 *by the Chief Operating Officer, except as the Chief Oper-*
16 *ating Officer may provide because of compelling personal*
17 *circumstances.”; and*

18 (2) by adding at the end the following new para-
19 graph:

20 “(4) *The Administrator of each facility of the Retire-*
21 *ment Home may collect a fee upon admission from a resi-*
22 *dent accepted under section 1512(a)(5) equal to the deduc-*
23 *tions then in effect under section 1007(i)(1) of title 37,*
24 *United States Code, for each year of non-regular service,*

1 *and shall deposit such fee in the Armed Forces Retirement*
 2 *Home Trust Fund.”.*

3 (c) *CONFORMING AMENDMENT.—Section 1007(i)(3) of*
 4 *title 37, United States Code, is amended by striking*
 5 *“Armed Forces Retirement Home Board” and inserting*
 6 *“Chief Operating Officer of the Armed Forces Retirement*
 7 *Home”.*

8 ***Subtitle C—Other Matters***

9 ***SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT***
 10 ***DEPARTMENT OF DEFENSE-DEPARTMENT OF***
 11 ***VETERANS AFFAIRS MEDICAL FACILITY DEM-***
 12 ***ONSTRATION FUND FOR CAPTAIN JAMES A.***
 13 ***LOVELL HEALTH CARE CENTER, ILLINOIS.***

14 (a) *AUTHORITY FOR TRANSFER OF FUNDS.—Of the*
 15 *funds authorized to be appropriated by section 1405 and*
 16 *available for the Defense Health Program for operation and*
 17 *maintenance, \$130,400,000 may be transferred by the Sec-*
 18 *retary of Defense to the Joint Department of Defense-De-*
 19 *partment of Veterans Affairs Medical Facility Demonstra-*
 20 *tion Fund established by subsection (a)(1) of section 1704*
 21 *of the National Defense Authorization Act for Fiscal Year*
 22 *2010 (Public Law 111–84; 123 Stat. 2571).*

23 (b) *TREATMENT OF TRANSFERRED FUNDS.—For pur-*
 24 *poses of subsection (a)(2) of such section 1704, any funds*
 25 *transferred under subsection (a) shall be treated as amounts*

1 *authorized and appropriated specifically for the purpose of*
2 *such a transfer.*

3 (c) *USE OF TRANSFERRED FUNDS.—For purposes of*
4 *subsection (b) of such section 1704, facility operations for*
5 *which funds transferred under subsection (a) may be used*
6 *are operations of the Captain James A. Lovell Federal*
7 *Health Care Center, consisting of the North Chicago Vet-*
8 *erans Affairs Medical Center, the Navy Ambulatory Care*
9 *Center, and supporting facilities designated as a combined*
10 *Federal medical facility under an operational agreement*
11 *covered by section 706 of the Duncan Hunter National De-*
12 *fense Authorization Act for Fiscal Year 2009 (Public Law*
13 *110–417; 122 Stat. 4500).*

14 ***TITLE XV—AUTHORIZATION OF***
15 ***ADDITIONAL APPROPRIA-***
16 ***TIONS FOR OVERSEAS CON-***
17 ***TINGENCY OPERATIONS***

18 ***Subtitle A—Authorization of***
19 ***Appropriations***

20 ***SEC. 1501. PURPOSE.***

21 *The purpose of this subtitle is to authorize appropria-*
22 *tions for the Department of Defense for fiscal year 2021*
23 *to provide additional funds for overseas contingency oper-*
24 *ations being carried out by the Armed Forces.*

1 **SEC. 1502. OVERSEAS CONTINGENCY OPERATIONS.**

2 *Funds are hereby authorized to be appropriated for fis-*
3 *cal year 2021 for the Department of Defense for overseas*
4 *contingency operations in such amounts as may be des-*
5 *ignated as provided in section 251(b)(2)(A)(ii) of the Bal-*
6 *anced Budget and Emergency Deficit Control Act of 1985*
7 *(2 U.S.C. 901(b)(2)(A)(ii)).*

8 **SEC. 1503. PROCUREMENT.**

9 *Funds are hereby authorized to be appropriated for fis-*
10 *cal year 2021 for procurement accounts for the Army, the*
11 *Navy and the Marine Corps, the Air Force, and Defense-*
12 *wide activities, as specified in the funding table in section*
13 *4102.*

14 **SEC. 1504. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
15 **TION.**

16 *Funds are hereby authorized to be appropriated for fis-*
17 *cal year 2021 for the use of the Department of Defense for*
18 *research, development, test, and evaluation, as specified in*
19 *the funding table in section 4202.*

20 **SEC. 1505. OPERATION AND MAINTENANCE.**

21 *Funds are hereby authorized to be appropriated for fis-*
22 *cal year 2021 for the use of the Armed Forces and other*
23 *activities and agencies of the Department of Defense for ex-*
24 *penses, not otherwise provided for, for operation and main-*
25 *tenance, as specified in the funding table in section 4302.*

1 **SEC. 1506. MILITARY PERSONNEL.**

2 *Funds are hereby authorized to be appropriated for fis-*
3 *cal year 2021 for the use of the Armed Forces and other*
4 *activities and agencies of the Department of Defense for ex-*
5 *penses, not otherwise provided for, for military personnel,*
6 *as specified in the funding table in section 4402.*

7 **SEC. 1507. WORKING CAPITAL FUNDS.**

8 *Funds are hereby authorized to be appropriated for fis-*
9 *cal year 2021 for the use of the Armed Forces and other*
10 *activities and agencies of the Department of Defense for*
11 *providing capital for working capital and revolving funds,*
12 *as specified in the funding table in section 4502.*

13 **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG AC-**
14 **TIVITIES, DEFENSE-WIDE.**

15 *Funds are hereby authorized to be appropriated for the*
16 *Department of Defense for fiscal year 2021 for expenses, not*
17 *otherwise provided for, for Drug Interdiction and Counter-*
18 *Drug Activities, Defense-wide, as specified in the funding*
19 *table in section 4502.*

20 **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

21 *Funds are hereby authorized to be appropriated for the*
22 *Department of Defense for fiscal year 2021 for expenses, not*
23 *otherwise provided for, for the Office of the Inspector Gen-*
24 *eral of the Department of Defense, as specified in the fund-*
25 *ing table in section 4502.*

1 **SEC. 1510. DEFENSE HEALTH PROGRAM.**

2 *Funds are hereby authorized to be appropriated for the*
3 *Department of Defense for fiscal year 2021 for expenses, not*
4 *otherwise provided for, for the Defense Health Program, as*
5 *specified in the funding table in section 4502.*

6 **Subtitle B—Financial Matters**

7 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

8 *The amounts authorized to be appropriated by this*
9 *title are in addition to amounts otherwise authorized to be*
10 *appropriated by this Act.*

11 **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

12 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

13 *(1) AUTHORITY.—Upon determination by the*
14 *Secretary of Defense that such action is necessary in*
15 *the national interest, the Secretary may transfer*
16 *amounts of authorizations made available to the De-*
17 *partment of Defense in this title for fiscal year 2021*
18 *between any such authorizations for that fiscal year*
19 *(or any subdivisions thereof). Amounts of authoriza-*
20 *tions so transferred shall be merged with and be*
21 *available for the same purposes as the authorization*
22 *to which transferred.*

23 *(2) LIMITATION.—The total amount of author-*
24 *izations that the Secretary may transfer under the*
25 *authority of this subsection may not exceed*
26 *\$2,000,000,000.*

1 (b) *TERMS AND CONDITIONS.*—*Transfers under this*
2 *section shall be subject to the same terms and conditions*
3 *as transfers under section 1001.*

4 (c) *ADDITIONAL AUTHORITY.*—*The transfer authority*
5 *provided by this section is in addition to the transfer au-*
6 *thority provided under section 1001.*

7 ***Subtitle C—Other Matters***

8 ***SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.***

9 (a) *EXTENSION OF AVAILABILITY OF FUNDS FOR SE-*
10 *CURITY OF AFGHAN WOMEN.*—*Subsection (c)(1) of section*
11 *1520 of the National Defense Authorization Act for Fiscal*
12 *Year 2020 (Public Law 116–92) is amended, in the matter*
13 *preceding subparagraph (A), by striking “fiscal year 2020”*
14 *and inserting “fiscal year 2021”.*

15 (b) *ASSESSMENT OF AFGHANISTAN PROGRESS ON OB-*
16 *JECTIVES.*—*Subsection (d) of such section is amended—*

17 (1) *in paragraph (1)—*

18 (A) *in the matter preceding subparagraph*
19 *(A), by striking “June 1, 2020” and inserting*
20 *“March 1, 2021”;*

21 (B) *in subparagraph (A), by striking “;*
22 *and” and inserting “, including specific mile-*
23 *stones achieved since the date on which the 2020*
24 *progress report was submitted;”;*

1 (C) in subparagraph (B), by striking the
2 period at the end and inserting “; and”; and

3 (D) by adding at the end the following:

4 “(C) the efforts of the Government of the Is-
5 lamic Republic of Afghanistan to fulfill the com-
6 mitments of the Government of the Islamic Re-
7 public of Afghanistan under the Joint Declara-
8 tion between the Islamic Republic of Afghanistan
9 and the United States of America for Bringing
10 Peace to Afghanistan, issued on February 29,
11 2020.”;

12 (2) by amending paragraph (2) to read as fol-
13 lows:

14 “(2) *MATTERS TO BE INCLUDED.*—In conducting
15 the assessment required by paragraph (1), the Sec-
16 retary of Defense shall include each of the following:

17 “(A) The progress made by the Government
18 of the Islamic Republic of Afghanistan toward
19 increased accountability and the reduction of
20 corruption within the Ministry of Defense and
21 the Ministry of Interior of the Government of the
22 Islamic Republic of Afghanistan.

23 “(B) The extent to which the Government of
24 the Islamic Republic of Afghanistan has des-
25 ignated the appropriate staff, prioritized the de-

1 *velopment of relevant processes, and provided or*
2 *requested the allocation of resources necessary to*
3 *support a peace and reconciliation process in Af-*
4 *ghanistan.*

5 *“(C) The extent to which the capability and*
6 *capacity of the Afghan National Defense and Se-*
7 *curity Forces have improved as a result of Af-*
8 *ghanistan Security Forces Fund investment, in-*
9 *cluding through training, and an articulation of*
10 *the metrics used to assess such improvements.*

11 *“(D) The extent to which the Afghan Na-*
12 *tional Defense and Security Forces have been*
13 *successful in—*

14 *“(i) defending territory, re-taking ter-*
15 *ritory, and disrupting attacks;*

16 *“(ii) reducing the use of Afghan Na-*
17 *tional Defense and Security Forces check-*
18 *points; and*

19 *“(iii) curtailing the use of Afghan Spe-*
20 *cial Security Forces for missions that are*
21 *better suited to general purpose forces.*

22 *“(E) The distribution practices of the Af-*
23 *ghan National Defense and Security Forces and*
24 *whether the Government of the Islamic Republic*
25 *of Afghanistan is ensuring that supplies, equip-*

1 *ment, and weaponry supplied by the United*
2 *States are appropriately distributed to, and em-*
3 *ployed by, security forces.*

4 *“(F) The progress made with respect to the*
5 *recruitment, integration, retention, training, and*
6 *treatment of women in the Afghan National De-*
7 *fense and Security Forces.*

8 *“(G) The extent to which the Government of*
9 *the Islamic Republic of Afghanistan is adhering*
10 *to conditions for receiving assistance established*
11 *in annual financial commitment letters or any*
12 *other bilateral agreement with the United States.*

13 *“(H) Such other factors as the Secretaries*
14 *consider appropriate.”; and*

15 *(3) by amending paragraph (4) to read as fol-*
16 *lows:*

17 *“(4) WITHHOLDING OF FUNDS FOR INSUFFI-*
18 *CIENT PROGRESS.—*

19 *“(A) CERTIFICATION.—Not later than De-*
20 *cember 31, 2020, the Secretary of Defense, in co-*
21 *ordination with the Secretary of State and pur-*
22 *suant to the assessment under paragraph (1),*
23 *shall submit to the congressional defense commit-*
24 *tees a certification indicating whether the Gov-*
25 *ernment of the Islamic Republic of Afghanistan*

1 *has made sufficient progress in the areas de-*
2 *scribed in paragraph (2).*

3 “(B) *WITHHOLDING OF FUNDS.—If the Sec-*
4 *retary of Defense is unable under subparagraph*
5 *(A) to certify that the Government of the Islamic*
6 *Republic of Afghanistan is making sufficient*
7 *progress in the areas described in paragraph (2),*
8 *the Secretary of Defense shall—*

9 *“(i) withhold from expenditure and ob-*
10 *ligation an amount that is not less than 5*
11 *percent and not more than 15 percent of the*
12 *amounts made available for assistance for*
13 *the Afghan National Defense and Security*
14 *Forces for fiscal year 2021 until the date on*
15 *which the Secretary is able to so certify;*
16 *and*

17 *“(ii) notify the congressional defense*
18 *committees not later than 30 days before*
19 *withholding such funds and indicate the*
20 *specific areas of insufficient progress.*

21 “(C) *WAIVER.—If the Secretary of Defense*
22 *determines that withholding such funds would*
23 *impede the national security objectives of the*
24 *United States by prohibiting, restricting, delay-*
25 *ing, or otherwise limiting the provision of assist-*

1 *ance to the Afghan National Defense and Secu-*
2 *urity Forces for fiscal year 2021, the Secretary*
3 *may waive the withholding requirement under*
4 *subparagraph (B) if the Secretary, in coordina-*
5 *tion with the Secretary of State, certifies such*
6 *determination to the congressional defense com-*
7 *mittees not later than 30 days before the effective*
8 *date of the waiver.”.*

9 *(c) ADDITIONAL REPORTING REQUIREMENTS.—Sub-*
10 *section (e) of such section is amended—*

11 *(1) in the matter preceding paragraph (1), by*
12 *striking “fiscal year 2021” and inserting “fiscal year*
13 *2022”;*

14 *(2) in paragraph (1), by striking “fiscal year*
15 *2019” and inserting “fiscal year 2020”;*

16 *(3) in paragraph (2), by striking “fiscal year*
17 *2020” and inserting “fiscal year 2021”; and*

18 *(4) by amending paragraph (3) to read as fol-*
19 *lows:*

20 *“(3) If the amounts described in paragraph (2)*
21 *exceed the amount described in paragraph (1)—*

22 *“(A) an explanation as to why such*
23 *amounts are greater; and*

1 “(B) a detailed description of the specific
2 entities and purposes that were supported by
3 such increase.”.

4 (d) *CONFORMING AMENDMENT.*—Such section is fur-
5 ther amended by striking “Government of Afghanistan”
6 each place it appears and inserting “Government of the Is-
7 lamic Republic of Afghanistan”.

8 **SEC. 1532. TRANSITION AND ENHANCEMENT OF INSPECTOR**
9 **GENERAL AUTHORITIES FOR AFGHANISTAN**
10 **RECONSTRUCTION.**

11 (a) *SENSE OF SENATE.*—It is the sense of the Senate
12 to commend the Special Inspector General for Afghanistan
13 Reconstruction, and the Office of the Special Inspector Gen-
14 eral for Afghanistan Reconstruction, for—

15 (1) *dedicated and faithful service to the United*
16 *States since their establishment in the 2008; and*

17 (2) *promoting substantial efficiency and effec-*
18 *tiveness in the administration of programs and oper-*
19 *ations funded with amounts for the reconstruction of*
20 *Afghanistan.*

21 (b) *PURPOSES.*—Subsection (a) of section 1229 of the
22 National Defense Authorization Act for Fiscal Year 2008
23 (5 U.S.C. app. 8G note) is amended—

24 (1) *in paragraph (3), by inserting after “To pro-*
25 *vide for” the following: “the transition to the lead In-*

1 *spector General for Operation Freedom’s Sentinel des-*
2 *ignated pursuant to section 8L(d) of the Inspector*
3 *General Act of 1978 (50 U.S.C. app. 8L(d)) of all du-*
4 *ties, responsibilities, and authorities for serving”;* and

5 (2) *by adding at the end the following new para-*
6 *graph:*

7 “(4) *To maximize coordination between the In-*
8 *spector General under this section and the lead In-*
9 *spector General for Operation Freedom’s Sentinel, in-*
10 *cluding through transparency and timely sharing of*
11 *data and information collected in relation to the exer-*
12 *cise of their respective duties, responsibilities, and au-*
13 *thorities, with emphasis on matters of significant*
14 *overlap between the Department of State, the United*
15 *States Agency for International Development, and the*
16 *Department of Defense.”.*

17 (c) *ASSISTANT INSPECTOR GENERAL FOR AUDITING.—*
18 *Subsection (d)(1) of such section is amended by striking*
19 *“supported by” and inserting “funded with”.*

20 (d) *SUPERVISION.—Subsection (e)(2) of such section is*
21 *amended by inserting “authorized by this section” after*
22 *“any audit or investigation”.*

23 (e) *DUTIES.—Subsection (f) of such section is amend-*
24 *ed—*

25 (1) *in paragraph (1)—*

1 (A) in subparagraph (E), by adding “and”
2 at the end;

3 (B) by striking subparagraph (F);

4 (C) by redesignating subparagraph (G) as
5 subparagraph (F); and

6 (D) in subparagraph (F), as redesignated
7 by subparagraph (C) of this paragraph—

8 (i) by inserting “with such funds”
9 after “overpayments,”; and

10 (ii) by inserting “regarding such
11 funds,” after “or affiliated entities”;

12 (2) in paragraph (2)—

13 (A) by striking “The Inspector General”
14 and inserting “As specified in this section, the
15 Inspector General”; and

16 (B) by striking “as the Inspector General
17 considers appropriate” and inserting “as nec-
18 essary”; and

19 (3) by striking paragraph (4) and inserting the
20 following new paragraph (4):

21 “(4) SCOPE OF DUTIES AND RESPONSIBIL-
22 ITIES.—

23 “(A) NO EXTENSION TO PARTICULAR MAT-
24 TERS.—The duties and responsibilities of the In-

1 *spector General under paragraphs (1) through*
2 *(3) shall not extend to the following:*

3 *“(i) Military operations or activities*
4 *(including security assistance or coopera-*
5 *tion), unless such operations or activities*
6 *are funded using a Fund or account speci-*
7 *fied in subsection (n)(1).*

8 *“(ii) Contracts for personal security.*

9 *“(B) ASSIGNMENT OF DUTIES AND RESPON-*
10 *SIBILITIES FOR SUCH MATTERS.—Duties and re-*
11 *sponsibilities of inspectors general with respect to*
12 *operations and activities and contracts specified*
13 *in subparagraph (A) shall be discharged by the*
14 *lead Inspector General for Operation Freedom’s*
15 *Sentinel designated pursuant to section 8L(d) of*
16 *the Inspector General Act of 1978.”.*

17 *(f) RESPONSIBILITY FOR COORDINATION OF EFFORTS*
18 *VESTED IN LEAD IG FOR OPERATION FREEDOM’S SEN-*
19 *TINEL.—Such section is further amended—*

20 *(1) by redesignating subsections (g) through (o)*
21 *as subsections (h) through (p), respectively; and*

22 *(2) by inserting after subsection (f) the following*
23 *new subsection (g):*

24 *“(g) COORDINATION AND DECONFLICTION OF EF-*
25 *FORTS.—*

1 “(1) *COORDINATION AND DECONFLICTION*
 2 *THROUGH LEAD IG FOR OPERATION FREEDOM’S SEN-*
 3 *TINEL.—The lead Inspector General for Operation*
 4 *Freedom’s Sentinel designated pursuant to section*
 5 *8L(d) of the Inspector General Act of 1978 shall exer-*
 6 *cise all duties, responsibilities, and authorities for the*
 7 *coordination and deconfliction of inspector general*
 8 *activities in or in regard to Afghanistan.*

9 “(2) *COORDINATION IN DISCHARGE.—In car-*
 10 *rying out duties, responsibilities, and authorities*
 11 *under paragraph (1), the lead Inspector General re-*
 12 *ferred to in that paragraph shall coordinate with, re-*
 13 *ceive the cooperation of, and be responsible for*
 14 *deconfliction among, the following:*

15 “(A) *Each Inspector General specified in*
 16 *section 8L(c) of the Inspector General Act of*
 17 *1978 who is not the lead Inspector General for*
 18 *Operation Freedom’s Sentinel.*

19 “(B) *The Inspector General under this sec-*
 20 *tion.”.*

21 (g) *ASSISTANCE FROM FEDERAL AGENCIES.—Sub-*
 22 *section (i) of such section, as redesignated by subsection*
 23 *(f)(1) of this section, is amended—*

24 (1) *in paragraph (5)(A), by inserting “per-*
 25 *taining to the exercise by the Inspector General of du-*

1 *ties, responsibilities, or authorities specified in sub-*
2 *section (f)” after “information and assistance”; and*

3 *(2) by striking paragraph (6).*

4 *(h) REPORTS.—Subsection (j) of such section, as redes-*
5 *ignated by subsection (f)(1) of this section, is amended—*

6 *(1) in paragraph (1)—*

7 *(A) by striking the matter preceding sub-*
8 *paragraph (A) and inserting the following new*
9 *matter:*

10 *“(1) SEMI-ANNUAL REPORTS.—Not later than 30*
11 *days after the end of the second quarter of each fiscal*
12 *year, and not later than 30 days after the end of the*
13 *fourth quarter of each fiscal year, the Inspector Gen-*
14 *eral shall submit to the appropriate congressional*
15 *committees a report setting forth a summary, for the*
16 *two fiscal year quarters ending before the date on*
17 *which such report is required to be submitted, of the*
18 *activities of the Inspector General and the activities*
19 *under programs and operations funded with amounts*
20 *appropriated or otherwise made available for the re-*
21 *construction of Afghanistan. Each report shall in-*
22 *clude, for the period covered by such report, the fol-*
23 *lowing:”;*

24 *(B) by striking subparagraph (A) and in-*
25 *serting the following new subparagraph (A):*

1 “(A) A detailed statement of all obligations
2 and expenditures of amounts appropriated or
3 otherwise made available for the reconstruction
4 of Afghanistan.”;

5 (C) in subparagraph (B), by inserting
6 “projects and programs funded by amounts ap-
7 propriated or otherwise made available” after
8 “costs incurred to date for”; and

9 (D) in subparagraphs (C) and (D), by
10 striking “funded by any department or agency of
11 the United States Government” each place it ap-
12 pears and inserting “funded by amounts appro-
13 priated or otherwise made available for the re-
14 construction of Afghanistan”; and

15 (2) in paragraph (2), by striking “that involves
16 the use” and all that follows and inserting “that is
17 funded by amounts appropriated or otherwise made
18 available for the reconstruction of Afghanistan.”.

19 (i) *REPORT COORDINATION*.—Subsection (k) of such
20 section, as redesignated by subsection (f)(1) of this section,
21 is amended—

22 (1) in the subsection heading, by inserting “BY
23 INSPECTOR GENERAL FOR OPERATION FREEDOM’S
24 SENTINEL” after “REPORT COORDINATION”;

1 (2) *in paragraph (1), by striking “and the Sec-*
2 *retary of Defense” and inserting “, the Secretary of*
3 *Defense, and the lead Inspector General for Operation*
4 *Freedom’s Sentinel designated pursuant to section*
5 *8L(d) of the Inspector General Act of 1978”; and*

6 (3) *in paragraph (2), by striking “or the Sec-*
7 *retary of Defense” each place it appears and inserting*
8 *“, the Secretary of Defense, or the lead Inspector Gen-*
9 *eral referred to in paragraph (1)”.*

10 (j) *FUNDS SUBJECT TO OVERSIGHT RESPONS-*
11 *BILITY.—Paragraph (1) of subsection (n) of such section,*
12 *as redesignated by subsection (f)(1) of this section, is*
13 *amended to read as follows:*

14 “(1) *AMOUNTS APPROPRIATED OR OTHERWISE*
15 *MADE AVAILABLE FOR THE RECONSTRUCTION OF AF-*
16 *GHANISTAN.—The term ‘amounts appropriated or*
17 *otherwise made available for the reconstruction of Af-*
18 *ghanistan’ means amounts appropriated or otherwise*
19 *made available for any fiscal year for the reconstruc-*
20 *tion of Afghanistan under either of the following:*

21 “(A) *The Economic Support Fund.*

22 “(B) *The International Narcotics Control*
23 *and Law Enforcement account.*

24 “(C) *The Commanders Emergency Response*
25 *Program Fund.*

1 “(D) *The NATO Afghanistan National*
2 *Army Trust Fund.*

3 “(E) *The Drug Interdiction and Counter*
4 *Drug Activities Fund.*

5 “(F) *The Afghanistan Security Forces*
6 *Fund.*”.

7 (k) *TERMINATION.*—*Subsection (p) of such section, as*
8 *redesignated by subsection (f)(1) of this section, is amend-*
9 *ed—*

10 (1) *by striking paragraph (2); and*

11 (2) *by adding at the end the following new para-*
12 *graphs.*

13 “(2) *ASSUMPTION OF DUTIES, RESPONSIBIL-*
14 *ITIES, AND AUTHORITIES IN TERMINATION.*—

15 “(A) *IN GENERAL.*—*Effective as of the date*
16 *provided for in subparagraph (B), the duties, re-*
17 *sponsibilities, and authorities of the Inspector*
18 *General under this section shall be discharged by*
19 *the lead Inspector General for Operation Free-*
20 *dom’s Sentinel designated pursuant to subsection*
21 *(d) of section 8L of the Inspector General Act of*
22 *1978.*

23 “(B) *EFFECTIVE DATE.*—*The effective date*
24 *provided for in this subparagraph shall be such*
25 *date after the date of the termination of the Of-*

1 *office of the Special Inspector General for Afghani-*
2 *stan Reconstruction pursuant to paragraph (1)*
3 *as the Chair of the Council of Inspectors General*
4 *on Integrity and Efficiency under subsection (a)*
5 *of section 8L of the Inspector General Act of*
6 *1978 shall specify, which date may not be more*
7 *than 180 days after the date of such termination.*

8 “(3) *FINAL REPORT.*—*The final report of the In-*
9 *pector General under this section shall consist of the*
10 *semi-annual report required by subsection (j)(1) for*
11 *the last two fiscal year quarters ending before the date*
12 *of the termination of the Office of the Special Inspec-*
13 *tor General for Afghanistan Reconstruction pursuant*
14 *to paragraph (1).”.*

15 *(l) CONFORMING AND TECHNICAL AMENDMENTS.—*

16 *(1) IN GENERAL.—Subject to paragraph (2),*
17 *such section is further amended as follows:*

18 *(A) In subsection (a)(2)(A), by inserting a*
19 *comma after “economy”.*

20 *(B) Subsection (a)(3) is amended to read as*
21 *such subsection read as of the day before the date*
22 *of the enactment of this Act.*

23 *(C) Paragraph (4) of subsection (a) is re-*
24 *pealed.*

1 (D) In subsection (f)(1)(E), by striking
2 “fund” and inserting “funds”.

3 (E) In subsections (l) and (m), as redesignated
4 by subsection (f)(1) of this section—

5 (i) by striking “subsection (i)” each
6 place it appears and inserting “subsection
7 (j)”; and

8 (ii) by striking “subsection (j)(2)” each
9 place it appears and inserting “subsection
10 (k)(2)”.

11 (2) *EFFECTIVE DATES.*—The amendments made
12 by subparagraphs (A), (D) and (E) of paragraph (1)
13 shall take effect on the date of the enactment of this
14 Act. The amendment made by subparagraphs (B) and
15 (C) of that paragraph shall take effect on the effective
16 date provided for in section 1229(p)(2)(B) of the Na-
17 tional Defense Authorization Act for Fiscal Year
18 2008, as redesignated by subsection (f)(1) and amend-
19 ed by subsection (k).

20 (m) *CONFORMING AMENDMENT TO OTHER LAW.*—Sec-
21 tion 842(c) of the National Defense Authorization Act for
22 Fiscal Year 2008 (Public Law 110–181; 122 Stat. 234; 10
23 U.S.C. 2302 note) is amended—

24 (1) by inserting “(1)” before “The Special In-
25 spector General for Iraq Reconstruction”; and

1 (2) *by adding at the end the following new para-*
 2 *graph:*

3 “(2) *Upon the assumption by the lead Inspector Gen-*
 4 *eral for Operation Freedom’s Sentinel designated pursuant*
 5 *to section 8L(d) of the Inspector General Act of 1978 (5*
 6 *U.S.C. app. 8L(d)) of duties, responsibilities, and authori-*
 7 *ties under section 1229 of this Act, as provided for in sub-*
 8 *section (p)(2) of such section 1229, the requirement in para-*
 9 *graph (1) to perform audits as required by subsection (a)*
 10 *with respect to Afghanistan shall be discharged by such lead*
 11 *Inspector General.”.*

12 **TITLE XVI—STRATEGIC PRO-**
 13 **GRAMS, CYBER, AND INTEL-**
 14 **LIGENCE MATTERS**

15 **Subtitle A—Space Activities**

16 **SEC. 1601. RESILIENT AND SURVIVABLE POSITIONING,**
 17 **NAVIGATION, AND TIMING CAPABILITIES.**

18 (a) *IN GENERAL.*—*Not later than two years after the*
 19 *date of the enactment of this Act, consistent with the*
 20 *timescale applicable to joint urgent operational needs state-*
 21 *ments, the Secretary of Defense shall—*

22 (1) *prioritize and rank order the mission ele-*
 23 *ments, platforms, and weapons systems most critical*
 24 *for the operational plans of the combatant commands;*

1 (2) *mature, test, and produce for such prioritized*
2 *mission elements sufficient equipment—*

3 (A) *to generate resilient and survivable al-*
4 *ternative positioning, navigation, and timing*
5 *signals; and*

6 (B) *to process resilient survivable data pro-*
7 *vided by signals of opportunity and on-board*
8 *sensor systems; and*

9 (3) *integrate and deploy such equipment into the*
10 *prioritized operational systems, platforms, and weap-*
11 *ons systems.*

12 (b) *PLAN.—*

13 (1) *IN GENERAL.—Not later than 180 days after*
14 *the date of the enactment of this Act, the Secretary*
15 *shall submit to the congressional defense committees a*
16 *plan to commence carrying out subsection (a) in fis-*
17 *cal year 2021.*

18 (2) *REPROGRAMMING AND BUDGET PRO-*
19 *POSALS.—The plan submitted under paragraph (1)*
20 *may include any reprogramming or supplemental*
21 *budget request the Secretary considers necessary to*
22 *carry out subsection (a).*

23 (c) *COORDINATION.—In carrying out this section, the*
24 *Secretary shall consult with the National Security Council,*
25 *the Secretary of Homeland Security, the Secretary of*

1 *Transportation, and the head of any other relevant Federal*
2 *department or agency to enable civilian and commercial*
3 *adoption of technologies and capabilities for resilient and*
4 *survivable alternative positioning, navigation, and timing*
5 *capabilities to complement the global positioning system.*

6 **SEC. 1602. DEVELOPMENT EFFORTS FOR NATIONAL SECUR-**
7 **RITY SPACE LAUNCH PROVIDERS.**

8 (a) *IN GENERAL.*—*The Secretary of the Air Force shall*
9 *establish a program to develop technologies and systems to*
10 *enhance phase three National Security Space Launch re-*
11 *quirements and enable further advances in launch capa-*
12 *bility associated with the insertion of national security*
13 *payloads into relevant classes of orbits.*

14 (b) *DURATION.*—*The duration of a project to develop*
15 *technologies and systems selected under the program shall*
16 *be not more than three years.*

17 (c) *PROGRAM EXPENSE CEILING.*—*The total amount*
18 *expended under the program shall not exceed \$250,000,000.*

19 (d) *SUNSET.*—*The program established under this sec-*
20 *tion shall terminate on October 1, 2027.*

21 **SEC. 1603. TIMELINE FOR NONRECURRING DESIGN VALIDA-**
22 **TION FOR RESPONSIVE SPACE LAUNCH.**

23 *Not later than 540 days after the date on which the*
24 *Secretary of the Air Force selects two National Security*
25 *Space Launch providers in accordance with the phase two*

1 *acquisition strategy for the National Security Space*
2 *Launch program, the Secretary of Defense shall complete*
3 *the nonrecurring design validation of previously flown*
4 *launch hardware for National Security Space Launch pro-*
5 *viders that offer such hardware for use in the phase two*
6 *acquisition strategy or other national security space mis-*
7 *sions.*

8 **SEC. 1604. TACTICALLY RESPONSIVE SPACE LAUNCH OPER-**
9 **ATIONS.**

10 *The Secretary of the Air Force shall implement a*
11 *tactically responsive space launch program—*

12 *(1) to provide long-term continuity for tactically*
13 *responsive space launch operations across the future-*
14 *years defense program submitted to Congress under*
15 *section 221 of title 10, United States Code;*

16 *(2) to accelerate the development of—*

17 *(A) responsive launch concepts of oper-*
18 *ations;*

19 *(B) tactics;*

20 *(C) training; and*

21 *(D) procedures;*

22 *(3) to develop appropriate processes for tactically*
23 *responsive space launch, including—*

24 *(A) mission assurance processes; and*

1 (B) command and control, tracking, telem-
2 etry, and communications; and

3 (4) to identify basing capabilities necessary to
4 enable tactically responsive space launch, including
5 mobile launch range infrastructure.

6 **SEC. 1605. CONFORMING AMENDMENTS RELATING TO REES-**
7 **TABLISHMENT OF SPACE COMMAND.**

8 (a) *CERTIFICATIONS REGARDING INTEGRATED TAC-*
9 *TICAL WARNING AND ATTACK ASSESSMENT MISSION OF*
10 *THE AIR FORCE.*—Section 1666(a) of National Defense Au-
11 thorization Act for Fiscal Year 2017 (Public Law 114–328;
12 113 Stat. 2617) is amended by striking “Strategic Com-
13 mand” and inserting “Space Command”.

14 (b) *COUNCIL ON OVERSIGHT OF THE DEPARTMENT OF*
15 *DEFENSE POSITIONING, NAVIGATION, AND TIMING ENTER-*
16 *PRISE.*—Section 2279b of title 10, United States Code, is
17 amended—

18 (1) in subsection (b)—

19 (A) by redesignating paragraphs (7), (8),
20 (9), and (10) as paragraphs (8), (9), (10), and
21 (11), respectively; and

22 (B) by inserting after paragraph (6) the fol-
23 lowing new paragraph (7):

24 “(7) The Commander of the United States Space
25 Command.”; and

1 (2) *in subsection (f), by striking “Strategic Com-*
2 *mand” each place it appears and inserting “Space*
3 *Command”.*

4 (c) *JOINT INTERAGENCY COMBINED SPACE OPER-*
5 *ATIONS CENTER.—Section 605(e) of the Intelligence Author-*
6 *ization Act for Fiscal Year 2017 (Public Law 115–31; 131*
7 *Stat. 832) is amended—*

8 (1) *in the subsection heading, by striking “JOINT*
9 *INTERAGENCY COMBINED SPACE OPERATIONS CEN-*
10 *TER” and inserting “NATIONAL SPACE DEFENSE*
11 *CENTER”;* and

12 (2) *by striking “Strategic Command” each place*
13 *it appears and inserting “Space Command”;* and

14 (3) *by striking “Joint Interagency Combined*
15 *Space Operations Center” each place it appears and*
16 *inserting “National Space Defense Center”.*

17 (d) *NATIONAL SECURITY SPACE SATELLITE REPORT-*
18 *ING POLICY.—Section 2278(a) of title 10, United States*
19 *Code, is amended by striking “Strategic Command” and*
20 *inserting “Space Command”.*

21 (e) *SPACE-BASED INFRARED SYSTEM AND ADVANCED*
22 *EXTREMELY HIGH FREQUENCY PROGRAM.—Section*
23 *1612(a)(1) of the National Defense Authorization Act for*
24 *2017 (Public Law 114–328; 130 Stat. 2590) is amended*

1 *by striking “Strategic Command” and inserting “Space*
2 *Command”.*

3 **SEC. 1606. SPACE DEVELOPMENT AGENCY DEVELOPMENT**
4 **REQUIREMENTS AND TRANSFER TO SPACE**
5 **FORCE.**

6 *(a) DEVELOPMENT.—The Director of the Space Devel-*
7 *opment Agency shall lead—*

8 *(1) the development and demonstration of a re-*
9 *silient military space-based sensing, tracking, and*
10 *data transport architecture that primarily uses a pro-*
11 *liferated low-Earth orbit; and*

12 *(2) the integration of next-generation space ca-*
13 *pabilities, and sensor and tracking components (in-*
14 *cluding a hypersonic and ballistic missile-tracking*
15 *space sensor payload), into such architecture to ad-*
16 *dress the requirements and needs of the Armed Forces*
17 *and combatant commands for such capabilities.*

18 *(b) ORGANIZATION.—On October 1, 2022, or earlier if*
19 *directed by the Secretary of Defense, the Space Development*
20 *Agency shall be transferred from the Office of the Secretary*
21 *of Defense to the United States Space Force and shall main-*
22 *tain the same organizational reporting requirements and*
23 *acquisition authorities as the Space Rapid Capability Of-*
24 *fice.*

1 **SEC. 1607. SPACE LAUNCH RATE ASSESSMENT.**

2 *Not later than 90 days after the date of the enactment*
3 *of this Act, and biennially thereafter for the following five-*
4 *year period, the Secretary of the Air Force shall submit to*
5 *the congressional defense committees an assessment that in-*
6 *cludes—*

7 *(1) the total number of space launches for all na-*
8 *tional security and Federal civil agency entities con-*
9 *ducted in the United States during the preceding two-*
10 *year period; and*

11 *(2) the number of space launches by the same*
12 *sponsors projected to occur during the following three-*
13 *year period, including—*

14 *(A) the number of launches, disaggregated*
15 *by class of launch vehicle; and*

16 *(B) the number of payloads, disaggregated*
17 *by orbital destination.*

18 **SEC. 1608. REPORT ON IMPACT OF ACQUISITION STRATEGY**
19 **FOR THE NATIONAL SECURITY SPACE**
20 **LAUNCH PROGRAM ON EMERGING FOREIGN**
21 **SPACE LAUNCH PROVIDERS.**

22 *Not later than 90 days after the date of the enactment*
23 *of this Act, the Secretary of the Air Force shall submit to*
24 *Congress a report on the impact of the acquisition strategy*
25 *for the National Security Space Launch program on the*
26 *potential for foreign countries, including the People's Re-*

1 *public of China, to enter the global commercial space launch*
2 *market.*

3 **SEC. 1609. LEVERAGING COMMERCIAL SATELLITE REMOTE**
4 **SENSING.**

5 (a) *IN GENERAL.*—*In acquiring geospatial-intel-*
6 *ligence, the Secretary of Defense, in coordination with the*
7 *Director of the National Reconnaissance Office and the Di-*
8 *rector of the National Geospatial-Intelligence Agency, shall*
9 *leverage, to the maximum extent practicable, the capabili-*
10 *ties of United States industry, including through the use*
11 *of commercial geospatial-intelligence services and acquisi-*
12 *tion of commercial satellite imagery.*

13 (b) *OBTAINING FUTURE GEOSPATIAL-INTELLIGENCE*
14 *DATA.*—*The Director of the National Reconnaissance Of-*
15 *fice, as part of an analysis of alternatives for the future*
16 *acquisition of space systems for geospatial-intelligence,*
17 *shall—*

18 (1) *consider whether there is a suitable, cost-ef-*
19 *fective, commercial capability available that can meet*
20 *any or all of the geospatial-intelligence requirements*
21 *of the Department and the intelligence community;*

22 (2) *if a suitable, cost-effective, commercial capa-*
23 *bility is available as described in paragraph (1), de-*
24 *termine whether it is in the national interest to de-*

1 *velop a governmental space system for geospatial in-*
 2 *telligence; and*

3 *(3) include, as part of the established acquisition*
 4 *reporting requirements to the appropriate committees*
 5 *of Congress, any determination made under para-*
 6 *graphs (1) and (2).*

7 *(c) DEFINITIONS.—In this section:*

8 *(1) The term “appropriate committees of Con-*
 9 *gress” means—*

10 *(A) the congressional defense committees;*

11 *(B) the Select Committee on Intelligence of*
 12 *the Senate; and*

13 *(C) the Permanent Select Committee on In-*
 14 *telligence of the House of Representatives.*

15 *(2) The term “intelligence community” has the*
 16 *meaning given such term in section 3 of the National*
 17 *Security Act of 1947 (50 U.S.C. 3003).*

18 ***Subtitle B—Cyberspace-Related***
 19 ***Matters***

20 ***SEC. 1611. MODIFICATION OF POSITION OF PRINCIPAL***
 21 ***CYBER ADVISOR.***

22 *(a) IN GENERAL.—Subsection (c) of section 932 of the*
 23 *National Defense Authorization Act for Fiscal Year 2014*
 24 *(Public Law 113–66; 10 U.S.C. 2224 note) is amended to*
 25 *read as follows:*

1 “(c) *PRINCIPAL CYBER ADVISOR.*—

2 “(1) *DESIGNATION.*—*The Secretary shall des-*
3 *ignat*e a *Principal Cyber Advisor* from among those
4 *civilian officials of the Department of Defense* who
5 *have been appointed to the positions in which they*
6 *serve by the President, by and with the advice and*
7 *consent of the Senate.*

8 “(2) *RESPONSIBILITIES.*—*The Principal Cyber*
9 *Advisor shall be responsible for the following:*

10 “(A) *Acting as the principal advisor to the*
11 *Secretary on military cyber forces and activities.*

12 “(B) *Overall integration of Cyber Oper-*
13 *ations Forces activities relating to cyberspace op-*
14 *erations, including associated policy and oper-*
15 *ational considerations, resources, personnel, tech-*
16 *nology development and transition, and acquisi-*
17 *tion.*

18 “(C) *Assessing and overseeing the imple-*
19 *mentation of the cyber strategy of the Depart-*
20 *ment and execution of the cyber posture review*
21 *of the Department on behalf of the Secretary.*

22 “(D) *Coordinating activities pursuant to*
23 *subparagraphs (A) and (B) of subsection (c)(3)*
24 *with the Principal Information Operations Advi-*
25 *sor, the Chief Information Officer of the Depart-*

1 *ment, and other officials as determined by the*
2 *Secretary of Defense, to ensure the integration of*
3 *activities in support of cyber, information, and*
4 *electromagnetic spectrum operations.*

5 “(E) *Such other matters relating to the of-*
6 *fensive military cyber forces of the Department*
7 *as the Secretary shall specify for the purposes of*
8 *this subsection.*”

9 “(3) *CROSS-FUNCTIONAL TEAM.—Consistent with*
10 *section 911 of the National Defense Authorization Act*
11 *for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.*
12 *111 note), the Principal Cyber Advisor shall—*

13 “(A) *integrate the cyber expertise and per-*
14 *spectives of appropriate organizations within the*
15 *Office of the Secretary of Defense, Joint Staff,*
16 *military departments, the Defense Agencies and*
17 *Field Activities, and combatant commands, by*
18 *establishing and maintaining a full-time cross-*
19 *functional team of subject matter experts from*
20 *those organizations; and*

21 “(B) *select team members, and designate a*
22 *team leader, from among those personnel nomi-*
23 *nated by the heads of such organizations.”.*”

24 (b) *DESIGNATION OF DEPUTY PRINCIPAL CYBER ADVI-*
25 *SOR.—Section 905(a)(1) of the National Defense Authoriza-*

1 *tion Act for Fiscal Year 2020 (Public Law 116–92) is*
2 *amended by striking “Under Secretary of Defense for Pol-*
3 *icy” and inserting “Secretary of Defense”.*

4 **SEC. 1612. FRAMEWORK FOR CYBER HUNT FORWARD OPER-**
5 **ATIONS.**

6 (a) *FRAMEWORK REQUIRED.*—*Not later than Feb-*
7 *ruary 1, 2021, the Secretary of Defense shall develop a*
8 *standard, comprehensive framework to enhance the consist-*
9 *ency, execution, and effectiveness of cyber hunt forward op-*
10 *erations.*

11 (b) *ELEMENTS.*—*The framework developed pursuant*
12 *to subsection (a) shall include the following:*

13 (1) *Identification of the selection criteria for pro-*
14 *posed hunt forward operations, including specifica-*
15 *tion of necessary thresholds for the justification of op-*
16 *erations and thresholds for partner cooperation.*

17 (2) *The roles and responsibilities of the following*
18 *organizations in the support of the planning and exe-*
19 *cution of hunt forward operations:*

20 (A) *United States Cyber Command.*

21 (B) *Service cyber components.*

22 (C) *The Office of the Under Secretary of De-*
23 *fense for Policy.*

24 (D) *Geographic combatant commands.*

1 (E) *Cyber Operations-Integrated Planning*
2 *Elements and Joint Cyber Centers.*

3 (F) *Embassies and consulates of the United*
4 *States.*

5 (3) *Pre-deployment planning guidelines to maxi-*
6 *mize the operational success of each unique operation,*
7 *including guidance that takes into account the highly*
8 *variable nature of the following aspects at the tactical*
9 *level:*

10 (A) *Team composition, including necessary*
11 *skillsets, recommended training, and guidelines*
12 *on team size and structure.*

13 (B) *Relevant factors to determine mission*
14 *duration in a country of interest.*

15 (C) *Agreements with partner countries re-*
16 *quired pre-deployment.*

17 (D) *Criteria for potential follow-on oper-*
18 *ations.*

19 (E) *Equipment and infrastructure required*
20 *to support the missions.*

21 (4) *Metrics to measure the effectiveness of each*
22 *operation, including means to evaluate the value of*
23 *discovered malware and infrastructure, the effect on*
24 *the adversary, and the potential for future engage-*
25 *ments with the partner country.*

1 (5) *Roles and responsibilities for United States*
2 *Cyber Command and the National Security Agency*
3 *in the analysis of relevant mission data.*

4 (6) *Such other matters as the Secretary deter-*
5 *mines relevant.*

6 (c) *BRIEFING.*—

7 (1) *IN GENERAL.*—*Not later than March 1, 2021,*
8 *the Secretary of Defense shall provide to the Com-*
9 *mittee on Armed Services of the Senate and the Com-*
10 *mittee on Armed Services of the House of Representa-*
11 *tives a briefing on the framework developed pursuant*
12 *to subsection (a).*

13 (2) *CONTENTS.*—*The briefing required by para-*
14 *graph (1) shall include the following:*

15 (A) *An overview of the framework developed*
16 *in subsection (a).*

17 (B) *An explanation of the tradeoffs associ-*
18 *ated with the use of Department of Defense re-*
19 *sources for hunt forward missions in the context*
20 *of competing priorities.*

21 (C) *Such recommendations as the Secretary*
22 *may have for legislative action to improve the ef-*
23 *fectiveness of hunt forward missions.*

1 **SEC. 1613. MODIFICATION OF SCOPE OF NOTIFICATION RE-**
2 **QUIREMENTS FOR SENSITIVE MILITARY**
3 **CYBER OPERATIONS.**

4 *Subsection (c) of section 395 of title 10, United States*
5 *Code, is amended to read as follows:*

6 “(c) *SENSITIVE MILITARY CYBER OPERATION DE-*
7 *FINED.—(1) In this section, the term ‘sensitive military*
8 *cyber operation’ means an action described in paragraph*
9 *(2) that—*

10 *“(A) is carried out by the armed forces of the*
11 *United States;*

12 *“(B) is intended to achieve a cyber effect against*
13 *a foreign terrorist organization or a country, includ-*
14 *ing its armed forces and the proxy forces of that coun-*
15 *try located elsewhere —*

16 *“(i) with which the armed forces of the*
17 *United States are not involved in hostilities (as*
18 *that term is used in section 4 of the War Powers*
19 *Resolution (50 U.S.C. 1543)); or*

20 *“(ii) with respect to which the involvement*
21 *of the armed forces of the United States in hos-*
22 *tilities has not been acknowledged publicly by the*
23 *United States; and*

24 *“(C)(i) is determined to—*

25 *“(I) have a medium or high collateral effects*
26 *estimate;*

1 “(II) have a medium or high intelligence
2 gain or loss;

3 “(III) have a medium or high probability of
4 political retaliation, as determined by the polit-
5 ical military assessment contained within the as-
6 sociated concept of operations;

7 “(IV) have a medium or high probability of
8 detection when detection is not intended; or

9 “(V) result in medium or high collateral ef-
10 fects; or

11 “(ii) is a matter the Secretary determines to be
12 appropriate.

13 “(2) The actions described in this paragraph are the
14 following:

15 “(A) An offensive cyber operation.

16 “(B) A defensive cyber operation.”.

17 **SEC. 1614. MODIFICATION OF REQUIREMENTS FOR QUAR-**
18 **TERLY DEPARTMENT OF DEFENSE CYBER OP-**
19 **ERATIONS BRIEFINGS FOR CONGRESS.**

20 Section 484 of title 10, United States Code, is amended
21 by striking subsections (a) and (b) and inserting the fol-
22 lowing new subsections:

23 “(a) **BRIEFINGS REQUIRED.**—The Under Secretary of
24 Defense for Policy, the Commander of United States Cyber
25 Command, and the Chairman of the Joint Chiefs of Staff,

1 *or designees from each of their offices, shall provide to the*
2 *congressional defense committees quarterly briefings on all*
3 *offensive and significant defensive military operations in*
4 *cyberspace, including clandestine cyber activities, carried*
5 *out by the Department of Defense during the immediately*
6 *preceding quarter.*

7 “(b) *ELEMENTS.—Each briefing under subsection (a)*
8 *shall include, with respect to the military operations in*
9 *cyberspace described in such subsection, the following:*

10 “(1) *An update, set forth separately for each ap-*
11 *plicable geographic and functional command, that de-*
12 *scribes the operations carried out in the area of oper-*
13 *ations of that command or by that command.*

14 “(2) *An update, set forth for each applicable geo-*
15 *graphic and functional command, that describes de-*
16 *fensive cyber operations executed to protect or defend*
17 *forces, networks, and equipment in the area of oper-*
18 *ations of that command.*

19 “(3) *An update on relevant authorities and legal*
20 *issues applicable to operations, including any presi-*
21 *dential directives and delegations of authority re-*
22 *ceived since the last quarterly update.*

23 “(4) *An overview of critical operational chal-*
24 *lenges posed by major adversaries or encountered in*

1 *operational activities conducted since the last quar-*
2 *terly update.*

3 *“(5) An overview of the readiness of the Cyber*
4 *Mission Forces to perform assigned missions that—*

5 *“(A) addresses all of the abilities of such*
6 *Forces to conduct cyberspace operations based on*
7 *capability and capacity of personnel, equipment,*
8 *training, and equipment condition—*

9 *“(i) using both quantitative and quali-*
10 *tative metrics; and*

11 *“(ii) in a way that is common to all*
12 *military departments; and*

13 *“(B) is consistent with readiness reporting*
14 *pursuant to section 482 of this title.*

15 *“(6) Any other matters that the briefers deter-*
16 *mine to be appropriate.*

17 *“(c) DOCUMENTS.—Each briefing under subsection (a)*
18 *shall include a classified placemat, summarizing the ele-*
19 *ments specified in paragraphs (1), (2), (3), and (5) of sub-*
20 *section (b), and an unclassified memorandum, summa-*
21 *rizing the briefing’s contents.”.*

1 **SEC. 1615. RATIONALIZATION AND INTEGRATION OF PAR-**
2 **ALLEL CYBERSECURITY ARCHITECTURES**
3 **AND OPERATIONS.**

4 (a) *REVIEW REQUIRED.*—The Commander of United
5 States Cyber Command, with support from the Chief Infor-
6 mation Officer of the Department of Defense, the Chief Data
7 Officer of the Department, the Principal Cyber Advisor, the
8 Vice Chairman of the Joint Chiefs of Staff, and the Director
9 of Cost Analysis and Program Evaluation, shall conduct
10 a review of the Cybersecurity Service Provider and Cyber
11 Mission Force enterprises.

12 (b) *ASSESSMENT AND IDENTIFICATION OF*
13 *REDUNDANCIES AND GAPS.*—The review required by sub-
14 section (a) shall assess and identify—

15 (1) *the optimal way to integrate the Joint Cyber*
16 *Warfighting Architecture and the Cybersecurity Serv-*
17 *ice Provider architectures, associated tools and capa-*
18 *bilities, and associated concepts of operations;*

19 (2) *redundancies and gaps in network sensor de-*
20 *ployment and data collection and analysis for the—*

21 (A) *Big Data Platform;*

22 (B) *Joint Regional Security Stacks; and*

23 (C) *Security Information and Event Man-*
24 *agement capabilities;*

1 (3) *where integration, collaboration, and inter-*
2 *operability are not occurring that would improve out-*
3 *comes;*

4 (4) *baseline training, capabilities, competencies,*
5 *operational responsibilities, and joint concepts of op-*
6 *erations for the Joint Force Headquarters for the De-*
7 *partment of Defense Information Network, Cybersecu-*
8 *rity Service Providers, and Cyber Protection Teams;*

9 (5) *the roles and responsibilities of the Principal*
10 *Cyber Advisor, Chief Information Officer, and the*
11 *Commander of United States Cyber Command in es-*
12 *tablishing and overseeing the baselines assessed and*
13 *identified under paragraph (4);*

14 (6) *the optimal command structure for the mili-*
15 *tary services' and combatant commands' cybersecurity*
16 *service providers and cyber protection teams;*

17 (7) *the responsibilities of network owners and cy-*
18 *bersecurity service providers in mapping, configuring,*
19 *instrumenting, and deploying sensors on networks to*
20 *best support response of cyber protection teams when*
21 *assigned to defend unfamiliar networks; and*

22 (8) *operational concepts and engineering changes*
23 *to enhance remote access and operations of cyber pro-*
24 *tection teams on networks through tools and capabili-*
25 *ties of the Cybersecurity Service Providers.*

1 (c) *RECOMMENDATIONS FOR FISCAL YEAR 2023 BUDG-*
2 *ET.—The Chief Information Officer, the Chief Data Officer,*
3 *the Commander of United States Cyber Command, and the*
4 *Principal Cyber Advisor shall jointly develop recommenda-*
5 *tions for the Secretary of Defense in preparation of the*
6 *budget justification materials to be submitted to Congress*
7 *in support of the budget for the Department of Defense for*
8 *fiscal year 2023 (as submitted with the budget of the Presi-*
9 *dent for such fiscal year under section 1105(a) of title 31,*
10 *United States Code).*

11 (d) *PROGRESS BRIEFING.—Not later than March 31,*
12 *2021, the Chief Information Officer, the Chief Data Officer,*
13 *the Commander of United States Cyber Command, and the*
14 *Principal Cyber Advisor shall jointly provide a briefing to*
15 *the congressional defense committees on the progress made*
16 *in carrying out this section.*

17 **SEC. 1616. MODIFICATION OF ACQUISITION AUTHORITY OF**
18 **COMMANDER OF UNITED STATES CYBER COM-**
19 **MAND.**

20 *Section 807 of the National Defense Authorization Act*
21 *for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2224*
22 *note) is amended—*

23 (1) *by striking subsections (e) and (i); and*

24 (2) *by redesignating subsections (f) through (h)*

25 *as subsections (e) through (g), respectively.*

1 **SEC. 1617. ASSESSMENT OF CYBER OPERATIONAL PLAN-**
2 **NING AND DECONFLICTION POLICIES AND**
3 **PROCESSES.**

4 (a) *ASSESSMENT.*—Not later than November 1, 2021,
5 the Principal Cyber Advisor of the Department of Defense
6 and the Commander of United States Cyber Command shall
7 jointly, in coordination with the Under Secretary of Defense
8 for Policy, the Under Secretary of Defense for Intelligence
9 and Security, and the Chairman of the Joint Chiefs of
10 Staff, conduct and complete an assessment on the oper-
11 ational planning and deconfliction policies and processes
12 that govern cyber operations of the Department of Defense.

13 (b) *ELEMENTS.*—The assessment required by sub-
14 section (a) shall include evaluations as to whether—

15 (1) the joint targeting cycle and relevant oper-
16 ational and targeting databases are suitable for the
17 conduct of timely and well-coordinated cyber oper-
18 ations;

19 (2) each of the policies and processes in effect to
20 facilitate technical, operational, and capability
21 deconfliction are appropriate for the conduct of timely
22 and effective cyber operations;

23 (3) intelligence gain-loss decisions made by
24 Cyber Command are sufficiently well-informed and
25 made in timely fashion;

1 (4) relevant intelligence data and products are
2 consistently available and distributed to relevant
3 planning and operational elements in Cyber Com-
4 mand;

5 (5) collection operations and priorities meet the
6 operational requirements of Cyber Command; and

7 (6) authorities relevant to intelligence, surveil-
8 lance, and reconnaissance and operational prepara-
9 tion of the environment are delegated to the appro-
10 priate level.

11 (c) *BRIEFING.*—Not later than February 1, 2022, the
12 Principal Cyber Advisor and the Commander of United
13 States Cyber Command shall provide to the Committee on
14 Armed Services of the Senate and the Committee on Armed
15 Services of the House of Representatives a briefing on the
16 findings of the assessment completed under subsection (a),
17 including discussion of planned policy and process changes,
18 if any, relevant to cyber operations.

19 **SEC. 1618. PILOT PROGRAM ON CYBERSECURITY CAPA-**
20 **BILITY METRICS.**

21 (a) *PILOT PROGRAM REQUIRED.*—The Secretary of
22 Defense, acting through the Chief Information Officer of the
23 Department of Defense and the Commander of United
24 States Cyber Command, shall conduct a pilot program to
25 assess the feasibility and advisability of developing and

1 *using speed-based metrics to measure the performance and*
2 *effectiveness of security operations centers and cyber secu-*
3 *rity service providers in the Department of Defense.*

4 *(b) REQUIREMENTS.—*

5 *(1) DEVELOPMENT OF METRICS.—(A) Not later*
6 *than July 1, 2021, the Chief Information Officer and*
7 *the Commander shall jointly develop metrics described*
8 *in subsection (a) to carry out the pilot program*
9 *under such subsection.*

10 *(B) The Chief Information Officer and the Com-*
11 *mander shall ensure that the metrics developed under*
12 *subparagraph (A) are commensurate with the rep-*
13 *resentative timelines of nation-state and non-nation-*
14 *state actors when gaining access to, and compro-*
15 *miting, Department networks.*

16 *(2) USE OF METRICS.—(A) Not later than De-*
17 *cember 1, 2021, the Secretary shall, in carrying out*
18 *the pilot program required by subsection (a), begin*
19 *using the metrics developed under paragraph (1) of*
20 *this subsection to assess select security operations cen-*
21 *ters and cyber security service providers, which the*
22 *Secretary shall select specifically for purposes of the*
23 *pilot program, for a period of not less than four*
24 *months.*

1 (B) *In carrying out the pilot program under*
2 *subsection (a), the Secretary shall evaluate the effec-*
3 *tiveness of operators, capabilities available to opera-*
4 *tors, and operators' tactics, techniques, and proce-*
5 *dures.*

6 (c) *AUTHORITIES.—In carrying out the pilot program*
7 *under subsection (a), the Secretary may—*

8 (1) *assess select security operations centers and*
9 *cyber security service providers—*

10 (A) *over the course of their mission per-*
11 *formance; or*

12 (B) *in the testing and accreditation of cy-*
13 *bersecurity products and services on test net-*
14 *works designated pursuant to section 1658 of the*
15 *National Defense Authorization Act for Fiscal*
16 *Year 2020 (Public Law 116–92); and*

17 (2) *assess select elements' use of security orches-*
18 *tration and response technologies, modern endpoint*
19 *security technologies, Big Data Platform*
20 *instantiations, and technologies relevant to zero trust*
21 *architectures.*

22 (d) *BRIEFING.—*

23 (1) *IN GENERAL.—Not later than March 1, 2022,*
24 *the Secretary shall brief the Committee on Armed*
25 *Services of the Senate and the Committee on Armed*

1 *Services of the House of Representatives on the find-*
2 *ings of the Secretary with respect to the pilot pro-*
3 *gram required by subsection (a).*

4 (2) *ELEMENTS.—The briefing provided under*
5 *paragraph (1) shall include the following:*

6 (A) *The pilot metrics developed under sub-*
7 *section (b)(1).*

8 (B) *The findings of the Secretary with re-*
9 *spect to the assessments carried out under sub-*
10 *section (b)(2).*

11 (C) *An analysis of the utility of speed-based*
12 *metrics in assessing security operations centers*
13 *and cyber security service providers.*

14 (D) *An analysis of the utility of the exten-*
15 *sion of the pilot metrics to or speed-based assess-*
16 *ment of the Cyber Mission Forces.*

17 (E) *An assessment of the technical and pro-*
18 *cedural measures that would be necessary to meet*
19 *the speed-based metrics developed and applied in*
20 *the pilot program.*

1 **SEC. 1619. ASSESSMENT OF EFFECT OF INCONSISTENT TIM-**
2 **ING AND USE OF NETWORK ADDRESS TRANS-**
3 **LATION IN DEPARTMENT OF DEFENSE NET-**
4 **WORKS.**

5 (a) *IN GENERAL.*—Not later than March 1, 2021, the
6 Chief Information Officer of the Department of Defense
7 shall conduct comprehensive assessments as follows:

8 (1) *TIMING VARIABILITY IN DEPARTMENT NET-*
9 *WORKS.*—The Chief Information Officer shall charac-
10 *terize—*

11 (A) *timing variability across Department*
12 *information technology and operational tech-*
13 *nology networks, appliances, devices, applica-*
14 *tions, and sensors that generate time-stamped*
15 *data and metadata used for cybersecurity pur-*
16 *poses;*

17 (B) *how timing variability affects current,*
18 *planned, and potential capabilities for detecting*
19 *network intrusions that rely on correlating*
20 *events and the sequence of events; and*

21 (C) *how to harmonize standard of timing*
22 *across Department networks.*

23 (2) *USE OF NETWORK ADDRESS TRANSLATION.*—
24 *The Chief Information Officer shall characterize—*

25 (A) *why and how the Department is using*
26 *Network Address Translation (NAT) and mul-*

1 *multiple layers and nesting of Network Address*
2 *Translation;*

3 *(B) how using Network Address Translation*
4 *affects the ability to link malicious communica-*
5 *tions detected at various network tiers to specific*
6 *endpoints or hosts to enable prompt additional*
7 *investigations, quarantine decisions, and remedi-*
8 *ation activities; and*

9 *(C) what steps and associated cost and*
10 *schedule are necessary to eliminate the use of*
11 *Network Address Translation or to otherwise*
12 *provide transparency to network defenders, in-*
13 *cluding options to accelerate the transition from*
14 *Internet Protocol version 4 to Internet Protocol*
15 *version 6.*

16 *(b) RECOMMENDATION.—The Chief Information Offi-*
17 *cer and the Principal Cyber Advisor shall submit to the*
18 *Secretary of Defense a recommendation to address the as-*
19 *sessments conducted under subsection (a), including wheth-*
20 *er and how to revise the cyber strategy of the Department.*

21 *(c) BRIEFING.—Not later than April 1, 2021, the Chief*
22 *Information Officer shall brief the congressional defense*
23 *committees on the findings of the Chief Information Officer*
24 *with respect to the assessments conducted under subsection*

1 *(a) and the recommendation submitted under subsection*
2 *(b).*

3 **SEC. 1620. MATTERS CONCERNING THE COLLEGE OF INFOR-**
4 **MATION AND CYBERSPACE AT NATIONAL DE-**
5 **FENSE UNIVERSITY.**

6 *(a) PROHIBITION.—The Secretary of Defense may not*
7 *eliminate, divest, downsize, or reorganize the College of In-*
8 *formation and Cyberspace of the National Defense Univer-*
9 *sity, or seek to reduce the number of students educated at*
10 *the College, until 30 days after the date on which the con-*
11 *gressional defense committees receive the report required by*
12 *subsection (c).*

13 *(b) ASSESSMENT, DETERMINATION, AND REVIEW.—*
14 *The Under Secretary of Defense for Policy, in consultation*
15 *with the Under Secretary of Defense for Personnel and*
16 *Readiness, the Principal Cyber Advisor, the Principal In-*
17 *formation Operations Advisor of the Department of Defense,*
18 *the Chief Information Officer of the Department, the Chief*
19 *Financial Officer of the Department, the Chairman of the*
20 *Joint Chiefs of Staff, and the Commander of United States*
21 *Cyber Command, shall—*

22 *(1) assess requirements for joint professional*
23 *military education and civilian leader education in*
24 *the information environment and cyberspace domain*

1 *to support the Department and other national secu-*
2 *urity institutions of the Federal Government;*

3 *(2) determine whether the importance, challenges,*
4 *and complexity of the modern information environ-*
5 *ment and cyberspace domain warrant—*

6 *(A) a college at the National Defense Uni-*
7 *versity, or a college independent of the National*
8 *Defense University whose leadership is respon-*
9 *sible to the Office of the Secretary of Defense;*
10 *and*

11 *(B) the provision of resources, services, and*
12 *capacity at levels that are the same as, or de-*
13 *creased or enhanced in comparison to, those re-*
14 *sources, services, and capacity in place at the*
15 *College of Information and Cyberspace on Janu-*
16 *ary 1, 2019;*

17 *(3) review the plan proposed by the National De-*
18 *fense University for eliminating the College of Infor-*
19 *mation and Cyberspace and reducing and restruc-*
20 *turing the information and cyberspace faculty, course*
21 *offerings, joint professional military education and*
22 *degree and certificate programs, and other services*
23 *provided by the College; and*

24 *(4) assess the changes made to the College of In-*
25 *formation and Cyberspace since January 1, 2019,*

1 *and the actions necessary to reverse those changes, in-*
2 *cluding relocating the College and its associated budg-*
3 *et, faculty, staff, students, and facilities outside of the*
4 *National Defense University.*

5 *(c) REPORT REQUIRED.—Not later than February 1,*
6 *2021, the Secretary shall submit to the congressional defense*
7 *committees a report on—*

8 *(1) the findings of the Secretary with respect to*
9 *the assessments, determination, and review conducted*
10 *under subsection (b); and*

11 *(2) such recommendations as the Secretary may*
12 *have for higher education in the information environ-*
13 *ment and cyberspace domain.*

14 **SEC. 1621. MODIFICATION OF MISSION OF CYBER COMMAND**
15 **AND ASSIGNMENT OF CYBER OPERATIONS**
16 **FORCES.**

17 *Section 167b of title 10, United States Code, is amend-*
18 *ed—*

19 *(1) in subsection (a)—*

20 *(A) in the first sentence, by inserting “(1)”*
21 *before “With the advice”;*

22 *(B) in paragraph (1), as designated by sub-*
23 *paragraph (A), by striking the second sentence;*
24 *and*

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

3 “(2) *The principal mission of the cyber command is*
4 *to direct, synchronize, and coordinate cyber planning and*
5 *operations to defend and advance national interests in col-*
6 *laboration with domestic and international partners.”; and*

7 (2) by amending subsection (b) to read as fol-
8 lows:

9 “(b) *ASSIGNMENT OF FORCES.—(1) Active and reserve*
10 *cyber forces of the armed forces shall be assigned to the cyber*
11 *command through the Global Force Management Process,*
12 *as approved by the Secretary of Defense.*

13 “(2) *Cyber forces not assigned to cyber command re-*
14 *main assigned to combatant commands or service-re-*
15 *tained.”.*

16 **SEC. 1622. INTEGRATION OF DEPARTMENT OF DEFENSE**
17 **USER ACTIVITY MONITORING AND CYBERSE-**
18 **CURITY.**

19 (a) *INTEGRATION OF PLANS, CAPABILITIES, AND SYS-*
20 *TEMS.—The Secretary of Defense shall integrate the plans,*
21 *capabilities, and systems for user activity monitoring, and*
22 *the plans, capabilities, and systems for endpoint cybersecu-*
23 *rity and the collection of metadata on network activity for*
24 *cybersecurity to enable mutual support and information*
25 *sharing.*

1 (b) *REQUIREMENTS.*—*In carrying out subsection (a),*
2 *the Secretary shall—*

3 (1) *consider using the Big Data Platform in-*
4 *stances that host cybersecurity metadata for storage*
5 *and analysis of all user activity monitoring data col-*
6 *lected across the Department of Defense Information*
7 *Network at all security classification levels;*

8 (2) *develop policies and procedures governing ac-*
9 *cess to user activity monitoring data or data derived*
10 *from user activity monitoring by cybersecurity opera-*
11 *tors; and*

12 (3) *develop processes and capabilities for using*
13 *metadata on host and network activity for user activ-*
14 *ity monitoring in support of the insider threat mis-*
15 *sion.*

16 (c) *CONGRESSIONAL BRIEFING.*—*Not later than Octo-*
17 *ber 1, 2021, the Secretary shall provide a briefing to the*
18 *congressional defense committees on actions taken to carry*
19 *out this section.*

20 **SEC. 1623. DEFENSE INDUSTRIAL BASE CYBERSECURITY**
21 **SENSOR ARCHITECTURE PLAN.**

22 (a) *PLAN REQUIRED.*—*Not later than February 1,*
23 *2021, the Principal Cyber Advisor of the Department of De-*
24 *fense, in consultation with the Chief Information Officer of*
25 *the Department, the Under Secretary of Defense for Acquisi-*

1 *tion and Sustainment, the Under Secretary of Defense for*
2 *Intelligence and Security, and the Commander of United*
3 *States Cyber Command, shall develop a comprehensive plan*
4 *for the deployment of commercial-off-the-shelf solutions on*
5 *supplier networks to monitor the public-facing Internet at-*
6 *tack surface in the defense industrial base.*

7 **(b) CONTENTS.**—*The plan required by subsection (a)*
8 *shall include the following:*

9 **(1) Definition of an architecture, concept of op-**
10 *erations, and governance structure that—*

11 **(A) will allow for the instrumentation and**
12 *collection of cybersecurity data on the public-fac-*
13 *ing Internet attack surfaces of defense industrial*
14 *base contractors in a manner that is compatible*
15 *with the Department's existing or future capa-*
16 *bilities for analysis, and instrumentation and*
17 *collection, as appropriate, of cybersecurity data*
18 *within the Department of Defense Information*
19 *Network;*

20 **(B) includes the expected scale, schedule,**
21 *and guiding principles of deployment;*

22 **(C) is consistent with the defense industrial**
23 *base cybersecurity policies and programs of the*
24 *Under Secretary of Defense for Acquisition and*

1 *Sustainment and the Chief Information Officer;*
2 *and*

3 *(D) includes an acquisition strategy for sen-*
4 *sor capabilities that optimizes required capa-*
5 *bility, scalability, cost, and intelligence and cy-*
6 *bersecurity requirements.*

7 *(2) Roles and responsibilities of the persons re-*
8 *ferred to in subsection (a) in implementing and exe-*
9 *cuting the plan.*

10 *(c) CONSULTATION.—In developing the plan required*
11 *by subsection (a), the Principal Cyber Advisor shall ensure*
12 *that extensive consultation with representative companies*
13 *of the defense industrial base occurs so as to ensure that*
14 *prospective participants in the defense industrial base un-*
15 *derstand and agree that emerging solutions are acceptable,*
16 *practical, and effective.*

17 *(d) BRIEFING.—Not later than March 1, 2021, the*
18 *Principal Cyber Advisor shall provide a briefing to the*
19 *Committee on Armed Services of the Senate and the Com-*
20 *mittee on Armed Services of the House of Representatives*
21 *on the plan developed pursuant to subsection (a).*

1 **SEC. 1624. EXTENSION OF CYBERSPACE SOLARIUM COMMIS-**
 2 **SION TO TRACK AND ASSESS IMPLEMENTA-**
 3 **TION.**

4 *Section 1652 of the John S. McCain National Defense*
 5 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
 6 *232), as amended by section 1639 of the National Defense*
 7 *Authorization Act for Fiscal Year 2020 (Public Law 116–*
 8 *92), is further amended—*

9 *(1) in subsection (b)(1)(B)—*

10 *(A) in clause (i), by striking “under clauses*
 11 *(iv) through (vii) of subparagraph (A)” and in-*
 12 *serting “under clauses (v) through (viii) of sub-*
 13 *paragraph (A)”;* and

14 *(B) by adding at the end the following new*
 15 *clause:*

16 *“(iv) Effective on the date of the enactment*
 17 *of the National Defense Authorization Act for*
 18 *Fiscal Year 2021, the composition of the Com-*
 19 *mission shall not include clauses (i) through (iv)*
 20 *of subparagraph (A).”;*

21 *(2) in subsection (d)(2), by striking “Seven*
 22 *members shall” and inserting “Seven members, dur-*
 23 *ing the period beginning on the date of the establish-*
 24 *ment of the Commission and ending on the day before*
 25 *the date of the enactment of the National Defense Au-*
 26 *thorization Act for Fiscal Year 2021, and six mem-*

1 *bers, during the period beginning on the date of the*
2 *enactment of such Act and ending on the date of the*
3 *termination of the Commission, shall”;*

4 *(3) in subsection (i)(1)(B)—*

5 *(A) by striking “Members of the Commis-*
6 *sion who” inserting “(i) During the period be-*
7 *ginning on the date of the establishment of the*
8 *Commission and ending on the day before the*
9 *date of the enactment of the National Defense*
10 *Authorization Act for Fiscal Year 2021, members*
11 *of the Commission who”;* and

12 *(B) by adding at the end the following new*
13 *clause:*

14 *“(ii) During the period beginning on the date of*
15 *the enactment of such Act and ending on the date of*
16 *the termination of the Commission, members of the*
17 *Commission who are Members of Congress shall re-*
18 *ceive no additional pay by reason of their service on*
19 *the Commission.”;* and

20 *(4) in subsection (k)(2)—*

21 *(A) in subparagraph (A), by striking “120*
22 *day period” and inserting “16 month period*
23 *with no further extensions permitted”;*

24 *(B) by amending subparagraph (B) to read*
25 *as follows:*

1 “(B) *The Commission may use the 16 month pe-*
2 *riod referred to in subparagraph (A) for the purposes*
3 *of—*

4 “(i) *collecting and assessing comments and*
5 *feedback from the Federal departments and agen-*
6 *cies, as well as published reviews, on the analysis*
7 *and recommendations contained in the final re-*
8 *port under paragraph (1);*

9 “(ii) *collecting and assessing any develop-*
10 *ments in cybersecurity that may affect the rec-*
11 *ommendations in such report;*

12 “(iii) *reviewing the implementation of the*
13 *recommendations contained in such report; and*

14 “(iv) *revising or amending recommenda-*
15 *tions based on the assessments and reviews con-*
16 *ducted under clauses (i) through (iii);*

17 “(C) *During the 16 month period referred to in*
18 *subparagraph (A), the Commission shall—*

19 “(i) *provide, in such manner and format as*
20 *the Commission considers appropriate, an an-*
21 *nual update on such report and any revisions or*
22 *amendments reached by the Commission under*
23 *subparagraph (B)(iv) to—*

24 “(I) *the Committee on Armed Services,*
25 *the Select Committee on Intelligence, and*

1 *the Committee on Homeland Security and*
2 *Governmental Affairs of the Senate;*

3 *“(II) the Committee on Armed Serv-*
4 *ices, the Permanent Select Committee on In-*
5 *telligence, and the Committee on Homeland*
6 *Security of the House of Representatives;*

7 *“(III) the Director of National Intel-*
8 *ligence;*

9 *“(IV) the Secretary of Defense; and*

10 *“(V) the Secretary of Homeland Secu-*
11 *rity; and*

12 *“(ii) conclude its activities, including pro-*
13 *viding testimony to Congress concerning the*
14 *final report under paragraph (1) and dissemi-*
15 *nating such report.”; and*

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

18 *“(D) In the event that the Commission is ex-*
19 *tended, and the effective date of the extension comes*
20 *after the time set for the Commission’s termination,*
21 *the Commission shall be deemed reconstituted with the*
22 *same members and powers that existed at the time of*
23 *termination of the Commission, except that—*

1 “(i) a member of the Commission shall only
2 serve if the member’s position continues to be au-
3 thorized under subsection (b);

4 “(ii) no compensation or entitlements relat-
5 ing to a person’s status with the Commission
6 shall be due for the period between the termi-
7 nation and reconstitution of the Commission;

8 “(iii) nothing in this paragraph shall be
9 deemed as requiring the extension or reemploy-
10 ment of any staff member or contractor working
11 for the Commission;

12 “(iv) the staff of the commission—

13 “(I) shall be selected by the co-chairs of
14 the Commission in accordance with sub-
15 section (h)(1);

16 “(II) shall be comprised of not more
17 than four individuals, including a staff di-
18 rector;

19 “(III) shall be resourced in accordance
20 with subsection (g)(4)(A); and

21 “(IV) with the approval of the co-
22 chairs, may be provided by contract with a
23 nongovernmental organization;

24 “(v) any unexpended funds made available
25 for the use of the Commission shall continue to

1 *be available for use for the life of the Commis-*
2 *sion, as well as any additional funds appro-*
3 *priated to the Department of Defense that are*
4 *made available to the Commission, provided that*
5 *the total such funds does not exceed \$1,000,000*
6 *from the reconstitution of the Commission to the*
7 *completion of the Commission; and*

8 *“(vi) the requirement for an annual assess-*
9 *ment of the final report in subsection (l) shall be*
10 *in effect until the termination of the Commis-*
11 *sion.”.*

12 **SEC. 1625. REVIEW OF REGULATIONS AND PROMULGATION**
13 **OF GUIDANCE RELATING TO NATIONAL**
14 **GUARD RESPONSES TO CYBER ATTACKS.**

15 *(a) IN GENERAL.—Not later than December 31, 2021,*
16 *the Secretary of Defense, in coordination with the Secretary*
17 *of Homeland Security, shall—*

18 *(1) review and, if the Secretary determines nec-*
19 *essary, update regulations promulgated under section*
20 *903 of title 32, United States Code, to clarify when*
21 *and under what conditions the participation of the*
22 *National Guard in a response to a cyber attack quali-*
23 *fies as a homeland defense activity that would be*
24 *compensated for by the Secretary of Defense under*
25 *section 902 of such title; and*

1 “(1) *The assessment and definition of the role of*
2 *cyber forces in the national defense and military*
3 *strategies of the United States.*”;

4 (2) *by amending paragraph (2) to read as fol-*
5 *lows:*

6 “(2) *Review of the following:*

7 “(A) *The role of cyber operations in combat-*
8 *ant commander warfighting plans.*

9 “(B) *The ability of combatant commanders*
10 *to respond to adversary cyber attacks.*

11 “(C) *The cyber capacity-building programs*
12 *of the Department.*”;

13 (3) *by amending paragraph (3) to read as fol-*
14 *lows:*

15 “(3) *A review of the law, policies, and authori-*
16 *ties relating to, and necessary for, the United States*
17 *to maintain a safe, reliable, and credible cyber pos-*
18 *ture for defending against and responding to cyber*
19 *attacks and for deterrence in cyberspace, including*
20 *the following:*

21 “(A) *An assessment of the need for further*
22 *delegation of cyber-related authorities, including*
23 *those germane to information warfare, to the*
24 *Commander of United States Cyber Command.*

1 “(B) *An evaluation of the adequacy of mis-*
2 *sion authorities for all cyber-related military*
3 *components, defense agencies, directorates, cen-*
4 *ters, and commands.”;*

5 (4) *in paragraph (4), by striking “A declara-*
6 *tory” and inserting “A review of the need for or for*
7 *updates to a declaratory”;*

8 (5) *in paragraph (5), by striking “Proposed”*
9 *and inserting “A review of”;*

10 (6) *by amending paragraph (6) to read as fol-*
11 *lows:*

12 “(6) *A review of a strategy to deter, degrade, or*
13 *defeat malicious cyber activity targeting the United*
14 *States (which may include activities, capability devel-*
15 *opment, and operations other than cyber activities,*
16 *cyber capability development, and cyber operations),*
17 *including—*

18 “(A) *a review and assessment of various ap-*
19 *proaches to competition and deterrence in cyber-*
20 *space, determined in consultation with experts*
21 *from Government, academia, and industry;*

22 “(B) *a comparison of the strengths and*
23 *weaknesses of the approaches identified pursuant*
24 *to subparagraph (A) relative to the threat of each*
25 *other; and*

1 “(C) an assessment as to how the cyber
2 strategy will inform country-specific campaign
3 plans focused on key leadership of Russia,
4 China, Iran, North Korea, and any other coun-
5 try the Secretary considers appropriate.”;

6 (7) by striking paragraph (8) and inserting the
7 following new paragraph (8):

8 “(8) A comprehensive force structure assessment
9 of the Cyber Operations Forces of the Department for
10 the posture review period, including the following:

11 “(A) A determination of the appropriate
12 size and composition of the Cyber Mission Forces
13 to accomplish the mission requirements of the
14 Department.

15 “(B) An assessment of the Cyber Mission
16 Forces’ personnel, capabilities, equipment, fund-
17 ing, operational concepts, and ability to execute
18 cyber operations in a timely fashion.

19 “(C) An assessment of the personnel, capa-
20 bilities, equipment, funding, and operational
21 concepts of Cybersecurity Service Providers and
22 other elements of the Cyber Operations Forces.”;

23 (8) by redesignating paragraphs (9) through (11)
24 as subsections (12) through (15), respectively; and

1 (9) *by inserting after paragraph (8), the fol-*
2 *lowing new paragraphs:*

3 “(9) *An assessment of whether the Cyber Mission*
4 *Force has the appropriate level of interoperability, in-*
5 *tegration, and interdependence with special oper-*
6 *ations and conventional forces.*

7 “(10) *An evaluation of the adequacy of mission*
8 *authorities for the Joint Force Provider and Joint*
9 *Force Trainer responsibilities of United States Cyber*
10 *Command, including the adequacy of the units des-*
11 *ignated as Cyber Operations Forces to support such*
12 *responsibilities.*

13 “(11) *An assessment of the missions and*
14 *resourcing of the combat support agencies in support*
15 *of cyber missions of the Department.”.*

16 **SEC. 1627. REPORT ON ENABLING UNITED STATES CYBER**
17 **COMMAND RESOURCE ALLOCATION.**

18 (a) *IN GENERAL.*—*Not later than January 15, 2021,*
19 *the Secretary of Defense shall submit to the congressional*
20 *defense committees a report detailing the actions the Sec-*
21 *retary will undertake to implement clauses (ii) and (iii)*
22 *of section 167b(d)(2) of title 10, United States Code, includ-*
23 *ing actions to ensure that the Commander of United States*
24 *Cyber Command has enhanced authority, direction, and*
25 *control of the Cyber Operations Forces and the equipment*

1 *budget that enables Cyber Operations Forces' operations*
2 *and readiness, beginning with the budget to be submitted*
3 *to Congress by the President under section 1105(a) of title*
4 *31, United States Code, for fiscal year 2024, and the budget*
5 *justification materials for the Department of Defense to be*
6 *submitted to Congress in support of such budget.*

7 *(b) ELEMENTS.—The report required by subsection (a)*
8 *shall address the following items:*

9 *(1) The procedures by which the Principal Cyber*
10 *Advisor (PCA) will exercise authority, direction, and*
11 *oversight over the Commander of United States Cyber*
12 *Command, with respect to Cyber Operations Forces—*
13 *peculiar equipment and resources.*

14 *(2) The procedures by which the Commander of*
15 *United States Cyber Command will—*

16 *(A) prepare and submit to the Secretary*
17 *program recommendations and budget proposals*
18 *for Cyber Operations Forces and for other forces*
19 *assigned to the Cyber Command; and*

20 *(B) exercise authority, direction, and con-*
21 *trol over the expenditure of funds for—*

22 *(i) forces assigned to United States*
23 *Cyber Command; and*

24 *(ii) Cyber Operations Forces assigned*
25 *to other unified combatant commands.*

1 (3) *Recommendations for actions to enable the*
2 *Commander of United States Cyber Command to exe-*
3 *cute the budget and acquisition responsibilities of the*
4 *Commander in excess of currently imposed limits on*
5 *the Cyber Operations Procurement Fund, including*
6 *potential increases in personnel to support the Com-*
7 *mander.*

8 (4) *The procedures by which the Secretary will*
9 *categorize and track funding obligated or expended for*
10 *Cyber Operations Forces-peculiar equipment and ca-*
11 *pabilities.*

12 (5) *The methodology and criteria by which the*
13 *Secretary will characterize equipment as being Cyber*
14 *Operations Forces-peculiar.*

15 **SEC. 1628. EVALUATION OF OPTIONS FOR ESTABLISHING A**
16 **CYBER RESERVE FORCE.**

17 (a) *EVALUATION REQUIRED.*—*Not later than Decem-*
18 *ber 31, 2021, the Secretary of Defense shall conduct an eval-*
19 *uation of options for establishing a cyber reserve force.*

20 (b) *ELEMENTS.*—*The evaluation conducted under sub-*
21 *section (a) shall include assessment of the following:*

22 (1) *The capabilities and deficiencies in military*
23 *and civilian personnel with needed cybersecurity ex-*
24 *pertise, and the quantity of personnel with such ex-*
25 *pertise, within the Department.*

1 (2) *The potential for a uniformed, civilian, or*
2 *mixed cyber reserve force to remedy shortfalls in ex-*
3 *pertise and capacity.*

4 (3) *The ability of the Department to attract the*
5 *personnel with the desired expertise to either a uni-*
6 *formed or civilian cyber reserve force.*

7 (4) *The number of personnel, the level of funding,*
8 *and the composition of a cyber reserve force that*
9 *would be required to meet the needs of the Depart-*
10 *ment.*

11 (5) *Alternative models for establishing a cyber*
12 *reserve force, including the following:*

13 (A) *A traditional uniformed military re-*
14 *serve component.*

15 (B) *A nontraditional uniformed military*
16 *reserve component, with respect to drilling and*
17 *other requirements such as grooming and phys-*
18 *ical fitness.*

19 (C) *Nontraditional civilian cyber reserve*
20 *options.*

21 (6) *The impact a uniformed military cyber re-*
22 *serve would have on active duty and existing reserve*
23 *forces, including the following:*

24 (A) *Recruiting.*

25 (B) *Promotion.*

1 (C) *Retention.*

2 (7) *The effect a civilian cyber reserve would have*
3 *on active duty and existing reserve forces, and the*
4 *private sector.*

5 (c) *REPORT.—Not later than February 1, 2022, the*
6 *Secretary shall submit to the congressional defense commit-*
7 *tees a report on the evaluation conducted under subsection*
8 *(a).*

9 **SEC. 1629. ENSURING CYBER RESILIENCY OF NUCLEAR**
10 **COMMAND AND CONTROL SYSTEM.**

11 (a) *PLAN FOR IMPLEMENTATION OF FINDINGS AND*
12 *RECOMMENDATIONS FROM FIRST ANNUAL ASSESSMENT OF*
13 *CYBER RESILIENCY OF NUCLEAR COMMAND AND CONTROL*
14 *SYSTEM.—Not later than October 1, 2021, the Secretary of*
15 *Defense shall submit to the congressional defense committees*
16 *a comprehensive plan, including a schedule and resourcing*
17 *plan, for the implementation of the findings and rec-*
18 *ommendations included in the first report submitted under*
19 *section 499(c)(3) of title 10, United States Code.*

20 (b) *CONCEPT OF OPERATIONS AND OVERSIGHT MECH-*
21 *ANISM FOR CYBER DEFENSE OF NUCLEAR COMMAND AND*
22 *CONTROL SYSTEM.—Not later than October 1, 2021, the*
23 *Secretary shall develop and establish—*

1 (1) *a concept of operations for defending the nu-*
2 *clear command and control system against cyber at-*
3 *tacks, including specification of the—*

4 (A) *roles and responsibilities of relevant en-*
5 *tities within the Office of the Secretary, the mili-*
6 *tary services, combatant commands, the Defense*
7 *Agencies, and the Department of Defense Field*
8 *Activities; and*

9 (B) *cybersecurity capabilities to be acquired*
10 *and employed and operational tactics, tech-*
11 *niques, and procedures, including cyber protec-*
12 *tion team and sensor deployment strategies, to be*
13 *used to monitor, defend, and mitigate*
14 *vulnerabilities in nuclear command and control*
15 *systems; and*

16 (2) *an oversight mechanism or governance model*
17 *for overseeing the implementation of the concept of*
18 *operations developed and established under paragraph*
19 *(1), related development, systems engineering, and ac-*
20 *quisition activities and programs, and the plan re-*
21 *quired by subsection (a), including specification of*
22 *the—*

23 (A) *roles and responsibilities of relevant en-*
24 *tities within the Office of the Secretary, the mili-*
25 *tary services, combatant commands, the Defense*

1 *Agencies, and the Department of Defense Field*
 2 *Activities in overseeing the defense of the nuclear*
 3 *command and control system against cyber at-*
 4 *tacks;*

5 *(B) responsibilities and authorities of the*
 6 *Strategic Cybersecurity Program in overseeing*
 7 *and, as appropriate, executing—*

8 *(i) vulnerability assessments; and*

9 *(ii) development, systems engineering,*
 10 *and acquisition activities; and*

11 *(C) processes for coordination of activities,*
 12 *policies, and programs relating to the cybersecu-*
 13 *rity and defense of the nuclear command and*
 14 *control system.*

15 **SEC. 1630. MODIFICATION OF REQUIREMENTS RELATING**
 16 **TO THE STRATEGIC CYBERSECURITY PRO-**
 17 **GRAM AND THE EVALUATION OF CYBER**
 18 **VULNERABILITIES OF MAJOR WEAPON SYS-**
 19 **TEMS OF THE DEPARTMENT OF DEFENSE.**

20 *(a) EVALUATION OF CYBER VULNERABILITIES OF*
 21 *MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DE-*
 22 *FENSE.—*

23 *(1) IN GENERAL.—Section 1647 of the National*
 24 *Defense Authorization Act for Fiscal Year 2016 (Pub-*
 25 *lic Law 114–92), as amended by section 1633 of the*

1 *National Defense Authorization Act for Fiscal Year*
2 *2020 (Public Law 116–92), is further amended by*
3 *adding at the end the following new subsection:*

4 “(i) *ESTABLISHING REQUIREMENTS FOR PERIODICITY*
5 *OF VULNERABILITY REVIEWS.*—*The Secretary of Defense*
6 *shall establish policies and requirements for each major*
7 *weapon system, and the priority critical infrastructure es-*
8 *sential to the proper functioning of major weapon systems*
9 *in broader mission areas, to be re-assessed for cyber*
10 *vulnerabilities, taking into account upgrades or other modi-*
11 *fications to systems and changes in the threat.*

12 “(j) *IDENTIFICATION OF SENIOR OFFICIAL.*—*Each sec-*
13 *retary of a military department shall identify a senior offi-*
14 *cial who shall be responsible for ensuring that cyber vulner-*
15 *ability assessments and mitigations for weapon systems and*
16 *critical infrastructure are planned, funded, and carried*
17 *out.”.*

18 (2) *TECHNICAL CORRECTION.*—*Such section 1647*
19 *of the National Defense Authorization Act for Fiscal*
20 *Year 2016 is further amended—*

21 (A) *by redesignating subsection (g) as sub-*
22 *section (h); and*

23 (B) *by redesignating the second subsection*
24 *(f), as added by section 1633 of the National De-*

1 *fense Authorization Act for Fiscal Year 2020, as*
2 *subsection (g).*

3 (b) *STRATEGIC CYBERSECURITY PROGRAM.*—Section
4 *1640 of the National Defense Authorization Act for Fiscal*
5 *Year 2018 (Public Law 115–91; 10 U.S.C. 2224 note), is*
6 *amended by striking subsections (a) through (e) and insert-*
7 *ing the following new subsections:*

8 “(a) *IN GENERAL.*—Not later than August 1, 2021, the
9 *Secretary of Defense shall, acting through the Director of*
10 *the National Security Agency and in coordination with the*
11 *Vice Chairman of the Joint Chiefs of Staff, establish a pro-*
12 *gram to be known as the ‘Strategic Cybersecurity Program’*
13 *(in this section referred to as the ‘Program’).*

14 “(b) *ELEMENTS.*—

15 “(1) *IN GENERAL.*—The Program shall be com-
16 *prised of personnel assigned to the Program by the*
17 *Secretary from among personnel, including regular*
18 *and reserve members of the Armed Forces, civilian*
19 *employees of the Department of Defense (including the*
20 *Defense intelligence agencies), and personnel of the re-*
21 *search laboratories of the Department of Defense and*
22 *the Department of Energy, who have particular ex-*
23 *pertise in the areas of responsibility described in sub-*
24 *section (c).*

1 “(2) *DEPARTMENT OF ENERGY PERSONNEL.*—
2 *Any personnel assigned to the Program from among*
3 *personnel of the Department of Energy shall be so as-*
4 *signed with the concurrence of the Secretary of En-*
5 *ergy.*

6 “(3) *PROGRAM MANAGER.*—*The Secretary of De-*
7 *fense shall designate a manager for the Program (in*
8 *this section referred to as the ‘Program manager’).*

9 “(c) *RESPONSIBILITIES.*—

10 “(1) *IN GENERAL.*—*The Program manager and*
11 *the personnel assigned to the Program shall improve*
12 *the end-to-end cybersecurity of all of the systems, crit-*
13 *ical infrastructure, kill chains, and processes that*
14 *make up the following military missions of the De-*
15 *partment of Defense:*

16 “(A) *Nuclear deterrence and strike.*

17 “(B) *Select long-range conventional strike*
18 *missions germane to the warfighting plans of*
19 *United States European Command and United*
20 *States Indo-Pacific Command.*

21 “(C) *Offensive cyber operations.*

22 “(D) *Homeland missile defense.*

23 “(2) *ASSESSING AND REMEDIATING*
24 *VULNERABILITIES IN MISSION EXECUTION.*—*In car-*
25 *rying out the activities described in paragraph (1),*

1 *the Program manager shall conduct end-to-end vul-*
2 *nerability assessments and undertake or oversee reme-*
3 *diation of identified vulnerabilities in the systems*
4 *and processes on which the successful execution of the*
5 *missions delineated in paragraph (1) depend.*

6 *“(3) ACQUISITION AND SYSTEMS ENGINEERING*
7 *REVIEW.—In carrying out paragraph (1), the Pro-*
8 *gram manager shall conduct appropriate reviews of*
9 *acquisition and systems engineering plans for pro-*
10 *posed systems and infrastructure. The review of an*
11 *acquisition plan for any proposed system or infra-*
12 *structure shall be carried out before Milestone B ap-*
13 *proval for such system or infrastructure.*

14 *“(d) INTEGRATION WITH OTHER EFFORTS.—The Sec-*
15 *retary shall ensure that the Program builds upon, and does*
16 *not duplicate, other efforts of the Department of Defense re-*
17 *lating to cybersecurity, including the following:*

18 *“(1) The evaluation of cyber vulnerabilities of*
19 *major weapon systems of the Department of Defense*
20 *required under section 1647 of the National Defense*
21 *Authorization Act for Fiscal Year 2016 (Public Law*
22 *114–92).*

23 *“(2) The evaluation of cyber vulnerabilities of*
24 *Department of Defense critical infrastructure required*
25 *under section 1650 of the National Defense Authoriza-*

1 (2) *PROGRAM REQUIREMENTS.*—*At a minimum,*
2 *the Secretary shall ensure that the program estab-*
3 *lished pursuant to paragraph (1) includes the fol-*
4 *lowing:*

5 (A) *Cybersecurity incident reporting re-*
6 *quirements applicable to the defense industrial*
7 *base that—*

8 (i) *extend beyond mandatory incident*
9 *reporting requirements in effect on the day*
10 *before the date of the enactment of this Act;*

11 (ii) *set specific timeframes for all cat-*
12 *egories of incident reporting;*

13 (iii) *establishes a single clearinghouse*
14 *for all mandatory incident reporting to the*
15 *Department of Defense, including incidents*
16 *involving covered unclassified information,*
17 *and classified information; and*

18 (iv) *provide that, unless authorized or*
19 *required by another provision of law or the*
20 *element of the defense industrial base mak-*
21 *ing the report consents, nonpublic informa-*
22 *tion of which the Department becomes*
23 *aware only because of a report provided*
24 *pursuant to the program shall be dissemi-*
25 *nated and used only for a cybersecurity*

1 *purpose, as defined in section 102 of the Cy-*
2 *bersecurity Information Sharing Act of*
3 *2015 (6 U.S.C. 1501).*

4 *(B) A mechanism for developing a shared*
5 *and real-time picture of the threat environment.*

6 *(C) Joint, collaborative, and co-located ana-*
7 *lytics.*

8 *(D) Investments in technology and capabili-*
9 *ties to support automated detection and analysis*
10 *across the defense industrial base.*

11 *(E) Coordinated intelligence tipping, shar-*
12 *ing, and deconfliction, as necessary, with rel-*
13 *evant government agencies with similar intel-*
14 *ligence sharing programs.*

15 (b) *THREAT INTELLIGENCE PROGRAM PARTICIPA-*
16 *TION.—*

17 (1) *PROCUREMENT.—The Secretary either may*
18 *require or shall encourage and provide incentive for*
19 *companies to participate in the threat intelligence*
20 *sharing program required by subsection (a).*

21 (2) *IMPLEMENTATION.—In implementing para-*
22 *graph (1), the Secretary shall—*

23 (A) *create tiers of requirements for partici-*
24 *pation within the program based on—*

1 (i) the role of and relative threats re-
2 lated to entities within the defense indus-
3 trial base; and

4 (ii) Cybersecurity Maturity Model Cer-
5 tification level; and

6 (B) prioritize available funding and tech-
7 nical support to assist affected businesses, insti-
8 tutions, and organizations as is reasonably nec-
9 essary for those affected entities to commence
10 participation in the threat intelligence sharing
11 program and to meet any applicable program re-
12 quirements.

13 (c) *EXISTING INFORMATION SHARING PROGRAMS.*—
14 The Secretary may utilize an existing Department informa-
15 tion sharing program to satisfy the requirement in sub-
16 section (a) if—

17 (1) the existing program includes, or is modified
18 to include, two-way sharing of threat information
19 that is specifically relevant to the defense industrial
20 base; and

21 (2) such a program is coordinated with other
22 government agencies with existing intelligence sharing
23 programs where overlap occurs.

24 (d) *REGULATIONS.*—

1 (1) *RULEMAKING AUTHORITY.*—Not later than
2 *December 15, 2021, the Secretary shall promulgate*
3 *such rules and regulations as are necessary to carry*
4 *out this section.*

5 (2) *CYBERSECURITY MATURITY MODEL CERTIFI-*
6 *CATION PROGRAM HARMONIZATION.*—The Secretary
7 *shall ensure that any intelligence sharing require-*
8 *ments set forth in the rules and regulations promul-*
9 *gated pursuant to paragraph (1) consider an entity’s*
10 *maturity and role within the defense industrial base,*
11 *consistent with the maturity certification levels estab-*
12 *lished in the Cybersecurity Maturity Model Certifi-*
13 *cation program of the Department.*

14 (e) *COMMUNITY CONSENT.*—

15 (1) *IN GENERAL.*—As part of the program estab-
16 *lished pursuant to subsection (a), the Secretary either*
17 *may require through contractual mechanisms or shall*
18 *encourage entities in the defense industrial base to*
19 *consent to queries of foreign intelligence collection*
20 *databases related to the entities, provided that intel-*
21 *ligence information provided to companies is handled*
22 *in a manner that protects sources and methods.*

23 (2) *RULE OF CONSTRUCTION.*—Nothing in this
24 *subsection shall be construed to require that the ele-*
25 *ments of the intelligence community conduct queries*

1 *on defense industrial base companies to detect cyberse-*
2 *curity threats to such companies or to require that in-*
3 *formation resulting from such queries be provided to*
4 *such companies.*

5 *(f) REPORT REQUIRED.—Not later than March 1,*
6 *2022, the Secretary shall submit to the congressional defense*
7 *committees a report that includes a description of—*

8 *(1) mandatory requirements levied on defense in-*
9 *dustrial base entities regarding cyber incidents;*

10 *(2) Department procedures for ensuring the con-*
11 *fidentiality and security of data provided by such en-*
12 *tities to the Department on either a voluntary or*
13 *mandatory basis; and*

14 *(3) any other matters regarding the program es-*
15 *tablished under subsection (a) the Secretary considers*
16 *significant.*

17 *(g) DEFINITIONS.—In this section:*

18 *(1) The term “defense industrial base” means the*
19 *Department of Defense, Federal Government, and pri-*
20 *vate sector worldwide industrial complex with capa-*
21 *bilities to perform research and development, design,*
22 *produce, and maintain military weapon systems, sub-*
23 *systems, components, or parts to satisfy military re-*
24 *quirements.*

1 (2) *The term “intelligence community” has the*
2 *meaning given such term in section 3 of the National*
3 *Security Act of 1947 (50 U.S.C. 3003).*

4 (3) *The term “threat intelligence” means cyberse-*
5 *curity information collected and shared amongst the*
6 *defense industrial base.*

7 **SEC. 1632. ASSESSMENT ON DEFENSE INDUSTRIAL BASE CY-**
8 **BERSECURITY THREAT HUNTING.**

9 (a) *ASSESSMENT REQUIRED.*—*Not later than Decem-*
10 *ber 1, 2021, the Secretary of Defense shall complete an as-*
11 *essment of—*

12 (1) *the adequacy of the threat hunting elements*
13 *of the compliance-based Cybersecurity Maturity Model*
14 *Certification program of the Department of Defense;*
15 *and*

16 (2) *the need for continuous threat hunting oper-*
17 *ations on defense industrial base networks conducted*
18 *by the Department of Defense, prime contractors, or*
19 *third-party cybersecurity vendors.*

20 (b) *ELEMENTS.*—*The assessment completed under sec-*
21 *tion (a) shall include evaluation of the following:*

22 (1) *The adequacy of the requirements at each*
23 *level of the Cybersecurity Maturity Model Certifi-*
24 *cation, including requirements germane to continuous*

1 *monitoring, discovery, and investigation of anomalous activity indicative of a cybersecurity incident.*

2
3 *(2) The need for the establishment of a continuous threat-hunting operational model, as a supplement to the cyber hygiene requirements of the Cybersecurity Maturity Model Certification, in which network activity is comprehensively and continuously monitored for signs of compromise.*

4
5
6
7
8 *(3) Whether the continuous threat-hunting operations described in paragraph (2) should be conducted by—*

9 *(A) United States Cyber Command;*

10 *(B) a component of the Department of Defense other than United States Cyber Command;*

11 *(C) qualified prime contractors or subcontractors;*

12 *(D) accredited third-party cybersecurity vendors; or*

13 *(E) a combination of the entities specified in subparagraphs (A) through (D).*

14
15 *(4) Criteria for the prime contractors and subcontractors that should be subject to continuous threat-hunting operations as described in paragraph (2).*

1 (c) *BRIEFING.*—Not later than February 1, 2022, the
2 Secretary of Defense shall provide a briefing to the Com-
3 mittee on Armed Services of the Senate and the Committee
4 on Armed Services of the House of Representatives on—

5 (1) *the findings of the Secretary with respect to*
6 *the assessment completed under subsection (a); and*

7 (2) *such implementation plans as the Secretary*
8 *may have arising out of the findings described in*
9 *paragraph (1).*

10 **SEC. 1633. ASSESSING RISK TO NATIONAL SECURITY OF**
11 **QUANTUM COMPUTING.**

12 (a) *COMPREHENSIVE ASSESSMENT AND REC-*
13 *COMMENDATIONS REQUIRED.*—Not later than December 31,
14 2022, the Secretary of Defense shall—

15 (1) *complete a comprehensive assessment of the*
16 *current and potential threats and risks posed by*
17 *quantum computing technologies to critical national*
18 *security systems, including—*

19 (A) *identification and prioritization of crit-*
20 *ical national security systems at risk;*

21 (B) *assessment of the standards of the Na-*
22 *tional Institute of Standards and Technology for*
23 *quantum resistant cryptography and their appli-*
24 *cability to cryptographic requirements of the De-*
25 *partment of Defense;*

1 (b) *BRIEFING.*—Not later than January 1, 2021, the
2 Secretary of the Navy, the program manager of the Unified
3 Platform program, the Chief Information Officer, and the
4 Principal Cyber Advisor shall jointly brief the congressional
5 defense committees on the compliance of the Department of
6 the Navy with the requirements of such section, as amended
7 by paragraph (1).

8 **SEC. 1635. EXPANSION OF AUTHORITY FOR ACCESS AND IN-**
9 **FORMATION RELATING TO CYBER ATTACKS**
10 **ON OPERATIONALLY CRITICAL CONTRAC-**
11 **TORS OF THE ARMED FORCES.**

12 Section 391(c) of title 10, United States Code, is
13 amended—

14 (1) by amending paragraph (3) to read as fol-
15 lows:

16 “(3) *ARMED FORCES ASSISTANCE AND ACCESS*
17 *TO EQUIPMENT AND INFORMATION BY MEMBERS OF*
18 *THE ARMED FORCES.*—The procedures established
19 pursuant to subsection (a) shall—

20 “(A) include mechanisms for a member of
21 the armed forces—

22 “(i) if requested by an operationally
23 critical contractor, to assist the contractor
24 in detecting and mitigating penetrations; or

1 “(ii) at the request of the Secretary of
2 *Defense or the Commandant of the Coast*
3 *Guard, to obtain access to equipment or in-*
4 *formation of an operationally critical con-*
5 *tractor necessary to conduct a forensic anal-*
6 *ysis, in addition to any analysis conducted*
7 *by the contractor; and*

8 “(B) provide that an operationally critical
9 *contractor is only required to provide access to*
10 *equipment or information as described in sub-*
11 *paragraph (A) to determine whether—*

12 “(i) information created by or for the
13 *armed forces in connection with any pro-*
14 *gram of the armed forces was successfully*
15 *exfiltrated from or compromised on a net-*
16 *work or information system of such con-*
17 *tractor and, if so, what information was*
18 *exfiltrated or compromised; or*

19 “(ii) the ability of the contractor to
20 *provide operationally critical support has*
21 *been affected and, if so, how and to what ex-*
22 *tent it has been affected.”;*

23 (2) in paragraph (4), by inserting “, so as to
24 *minimize delays in or any curtailing of the cyber re-*

1 *sponse or defensive actions of the Department or the*
2 *Coast Guard” after “specific person”; and*

3 *(3) in paragraph (5)(C), by inserting “or coun-*
4 *terintelligence activities” after “investigations”.*

5 **SEC. 1636. REQUIREMENTS FOR REVIEW OF AND LIMITA-**
6 **TIONS ON THE JOINT REGIONAL SECURITY**
7 **STACKS ACTIVITY.**

8 *(a) BASELINE REVIEW.—Not later than October 1,*
9 *2021, the Secretary of Defense shall undertake a baseline*
10 *review of the Joint Regional Security Stacks (JRSS) to de-*
11 *termine whether the activity—*

12 *(1) should proceed as a program of record, with*
13 *modifications as specified in section (b), for exclu-*
14 *sively the Non-Classified Internet Protocol Network*
15 *(NIPRNET) or for such network and the Secret Inter-*
16 *net Protocol Network (SIPRNET); or*

17 *(2) should be phased out across the Department*
18 *of Defense with each of the Joint Regional Security*
19 *Stacks replaced through the institution of cost-effective*
20 *and capable networking and cybersecurity tech-*
21 *nologies, architectures, and operational concepts with-*
22 *in five years of the date of the enactment of this Act.*

23 *(b) PLAN TO TRANSITION TO PROGRAM OF RECORD.—*
24 *If the Secretary determines under subsection (a) that the*
25 *Joint Regional Security Stacks activity should proceed, not*

1 *later than October 1, 2021, the Secretary shall develop a*
2 *plan to transition such activity to a program of record, gov-*
3 *erned by standard Department of Defense acquisition pro-*
4 *gram requirements and practices, including the following:*

5 (1) *Baseline operational requirements docu-*
6 *mentation.*

7 (2) *An acquisition strategy and baseline.*

8 (3) *A program office and responsible program*
9 *manager, under the oversight of the Under Secretary*
10 *of Defense for Acquisition and Sustainment and the*
11 *Chief Information Officer of the Department of De-*
12 *fense, responsible for pertinent doctrine, organization,*
13 *training, materiel, leadership and education, per-*
14 *sonnel, facilities and policy matters, and the develop-*
15 *ment of effective tactics, techniques, and procedures;*

16 (4) *manning and training requirements docu-*
17 *mentation; and*

18 (5) *operational test planning.*

19 (c) *LIMITATIONS.—*

20 (1) *LIMITATION ON USE OF FUNDS.—None of the*
21 *funds authorized to be appropriated by this Act may*
22 *be used to field Joint Regional Security Stacks on the*
23 *Secret Internet Protocol Network in fiscal year 2021.*

24 (2) *LIMITATION ON OPERATIONAL DEPLOY-*
25 *MENT.—The Secretary may not conduct an oper-*

1 *velopment of proposed legislative text for the establishment*
2 *of a National Cyber Director:*

3 (1) *The authorities necessary to bring capabili-*
4 *ties and capacities together across the interagency, all*
5 *levels of government, and the private sector.*

6 (2) *A definition of the roles of the National*
7 *Cyber Director in planning, preparing, and directing*
8 *integrated cyber operations in response to a major*
9 *cyber attack on the United States, including intel-*
10 *ligence operations, law enforcement actions, cyber ef-*
11 *fects operations, defensive operations, and incident re-*
12 *sponse operations.*

13 (3) *The authorities necessary to align resources*
14 *to cyber priorities.*

15 (4) *The structure of the office of the National*
16 *Cyber Director and position within government.*

17 *(c) REPORT.—*

18 (1) *IN GENERAL.—Not later than March 1, 2021,*
19 *the Secretary of Defense shall submit to the appro-*
20 *priate committees of Congress a report on—*

21 (A) *the findings of the independent organi-*
22 *zation with respect to the assessment carried out*
23 *under subsection (a); and*

24 (B) *the recommendations developed as part*
25 *of such assessment under subsection (b).*

1 (2) *FORM.*—*The report submitted under para-*
2 *graph (1) shall be submitted in a publicly releasable*
3 *and unclassified format, but may include a classified*
4 *annex.*

5 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
6 *FINED.*—*In this section, the term “appropriate committees*
7 *of Congress” means—*

8 (1) *the Committee on Armed Services and the*
9 *Committee on Homeland Security and Governmental*
10 *Affairs of the Senate; and*

11 (2) *the Committee on Armed Services and the*
12 *Committee on Homeland Security of the House of*
13 *Representatives.*

14 **SEC. 1638. MODIFICATION OF AUTHORITY TO USE OPER-**
15 **ATION AND MAINTENANCE FUNDS FOR**
16 **CYBER OPERATIONS-PECULIAR CAPABILITY**
17 **DEVELOPMENT PROJECTS.**

18 (a) *IN GENERAL.*—*Section 1640 of the National De-*
19 *fense Authorization Act for Fiscal Year 2020 (Public Law*
20 *116–92) is amended—*

21 (1) *by redesignating subsections (b) and (c) as*
22 *subsections (c) and (d), respectively;*

23 (2) *in subsection (a)—*

24 (A) *by striking “The Secretary of Defense”*
25 *and inserting “Subject to subsection (b), the*

1 *Commander of the United States Cyber Com-*
 2 *mand”;*

3 *(B) by striking “per service” and inserting*
 4 *“per use”; and*

5 *(C) by striking “through 2022” and insert-*
 6 *ing “through 2025”; and*

7 *(3) by inserting after subsection (a) the fol-*
 8 *lowing:*

9 *“(b) LIMITATION.—(1) Each fiscal year, the Secre-*
 10 *taries of the military departments concerned may each obli-*
 11 *gate and expend under subsection (a) not more than*
 12 *\$20,000,000.*

13 *“(2) Each fiscal year, the Commander of the United*
 14 *States Cyber Command may obligate and expend under*
 15 *subsection (a) not more than \$6,000,000.”.*

16 *(b) CONFORMING AMENDMENT.—Subsection (c) of such*
 17 *section is amended by striking “through 2022” and insert-*
 18 *ing “through 2025”.*

19 **SEC. 1639. PERSONNEL MANAGEMENT AUTHORITY FOR**
 20 **COMMANDER OF UNITED STATES CYBER COM-**
 21 **MAND AND DEVELOPMENT PROGRAM FOR OF-**
 22 **FENSIVE CYBER OPERATIONS.**

23 *(a) PERSONNEL MANAGEMENT AUTHORITY FOR COM-*
 24 *MANDER OF UNITED STATES CYBER COMMAND TO ATTRACT*
 25 *EXPERTS IN SCIENCE AND ENGINEERING.—Section 1599h*

1 *of title 10, United States Code, as amended by section 212*
2 *of National Defense Authorization Act for Fiscal Year 2020*
3 *(Public Law 116–92)), is further amended—*

4 *(1) in subsection (a), by adding at the end the*
5 *following:*

6 *“(7) UNITED STATES CYBER COMMAND.—The*
7 *Commander of United States Cyber Command may*
8 *carry out a program of personnel management au-*
9 *thority provided in subsection (b) in order to facili-*
10 *tate the recruitment of eminent experts in computer*
11 *science, data science, engineering, mathematics, and*
12 *computer network exploitation within the head-*
13 *quarters of United States Cyber Command and the*
14 *Cyber National Mission Force.”; and*

15 *(2) in subsection (b)(1)—*

16 *(A) in subparagraph (E), by striking “;*
17 *and” and inserting a semicolon;*

18 *(B) in subparagraph (F), by striking the*
19 *semicolon and inserting “; and”; and*

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

22 *“(G) in the case of United States Cyber*
23 *Command, appoint computer scientists, data sci-*
24 *entists, engineers, mathematicians, and computer*
25 *network exploitation specialists to a total of not*

1 *more than 10 scientific and engineering posi-*
2 *tions in the Command;”.*

3 **(b) PROGRAM TO DEVELOP ACCESSES, DISCOVER**
4 *VULNERABILITIES, AND ENGINEER CYBER TOOLS AND DE-*
5 *VELOP TACTICS, TECHNIQUES, AND PROCEDURES FOR OF-*
6 *FENSIVE CYBER OPERATIONS.—*

7 **(1) IN GENERAL.—***Pursuant to the authority*
8 *provided under section 1599h(a)(7) of such title, as*
9 *added by subsection (a), the Commander of United*
10 *States Cyber Command shall establish a program or*
11 *augment an existing program within the Command*
12 *to develop accesses, discover vulnerabilities, and engi-*
13 *neer cyber tools and develop tactics, techniques, and*
14 *procedures for the use of these assets and capabilities*
15 *in offensive cyber operations.*

16 **(2) ELEMENTS.—***The program or augmented*
17 *program required by paragraph (1) shall—*

18 **(A)** *develop accesses, tools, vulnerabilities,*
19 *and tactics, techniques, and procedures fit for*
20 *Department of Defense military operations in*
21 *cyberspace, such as reliability, meeting short de-*
22 *velopment and operational timelines, low cost,*
23 *and expendability;*

1 (B) aim to decrease the reliance of Cyber
2 Command on accesses, tools, and expertise pro-
3 vided by the intelligence community;

4 (C) be designed to provide technical and
5 operational expertise on par with that of pro-
6 grams of the intelligence community;

7 (D) enable the Commander to attract and
8 retain expertise resident in the private sector
9 and other technologically elite government orga-
10 nizations; and

11 (E) coordinate development activities with,
12 and, as appropriate, facilitate transition of ca-
13 pabilities from, the Defense Advanced Research
14 Projects Agency, the Strategic Capabilities Of-
15 fice, and components within the intelligence com-
16 munity.

17 (3) *INTELLIGENCE COMMUNITY DEFINED.*—In
18 this subsection, the term “intelligence community”
19 has the meaning given such term in section 3 of the
20 National Security Act of 1947 (50 U.S.C. 3003).

21 **SEC. 1640. IMPLEMENTATION OF INFORMATION OPER-**
22 **ATIONS MATTERS.**

23 Of the amounts authorized to be appropriated for fiscal
24 year 2021 by section 301 for operation and maintenance
25 and available for the Office of the Secretary of Defense for

1 *the travel of persons as specified in the table in section*
2 *4301—*

3 *(1) not more than 25 percent shall be available*
4 *until the date on which the report required by sub-*
5 *section (h)(1) of section 1631 of the National Defense*
6 *Authorization Act for Fiscal Year 2020 (Public Law*
7 *116–92) is submitted to the Committee on Armed*
8 *Services of the Senate and the Committee on Armed*
9 *Services House of Representatives; and*

10 *(2) not more than 75 percent shall be available*
11 *until the date on which the strategy and posture re-*
12 *view required by subsection (g) of such section is sub-*
13 *mitted to such committees.*

14 **SEC. 1641. REPORT ON CYBER INSTITUTES PROGRAM.**

15 *Section 1640 of the John S. McCain National Defense*
16 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
17 *232; 132 Stat. 2310; 10 U.S.C. 2200 note) is amended by*
18 *adding at the end the following:*

19 *“(g) REPORT TO CONGRESS.—Not later than Sep-*
20 *tember 30, 2021, the Secretary of Defense shall submit to*
21 *the Committees on Armed Services of the Senate and the*
22 *House of Representatives a report on the effectiveness of the*
23 *Cyber Institutes and on opportunities to expand the Cyber*
24 *Institutes to additional select institutions of higher learning*
25 *that have a Reserve Officers’ Training Corps program.”.*

1 **SEC. 1642. ASSISTANCE FOR SMALL MANUFACTURERS IN**
2 **THE DEFENSE INDUSTRIAL SUPPLY CHAIN**
3 **ON MATTERS RELATING TO CYBERSECURITY.**

4 (a) *IN GENERAL.*—Subject to the availability of appro-
5 priations, the Secretary of Defense, in consultation with the
6 Director of the National Institute of Standards and Tech-
7 nology, may award financial assistance to a Center for the
8 purpose of providing cybersecurity services to small manu-
9 facturers.

10 (b) *CRITERIA.*—The Secretary, in consultation with
11 the Director, shall establish and publish on the grants.gov
12 website, or successor website, criteria for selecting recipients
13 for financial assistance under this section.

14 (c) *USE OF FINANCIAL ASSISTANCE.*—Financial as-
15 sistance under this section—

16 (1) shall be used by a Center to provide small
17 manufacturers with cybersecurity services relating
18 to—

19 (A) compliance with the cybersecurity re-
20 quirements of the Department of Defense Supple-
21 ment to the Federal Acquisition Regulation, in-
22 cluding awareness, assessment, evaluation, prep-
23 aration, and implementation of cybersecurity
24 services; and

1 (B) achieving compliance with the Cyberse-
2 curity Maturity Model Certification framework
3 of the Department of Defense; and

4 (2) may be used by a Center to employ trained
5 personnel to deliver cybersecurity services to small
6 manufacturers.

7 (d) BIENNIAL REPORTS.—

8 (1) IN GENERAL.—Not less frequently than once
9 every two years, the Secretary shall submit to the con-
10 gressional defense committees, the Committee on Com-
11 merce, Science, and Transportation of the Senate,
12 and the Committee on Science, Space, and Technology
13 of the House of Representatives a biennial report on
14 financial assistance awarded under this section.

15 (2) CONTENTS.—To the extent practicable, each
16 report submitted under paragraph (1) shall include
17 the following with respect to the years covered by the
18 report:

19 (A) The number of small manufacturing
20 companies assisted.

21 (B) A description of the cybersecurity serv-
22 ices provided.

23 (C) A description of the cybersecurity mat-
24 ters addressed.

1 (D) *An analysis of the operational effective-*
2 *ness and cost-effectiveness of the cybersecurity*
3 *services provided.*

4 (e) *TERMINATION.*—*The authority of the Secretary to*
5 *award of financial assistance under this section shall termi-*
6 *nate on the date that is five years after the date of the enact-*
7 *ment of this Act.*

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

9 (1) *The term “Center” has the meaning given*
10 *such term in section 25(a) of the National Institute*
11 *of Standards and Technology Act (15 U.S.C.*
12 *278k(a)).*

13 (2) *The term “small manufacturer” has the*
14 *meaning given that term in section 1644(g) of the*
15 *John S. McCain National Defense Authorization Act*
16 *for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.*
17 *2224 note).*

18 **SEC. 1643. STUDY ON CYBEREXPLOITATION OF MEMBERS**
19 **OF THE ARMED FORCES AND THEIR FAMI-**
20 **LIES.**

21 (a) *STUDY REQUIRED.*—*Not later than 150 days after*
22 *the date of the enactment of this Act, the Secretary of De-*
23 *fense shall complete a study on the cyberexploitation of the*
24 *personal information and accounts of members of the*
25 *Armed Forces and their families.*

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

3 (1) *An intelligence assessment of the threat cur-*
4 *rently posed by foreign government and non-state*
5 *actor cyberexploitation of members of the Armed*
6 *Forces and their families, including generalized as-*
7 *sessments as to whether cyberexploitation of members*
8 *of the Armed Forces and their families is a substan-*
9 *tial threat as compared to other means of information*
10 *warfare and as to whether cyberexploitation of mem-*
11 *bers of the Armed Forces and their families is an in-*
12 *creasing threat.*

13 (2) *Case-study analysis of three known occur-*
14 *rences of attempted cyberexploitation against mem-*
15 *bers of the Armed Forces and their families, including*
16 *assessments of the vulnerability and the ultimate con-*
17 *sequences of the attempted cyberexploitation.*

18 (3) *A description of the actions taken by the De-*
19 *partment of Defense to educate members of the Armed*
20 *Forces and their families, including particularly vul-*
21 *nerable subpopulations, about any actions that can be*
22 *taken to reduce these threats.*

23 (4) *An intelligence assessment of the threat posed*
24 *by foreign government and non-state actor creation*
25 *and use of deep fakes featuring members of the Armed*

1 *Forces or their families, including generalized assess-*
2 *ments of the maturity of the technology used in the*
3 *creation of deep fakes and as to how deep fakes have*
4 *been used or might be used to conduct information*
5 *warfare.*

6 (5) *Development of recommendations for policy*
7 *changes to reduce the vulnerability of members of the*
8 *Armed Forces and their families to cyberexploitation,*
9 *including recommendations for legislative or adminis-*
10 *trative action.*

11 (c) *REPORT.—*

12 (1) *IN GENERAL.—The Secretary shall submit to*
13 *the congressional defense committees a report on the*
14 *findings of the Secretary with respect to the study re-*
15 *quired by subsection (a).*

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

19 (d) *DEFINITIONS.—In this section:*

20 (1) *The term “cyberexploitation” means the use*
21 *of digital means to knowingly access, or conspire to*
22 *access, without authorization, an individual’s per-*
23 *sonal information to be employed (or to be used) with*
24 *malicious intent.*

1 (2) *The term “deep fake” means the digital in-*
2 *sertion of a person’s likeness into or digital alteration*
3 *of a person’s likeness in visual media, such as photo-*
4 *graphs and videos, without the person’s permission*
5 *and with malicious intent.*

6 ***Subtitle C—Nuclear Forces***

7 ***SEC. 1651. MODIFICATION TO RESPONSIBILITIES OF NU-*** 8 ***CLEAR WEAPONS COUNCIL.***

9 *Section 179(d) of title 10, United States Code, is*
10 *amended—*

11 (1) *by redesignating paragraphs (9) through (12)*
12 *as paragraphs (10) through (13), respectively; and*

13 (2) *by inserting after paragraph (8) the fol-*
14 *lowing new paragraph (9):*

15 “(9) *Reviewing proposed capabilities, and estab-*
16 *lishing and validating performance requirements (as*
17 *defined in section 181(h) of this title), for nuclear*
18 *warhead programs.”.*

19 ***SEC. 1652. RESPONSIBILITY OF NUCLEAR WEAPONS COUN-*** 20 ***CIL IN PREPARATION OF NATIONAL NUCLEAR*** 21 ***SECURITY ADMINISTRATION BUDGET.***

22 *Paragraph (11) of section 179(d) of title 10, United*
23 *States Code, as redesignated by section 1651, is further*
24 *amended to read as follows:*

1 “(11) *As part of the planning, programming,*
2 *budgeting, and execution process of the National Nu-*
3 *clear Security Administration—*

4 “(A) *providing guidance with respect to the*
5 *development of the annual budget proposals of*
6 *the Administration under section 3255 of the*
7 *National Nuclear Security Administration Act;*

8 “(B) *reviewing the adequacy of such pro-*
9 *posals under section 4717 of the Atomic Energy*
10 *Defense Act; and*

11 “(C) *preparing, coordinating, and approv-*
12 *ing such proposals, including before such pro-*
13 *posals are submitted to—*

14 “(i) *the Secretary of Energy;*

15 “(ii) *the Director of the Office of Man-*
16 *agement and Budget;*

17 “(iii) *the President; or*

18 “(iv) *Congress (as submitted with the*
19 *budget of the President under section*
20 *1105(a) of title 31).”.*

21 **SEC. 1653. MODIFICATION OF GOVERNMENT ACCOUNT-**
22 **ABILITY OFFICE REVIEW OF ANNUAL RE-**
23 **PORTS ON NUCLEAR WEAPONS ENTERPRISE.**

24 *Section 492a(c) of title 10, United States Code, is*
25 *amended—*

1 (1) *in paragraph (1), by striking “review each*
2 *report” and inserting “periodically review reports*
3 *submitted”;* and

4 (2) *in paragraph (2), by striking “not later”*
5 *and all that follows through “submitted.”*

6 **SEC. 1654. PROHIBITION ON REDUCTION OF THE INTER-**
7 **CONTINENTAL BALLISTIC MISSILES OF THE**
8 **UNITED STATES.**

9 (a) *PROHIBITION.—Except as provided in subsection*
10 *(b), none of the funds authorized to be appropriated by this*
11 *Act for fiscal year 2021 for the Department of Defense may*
12 *be obligated or expended for the following, and the Depart-*
13 *ment may not otherwise take any action to do the following:*

14 (1) *Reduce, or prepare to reduce, the responsive-*
15 *ness or alert level of the intercontinental ballistic mis-*
16 *siles of the United States.*

17 (2) *Reduce, or prepare to reduce, the quantity of*
18 *deployed intercontinental ballistic missiles of the*
19 *United States to a number less than 400.*

20 (b) *EXCEPTION.—The prohibition in subsection (a)*
21 *shall not apply to any of the following activities:*

22 (1) *The maintenance or sustainment of inter-*
23 *continental ballistic missiles.*

24 (2) *Ensuring the safety, security, or reliability of*
25 *intercontinental ballistic missiles.*

1 **SEC. 1655. SENSE OF THE SENATE ON NUCLEAR COOPERA-**
2 **TION BETWEEN THE UNITED STATES AND**
3 **THE UNITED KINGDOM.**

4 *It is the sense of the Senate that—*

5 *(1) the North Atlantic Treaty Organization*
6 *(NATO) continues to play an essential role in the na-*
7 *tional security of the United States and the inde-*
8 *pendent nuclear deterrents of other NATO members,*
9 *such as the United Kingdom, have helped underwrite*
10 *peace and security;*

11 *(2) the nuclear programs of the United States*
12 *and the United Kingdom have enjoyed significant col-*
13 *laborative benefits as a result of the cooperative rela-*
14 *tionship formalized in the Agreement for Cooperation*
15 *on the Uses of Atomic Energy for Mutual Defense*
16 *Purposes, signed at Washington July 3, 1958, and en-*
17 *tered into force August 4, 1958 (9 UST 1028), be-*
18 *tween the United States and the United Kingdom*
19 *(commonly referred to as the “Mutual Defense Agree-*
20 *ment”);*

21 *(3) the unique partnership between the United*
22 *States and the United Kingdom has enhanced sov-*
23 *ereign military and scientific capabilities, strength-*
24 *ened bilateral ties, and shared costs, particularly on*
25 *such programs as the Trident II D-5 weapons system*

1 *and the common missile compartment for the future*
2 *Dreadnought and Columbia classes of submarines;*

3 (4) *additionally, the extension of the nuclear de-*
4 *terrence commitments of the United Kingdom to*
5 *members of the NATO alliance strengthens collective*
6 *security while reducing the burden placed on United*
7 *States nuclear forces to deter potential adversaries*
8 *and assure allies of the United States and the United*
9 *Kingdom;*

10 (5) *as the international security environment de-*
11 *teriorates and potential adversaries expand and en-*
12 *hance their nuclear forces, the extended deterrence*
13 *commitments of the United Kingdom play an increas-*
14 *ingly important role in supporting the security inter-*
15 *ests of the United States and allies of the United*
16 *States and the United Kingdom;*

17 (6) *it is in the national security interest of the*
18 *United States to support the United Kingdom with*
19 *respect to the decision of the Government of the*
20 *United Kingdom to maintain its nuclear deterrent*
21 *until global security conditions warrant its elimi-*
22 *nation;*

23 (7) *as the United States must modernize its*
24 *aging nuclear forces to ensure its ability to continue*
25 *to field a nuclear deterrent that is safe, secure, and*

1 *effective, the United Kingdom faces a similar chal-*
2 *lenge;*

3 *(8) bilateral cooperation on the parallel develop-*
4 *ment of the W93/Mk7 warhead of the United States*
5 *and the replacement warhead of the United Kingdom,*
6 *as well as associated components, will allow the*
7 *United States and the United Kingdom to responsibly*
8 *address challenges within their legacy nuclear forces*
9 *in a cost-effective manner that—*

10 *(A) preserves independent, sovereign control;*

11 *(B) is consistent with each country’s obliga-*
12 *tions under the Treaty on the Non-Proliferation*
13 *of Nuclear Weapons, done at Washington, Lon-*
14 *don, and Moscow July 1, 1968 (21 UST 483)*
15 *(commonly referred to as the “Nuclear Non-Pro-*
16 *liferation Treaty”); and*

17 *(C) supports nonproliferation objectives;*

18 *and*

19 *(9) continued cooperation between the nuclear*
20 *programs of United States and the United Kingdom,*
21 *including through the W93/Mk7 program, is essential*
22 *to ensuring that the NATO alliance continues to be*
23 *supported by credible nuclear forces capable of pre-*
24 *serving peace, preventing coercion, and deterring ag-*
25 *gression.*

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

3 ***SEC. 1661. IRON DOME SHORT-RANGE ROCKET DEFENSE***
4 ***SYSTEM AND ISRAELI COOPERATIVE MISSILE***
5 ***DEFENSE PROGRAM CO-DEVELOPMENT AND***
6 ***CO-PRODUCTION.***

7 ***(a) IRON DOME SHORT-RANGE ROCKET DEFENSE***
8 ***SYSTEM.—***

9 ***(1) AVAILABILITY OF FUNDS.—****Of the funds au-*
10 *thorized to be appropriated by this Act for fiscal year*
11 *2021 for procurement, Defense-wide, and available for*
12 *the Missile Defense Agency, not more than*
13 *\$73,000,000 may be provided to the Government of*
14 *Israel to procure components for the Iron Dome short-*
15 *range rocket defense system through co-production of*
16 *such components in the United States by industry of*
17 *the United States.*

18 ***(2) CONDITIONS.—***

19 ***(A) AGREEMENT.—****Funds described in*
20 *paragraph (1) for the Iron Dome short-range*
21 *rocket defense program shall be available subject*
22 *to the terms and conditions in the Agreement Be-*
23 *tween the Department of Defense of the United*
24 *States of America and the Ministry of Defense of*
25 *the State of Israel Concerning Iron Dome De-*

1 *fense System Procurement, signed on March 5,*
2 *2014, as amended to include co-production for*
3 *Tamir interceptors.*

4 (B) *CERTIFICATION.—Not later than 30*
5 *days prior to the initial obligation of funds de-*
6 *scribed in paragraph (1), the Under Secretary of*
7 *Defense for Acquisition and Sustainment shall*
8 *submit to the appropriate congressional commit-*
9 *tees—*

10 (i) *a certification that the amended bi-*
11 *lateral international agreement specified in*
12 *subparagraph (A) is being implemented as*
13 *provided in such agreement;*

14 (ii) *an assessment detailing any risks*
15 *relating to the implementation of such*
16 *agreement; and*

17 (iii) *for system improvements resulting*
18 *in modified Iron Dome components and*
19 *Tamir interceptor sub-components, a certifi-*
20 *cation that the Government of Israel has*
21 *demonstrated successful completion of Pro-*
22 *duction Readiness Reviews, including the*
23 *validation of production lines, the*
24 *verification of component conformance, and*
25 *the verification of performance to specifica-*

1 *tion as defined in the Iron Dome Defense*
2 *System Procurement Agreement, as further*
3 *amended.*

4 *(b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-*
5 *GRAM, DAVID’S SLING WEAPON SYSTEM CO-PRODUC-*
6 *TION.—*

7 *(1) IN GENERAL.—Subject to paragraph (3), of*
8 *the funds authorized to be appropriated for fiscal year*
9 *2021 for procurement, Defense-wide, and available for*
10 *the Missile Defense Agency not more than \$50,000,000*
11 *may be provided to the Government of Israel to pro-*
12 *cure the David’s Sling Weapon System, including for*
13 *co-production of parts and components in the United*
14 *States by United States industry.*

15 *(2) AGREEMENT.—Provision of funds specified*
16 *in paragraph (1) shall be subject to the terms and*
17 *conditions in the bilateral co-production agreement,*
18 *including—*

19 *(A) a one-for-one cash match is made by*
20 *Israel or in another matching amount that oth-*
21 *erwise meets best efforts (as mutually agreed to*
22 *by the United States and Israel); and*

23 *(B) co-production of parts, components, and*
24 *all-up rounds (if appropriate) in the United*
25 *States by United States industry for the David’s*

1 *Sling Weapon System is not less than 50 per-*
2 *cent.*

3 (3) *CERTIFICATION AND ASSESSMENT.—The*
4 *Under Secretary of Defense for Acquisition and*
5 *Sustainment shall submit to the appropriate congress-*
6 *sional committees—*

7 (A) *a certification that the Government of*
8 *Israel has demonstrated the successful completion*
9 *of the knowledge points, technical milestones, and*
10 *production readiness reviews required by the re-*
11 *search, development, and technology agreement*
12 *and the bilateral co-production agreement for the*
13 *David’s Sling Weapon System; and*

14 (B) *an assessment detailing any risks relat-*
15 *ing to the implementation of such agreement.*

16 (c) *ISRAELI COOPERATIVE MISSILE DEFENSE PRO-*
17 *GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-*
18 *PRODUCTION.—*

19 (1) *IN GENERAL.—Subject to paragraph (2), of*
20 *the funds authorized to be appropriated for fiscal year*
21 *2021 for procurement, Defense-wide, and available for*
22 *the Missile Defense Agency not more than \$77,000,000*
23 *may be provided to the Government of Israel for the*
24 *Arrow 3 Upper Tier Interceptor Program, including*

1 *for co-production of parts and components in the*
2 *United States by United States industry.*

3 (2) *CERTIFICATION.—The Under Secretary of*
4 *Defense for Acquisition and Sustainment shall submit*
5 *to the appropriate congressional committees a certifi-*
6 *cation that—*

7 (A) *the Government of Israel has dem-*
8 *onstrated the successful completion of the knowl-*
9 *edge points, technical milestones, and production*
10 *readiness reviews required by the research, devel-*
11 *opment, and technology agreement for the Arrow*
12 *3 Upper Tier Interceptor Program;*

13 (B) *funds specified in paragraph (1) will be*
14 *provided on the basis of a one-for-one cash match*
15 *made by Israel or in another matching amount*
16 *that otherwise meets best efforts (as mutually*
17 *agreed to by the United States and Israel);*

18 (C) *the United States has entered into a bi-*
19 *lateral international agreement with Israel that*
20 *establishes, with respect to the use of such*
21 *funds—*

22 (i) *in accordance with subparagraph*
23 *(D), the terms of co-production of parts and*
24 *components on the basis of the greatest*
25 *practicable co-production of parts, compo-*

1 *nents, and all-up rounds (if appropriate)*
2 *by United States industry and minimizes*
3 *nonrecurring engineering and facilitization*
4 *expenses to the costs needed for co-produc-*
5 *tion;*

6 *(ii) complete transparency on the re-*
7 *quirement of Israel for the number of inter-*
8 *ceptors and batteries that will be procured,*
9 *including with respect to the procurement*
10 *plans, acquisition strategy, and funding*
11 *profiles of Israel;*

12 *(iii) technical milestones for co-produc-*
13 *tion of parts and components and procure-*
14 *ment;*

15 *(iv) a joint affordability working*
16 *group to consider cost reduction initiatives;*
17 *and*

18 *(v) joint approval processes for third-*
19 *party sales; and*

20 *(D) the level of co-production described in*
21 *subparagraph (C)(i) for the Arrow 3 Upper Tier*
22 *Interceptor Program is not less than 50 percent.*

23 *(d) NUMBER.—In carrying out paragraph (2) of sub-*
24 *section (b) and paragraph (2) of subsection (c), the Under*
25 *Secretary may submit—*

1 (1) *one certification covering both the David’s*
2 *Sling Weapon System and the Arrow 3 Upper Tier*
3 *Interceptor Program; or*

4 (2) *separate certifications for each respective sys-*
5 *tem.*

6 (e) *TIMING.*—*The Under Secretary shall submit to the*
7 *congressional defense committees the certification and as-*
8 *essment under subsection (b)(3) and the certification under*
9 *subsection (c)(2) no later than 30 days before the funds*
10 *specified in paragraph (1) of subsections (b) and (c) for*
11 *the respective system covered by the certification are pro-*
12 *vided to the Government of Israel.*

13 (f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
14 *FINED.*—*In this section, the term “appropriate congres-*
15 *sional committees” means the following:*

16 (1) *The congressional defense committees.*

17 (2) *The Committee on Foreign Relations of the*
18 *Senate and the Committee on Foreign Affairs of the*
19 *House of Representatives.*

20 **SEC. 1662. ACCELERATION OF THE DEPLOYMENT OF**
21 **HYPERSONIC AND BALLISTIC TRACKING**
22 **SPACE SENSOR PAYLOAD.**

23 (a) *PRIMARY RESPONSIBILITY FOR DEVELOPMENT*
24 *AND DEPLOYMENT OF HYPERSONIC AND BALLISTIC TRACK-*
25 *ING SPACE SENSOR PAYLOAD.*—

1 (1) *IN GENERAL.*—Not later than 15 days after
2 the date of the enactment of this Act, the Secretary
3 shall—

4 (A) assign the Director of the Missile De-
5 fense Agency with the principal responsibility
6 for the development and deployment of a
7 hypersonic and ballistic tracking space sensor
8 payload through the end of fiscal year 2022; and

9 (B) submit to the congressional defense com-
10 mittees certification of such assignment.

11 (2) *TRANSITION.*—Not later than 90 days after
12 the date of the enactment of this Act, the Secretary
13 shall submit to the congressional defense committees—

14 (A) a determination regarding whether re-
15 sponsibility for a hypersonic and ballistic track-
16 ing space sensor payload should be transitioned
17 to the United States Space Force at the end of
18 fiscal year 2022 or later; and

19 (B) if the Secretary so determines, a plan
20 for transition of primary responsibility that
21 minimizes disruption to the program and pro-
22 vides for sufficient funding as described in sub-
23 section (b)(1).

1 (b) *CERTIFICATION REGARDING FUNDING OF*
2 *HYPERSONIC AND BALLISTIC TRACKING SPACE SENSOR*
3 *PROGRAM.—*

4 (1) *IN GENERAL.—At the same time that the*
5 *President submits to Congress pursuant to section*
6 *1105 of title 31, United States Code, the annual budg-*
7 *et request of the President for fiscal year 2022, the*
8 *Under Secretary of Defense Comptroller and the Di-*
9 *rector for Cost Assessment and Program Evaluation*
10 *shall jointly submit to the congressional defense com-*
11 *mittees a certification as to whether the hypersonic*
12 *and ballistic tracking space sensor program is suffi-*
13 *ciently funded in the future-years defense program.*

14 (2) *FUNDING LIMITATION.—Of the funds author-*
15 *ized to be appropriated by this Act for fiscal year*
16 *2021 under the Operations and Maintenance, De-*
17 *fense-Wide, account for the Office of Secretary of De-*
18 *fense travel of persons assigned to the Office of the*
19 *Under Secretary of Defense for Research and Engi-*
20 *neering, not more than 50 percent of such funds may*
21 *be obligated or expended until the certification re-*
22 *quired by paragraph (1) is submitted under such*
23 *paragraph.*

1 (c) *DEPLOYMENT DEADLINE.*—Section 1683(a) of the
2 *National Defense Authorization Act for Fiscal Year 2018*
3 *(Public Law 115–91; 10 U.S.C. 2431 note)* is amended—

4 (1) by striking “(a) *IN GENERAL.*—” and insert-
5 ing the following:

6 “(a) *DEVELOPMENT, TESTING, AND DEPLOYMENT.*—

7 “(1) *DEVELOPMENT.*—”; and

8 (2) by adding at the end the following new para-
9 graphs:

10 “(2) *TESTING AND DEPLOYMENT.*—*The Director*
11 *shall begin on-orbit testing of a hypersonic and bal-*
12 *listic tracking space sensor no later than December*
13 *31, 2022, with full operational deployment as soon as*
14 *technically feasible thereafter.*

15 “(3) *WAIVER.*—*The Secretary of Defense may*
16 *waive the deadline for testing specified in paragraph*
17 *(2) if the Secretary submits to the congressional de-*
18 *fense committees a report containing—*

19 “(A) *the explanation why the Secretary*
20 *cannot meet such deadline;*

21 “(B) *the technical risks and estimated cost*
22 *of accelerating the program to attempt to meet*
23 *such deadline;*

1 “(C) an assessment of threat systems that
2 could not be detected or tracked persistently due
3 to waiving such deadline; and

4 “(D) a plan, including a timeline, for be-
5 ginning the required testing.”.

6 (d) *ASSESSMENT AND REPORT.*—Not later than 120
7 days after the date of the enactment of this Act, the Chair
8 of the Joint Requirements Oversight Council established
9 under section 181 of title 10, United States Code, shall—

10 (1) complete an assessment on whether all efforts
11 being made by the Missile Defense Agency, the Defense
12 Advanced Research Projects Agency, the Air Force,
13 and the Space Development Agency relating to space-
14 based sensing and tracking capabilities for missile de-
15 fense are aligned with the requirements of United
16 States Strategic Command, United States Northern
17 Command, United States European Command, and
18 United States Indo-Pacific Command for missile
19 tracking and missile warning that have been vali-
20 dated by the Joint Requirements Oversight Council;
21 and

22 (2) submit to the congressional defense commit-
23 tees a report on the findings of the Chair with respect
24 to the assessment conducted under paragraph (1).

1 **SEC. 1663. EXTENSION OF PROHIBITION RELATING TO MIS-**
2 **SILE DEFENSE INFORMATION AND SYSTEMS.**

3 *Section 130h(e) of title 10, United States Code, is*
4 *amended by striking “January 1, 2021” and inserting*
5 *“January 1, 2026”.*

6 **SEC. 1664. REPORT ON AND LIMITATION ON EXPENDITURE**
7 **OF FUNDS FOR LAYERED HOMELAND MISSILE**
8 **DEFENSE SYSTEM.**

9 *(a) REPORT REQUIRED.—*

10 *(1) IN GENERAL.—Not later than March 1, 2021,*
11 *the Director of the Missile Defense Agency shall sub-*
12 *mit to the congressional defense committees a report*
13 *on the proposal for a layered homeland missile de-*
14 *fense system included in the budget justification mate-*
15 *rials submitted to Congress in support of the budget*
16 *for the Department of Defense for fiscal year 2021 (as*
17 *submitted with the budget of the President for such*
18 *year under section 1105(a) of title 31, United States*
19 *Code).*

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

22 *(A) A description of the approved require-*
23 *ments for a layered homeland missile defense*
24 *system, based on an assessment by the intel-*
25 *ligence community of threats to be addressed at*
26 *the time of deployment of such a system.*

1 (B) *An assessment of how such requirements*
2 *addressed by a layered homeland missile defense*
3 *system relate to those addressed by the existing*
4 *ground-based midcourse defense system, includ-*
5 *ing deployed ground-based interceptors and*
6 *planned upgrades to such ground-based intercep-*
7 *tors.*

8 (C) *An analysis of interceptor solutions to*
9 *meet such requirements, to include land-based*
10 *Standard Missile 3 (SM-3) Block IIA inter-*
11 *ceptor systems and the Terminal High Altitude*
12 *Area Defense (THAAD) system, with the number*
13 *of locations required for deployment and the pro-*
14 *duction numbers of interceptors and related sen-*
15 *sors.*

16 (D) *A site-specific fielding plan that in-*
17 *cludes possible locations, the number and type of*
18 *interceptors and radars in each location, and*
19 *any associated environmental or permitting con-*
20 *siderations, including an assessment of the loca-*
21 *tions evaluated pursuant to section 227(b) of the*
22 *National Defense Authorization Act for Fiscal*
23 *Year 2013 (126 Stat. 1679; Public Law 112-*
24 *239) for inclusion in the layered homeland mis-*
25 *sile defense system.*

1 (E) *Relevant policy considerations for de-*
2 *ployment of such systems for defense against*
3 *intercontinental ballistic missiles in the conti-*
4 *ental United States.*

5 (F) *A cost estimate and schedule for options*
6 *involving a land-based Standard Missile 3 Block*
7 *IIA interceptor system and the Terminal High*
8 *Altitude Area Defense system, including required*
9 *environmental assessments.*

10 (G) *A feasibility assessment of the necessary*
11 *modifications to the Terminal High Altitude*
12 *Area Defense system to address such require-*
13 *ments.*

14 (H) *An assessment of the industrial base ca-*
15 *capacity to support additional production of either*
16 *a land-based Standard Missile 3 Block IIA inter-*
17 *ceptor system or the Terminal High Altitude*
18 *Area Defense system.*

19 (3) *CONSULTATION.—In preparing the report re-*
20 *quired by paragraph (1), the Director shall consult*
21 *with the following:*

22 (A) *The Under Secretary of Defense for Pol-*
23 *icy.*

24 (B) *The Under Secretary of Defense for Ac-*
25 *quisition and Sustainment.*

1 (C) *The Vice Chairman of the Joint Chiefs*
2 *of Staff, in Vice Chairman’s capacity as the*
3 *Chair of the Joint Requirements Oversight Coun-*
4 *cil.*

5 (D) *The Commander, United States Stra-*
6 *tegic Command.*

7 (E) *The Commander, United States North-*
8 *ern Command.*

9 (b) *LIMITATION ON USE OF FUNDS.—Not more than*
10 *50 percent of the amounts authorized to be appropriated*
11 *by this Act for fiscal year 2021 for the Missile Defense Agen-*
12 *cy for the purposes of a layered homeland missile defense*
13 *system may be obligated or expended until the Director sub-*
14 *mits to the congressional defense committees the report re-*
15 *quired by subsection (a).*

16 (c) *INTELLIGENCE COMMUNITY DEFINED.—In this sec-*
17 *tion, the term “intelligence community” has the meaning*
18 *given such term in section 3 of the National Security Act*
19 *of 1947 (50 U.S.C. 3003).*

1 **SEC. 1665. EXTENSION OF REQUIREMENT FOR COMP-**
2 **TROLLER GENERAL REVIEW AND ASSESS-**
3 **MENT OF MISSILE DEFENSE ACQUISITION**
4 **PROGRAMS.**

5 *Section 232(a) of the National Defense Authorization*
6 *Act for Fiscal Year 2012 (Public Law 112–81) is amend-*
7 *ed—*

8 (1) *in paragraph (1), by striking “through*
9 *2020” and inserting “through 2025”;*

10 (2) *in paragraph (2)—*

11 (A) *by striking “through 2021” and insert-*
12 *ing “through 2026”; and*

13 (B) *by striking “year. Each” and all that*
14 *follows through “appropriate.” and insert the fol-*
15 *lowing: “, which shall include such findings and*
16 *recommendations as the Comptroller General*
17 *considers appropriate.”; and*

18 (3) *by adding at the end the following new sub-*
19 *section:*

20 “(3) *REVIEW OF EMERGING ISSUES.—In car-*
21 *rying out this subsection, as the Comptroller General*
22 *determines is warranted, the Comptroller General*
23 *shall review emerging issues and, in consultation with*
24 *the congressional defense committees, brief such com-*
25 *mittees or submit to such committees a report on the*

1 *findings of the Comptroller General with respect to*
 2 *such review.”.*

3 **SEC. 1666. REPEAL OF REQUIREMENT FOR REPORTING**
 4 **STRUCTURE OF MISSILE DEFENSE AGENCY.**

5 *Section 205 of title 10, United States Code, is amended*
 6 *to read as follows:*

7 **“§ 205. Missile Defense Agency**

8 *“The Director of the Missile Defense Agency shall be*
 9 *appointed for a six-year term.”.*

10 **SEC. 1667. GROUND-BASED MIDCOURSE DEFENSE INTERIM**
 11 **CAPABILITY.**

12 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 13 *that—*

14 *(1) the nuclear and ballistic missile threats from*
 15 *rogue nations are increasing; and*

16 *(2) the Department of Defense should fully assess*
 17 *development of an interim ground-based missile de-*
 18 *fense capability while also pursuing the development*
 19 *of a next generation interceptor capability.*

20 *(b) INTERIM GROUND-BASED INTERCEPTOR.—*

21 *(1) DEVELOPMENT.—Not later than 30 days*
 22 *after the date of the enactment of this Act, the Sec-*
 23 *retary of Defense, acting through the Director of the*
 24 *Missile Defense Agency and in coordination with the*
 25 *Under Secretary of Defense for Acquisition and*

1 *Sustainment, the Commander of the United States*
2 *Northern Command, and the Commander of the*
3 *United States Strategic Command, shall commence*
4 *carrying out a program to develop an interim*
5 *ground-based interceptor capability that will—*

6 *(A) use sound acquisition practices;*

7 *(B) address the majority of current and*
8 *near- to mid-term projected ballistic missile*
9 *threats to the United States homeland from*
10 *rogue nations;*

11 *(C) at minimum, meet the proposed capa-*
12 *bilities of the Redesigned Kill Vehicle program;*

13 *(D) leverage existing kill vehicle and booster*
14 *technology; and*

15 *(E) appropriately balance interceptor per-*
16 *formance with schedule of delivery.*

17 *(2) DEPLOYMENT.—The Secretary of Defense,*
18 *acting through the Director of the Missile Defense*
19 *Agency and in coordination with the Under Secretary*
20 *of Defense for Acquisition and Sustainment, the Com-*
21 *mander of the United States Northern Command, and*
22 *the Commander of the United States Strategic Com-*
23 *mand, shall—*

24 *(A) conduct rigorous flight testing of the in-*
25 *terim ground-based interceptor; and*

1 (B) deliver 20 new ground-based intercep-
2 tors by 2026.

3 (3) WAIVER AUTHORITY.—(A) The Secretary of
4 Defense may waive the requirements under para-
5 graphs (1) and (2) if the Secretary certifies to the
6 congressional defense committees that—

7 (i) the technology development is not tech-
8 nically feasible;

9 (ii) the interim capability development is
10 not in the national security interest of the
11 United States; or

12 (iii) the next generation interceptor for the
13 ground-based midcourse defense system can de-
14 liver capability before the program otherwise re-
15 quired by this subsection.

16 (B) If the Secretary chooses to waive the require-
17 ments under paragraphs (1) and (2), the Secretary
18 shall submit to the congressional defense committees
19 along with the certification required by subparagraph
20 (A) of this paragraph—

21 (i) an explanation of the rationale for the
22 decision;

23 (ii) an estimate of projected rogue nation
24 threats to the United States homeland that will
25 not be defended against until the fielding of the

1 *next generation interceptor for the ground-based*
2 *midcourse defense system; and*

3 *(iii) an updated schedule for development*
4 *and deployment of the next generation inter-*
5 *ceptor.*

6 *(C) The Secretary may not delegate the certifi-*
7 *cation described in subparagraphs (A) and (B) unless*
8 *the Secretary is recused, in which case the Secretary*
9 *may delegate such certification to the Deputy Sec-*
10 *retary of Defense.*

11 *(c) CAPABILITIES AND CRITERIA.—The Director shall*
12 *ensure that the interim ground-based interceptor developed*
13 *under subsection (c)(1) meets, at a minimum, the following*
14 *capabilities and criteria:*

15 *(1) Vehicle-to-vehicle communications, as appli-*
16 *cable.*

17 *(2) Vehicle-to-ground communications.*

18 *(3) Kill assessment capability.*

19 *(4) The ability to counter advanced counter*
20 *measures, decoys, and penetration aids.*

21 *(5) Producibility and manufacturability.*

22 *(6) Use of technology involving high technology*
23 *readiness levels.*

24 *(7) Options to integrate the new kill vehicle onto*
25 *other missile defense interceptor vehicles other than*

1 *the ground-based interceptors of the ground-based*
 2 *midcourse defense system.*

3 *(8) Sound acquisition processes.*

4 *(d) REPORT ON FUNDING PROFILE.—The Director*
 5 *shall include with the budget justification materials sub-*
 6 *mitted to Congress in support of the budget of the Depart-*
 7 *ment of Defense for fiscal year 2022 (as submitted with the*
 8 *budget of the President under section 1105(a) of title 31,*
 9 *United States Code) a report on the funding profile nec-*
 10 *essary for the interim ground-based interceptor program to*
 11 *meet the objectives under subsection (c).*

12 **TITLE XVII—HONG KONG**
 13 **AUTONOMY ACT**

14 **SEC. 1701. SHORT TITLE.**

15 *This title may be cited as the “Hong Kong Autonomy*
 16 *Act”.*

17 **SEC. 1702. DEFINITIONS.**

18 *In this title:*

19 *(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED*
 20 *STATES.—The terms “alien”, “national”, and “na-*
 21 *tional of the United States” have the meanings given*
 22 *those terms in section 101 of the Immigration and*
 23 *Nationality Act (8 U.S.C. 1101).*

1 (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
2 *AND LEADERSHIP.*—*The term “appropriate congress-*
3 *sional committees and leadership” means—*

4 (A) *the Committee on Armed Services, the*
5 *Committee on Banking, Housing, and Urban Af-*
6 *airs, the Committee on Foreign Relations, the*
7 *Committee on Homeland Security and Govern-*
8 *mental Affairs, the Committee on the Judiciary,*
9 *the Select Committee on Intelligence, and the*
10 *majority leader and the minority leader of the*
11 *Senate; and*

12 (B) *the Committee on Armed Services, the*
13 *Committee on Financial Services, the Committee*
14 *on Foreign Affairs, the Committee on Homeland*
15 *Security, the Committee on the Judiciary, the*
16 *Permanent Select Committee on Intelligence, and*
17 *the Speaker and the minority leader of the House*
18 *of Representatives.*

19 (3) *BASIC LAW.*—*The term “Basic Law” means*
20 *the Basic Law of the Hong Kong Special Administra-*
21 *tive Region of the People’s Republic of China.*

22 (4) *CHINA.*—*The term “China” means the Peo-*
23 *ple’s Republic of China.*

24 (5) *ENTITY.*—*The term “entity” means a part-*
25 *nership, joint venture, association, corporation, orga-*

1 nization, network, group, or subgroup, or any other
2 form of business collaboration.

3 (6) *FINANCIAL INSTITUTION*.—The term “*finan-*
4 *cial institution*” means a financial institution speci-
5 fied in section 5312(a)(2) of title 31, United States
6 Code.

7 (7) *HONG KONG*.—The term “*Hong Kong*”
8 means the Hong Kong Special Administrative Region
9 of the People’s Republic of China.

10 (8) *JOINT DECLARATION*.—The term “*Joint Dec-*
11 *laration*” means the Joint Declaration of the Govern-
12 ment of the United Kingdom of Great Britain and
13 Northern Ireland and the Government of the People’s
14 Republic of China on the Question of Hong Kong,
15 done at Beijing on December 19, 1984.

16 (9) *KNOWINGLY*.—The term “*knowingly*”, with
17 respect to conduct, a circumstance, or a result, means
18 that a person has actual knowledge of the conduct, the
19 circumstance, or the result.

20 (10) *PERSON*.—The term “*person*” means an in-
21 dividual or entity.

22 (11) *UNITED STATES PERSON*.—The term
23 “*United States person*” means—

24 (A) any citizen or national of the United
25 States;

1 (B) any alien lawfully admitted for perma-
2 nent residence in the United States;

3 (C) any entity organized under the laws of
4 the United States or any jurisdiction within the
5 United States (including a foreign branch of
6 such an entity); or

7 (D) any person located in the United
8 States.

9 **SEC. 1703. FINDINGS.**

10 Congress makes the following findings:

11 (1) *The Joint Declaration and the Basic Law*
12 *clarify certain obligations and promises that the Gov-*
13 *ernment of China has made with respect to the future*
14 *of Hong Kong.*

15 (2) *The obligations of the Government of China*
16 *under the Joint Declaration were codified in a le-*
17 *gally-binding treaty, signed by the Government of the*
18 *United Kingdom of Great Britain and Northern Ire-*
19 *land and registered with the United Nations.*

20 (3) *The obligations of the Government of China*
21 *under the Basic Law originate from the Joint Dec-*
22 *laration, were passed into the domestic law of China*
23 *by the National People's Congress, and are widely*
24 *considered by citizens of Hong Kong as part of the de*
25 *facto legal constitution of Hong Kong.*

1 (4) *Foremost among the obligations of the Gov-*
2 *ernment of China to Hong Kong is the promise that,*
3 *pursuant to Paragraph 3b of the Joint Declaration,*
4 *“the Hong Kong Special Administrative Region will*
5 *enjoy a high degree of autonomy, except in foreign*
6 *and defence affairs which are the responsibilities of*
7 *the Central People’s Government”.*

8 (5) *The obligation specified in Paragraph 3b of*
9 *the Joint Declaration is referenced, reinforced, and*
10 *extrapolated on in several portions of the Basic Law,*
11 *including Articles 2, 12, 13, 14, and 22.*

12 (6) *Article 22 of the Basic Law establishes that*
13 *“No department of the Central People’s Government*
14 *and no province, autonomous region, or municipality*
15 *directly under the Central Government may interfere*
16 *in the affairs which the Hong Kong Special Adminis-*
17 *trative Region administers on its own in accordance*
18 *with this Law.”.*

19 (7) *The Joint Declaration and the Basic Law*
20 *make clear that additional obligations shall be under-*
21 *taken by China to ensure the “high degree of auton-*
22 *omy” of Hong Kong.*

23 (8) *Paragraph 3c of the Joint Declaration states,*
24 *as reinforced by Articles 2, 16, 17, 18, 19, and 22 of*
25 *the Basic Law, that Hong Kong “will be vested with*

1 *executive, legislative and independent judicial power,*
2 *including that of final adjudication”.*

3 *(9) On multiple occasions, the Government of*
4 *China has undertaken actions that have contravened*
5 *the letter or intent of the obligation described in para-*
6 *graph (8) of this section, including the following:*

7 *(A) In 1999, the Standing Committee of the*
8 *National People’s Congress overruled a decision*
9 *by the Hong Kong Court of Final Appeal on the*
10 *right of abode.*

11 *(B) On multiple occasions, the Government*
12 *of Hong Kong, at the advice of the Government*
13 *of China, is suspected to have not allowed per-*
14 *sons entry into Hong Kong allegedly because of*
15 *their support for democracy and human rights*
16 *in Hong Kong and China.*

17 *(C) The Liaison Office of China in Hong*
18 *Kong has, despite restrictions on interference in*
19 *the affairs of Hong Kong as detailed in Article*
20 *22 of the Basic Law—*

21 *(i) openly expressed support for can-*
22 *didates in Hong Kong for Chief Executive*
23 *and Legislative Council;*

24 *(ii) expressed views on various policies*
25 *for the Government of Hong Kong and other*

1 *internal matters relating to Hong Kong;*
2 *and*

3 *(iii) on April 17, 2020, asserted that*
4 *both the Liaison Office of China in Hong*
5 *Kong and the Hong Kong and Macau Af-*
6 *fairs Office of the State Council “have the*
7 *right to exercise supervision . . . on affairs*
8 *regarding Hong Kong and the mainland, in*
9 *order to ensure correct implementation of*
10 *the Basic Law”.*

11 *(D) The National People’s Congress has*
12 *passed laws requiring Hong Kong to pass laws*
13 *banning disrespectful treatment of the national*
14 *flag and national anthem of China.*

15 *(E) The State Council of China released a*
16 *white paper on June 10, 2014, that stressed the*
17 *“comprehensive jurisdiction” of the Government*
18 *of China over Hong Kong and indicated that*
19 *Hong Kong must be governed by “patriots”.*

20 *(F) The Government of China has directed*
21 *operatives to kidnap and bring to the mainland,*
22 *or is otherwise responsible for the kidnapping of,*
23 *residents of Hong Kong, including businessman*
24 *Xiao Jianhua and bookseller Gui Minhui.*

1 (G) *The Government of Hong Kong, acting*
2 *with the support of the Government of China, in-*
3 *troduced an extradition bill that would have per-*
4 *mitted the Government of China to request and*
5 *enforce extradition requests for any individual*
6 *present in Hong Kong, regardless of the legality*
7 *of the request or the degree to which it com-*
8 *promised the judicial independence of Hong*
9 *Kong.*

10 (H) *The spokesman for the Standing Com-*
11 *mittee of the National People’s Congress said,*
12 *“Whether Hong Kong’s laws are consistent with*
13 *the Basic Law can only be judged and decided*
14 *by the National People’s Congress Standing*
15 *Committee. No other authority has the right to*
16 *make judgments and decisions.”.*

17 (10) *Paragraph 3e of the Joint Declaration*
18 *states, as reinforced by Article 5 of the Basic Law,*
19 *that the “current social and economic systems in*
20 *Hong Kong will remain unchanged, as so will the*
21 *life-style.”.*

22 (11) *On multiple occasions, the Government of*
23 *China has undertaken actions that have contravened*
24 *the letter or intent of the obligation described in para-*
25 *graph (10) of this section, including the following:*

1 (A) *In 2002, the Government of China pres-*
2 *sured the Government of Hong Kong to introduce*
3 *“patriotic” curriculum in primary and sec-*
4 *ondary schools.*

5 (B) *The governments of China and Hong*
6 *Kong proposed the prohibition of discussion of*
7 *Hong Kong independence and self-determination*
8 *in primary and secondary schools, which in-*
9 *fringes on freedom of speech.*

10 (C) *The Government of Hong Kong man-*
11 *dated that Mandarin, and not the native lan-*
12 *guage of Cantonese, be the language of instruc-*
13 *tion in Hong Kong schools.*

14 (D) *The governments of China and Hong*
15 *Kong agreed to a daily quota of mainland immi-*
16 *grants to Hong Kong, which is widely believed*
17 *by citizens of Hong Kong to be part of an effort*
18 *to “mainlandize” Hong Kong.*

19 (12) *Paragraph 3e of the Joint Declaration*
20 *states, as reinforced by Articles 4, 26, 27, 28, 29, 30,*
21 *31, 32 33, 34, and 39 of the Basic Law, that the*
22 *“rights and freedoms, including those of person, of*
23 *speech, of the press, of assembly, of association, of*
24 *travel, of movement, of correspondence, of strike, of*

1 *choice of occupation, of academic research and of reli-*
2 *gious belief will be ensured by law” in Hong Kong.*

3 *(13) On multiple occasions, the Government of*
4 *China has undertaken actions that have contravened*
5 *the letter or intent of the obligation described in para-*
6 *graph (12) of this section, including the following:*

7 *(A) On February 26, 2003, the Government*
8 *of Hong Kong introduced a national security bill*
9 *that would have placed restrictions on freedom of*
10 *speech and other protected rights.*

11 *(B) The Liaison Office of China in Hong*
12 *Kong has pressured businesses in Hong Kong not*
13 *to advertise in newspapers and magazines crit-*
14 *ical of the governments of China and Hong*
15 *Kong.*

16 *(C) The Hong Kong Police Force selectively*
17 *blocked demonstrations and protests expressing*
18 *opposition to the governments of China and*
19 *Hong Kong or the policies of those governments.*

20 *(D) The Government of Hong Kong refused*
21 *to renew work visa for a foreign journalist, alleg-*
22 *edly for hosting a speaker from the banned Hong*
23 *Kong National Party.*

24 *(E) The Justice Department of Hong Kong*
25 *selectively prosecuted cases against leaders of the*

1 *Umbrella Movement, while failing to prosecute*
2 *police officers accused of using excessive force*
3 *during the protests in 2014.*

4 *(F) On April 18, 2020, the Hong Kong Po-*
5 *lice Force arrested 14 high-profile democracy ac-*
6 *tivists and campaigners for their role in orga-*
7 *nizing a protest march that took place on August*
8 *18, 2019, in which almost 2,000,000 people ral-*
9 *lied against a proposed extradition bill.*

10 *(14) Articles 45 and 68 of the Basic Law assert*
11 *that the selection of Chief Executive and all members*
12 *of the Legislative Council of Hong Kong should be by*
13 *“universal suffrage.”.*

14 *(15) On multiple occasions, the Government of*
15 *China has undertaken actions that have contravened*
16 *the letter or intent of the obligation described in para-*
17 *graph (14) of this section, including the following:*

18 *(A) In 2004, the National People’s Congress*
19 *created new, antidemocratic procedures restrict-*
20 *ing the adoption of universal suffrage for the*
21 *election of the Chief Executive of Hong Kong.*

22 *(B) The decision by the National People’s*
23 *Congress on December 29, 2007, which ruled out*
24 *universal suffrage in 2012 elections and set re-*

1 *strictions on when and if universal suffrage will*
2 *be implemented.*

3 *(C) The decision by the National People’s*
4 *Congress on August 31, 2014, which placed lim-*
5 *its on the nomination process for the Chief Exec-*
6 *utive of Hong Kong as a condition for adoption*
7 *of universal suffrage.*

8 *(D) On November 7, 2016, the National*
9 *People’s Congress interpreted Article 104 of the*
10 *Basic Law in such a way to disqualify 6 elected*
11 *members of the Legislative Council.*

12 *(E) In 2018, the Government of Hong Kong*
13 *banned the Hong Kong National Party and*
14 *blocked the candidacy of pro-democracy can-*
15 *didates.*

16 *(16) The ways in which the Government of*
17 *China, at times with the support of a subservient*
18 *Government of Hong Kong, has acted in contraven-*
19 *tion of its obligations under the Joint Declaration*
20 *and the Basic Law, as set forth in this section, are*
21 *deeply concerning to the people of Hong Kong, the*
22 *United States, and members of the international com-*
23 *munity who support the autonomy of Hong Kong.*

24 **SEC. 1704. SENSE OF CONGRESS REGARDING HONG KONG.**

25 *It is the sense of Congress that—*

1 (1) *the United States continues to uphold the*
2 *principles and policy established in the United*
3 *States-Hong Kong Policy Act of 1992 (22 U.S.C.*
4 *5701 et seq.) and the Hong Kong Human Rights and*
5 *Democracy Act of 2019 (Public Law 116–76; 22*
6 *U.S.C. 5701 note), which remain consistent with Chi-*
7 *na’s obligations under the Joint Declaration and cer-*
8 *tain promulgated objectives under the Basic Law, in-*
9 *cluding that—*

10 (A) *as set forth in section 101(1) of the*
11 *United States-Hong Kong Policy Act of 1992 (22*
12 *U.S.C. 5711(1)), “The United States should play*
13 *an active role, before, on, and after July 1, 1997,*
14 *in maintaining Hong Kong’s confidence and*
15 *prosperity, Hong Kong’s role as an international*
16 *financial center, and the mutually beneficial ties*
17 *between the people of the United States and the*
18 *people of Hong Kong.”; and*

19 (B) *as set forth in section 2(5) of the United*
20 *States-Hong Kong Policy Act of 1992 (22 U.S.C.*
21 *5701(5)), “Support for democratization is a fun-*
22 *damental principle of United States foreign pol-*
23 *icy. As such, it naturally applies to United*
24 *States policy toward Hong Kong. This will re-*
25 *main equally true after June 30, 1997.”;*

1 (2) *although the United States recognizes that,*
2 *under the Joint Declaration, the Government of*
3 *China “resumed the exercise of sovereignty over Hong*
4 *Kong with effect on 1 July 1997”, the United States*
5 *supports the autonomy of Hong Kong in furtherance*
6 *of the United States-Hong Kong Policy Act of 1992*
7 *and the Hong Kong Human Rights and Democracy*
8 *Act of 2019 and advances the desire of the people of*
9 *Hong Kong to continue the “one country, two sys-*
10 *tems” regime, in addition to other obligations pro-*
11 *mulgated by China under the Joint Declaration and*
12 *the Basic Law;*

13 (3) *in order to support the benefits and protec-*
14 *tions that Hong Kong has been afforded by the Gov-*
15 *ernment of China under the Joint Declaration and*
16 *the Basic Law, the United States should establish a*
17 *clear and unambiguous set of penalties with respect*
18 *to foreign persons determined by the Secretary of*
19 *State, in consultation with the Secretary of the Treas-*
20 *ury, to be involved in the contravention of the obliga-*
21 *tions of China under the Joint Declaration and the*
22 *Basic Law and the financial institutions transacting*
23 *with those foreign persons;*

24 (4) *the Secretary of State should provide an un-*
25 *classified assessment of the reason for imposition of*

1 *certain economic penalties on entities, so as to permit*
2 *a clear path for the removal of economic penalties if*
3 *the sanctioned behavior is reversed and verified by the*
4 *Secretary of State;*

5 (5) *relevant Federal agencies should establish a*
6 *multilateral sanctions regime with respect to foreign*
7 *persons involved in the contravention of the obliga-*
8 *tions of China under the Joint Declaration and the*
9 *Basic Law; and*

10 (6) *in addition to the penalties on foreign per-*
11 *sons, and financial institutions transacting with*
12 *those foreign persons, for the contravention of the obli-*
13 *gations of China under the Joint Declaration and the*
14 *Basic Law, the United States should take steps, in a*
15 *time of crisis, to assist permanent residents of Hong*
16 *Kong who are persecuted or fear persecution as a re-*
17 *sult of the contravention by China of its obligations*
18 *under the Joint Declaration and the Basic Law to be-*
19 *come eligible to obtain lawful entry into the United*
20 *States.*

1 **SEC. 1705. IDENTIFICATION OF FOREIGN PERSONS IN-**
2 **VOLVED IN THE EROSION OF THE OBLIGA-**
3 **TIONS OF CHINA UNDER THE JOINT DEC-**
4 **LARATION OR THE BASIC LAW AND FOREIGN**
5 **FINANCIAL INSTITUTIONS THAT CONDUCT**
6 **SIGNIFICANT TRANSACTIONS WITH THOSE**
7 **PERSONS.**

8 (a) *IN GENERAL.*—Not later than 90 days after the
9 date of the enactment of this Act, if the Secretary of State,
10 in consultation with the Secretary of the Treasury, deter-
11 mines that a foreign person is materially contributing to,
12 has materially contributed to, or attempts to materially
13 contribute to the failure of the Government of China to meet
14 its obligations under the Joint Declaration or the Basic
15 Law, the Secretary of State shall submit to the appropriate
16 congressional committees and leadership a report that in-
17 cludes—

18 (1) *an identification of the foreign person; and*
19 (2) *a clear explanation for why the foreign per-*
20 *son was identified and a description of the activity*
21 *that resulted in the identification.*

22 (b) *IDENTIFYING FOREIGN FINANCIAL INSTITU-*
23 *TIONS.*—Not earlier than 30 days and not later than 60
24 days after the Secretary of State submits to the appropriate
25 congressional committees and leadership the report under
26 subsection (a), the Secretary of the Treasury, in consulta-

1 *tion with the Secretary of State, shall submit to the appro-*
2 *priate congressional committees and leadership a report*
3 *that identifies any foreign financial institution that know-*
4 *ingly conducts a significant transaction with a foreign per-*
5 *son identified in the report under subsection (a).*

6 *(c) EXCLUSION OF CERTAIN INFORMATION.—*

7 *(1) INTELLIGENCE.—The Secretary of State shall*
8 *not disclose the identity of a person in a report sub-*
9 *mitted under subsection (a) or (b), or an update*
10 *under subsection (e), if the Director of National Intel-*
11 *ligence determines that such disclosure could com-*
12 *promise an intelligence operation, activity, source, or*
13 *method of the United States.*

14 *(2) LAW ENFORCEMENT.—The Secretary of State*
15 *shall not disclose the identity of a person in a report*
16 *submitted under subsection (a) or (b), or an update*
17 *under subsection (e), if the Attorney General, in co-*
18 *ordination, as appropriate, with the Director of the*
19 *Federal Bureau of Investigation, the head of any*
20 *other appropriate Federal law enforcement agency,*
21 *and the Secretary of the Treasury, determines that*
22 *such disclosure could reasonably be expected—*

23 *(A) to compromise the identity of a con-*
24 *fidential source, including a State, local, or for-*
25 *ign agency or authority or any private institu-*

1 *tion that furnished information on a confidential*
2 *basis;*

3 *(B) to jeopardize the integrity or success of*
4 *an ongoing criminal investigation or prosecu-*
5 *tion;*

6 *(C) to endanger the life or physical safety*
7 *of any person; or*

8 *(D) to cause substantial harm to physical*
9 *property.*

10 *(3) NOTIFICATION REQUIRED.—If the Director of*
11 *National Intelligence makes a determination under*
12 *paragraph (1) or the Attorney General makes a deter-*
13 *mination under paragraph (2), the Director or the*
14 *Attorney General, as the case may be, shall notify the*
15 *appropriate congressional committees and leadership*
16 *of the determination and the reasons for the deter-*
17 *mination.*

18 *(d) EXCLUSION OR REMOVAL OF FOREIGN PERSONS*
19 *AND FOREIGN FINANCIAL INSTITUTIONS.—*

20 *(1) FOREIGN PERSONS.—The President may ex-*
21 *clude a foreign person from the report under sub-*
22 *section (a), or an update under subsection (e), or re-*
23 *move a foreign person from the report or update prior*
24 *to the imposition of sanctions under section 1706(a)*
25 *if the material contribution (as described in sub-*

1 *section (g)) that merited inclusion in that report or*
2 *update—*

3 *(A) does not have a significant and lasting*
4 *negative effect that contravenes the obligations of*
5 *China under the Joint Declaration and the*
6 *Basic Law;*

7 *(B) is not likely to be repeated in the fu-*
8 *ture; and*

9 *(C) has been reversed or otherwise mitigated*
10 *through positive countermeasures taken by that*
11 *foreign person.*

12 *(2) FOREIGN FINANCIAL INSTITUTIONS.—The*
13 *President may exclude a foreign financial institution*
14 *from the report under subsection (b), or an update*
15 *under subsection (e), or remove a foreign financial in-*
16 *stitution from the report or update prior to the impo-*
17 *sition of sanctions under section 1707(a) if the sig-*
18 *nificant transaction or significant transactions of the*
19 *foreign financial institution that merited inclusion in*
20 *that report or update—*

21 *(A) does not have a significant and lasting*
22 *negative effect that contravenes the obligations of*
23 *China under the Joint Declaration and the*
24 *Basic Law;*

1 (B) is not likely to be repeated in the fu-
2 ture; and

3 (C) has been reversed or otherwise mitigated
4 through positive countermeasures taken by that
5 foreign financial institution.

6 (3) NOTIFICATION REQUIRED.—If the President
7 makes a determination under paragraph (1) or (2) to
8 exclude or remove a foreign person or foreign finan-
9 cial institution from a report under subsection (a) or
10 (b), as the case may be, the President shall notify the
11 appropriate congressional committees and leadership
12 of the determination and the reasons for the deter-
13 mination.

14 (e) UPDATE OF REPORTS.—

15 (1) IN GENERAL.—Each report submitted under
16 subsections (a) and (b) shall be updated in an ongo-
17 ing manner and, to the extent practicable, updated
18 reports shall be resubmitted with the annual report
19 under section 301 of the United States-Hong Kong
20 Policy Act of 1992 (22 U.S.C. 5731).

21 (2) RULE OF CONSTRUCTION.—Nothing in this
22 subsection shall be construed to terminate the require-
23 ment to update the reports under subsections (a) and
24 (b) upon the termination of the requirement to submit
25 the annual report under section 301 of the United

1 *States-Hong Kong Policy Act of 1992 (22 U.S.C.*
2 *5731).*

3 *(f) FORM OF REPORTS.—*

4 *(1) IN GENERAL.—Each report under subsection*
5 *(a) or (b) (including updates under subsection (e))*
6 *shall be submitted in unclassified form and made*
7 *available to the public.*

8 *(2) CLASSIFIED ANNEX.—The explanations and*
9 *descriptions included in the report under subsection*
10 *(a)(2) (including updates under subsection (e)) may*
11 *be expanded on in a classified annex.*

12 *(g) MATERIAL CONTRIBUTIONS RELATED TO OBLIGA-*
13 *TIONS OF CHINA DESCRIBED.—For purposes of this section,*
14 *a foreign person materially contributes to the failure of the*
15 *Government of China to meet its obligations under the Joint*
16 *Declaration or the Basic Law if the person—*

17 *(1) took action that resulted in the inability of*
18 *the people of Hong Kong—*

19 *(A) to enjoy freedom of assembly, speech,*
20 *press, or independent rule of law; or*

21 *(B) to participate in democratic outcomes;*

22 *or*

23 *(2) otherwise took action that reduces the high*
24 *degree of autonomy of Hong Kong.*

1 **SEC. 1706. SANCTIONS WITH RESPECT TO FOREIGN PER-**
2 **SONS THAT CONTRAVENE THE OBLIGATIONS**
3 **OF CHINA UNDER THE JOINT DECLARATION**
4 **OR THE BASIC LAW.**

5 (a) *IMPOSITION OF SANCTIONS.*—

6 (1) *IN GENERAL.*—*On and after the date on*
7 *which a foreign person is included in the report*
8 *under section 1705(a) or an update to that report*
9 *under section 1705(e), the President may impose*
10 *sanctions described in subsection (b) with respect to*
11 *that foreign person.*

12 (2) *MANDATORY SANCTIONS.*—*Not later than one*
13 *year after the date on which a foreign person is in-*
14 *cluded in the report under section 1705(a) or an up-*
15 *date to that report under section 1705(e), the Presi-*
16 *dent shall impose sanctions described in subsection (b)*
17 *with respect to that foreign person.*

18 (b) *SANCTIONS DESCRIBED.*—*The sanctions described*
19 *in this subsection with respect to a foreign person are the*
20 *following:*

21 (1) *PROPERTY TRANSACTIONS.*—*The President*
22 *may, pursuant to such regulations as the President*
23 *may prescribe, prohibit any person from—*

24 (A) *acquiring, holding, withholding, using,*
25 *transferring, withdrawing, transporting, or ex-*
26 *porting any property that is subject to the juris-*

1 *diction of the United States and with respect to*
2 *which the foreign person has any interest;*

3 *(B) dealing in or exercising any right,*
4 *power, or privilege with respect to such property;*
5 *or*

6 *(C) conducting any transaction involving*
7 *such property.*

8 (2) *EXCLUSION FROM THE UNITED STATES AND*
9 *REVOCAION OF VISA OR OTHER DOCUMENTATION.—*
10 *In the case of a foreign person who is an individual,*
11 *the President may direct the Secretary of State to*
12 *deny a visa to, and the Secretary of Homeland Secu-*
13 *rity to exclude from the United States, the foreign*
14 *person, subject to regulatory exceptions to permit the*
15 *United States to comply with the Agreement regard-*
16 *ing the Headquarters of the United Nations, signed at*
17 *Lake Success June 26, 1947, and entered into force*
18 *November 21, 1947, between the United Nations and*
19 *the United States, or other applicable international*
20 *obligations.*

1 *making loans or providing credits to the foreign fi-*
2 *ancial institution.*

3 (2) *PROHIBITION ON DESIGNATION AS PRIMARY*
4 *DEALER.*—*Neither the Board of Governors of the Fed-*
5 *eral Reserve System nor the Federal Reserve Bank of*
6 *New York may designate, or permit the continuation*
7 *of any prior designation of, the foreign financial in-*
8 *stitution as a primary dealer in United States Gov-*
9 *ernment debt instruments.*

10 (3) *PROHIBITION ON SERVICE AS A REPOSITORY*
11 *OF GOVERNMENT FUNDS.*—*The foreign financial insti-*
12 *tution may not serve as agent of the United States*
13 *Government or serve as repository for United States*
14 *Government funds.*

15 (4) *FOREIGN EXCHANGE.*—*The President may,*
16 *pursuant to such regulations as the President may*
17 *prescribe, prohibit any transactions in foreign ex-*
18 *change that are subject to the jurisdiction of the*
19 *United States and involve the foreign financial insti-*
20 *tution.*

21 (5) *BANKING TRANSACTIONS.*—*The President*
22 *may, pursuant to such regulations as the President*
23 *may prescribe, prohibit any transfers of credit or*
24 *payments between financial institutions or by,*
25 *through, or to any financial institution, to the extent*

1 *that such transfers or payments are subject to the ju-*
2 *risdiction of the United States and involve the foreign*
3 *financial institution.*

4 (6) *PROPERTY TRANSACTIONS.—The President*
5 *may, pursuant to such regulations as the President*
6 *may prescribe, prohibit any person from—*

7 (A) *acquiring, holding, withholding, using,*
8 *transferring, withdrawing, transporting, or ex-*
9 *porting any property that is subject to the juris-*
10 *isdiction of the United States and with respect to*
11 *which the foreign financial institution has any*
12 *interest;*

13 (B) *dealing in or exercising any right,*
14 *power, or privilege with respect to such property;*
15 *or*

16 (C) *conducting any transaction involving*
17 *such property.*

18 (7) *RESTRICTION ON EXPORTS, REEXPORTS, AND*
19 *TRANSFERS.—The President, in consultation with the*
20 *Secretary of Commerce, may restrict or prohibit ex-*
21 *ports, reexports, and transfers (in-country) of com-*
22 *modities, software, and technology subject to the juris-*
23 *isdiction of the United States directly or indirectly to*
24 *the foreign financial institution.*

1 (8) *BAN ON INVESTMENT IN EQUITY OR DEBT.*—
2 *The President may, pursuant to such regulations or*
3 *guidelines as the President may prescribe, prohibit*
4 *any United States person from investing in or pur-*
5 *chasing significant amounts of equity or debt instru-*
6 *ments of the foreign financial institution.*

7 (9) *EXCLUSION OF CORPORATE OFFICERS.*—*The*
8 *President may direct the Secretary of State, in con-*
9 *sultation with the Secretary of the Treasury and the*
10 *Secretary of Homeland Security, to exclude from the*
11 *United States any alien that is determined to be a*
12 *corporate officer or principal of, or a shareholder with*
13 *a controlling interest in, the foreign financial institu-*
14 *tion, subject to regulatory exceptions to permit the*
15 *United States to comply with the Agreement regard-*
16 *ing the Headquarters of the United Nations, signed at*
17 *Lake Success June 26, 1947, and entered into force*
18 *November 21, 1947, between the United Nations and*
19 *the United States, or other applicable international*
20 *obligations.*

21 (10) *SANCTIONS ON PRINCIPAL EXECUTIVE OFFI-*
22 *CERS.*—*The President may impose on the principal*
23 *executive officer or officers of the foreign financial in-*
24 *stitution, or on individuals performing similar func-*
25 *tions and with similar authorities as such officer or*

1 *officers, any of the sanctions described in paragraphs*
2 *(1) through (8) that are applicable.*

3 *(c) TIMING OF SANCTIONS.—The President may im-*
4 *pose sanctions required under subsection (a) with respect*
5 *to a financial institution included in the report under sec-*
6 *tion 1705(b) or an update to that report under section*
7 *1705(e) beginning on the day on which the financial insti-*
8 *tution is included in that report or update.*

9 **SEC. 1708. WAIVER, TERMINATION, EXCEPTIONS, AND CON-**
10 **GRESSIONAL REVIEW PROCESS.**

11 *(a) NATIONAL SECURITY WAIVER.—Unless a dis-*
12 *approval resolution is enacted under subsection (d), the*
13 *President may waive the application of sanctions under sec-*
14 *tion 1706 or 1707 with respect to a foreign person or foreign*
15 *financial institution if the President—*

16 *(1) determines that the waiver is in the national*
17 *security interest of the United States; and*

18 *(2) submits to the appropriate congressional*
19 *committees and leadership a report on the determina-*
20 *tion and the reasons for the determination.*

21 *(b) TERMINATION OF SANCTIONS AND REMOVAL FROM*
22 *REPORT.—Unless a disapproval resolution is enacted under*
23 *subsection (d), the President may terminate the application*
24 *of sanctions under section 1706 or 1707 with respect to a*
25 *foreign person or foreign financial institution and remove*

1 *the foreign person from the report required under section*
2 *1705(a) or the foreign financial institution from the report*
3 *required under section 1705(b), as the case may be, if the*
4 *Secretary of State, in consultation with the Secretary of*
5 *the Treasury, determines that the actions taken by the for-*
6 *ign person or foreign financial institution that led to the*
7 *imposition of sanctions—*

8 (1) *do not have a significant and lasting nega-*
9 *tive effect that contravenes the obligations of China*
10 *under the Joint Declaration and the Basic Law;*

11 (2) *are not likely to be repeated in the future;*
12 *and*

13 (3) *have been reversed or otherwise mitigated*
14 *through positive countermeasures taken by that for-*
15 *ign person or foreign financial institution.*

16 (c) *TERMINATION OF ACT.—*

17 (1) *REPORT.—*

18 (A) *IN GENERAL.—Not later than July 1,*
19 *2046, the President, in consultation with the*
20 *Secretary of State, the Secretary of the Treasury,*
21 *and the heads of such other Federal agencies as*
22 *the President considers appropriate, shall submit*
23 *to Congress a report evaluating the implementa-*
24 *tion of this title and sanctions imposed pursuant*
25 *to this title.*

1 (B) *ELEMENTS.*—*The President shall in-*
2 *clude in the report submitted under subpara-*
3 *graph (A) an assessment of whether this title and*
4 *the sanctions imposed pursuant to this title*
5 *should be terminated.*

6 (2) *TERMINATION.*—*This title and the sanctions*
7 *imposed pursuant to this title shall remain in effect*
8 *unless a termination resolution is enacted under sub-*
9 *section (e) after July 1, 2047.*

10 (d) *CONGRESSIONAL REVIEW.*—

11 (1) *RESOLUTIONS.*—

12 (A) *DISAPPROVAL RESOLUTION.*—*In this*
13 *section, the term “disapproval resolution” means*
14 *only a joint resolution of either House of Con-*
15 *gress—*

16 (i) *the title of which is as follows: “A*
17 *joint resolution disapproving the waiver or*
18 *termination of sanctions with respect to a*
19 *foreign person that contravenes the obliga-*
20 *tions of China with respect to Hong Kong*
21 *or a foreign financial institution that con-*
22 *ducts a significant transaction with that*
23 *person.”; and*

24 (ii) *the sole matter after the resolving*
25 *clause of which is the following: “Congress*

1 *disapproves of the action under section 1708*
2 *of the Hong Kong Autonomy Act relating to*
3 *the application of sanctions imposed with*
4 *respect to a foreign person that contravenes*
5 *the obligations of China with respect to*
6 *Hong Kong, or a foreign financial institu-*
7 *tion that conducts a significant transaction*
8 *with that person, on _____ re-*
9 *lating to _____.”, with the*
10 *first blank space being filled with the ap-*
11 *propriate date and the second blank space*
12 *being filled with a short description of the*
13 *proposed action.*

14 (B) *TERMINATION RESOLUTION.*—*In this*
15 *section, the term “termination resolution” means*
16 *only a joint resolution of either House of Con-*
17 *gress—*

18 (i) *the title of which is as follows: “A*
19 *joint resolution terminating sanctions with*
20 *respect to foreign persons that contravene*
21 *the obligations of China with respect to*
22 *Hong Kong and foreign financial institu-*
23 *tions that conduct significant transactions*
24 *with those persons.”; and*

1 (ii) *the sole matter after the resolving*
2 *clause of which is the following: “The Hong*
3 *Kong Autonomy Act and any sanctions im-*
4 *posed pursuant to that Act shall terminate*
5 *on _____.”, with the blank space being*
6 *filled with the termination date.*

7 (C) *COVERED RESOLUTION.—In this sub-*
8 *section, the term “covered resolution” means a*
9 *disapproval resolution or a termination resolu-*
10 *tion.*

11 (2) *INTRODUCTION.—A covered resolution may*
12 *be introduced—*

13 (A) *in the House of Representatives, by the*
14 *majority leader or the minority leader; and*

15 (B) *in the Senate, by the majority leader*
16 *(or the majority leader’s designee) or the minor-*
17 *ity leader (or the minority leader’s designee).*

18 (3) *FLOOR CONSIDERATION IN HOUSE OF REP-*
19 *RESENTATIVES.—If a committee of the House of Rep-*
20 *resentatives to which a covered resolution has been re-*
21 *ferred has not reported the resolution within 10 cal-*
22 *endar days after the date of referral, that committee*
23 *shall be discharged from further consideration of the*
24 *resolution.*

25 (4) *CONSIDERATION IN THE SENATE.—*

1 (A) COMMITTEE REFERRAL.—

2 (i) DISAPPROVAL RESOLUTION.—A dis-
3 approval resolution introduced in the Sen-
4 ate shall be—

5 (I) referred to the Committee on
6 Banking, Housing, and Urban Affairs
7 if the resolution relates to an action
8 that is not intended to significantly
9 alter United States foreign policy with
10 regard to China; and

11 (II) referred to the Committee on
12 Foreign Relations if the resolution re-
13 lates to an action that is intended to
14 significantly alter United States for-
15 eign policy with regard to China.

16 (ii) TERMINATION RESOLUTION.—A
17 termination resolution introduced in the
18 Senate shall be referred to the Committee on
19 Banking, Housing, and Urban Affairs and
20 the Committee on Foreign Relations.

21 (B) REPORTING AND DISCHARGE.—If a
22 committee to which a covered resolution was re-
23 ferred has not reported the resolution within 10
24 calendar days after the date of referral of the res-
25 olution, that committee shall be discharged from

1 *further consideration of the resolution and the*
2 *resolution shall be placed on the appropriate cal-*
3 *endar.*

4 (C) *PROCEEDING TO CONSIDERATION.*—*Not-*
5 *withstanding Rule XXII of the Standing Rules*
6 *of the Senate, it is in order at any time after the*
7 *Committee on Banking, Housing, and Urban Af-*
8 *airs or the Committee on Foreign Relations, as*
9 *the case may be, reports a covered resolution to*
10 *the Senate or has been discharged from consider-*
11 *ation of such a resolution (even though a pre-*
12 *vious motion to the same effect has been dis-*
13 *agreed to) to move to proceed to the consider-*
14 *ation of the resolution, and all points of order*
15 *against the resolution (and against consideration*
16 *of the resolution) are waived. The motion to pro-*
17 *ceed is not debatable. The motion is not subject*
18 *to a motion to postpone. A motion to reconsider*
19 *the vote by which the motion is agreed to or dis-*
20 *agreed to shall not be in order.*

21 (D) *RULINGS OF THE CHAIR ON PROCE-*
22 *DURE.*—*Appeals from the decisions of the Chair*
23 *relating to the application of the rules of the*
24 *Senate, as the case may be, to the procedure re-*

1 *lating to a covered resolution shall be decided*
2 *without debate.*

3 *(E) CONSIDERATION OF VETO MESSAGES.—*
4 *Debate in the Senate of any veto message with*
5 *respect to a covered resolution, including all de-*
6 *batable motions and appeals in connection with*
7 *the resolution, shall be limited to 10 hours, to be*
8 *equally divided between, and controlled by, the*
9 *majority leader and the minority leader or their*
10 *designees.*

11 *(5) RULES RELATING TO SENATE AND HOUSE OF*
12 *REPRESENTATIVES.—*

13 *(A) TREATMENT OF SENATE RESOLUTION IN*
14 *HOUSE.—In the House of Representatives, the*
15 *following procedures shall apply to a covered res-*
16 *olution received from the Senate (unless the*
17 *House has already passed a resolution relating*
18 *to the same proposed action):*

19 *(i) The resolution shall be referred to*
20 *the appropriate committees.*

21 *(ii) If a committee to which a resolu-*
22 *tion has been referred has not reported the*
23 *resolution within 2 calendar days after the*
24 *date of referral, that committee shall be dis-*

1 *charged from further consideration of the*
2 *resolution.*

3 *(iii) Beginning on the third legislative*
4 *day after each committee to which a resolu-*
5 *tion has been referred reports the resolution*
6 *to the House or has been discharged from*
7 *further consideration thereof, it shall be in*
8 *order to move to proceed to consider the res-*
9 *olution in the House. All points of order*
10 *against the motion are waived. Such a mo-*
11 *tion shall not be in order after the House*
12 *has disposed of a motion to proceed on the*
13 *resolution. The previous question shall be*
14 *considered as ordered on the motion to its*
15 *adoption without intervening motion. The*
16 *motion shall not be debatable. A motion to*
17 *reconsider the vote by which the motion is*
18 *disposed of shall not be in order.*

19 *(iv) The resolution shall be considered*
20 *as read. All points of order against the reso-*
21 *lution and against its consideration are*
22 *waived. The previous question shall be con-*
23 *sidered as ordered on the resolution to final*
24 *passage without intervening motion except*
25 *2 hours of debate equally divided and con-*

1 *trolled by the sponsor of the resolution (or*
2 *a designee) and an opponent. A motion to*
3 *reconsider the vote on passage of the resolu-*
4 *tion shall not be in order.*

5 *(B) TREATMENT OF HOUSE RESOLUTION IN*
6 *SENATE.—*

7 *(i) RECEIVED BEFORE PASSAGE OF*
8 *SENATE RESOLUTION.—If, before the pas-*
9 *sage by the Senate of a covered resolution,*
10 *the Senate receives an identical resolution*
11 *from the House of Representatives, the fol-*
12 *lowing procedures shall apply:*

13 *(I) That resolution shall not be re-*
14 *ferred to a committee.*

15 *(II) With respect to that resolu-*
16 *tion—*

17 *(aa) the procedure in the*
18 *Senate shall be the same as if no*
19 *resolution had been received from*
20 *the House of Representatives; but*

21 *(bb) the vote on passage shall*
22 *be on the resolution from the*
23 *House of Representatives.*

24 *(ii) RECEIVED AFTER PASSAGE OF*
25 *SENATE RESOLUTION.—If, following passage*

1 of a covered resolution in the Senate, the
2 Senate receives an identical resolution from
3 the House of Representatives, that resolution
4 shall be placed on the appropriate Senate
5 calendar.

6 (iii) *NO SENATE COMPANION.*—If a
7 covered resolution is received from the
8 House of Representatives, and no com-
9 panion resolution has been introduced in
10 the Senate, the Senate procedures under this
11 subsection shall apply to the resolution from
12 the House of Representatives.

13 (C) *APPLICATION TO REVENUE MEAS-*
14 *URES.*—The provisions of this paragraph shall
15 not apply in the House of Representatives to a
16 covered resolution that is a revenue measure.

17 (6) *RULES OF HOUSE OF REPRESENTATIVES AND*
18 *SENATE.*—This subsection is enacted by Congress—

19 (A) as an exercise of the rulemaking power
20 of the Senate and the House of Representatives,
21 respectively, and as such is deemed a part of the
22 rules of each House, respectively, and supersedes
23 other rules only to the extent that it is incon-
24 sistent with such rules; and

1 (B) *with full recognition of the constitu-*
2 *tional right of either House to change the rules*
3 *(so far as relating to the procedure of that*
4 *House) at any time, in the same manner, and*
5 *to the same extent as in the case of any other*
6 *rule of that House.*

7 **SEC. 1709. IMPLEMENTATION; PENALTIES.**

8 (a) *IMPLEMENTATION.*—*The President may exercise*
9 *all authorities provided under sections 203 and 205 of the*
10 *International Emergency Economic Powers Act (50 U.S.C.*
11 *1702 and 1704) to the extent necessary to carry out this*
12 *title.*

13 (b) *PENALTIES.*—*A person that violates, attempts to*
14 *violate, conspires to violate, or causes a violation of section*
15 *1706 or 1707 or any regulation, license, or order issued to*
16 *carry out that section shall be subject to the penalties set*
17 *forth in subsections (b) and (c) of section 206 of the Inter-*
18 *national Emergency Economic Powers Act (50 U.S.C.*
19 *1705) to the same extent as a person that commits an un-*
20 *lawful act described in subsection (a) of that section.*

21 **SEC. 1710. RULE OF CONSTRUCTION.**

22 *Nothing in this title shall be construed as an author-*
23 *ization of military force against China.*

1 **SEC. 1711. EXCEPTION RELATING TO IMPORTATION OF**
2 **GOODS.**

3 (a) *IN GENERAL.*—*The authorities and requirements*
4 *to impose sanctions under this title shall not include the*
5 *authority or requirement to impose sanctions on the impor-*
6 *tation of goods.*

7 (b) *GOOD DEFINED.*—*In this section, the term “good”*
8 *means any article, natural or manmade substance, mate-*
9 *rial, supply, or manufactured product, including inspection*
10 *and test equipment, and excluding technical data.*

11 **DIVISION B—MILITARY CON-**
12 **STRUCTION AUTHORIZA-**
13 **TIONS**

14 **SEC. 2001. SHORT TITLE.**

15 *This division may be cited as the “Military Construc-*
16 *tion Authorization Act for Fiscal Year 2021”.*

17 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
18 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
19 **LAW.**

20 (a) *EXPIRATION OF AUTHORIZATIONS AFTER FIVE*
21 *YEARS.*—*Except as provided in subsection (b), all author-*
22 *izations contained in titles XXI through XXVII for military*
23 *construction projects, land acquisition, family housing*
24 *projects and facilities, and contributions to the North At-*
25 *lantic Treaty Organization Security Investment Program*

1 *(and authorizations of appropriations therefor) shall expire*
2 *on the later of—*

3 *(1) October 1, 2025; or*

4 *(2) the date of the enactment of an Act author-*
5 *izing funds for military construction for fiscal year*
6 *2026.*

7 *(b) EXCEPTION.—Subsection (a) shall not apply to au-*
8 *thorizations for military construction projects, land acqui-*
9 *sition, family housing projects and facilities, and contribu-*
10 *tions to the North Atlantic Treaty Organization Security*
11 *Investment Program (and authorizations of appropriations*
12 *therefor), for which appropriated funds have been obligated*
13 *before the later of—*

14 *(1) October 1, 2025; or*

15 *(2) the date of the enactment of an Act author-*
16 *izing funds for fiscal year 2026 for military construc-*
17 *tion projects, land acquisition, family housing*
18 *projects and facilities, or contributions to the North*
19 *Atlantic Treaty Organization Security Investment*
20 *Program.*

21 **SEC. 2003. EFFECTIVE DATE.**

22 *Titles XXI through XXVII and title XXIX shall take*
23 *effect on the later of—*

24 *(1) October 1, 2020; or*

25 *(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
Alaska	Fort Wainwright	\$114,000,000
Arizona	Yuma Proving Ground	\$14,000,000
California	Military Ocean Terminal Concord	\$46,000,000
Colorado	Fort Carson	\$28,000,000
Georgia	Fort Gillem	\$71,000,000
	Fort Gordon	\$80,000,000
Hawaii	Aliamanu Military Reservation	\$71,000,000
	Schofield Barracks	\$39,000,000
	Wheeler Army Airfield	\$89,000,000
Louisiana	Fort Polk	\$25,000,000
Oklahoma	McAlester AAP	\$35,000,000
South Carolina	Fort Jackson	\$7,000,000
Virginia	Humphreys Engineer Center	\$51,000,000

(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 construc-

1 tion projects for the installation outside the United States,
 2 and in the amount, set forth in the following table:

Army: Outside the United States

<i>State</i>	<i>Installation</i>	<i>Amount</i>
<i>Italy</i>	<i>Casmera Renato Dal Din</i>	\$10,200,000

3 **SEC. 2102. FAMILY HOUSING.**

4 (a) *CONSTRUCTION AND ACQUISITION.*—Using
 5 amounts appropriated pursuant to the authorization of ap-
 6 propriations in section 2103(a) and available for military
 7 family housing functions as specified in the funding table
 8 in section 4601, the Secretary of the Army may construct
 9 or acquire family housing units (including land acquisition
 10 and supporting facilities) at the installations or locations,
 11 in the number of units, and in the amounts set forth in
 12 the following table:

Army: Family Housing

<i>Country</i>	<i>Installation or Location</i>	<i>Units</i>	<i>Amount</i>
<i>Italy</i>	<i>Vicenza</i>	<i>Family Housing New Construc- tion</i>	\$84,100,000
<i>Kwajalein</i>	<i>Kwajalein Atoll</i>	<i>Family Housing Replacement Construction</i>	\$32,000,000

13 (b) *PLANNING AND DESIGN.*—Using amounts appro-
 14 priated pursuant to the authorization of appropriations in
 15 section 2103(a) and available for military family housing
 16 functions as specified in the funding table in section 4601,
 17 the Secretary of the Army may carry out architectural and
 18 engineering services and construction design activities with

1 *respect to the construction or improvement of family hous-*
2 *ing units in an amount not to exceed \$3,300,000.*

3 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

4 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
5 *hereby authorized to be appropriated for fiscal years begin-*
6 *ning after September 30, 2020, for military construction,*
7 *land acquisition, and military family housing functions of*
8 *the Department of the Army as specified in the funding*
9 *table in section 4601.*

10 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
11 *PROJECTS.—Notwithstanding the cost variations author-*
12 *ized by section 2853 of title 10, United States Code, and*
13 *any other cost variation authorized by law, the total cost*
14 *of all projects carried out under section 2101 of this Act*
15 *may not exceed the total amount authorized to be appro-*
16 *priated under subsection (a), as specified in the funding*
17 *table in section 4601.*

18 **SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT**
19 **FISCAL YEAR 2017 PROJECT AT CAMP WALK-**
20 **ER, KOREA.**

21 *In the case of the authorization contained in the table*
22 *in section 2102(a) of the Military Construction Authoriza-*
23 *tion Act for Fiscal Year 2017 (division B of Public Law*
24 *114–92; 129 Stat. 1146) for Camp Walker, Korea, the Sec-*
25 *retary of the Army may construct an elevated walkway be-*

1 *tween two existing parking garages to connect children’s*
 2 *playgrounds using amounts available for Family Housing*
 3 *New Construction, as specified in the funding table in sec-*
 4 *tion 4601 of such Act (129 Stat. 1290).*

5 **TITLE XXII—NAVY MILITARY**
 6 **CONSTRUCTION**

7 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 8 **ACQUISITION PROJECTS.**

9 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*
 10 *propriated pursuant to the authorization of appropriations*
 11 *in section 2204(a) and available for military construction*
 12 *projects inside the United States as specified in the funding*
 13 *table in section 4601, the Secretary of the Navy may ac-*
 14 *quire real property and carry out military construction*
 15 *projects for the installations or locations inside the United*
 16 *States, and in the amounts, set forth in the following table:*

Navy: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>California</i>	<i>Camp Pendleton</i>	\$115,530,000
	<i>Lemoore</i>	\$187,220,000
	<i>Point Mugu</i>	\$26,700,000
	<i>Port Hueneme</i>	\$43,500,000
	<i>San Diego</i>	\$128,500,000
	<i>Seal Beach</i>	\$46,800,000
	<i>Twentynine Palms</i>	\$76,500,000
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	\$114,900,000
<i>Maine</i>	<i>Kittery</i>	\$715,000,000
	<i>NCTAMS LANT Detachment Cutler</i>	\$26,100,000
<i>Nevada</i>	<i>Fallon</i>	\$29,040,000
<i>North Carolina</i>	<i>Cherry Point</i>	\$51,900,000
<i>Virginia</i>	<i>Norfolk</i>	\$39,800,000

17 *(b) OUTSIDE THE UNITED STATES.—Using amounts*
 18 *appropriated pursuant to the authorization of appropria-*

1 tions in section 2204(a) and available for military con-
 2 struction projects outside the United States as specified in
 3 the funding table in section 4601, the Secretary of the Navy
 4 may acquire real property and carry out military construc-
 5 tion projects for the installations or locations outside the
 6 United States, and in the amounts, set forth in the following
 7 table:

Navy: Outside the United States

Country	Installation or Location	Amount
<i>Bahrain Island</i>	<i>SW Asia</i>	\$68,340,000
<i>El Salvador</i>	<i>Comalapa</i>	\$28,000,000
<i>Greece</i>	<i>Souda Bay</i>	\$50,180,000
<i>Guam</i>	<i>Andersen Air Force Base</i>	\$21,280,000
	<i>Joint Region Marianas</i>	\$546,550,000
<i>Spain</i>	<i>Rota</i>	\$60,110,000

8 **SEC. 2202. FAMILY HOUSING.**

9 *Using amounts appropriated pursuant to the author-*
 10 *ization of appropriations in section 2204(a) and available*
 11 *for military family housing functions as specified in the*
 12 *funding table in section 4601, the Secretary of the Navy*
 13 *may carry out architectural and engineering services and*
 14 *construction design activities with respect to the construc-*
 15 *tion or improvement of family housing units in an amount*
 16 *not to exceed \$5,854,000.*

17 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 18 **UNITS.**

19 *Subject to section 2825 of title 10, United States Code,*
 20 *and using amounts appropriated pursuant to the author-*
 21 *ization of appropriations in section 2204(a) and available*

1 *for military family housing functions as specified in the*
 2 *funding table in section 4601, the Secretary of the Navy*
 3 *may improve existing military family housing units in an*
 4 *amount not to exceed \$37,043,000.*

5 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

6 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 7 *hereby authorized to be appropriated for fiscal years begin-*
 8 *ning after September 30, 2020, for military construction,*
 9 *land acquisition, and military family housing functions of*
 10 *the Department of the Navy, as specified in the funding*
 11 *table in section 4601.*

12 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
 13 *PROJECTS.—Notwithstanding the cost variations author-*
 14 *ized by section 2853 of title 10, United States Code, and*
 15 *any other cost variation authorized by law, the total cost*
 16 *of all projects carried out under section 2201 of this Act*
 17 *may not exceed the total amount authorized to be appro-*
 18 *priated under subsection (a), as specified in the funding*
 19 *table in section 4601.*

20 **TITLE XXIII—AIR FORCE**
 21 **MILITARY CONSTRUCTION**

22 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 23 **LAND ACQUISITION PROJECTS.**

24 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*
 25 *propriated pursuant to the authorization of appropriations*

1 *in section 2304(a) and available for military construction*
 2 *projects inside the United States as specified in the funding*
 3 *table in section 4601, the Secretary of the Air Force may*
 4 *acquire real property and carry out military construction*
 5 *projects for the installations or locations inside the United*
 6 *States, and in the amounts, set forth in the following table:*

Air Force: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Colorado</i>	<i>United States Air Force Academy ..</i>	<i>\$49,000,000</i>
<i>New Jersey</i>	<i>Joint Base McGuire-Dix-Lakehurst</i>	<i>\$22,000,000</i>
<i>South Dakota</i>	<i>Ellsworth Air Force Base</i>	<i>\$96,000,000</i>
<i>Texas</i>	<i>Joint Base San Antonio</i>	<i>\$19,500,000</i>
<i>Utah</i>	<i>Hill Air Force Base</i>	<i>\$132,000,000</i>
<i>Virginia</i>	<i>Joint Base Langley-Eustis</i>	<i>\$19,500,000</i>

7 (b) *OUTSIDE THE UNITED STATES.*—*Using amounts*
 8 *appropriated pursuant to the authorization of appropria-*
 9 *tions in section 2304(a) and available for military con-*
 10 *struction projects outside the United States as specified in*
 11 *the funding table in section 4601, the Secretary of the Air*
 12 *Force may acquire real property and carry out military*
 13 *construction projects for the installations or locations out-*
 14 *side the United States, and in the amounts, set forth in*
 15 *the following table:*

Air Force: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Guam</i>	<i>Andersen Air Force Base</i>	<i>\$56,000,000</i>
<i>Qatar</i>	<i>Al Udeid</i>	<i>\$26,000,000</i>

16 **SEC. 2302. FAMILY HOUSING.**

17 *Using amounts appropriated pursuant to the author-*
 18 *ization of appropriations in section 2304(a) and available*

1 *for military family housing functions as specified in the*
2 *funding table in section 4601, the Secretary of the Air Force*
3 *may carry out architectural and engineering services and*
4 *construction design activities with respect to the construc-*
5 *tion or improvement of family housing units in an amount*
6 *not to exceed \$2,969,000.*

7 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
8 **UNITS.**

9 *Subject to section 2825 of title 10, United States Code,*
10 *and using amounts appropriated pursuant to the author-*
11 *ization of appropriations in section 2304(a) and available*
12 *for military family housing functions as specified in the*
13 *funding table in section 4601, the Secretary of the Air Force*
14 *may improve existing military family housing units in an*
15 *amount not to exceed \$94,245,000.*

16 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
17 **FORCE.**

18 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
19 *hereby authorized to be appropriated for fiscal years begin-*
20 *ning after September 30, 2020, for military construction,*
21 *land acquisition, and military family housing functions of*
22 *the Department of the Air Force, as specified in the funding*
23 *table in section 4601.*

24 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
25 *PROJECTS.—Notwithstanding the cost variations author-*

1 ized by section 2853 of title 10, United States Code, and
2 any other cost variation authorized by law, the total cost
3 of all projects carried out under section 2301 of this Act
4 may not exceed the total amount authorized to be appro-
5 priated under subsection (a), as specified in the funding
6 table in section 4601.

7 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
8 **FISCAL YEAR 2018 PROJECT AT ROYAL AIR**
9 **FORCE LAKENHEATH.**

10 (a) *IN GENERAL.*—In the case of the authorization
11 contained in the table in section 2301(b) of the Military
12 Construction Authorization Act for Fiscal Year 2018 (divi-
13 sion B of Public Law 115–91; 131 Stat. 1826) for Royal
14 Air Force Lakenheath, United Kingdom, the Secretary of
15 the Air Force may construct a 2,700 square meter consoli-
16 dated corrosion control and wash rack facility at such loca-
17 tion.

18 (b) *INCREASE OF AMOUNT.*—The table in section 4601
19 of such Act is amended in the item relating to a Consoli-
20 dated Corrosion Control Facility at Royal Air Force
21 Lakenheath, United Kingdom, by striking “20,000,000”
22 and inserting “55,300,000”.

1 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2019 PROJECTS.**

3 (a) *EIELSON AIR FORCE BASE, ALASKA.*—*In the case*
4 *of the authorization contained in the table in section*
5 *2301(a) of the Military Construction Authorization Act for*
6 *Fiscal Year 2019 (division B of Public Law 115–232; 132*
7 *Stat. 2246) for Eielson Air Force Base, Alaska, the Sec-*
8 *retary of the Air Force may construct a 426 square meter*
9 *non-contained (outdoor) range with covered and heated fir-*
10 *ing line for construction of an F–35 CATM Range, as speci-*
11 *fied in the funding table in section 4601 of such Act (132*
12 *Stat. 2404).*

13 (b) *BARKSDALE AIR FORCE BASE, LOUISIANA.*—

14 (1) *IN GENERAL.*—*In the case of the authoriza-*
15 *tion contained in the table in section 2301(a) of the*
16 *Military Construction Authorization Act for Fiscal*
17 *Year 2019 (division B of Public Law 115–232; 132*
18 *Stat. 2246) for Barksdale Air Force Base, Louisiana,*
19 *the Secretary of the Air Force may construct an en-*
20 *trance road and gate complex consistent with the*
21 *Unified Facilities Criteria relating to entry control*
22 *facilities and the construction guidelines for the Air*
23 *Force, in the amount of \$48,000,000.*

24 (2) *DETAILS OF CONSTRUCTION.*—*In con-*
25 *structing the entrance road and gate complex under*
26 *paragraph (1), the Secretary of the Air Force may*

1 *construct a 190 square meter visitor control center, a*
2 *44 square meter gate house, a 124 square meter pri-*
3 *vately owned vehicle inspection facility, a 338 square*
4 *meter truck inspection facility, and a 45 square meter*
5 *gatehouse.*

6 (3) *CONSTRUCTION IN FLOOD PLAIN.—Construc-*
7 *tion under paragraph (1) may be conducted in a*
8 *flood plain and appropriate mitigation measures*
9 *shall be included in the project.*

10 (c) *ROYAL AIR FORCE LAKENHEATH, UNITED KING-*
11 *DOM.—In the case of the authorization contained in the*
12 *table in section 2301(b) of the Military Construction Au-*
13 *thorization Act for Fiscal Year 2019 (division B of Public*
14 *Law 115–232; 132 Stat. 2247) for Royal Air Force*
15 *Lakenheath, United Kingdom, the Secretary of the Air*
16 *Force may construct a 1,206 square meter maintenance fa-*
17 *cility for construction of an F–35A ADAL Conventional*
18 *Munitions MX, as specified in the funding table in section*
19 *4601 of such Act (132 Stat. 2400).*

20 (d) *FORCE PROTECTION AND SAFETY.—The table in*
21 *section 4601 of the Military Construction Authorization Act*
22 *for Fiscal Year 2019 (division B of Public Law 115–232;*
23 *132 Stat. 2406) is amended in the item relating to Force*
24 *Protection and Safety, Air Force, Unspecified Worldwide*
25 *Locations, by striking “35,000” and inserting “50,000”.*

1 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT**
 2 **CERTAIN FISCAL YEAR 2020 FAMILY HOUSING**
 3 **PROJECTS.**

4 (a) *CONSTRUCTION AND ACQUISITION.*—Section 2302
 5 of the Military Construction Authorization Act for Fiscal
 6 Year 2020 (Public Law 116–92) is amended—

7 (1) by striking “Using amounts” and inserting

8 “(a) *PLANNING AND DESIGN.*—Using amounts”; and

9 (2) by adding at the end the following new sub-
 10 section:

11 “(b) *CONSTRUCTION AND ACQUISITION.*—Using
 12 amounts appropriated pursuant to the authorization of ap-
 13 propriations in section 2304(a), the Secretary of the Air
 14 Force may construct or acquire family housing units (in-
 15 cluding land, acquisition, and supporting facilities) at the
 16 installation, in the number of units, and in the amounts
 17 set forth in the following table:

“Air Force: Family Housing

Country	Installation or Location	Purpose	Amount
<i>Germany</i>	<i>Spangdahlem Air Base</i>	<i>76 Units</i>	<i>\$53,584,000</i> ’.

18 (b) *FUNDING.*—Section 2303 of the Military Construc-
 19 tion Authorization Act for Fiscal Year 2020 (Public Law
 20 116–92) is amended by striking “\$53,584,000” and insert-
 21 ing “\$46,638,000”.

1 **SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2020 PROJECTS.**

3 (a) *TYNDALL AIR FORCE BASE, FLORIDA.*—*In the case*
4 *of the authorization contained in the table in section*
5 *2912(a) of the Military Construction Authorization Act for*
6 *Fiscal Year 2020 (division B of Public Law 116–92) for*
7 *Tyndall Air Force Base, Florida, the Secretary of the Air*
8 *Force may construct—*

9 (1) *not more than 4,770 square meters of aircraft*
10 *support equipment storage for construction of an*
11 *Auxiliary Ground Equipment Facility, as specified*
12 *in the funding table in section 4603 of such Act;*

13 (2) *not more than 18,770 square meters of vis-*
14 *iting quarters for construction of Dorm Complex*
15 *Phase 1, as specified in such funding table;*

16 (3) *2,127 square meters of squadron operations*
17 *and 2,875 square meters of aircraft maintenance unit*
18 *for construction of Ops/Aircraft Maintenance Unit/*
19 *Hangar #2, as specified in such funding table;*

20 (4) *2,127 square meters of squadron operations*
21 *and 2,875 square meters of aircraft maintenance unit*
22 *for construction of Ops/Aircraft Maintenance Unit/*
23 *Hangar #3, as specified in such funding table;*

24 (5) *not more than 3,420 square meters of head-*
25 *quarters for construction of an Operations Group/*

1 *Maintenance Group HQ, as specified in such funding*
2 *table;*

3 (6) *not more than 930 square meters of equip-*
4 *ment storage for construction of a Security Forces*
5 *Mobility Storage Facility, as specified in such fund-*
6 *ing table;*

7 (7) *not more than 7,000 meters of storm water*
8 *pipng, box culverts, underground detention, and*
9 *grading for surface detention for construction of Site*
10 *Development, Utilities & Demo Phase 2, as specified*
11 *in such funding table; and*

12 (8) *not more than 12,471 meters of visiting*
13 *quarters for construction of Lodging Facilities Phase*
14 *1, as specified in such funding table.*

15 (b) *OFFUTT AIR FORCE BASE, NEBRASKA.—In the*
16 *case of the authorization contained in the table in section*
17 *2912(a) of the Military Construction Authorization Act for*
18 *Fiscal Year 2020 (division B of Public Law 116–92) for*
19 *Offutt Air Force Base, Nebraska, the Secretary of the Air*
20 *Force may construct—*

21 (1) *seven 2.5-megawatt diesel engine generators,*
22 *seven diesel exhaust fluid systems, 15-kilovolt*
23 *switchgear, two import/export inter-ties, five import-*
24 *only inter-ties, and 800 square meters of switchgear*
25 *facility for construction of an Emergency Power*

1 *Microgrid, as specified in the funding table in section*
2 *4603 of such Act;*

3 (2) *2,536 square meters of warehouse for con-*
4 *struction of a Logistics Readiness Squadron Campus,*
5 *as specified in such funding table;*

6 (3) *4,218 square meters of operations center and*
7 *1,343 square meters of military working dog kennel*
8 *for construction of a Security Campus, as specified in*
9 *such funding table;*

10 (4) *445 square meters of petroleum operations*
11 *center, 268 square meters of de-icing liquid storage,*
12 *and 173 square meters of warehouse for construction*
13 *of a Flightline Hangars Campus, as specified in such*
14 *funding table; and*

15 (5) *240 square meters of recreation complex and*
16 *270 square meters of storage for construction of a*
17 *Lake Campus, as specified in such funding table.*

18 (c) *JOINT BASE LANGLEY-EUSTIS, VIRGINIA.—In the*
19 *case of the authorization contained in the table in section*
20 *2912(a) of the Military Construction Authorization Act for*
21 *Fiscal Year 2020 (division B of Public Law 116–92) for*
22 *Joint Base Langley-Eustis, Virginia, the Secretary of the*
23 *Air Force may construct up to 6,720 square meters of dor-*
24 *mitory for construction of a Dormitory, as specified in the*
25 *funding table in section 4603 of such Act.*

1 **TITLE XXIV—DEFENSE AGEN-**
 2 **CIES MILITARY CONSTRUC-**
 3 **TION**

4 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 5 **TION AND LAND ACQUISITION PROJECTS.**

6 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 7 propriated pursuant to the authorization of appropriations
 8 in section 2403(a) and available for military construction
 9 projects inside the United States as specified in the funding
 10 table in section 4601, the Secretary of Defense may acquire
 11 real property and carry out military construction projects
 12 for the installations or locations inside the United States,
 13 and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$18,000,000
Alaska	Fort Greely	\$48,000,000
Arizona	Fort Huachuca	\$33,728,000
	Yuma	\$49,500,000
California	Beale Air Force Base	\$22,800,000
Colorado	Fort Carson	\$15,600,000
CONUS Unspecified ..	CONUS Unspecified	\$14,400,000
Florida	Hurlburt Field	\$83,120,000
Kentucky	Fort Knox	\$69,310,000
New Mexico	Kirtland Air Force Base	\$46,600,000
North Carolina	Fort Bragg	\$113,800,000
Ohio	Wright-Patterson Air Force Base	\$23,500,000
Texas	Fort Hood	\$32,700,000
Virginia	Joint Expeditionary Base Little Creek-Fort Story	\$112,500,000
Washington	Joint Base Lewis-McChord	\$21,800,000
	Manchester	\$82,000,000

14 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 15 appropriated pursuant to the authorization of appropria-
 16 tions in section 2403(a) and available for military con-

1 *struction projects outside the United States as specified in*
 2 *the funding table in section 4601, the Secretary of Defense*
 3 *may acquire real property and carry out military construc-*
 4 *tion projects for the installation or location outside the*
 5 *United States, and in the amount, set forth in the following*
 6 *table:*

Defense Agencies: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Japan</i>	<i>Def Fuel Support Point Tsurumi</i>	<i>\$49,500,000</i>

7 ***SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-***
 8 ***SERVATION INVESTMENT PROGRAM***
 9 ***PROJECTS.***

10 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*
 11 *propriated pursuant to the authorization of appropriations*
 12 *in section 2403(a) and available for energy conservation*
 13 *projects as specified in the funding table in section 4601,*
 14 *the Secretary of Defense may carry out energy conservation*
 15 *projects under chapter 173 of title 10, United States Code,*
 16 *for the installations or locations inside the United States,*
 17 *and in the amounts, set forth in the following table:*

ERCIP Projects: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Fort Rucker</i>	<i>\$24,000,000</i>
<i>Arkansas</i>	<i>Fort Smith Air National Guard Base</i>	<i>\$2,600,000</i>
<i>District of Columbia ..</i>	<i>Joint Base Anacostia-Bolling</i>	<i>\$35,933,000</i>
<i>Georgia</i>	<i>Fort Benning</i>	<i>\$17,000,000</i>
<i>Mississippi</i>	<i>MTA Camp Shelby</i>	<i>\$30,000,000</i>
<i>North Carolina</i>	<i>Fort Bragg</i>	<i>\$6,100,000</i>
<i>Ohio</i>	<i>Wright-Patterson Air Force Base</i>	<i>\$35,000,000</i>
<i>Tennessee</i>	<i>Memphis International Airport</i>	<i>\$4,780,000</i>

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 2 appropriated pursuant to the authorization of appropri-
 3 ations in section 2403(a) and available for energy conserva-
 4 tion projects as specified in the funding table in section
 5 4601, the Secretary of Defense may carry out energy con-
 6 servation projects under chapter 173 of title 10, United
 7 States Code, for the installations or locations outside the
 8 United States, and in the amounts, set forth in the following
 9 table:

ERCIP Projects: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Unspecified World- wide</i>	<i>Unspecified Worldwide Locations</i>	\$142,500,000

10 ***SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE***
 11 ***AGENCIES.***

12 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
 13 hereby authorized to be appropriated for fiscal years begin-
 14 ning after September 30, 2020, for military construction,
 15 land acquisition, and military family housing functions of
 16 the Department of Defense (other than the military depart-
 17 ments), as specified in the funding table in section 4601.

18 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
 19 *PROJECTS.*—Notwithstanding the cost variations author-
 20 ized by section 2853 of title 10, United States Code, and
 21 any other cost variation authorized by law, the total cost
 22 of all projects carried out under section 2401 of this Act

1 *may not exceed the total amount authorized to be appro-*
2 *priated under subsection (a), as specified in the funding*
3 *table in section 4601.*

4 **TITLE XXV—INTERNATIONAL**
5 **PROGRAMS**
6 **Subtitle A—North Atlantic Treaty**
7 **Organization Security Invest-**
8 **ment Program**

9 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
10 **ACQUISITION PROJECTS.**

11 *The Secretary of Defense may make contributions for*
12 *the North Atlantic Treaty Organization Security Invest-*
13 *ment Program as provided in section 2806 of title 10,*
14 *United States Code, in an amount not to exceed the sum*
15 *of the amount authorized to be appropriated for this pur-*
16 *pose in section 2502 and the amount collected from the*
17 *North Atlantic Treaty Organization as a result of construc-*
18 *tion previously financed by the United States.*

19 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

20 *(a) AUTHORIZATION.—Funds are hereby authorized to*
21 *be appropriated for fiscal years beginning after September*
22 *30, 2020, for contributions by the Secretary of Defense*
23 *under section 2806 of title 10, United States Code, for the*
24 *share of the United States of the cost of projects for the*
25 *North Atlantic Treaty Organization Security Investment*

1 *Program authorized by section 2501 as specified in the*
 2 *funding table in section 4601.*

3 **(b) AUTHORITY TO RECOGNIZE NATO AUTHORIZA-**
 4 **TION AMOUNTS AS BUDGETARY RESOURCES FOR PROJECT**
 5 **EXECUTION.**—*When the United States is designated as the*
 6 *Host Nation for the purposes of executing a project under*
 7 *the NATO Security Investment Program (NSIP), the De-*
 8 *partment of Defense construction agent may recognize the*
 9 *NATO project authorization amounts as budgetary re-*
 10 *sources to incur obligations for the purposes of executing*
 11 *the NSIP project.*

12 **SEC. 2503. EXECUTION OF PROJECTS UNDER THE NORTH**
 13 **ATLANTIC TREATY ORGANIZATION SECURITY**
 14 **INVESTMENT PROGRAM.**

15 **(a) IN GENERAL.**—*Subchapter II of chapter 138 of*
 16 *title 10, United States Code, is amended by striking section*
 17 *2350m and inserting the following new section 2350m:*

18 **“§2350m. Execution of projects under the North At-**
 19 **lantic Treaty Organization Security In-**
 20 **vestment Program**

21 **“(a) AUTHORITY TO EXECUTE PROJECTS.**—*When the*
 22 *United States is designated as the Host Nation for purposes*
 23 *of executing a project under the North Atlantic Treaty Or-*
 24 *ganization Security Investment Program (in this section*
 25 *referred to as the ‘Program’), the Secretary of Defense may*

1 *accept such designation and carry out such project con-*
2 *sistent with the requirements of this section.*

3 “(b) *PROJECT FUNDING.—The Secretary of Defense*
4 *may fund authorized expenditures of projects accepted*
5 *under subsection (a) with—*

6 “(1) *contributions under subsection (c);*

7 “(2) *appropriations of the Department of De-*
8 *fense for the Program when directed by the North At-*
9 *lantic Treaty Organization to apply amounts of such*
10 *appropriations as part of the share of contributions*
11 *of the United States for the Program; or*

12 “(3) *any combination of amounts described in*
13 *paragraphs (1) and (2).*

14 “(c) *AUTHORITY TO ACCEPT CONTRIBUTIONS.—(1)*
15 *The Secretary of Defense may accept contributions from the*
16 *North Atlantic Treaty Organization and member nations*
17 *of the North Atlantic Treaty Organization for the purpose*
18 *of carrying out a project under subsection (a).*

19 “(2) *Contributions accepted under paragraph (1) shall*
20 *be placed in an account established for the purpose of car-*
21 *rying out the project for which the funds were provided and*
22 *shall remain available until expended.*

23 “(3)(A) *If contributions are made under paragraph (1)*
24 *as reimbursement for a project or portion of a project pre-*

1 *viously completed by the Department of Defense, such con-*
2 *tributions shall be credited to—*

3 “(i) *the appropriations used for the project or*
4 *portion thereof, if such appropriations have not yet*
5 *expired; or*

6 “(ii) *the appropriations for the Program, if the*
7 *appropriations described in clause (i) have expired.*

8 “(B) *Funding credited under subparagraph (A) shall*
9 *merge with and remain available for the same purposes and*
10 *duration as the appropriations to which credited.*

11 “(d) *OBLIGATION AUTHORITY.—The construction*
12 *agent of the Department of Defense designated by the Sec-*
13 *retary of Defense to execute a project under subsection (a)*
14 *may recognize the North Atlantic Treaty Organization*
15 *project authorization amounts as budgetary resources to*
16 *incur obligations against for the purposes of executing the*
17 *project.*

18 “(e) *INSUFFICIENT CONTRIBUTIONS.—(1) In the event*
19 *that the North Atlantic Treaty Organization does not agree*
20 *to contribute funding for all costs necessary for the Depart-*
21 *ment of Defense to carry out a project under subsection (a),*
22 *including necessary personnel costs of the construction*
23 *agent designated by the Department of Defense, contract*
24 *claims, and any conjunctive funding requirements that ex-*
25 *ceed the project authorization or standards of the North At-*

1 *lantic Treaty Organization, the Secretary of Defense, upon*
2 *determination that completion of the project is in the na-*
3 *tional interest of the United States, may fund such costs*
4 *using any funds available in appropriations for the Pro-*
5 *gram.*

6 “(2) *The use of funds under paragraph (1) from appro-*
7 *priations for the Program may be in addition to or in place*
8 *of any other funding sources otherwise available for the pur-*
9 *poses for which those funds are used.*

10 “(f) *AUTHORIZED EXPENDITURES DEFINED.—In this*
11 *section, the term ‘authorized expenditures’ means project ex-*
12 *penses for which the North Atlantic Treaty Organization*
13 *has agreed to contribute funding.”.*

14 (b) *CLERICAL AMENDMENT.—The table of sections at*
15 *the beginning of subchapter II of chapter 138 of such title*
16 *is amended by striking the item relating to section 2350m*
17 *and inserting the following new item:*

“2350m. *Execution of projects under the North Atlantic Treaty Organization Se-*
curity Investment Program.”.

18 (c) *CONFORMING REPEALS.—*

19 (1) 2019.—*Section 2502 of the John S. McCain*
20 *National Defense Authorization Act for Fiscal Year*
21 *2019 (Public Law 115–232; 132 Stat. 2252) is*
22 *amended—*

23 (A) *in subsection (a)—*

- 1 (i) by striking “(a) AUTHORIZATION.—
2 *Funds*” and inserting “*Funds*”; and
3 (ii) by striking the second sentence;
4 and
5 (B) by striking subsection (b).

6 (2) 2020.—Section 2502 of the National Defense
7 Authorization Act for Fiscal Year 2020 (Public Law
8 116–92) is amended—

- 9 (A) in subsection (a), by striking “(a) AU-
10 THORIZATION.—*Funds*” and inserting “*Funds*”;
11 and
12 (B) by striking subsection (b).

13 ***Subtitle B—Host Country In-Kind***
14 ***Contributions***

15 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
16 **PROJECTS.**

17 Pursuant to agreement with the Republic of Korea for
18 required in-kind contributions, the Secretary of Defense
19 may accept military construction projects for the installa-
20 tions or locations in the Republic of Korea, and in the
21 amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

<i>Component</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Army</i>	<i>Camp Carroll</i>	<i>Site Development</i>	\$49,000,000
<i>Army</i>	<i>Camp Humphreys</i>	<i>Attack Reconnaissance Bat- talion Hangar</i>	\$99,000,000
<i>Army</i>	<i>Camp Humphreys</i>	<i>Hot Refuel Point</i>	\$35,000,000

Republic of Korea Funded Construction Projects—Continued

Component	Installation or Location	Project	Amount
Navy	COMROKFLT Naval Base, Busan	Maritime Operations Center	\$26,000,000
Air Force	Daegu Air Base ...	AGE Facility and Parking Apron	\$14,000,000
Air Force	Kunsan Air Base	Backup Generator Plant ...	\$19,000,000
Air Force	Osan Air Base	Aircraft Corrosion Control Facility (Phase 3)	\$12,000,000
Air Force	Osan Air Base	Child Development Center ..	\$20,000,000
Air Force	Osan Air Base	Relocate Munitions Storage Area Delta (Phase 1)	\$84,000,000
Defense-Wide ...	Camp Humphreys	Elementary School	\$58,000,000

1 SEC. 2512. QATAR FUNDED CONSTRUCTION PROJECTS.

2 Pursuant to agreement with the State of Qatar for re-
3 quired in-kind contributions, the Secretary of Defense may
4 accept military construction projects for the installation in
5 the State of Qatar, and in the amounts, set forth in the
6 following table:

State of Qatar Funded Construction Projects

Component	Installation or Location	Project	Amount
Air Force	Al Udeid	Billet (A12)	\$63,000,000
Air Force	Al Udeid	Billet (B12)	\$63,000,000
Air Force	Al Udeid	Billet (D10)	\$77,000,000
Air Force	Al Udeid	Billet (009)	\$77,000,000
Air Force	Al Udeid	Billet (007)	\$77,000,000
Air Force	Al Udeid	Armory/Mount	\$7,200,000
Air Force	Al Udeid	Billet (A06)	\$77,000,000
Air Force	Al Udeid	Dining Facility	\$14,600,000
Air Force	Al Udeid	Billet (BOS)	\$77,000,000
Air Force	Al Udeid	Billet (B04)	\$77,000,000
Air Force	Al Udeid	Billet (A04)	\$77,000,000
Air Force	Al Udeid	Billet (AOS)	\$77,000,000
Air Force	Al Udeid	Dining Facility	\$14,600,000
Air Force	Al Udeid	MSG (Base Operations Support Facility)	\$9,300,000
Air Force	Al Udeid	ITN (Communications Facility)	\$3,500,000

**TITLE XXVI—GUARD AND
RESERVE FORCES FACILITIES**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-
STRUCTION AND LAND ACQUISITION
PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard installations or locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Installation or Location	Amount
Arizona	Tucson	\$18,100,000
Arkansas	Fort Chaffee	\$15,000,000
California	Bakersfield	\$9,300,000
Colorado	Peterson Air Force Base	\$15,000,000
Indiana	Shelbyville	\$12,000,000
Kentucky	Frankfort	\$15,000,000
Mississippi	Brandon	\$10,400,000
Nebraska	North Platte	\$9,300,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$15,000,000
Ohio	Columbus	\$15,000,000
Oklahoma	Ardmore	\$9,800,000
Oregon	Hermiston	\$25,035,000
Puerto Rico	Fort Allen	\$37,000,000
South Carolina	Joint Base Charleston	\$15,000,000
Tennessee	McMinnville	\$11,200,000
Texas	Fort Worth	\$13,800,000
Utah	Nephi	\$12,000,000
Virgin Islands	St. Croix	\$39,400,000
Wisconsin	Appleton	\$11,600,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 2 **AND LAND ACQUISITION PROJECTS.**

3 *Using amounts appropriated pursuant to the author-*
 4 *ization of appropriations in section 2606 and available for*
 5 *the National Guard and Reserve as specified in the funding*
 6 *table in section 4601, the Secretary of the Army may ac-*
 7 *quire real property and carry out military construction*
 8 *projects for the Army Reserve installations or locations in-*
 9 *side the United States, and in the amounts, set forth in*
 10 *the following table:*

Army Reserve

State	Installation or Location	Amount
<i>Florida</i>	<i>Gainesville</i>	<i>\$36,000,000</i>
<i>Massachusetts</i>	<i>Devens Reserve Forces Training Area ...</i>	<i>\$8,700,000</i>
<i>North Carolina</i>	<i>Asheville</i>	<i>\$24,000,000</i>
<i>Wisconsin</i>	<i>Fort McCoy</i>	<i>\$17,100,000</i>

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 12 **CORPS RESERVE CONSTRUCTION AND LAND**
 13 **ACQUISITION PROJECTS.**

14 *Using amounts appropriated pursuant to the author-*
 15 *ization of appropriations in section 2606 and available for*
 16 *the National Guard and Reserve as specified in the funding*
 17 *table in section 4601, the Secretary of the Navy may ac-*
 18 *quire real property and carry out military construction*
 19 *projects for the Navy Reserve and Marine Corps Reserve*
 20 *installations or locations inside the United States, and in*
 21 *the amounts, set forth in the following table:*

Navy Reserve and Marine Corps Reserve

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Maryland</i>	<i>Reisterstown</i>	\$39,500,000
<i>Minnesota</i>	<i>Naval Operational Support Center Minneapolis.</i>	\$12,800,000
<i>Utah</i>	<i>Hill Air Force Base</i>	\$25,010,000

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

2
3 *Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard installations or locations inside the United States, and in the amounts, set forth in the following table:*

Air National Guard

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Montgomery Regional Airport</i>	\$23,600,000
<i>Guam</i>	<i>Joint Region Marianas</i>	\$20,000,000
<i>Maryland</i>	<i>Joint Base Andrews</i>	\$9,400,000
<i>North Dakota</i>	<i>Hector International Airport</i>	\$17,500,000
<i>Texas</i>	<i>Joint Base San Antonio</i>	\$10,800,000

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

12
13 *Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction*

1 *projects for the installation inside the United States, and*
 2 *in the amount, set forth in the following table:*

Air Force Reserve

<i>State</i>	<i>Installation</i>	<i>Amount</i>
<i>Texas</i>	<i>Joint Reserve Base Fort Worth</i>	<i>\$39,200,000</i>

3 ***SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-***
 4 ***TIONAL GUARD AND RESERVE.***

5 *Funds are hereby authorized to be appropriated for fis-*
 6 *cal years beginning after September 30, 2020, for the costs*
 7 *of acquisition, architectural and engineering services, and*
 8 *construction of facilities for the Guard and Reserve Forces,*
 9 *and for contributions therefor, under chapter 1803 of title*
 10 *10, United States Code (including the cost of acquisition*
 11 *of land for those facilities), as specified in the funding table*
 12 *in section 4601.*

13 ***SEC. 2607. MODIFICATION OF AUTHORITY TO CARRY OUT***
 14 ***FISCAL YEAR 2020 PROJECT IN ALABAMA.***

15 *In the case of the authorization contained in the table*
 16 *in section 2601 of the Military Construction Authorization*
 17 *Act for Fiscal Year 2020 (division B of Public Law 116–*
 18 *92) for Anniston Army Depot, Alabama, for construction*
 19 *of an Enlisted Transient Barracks as specified in the fund-*
 20 *ing table in section 4601 of such Act, the Secretary of the*
 21 *Army may construct a training barracks at Fort McClellan,*
 22 *Alabama.*

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE**
5 **REALIGNMENT AND CLOSURE ACTIVITIES**
6 **FUNDED THROUGH DEPARTMENT OF DE-**
7 **FENSE BASE CLOSURE ACCOUNT.**

8 *Funds are hereby authorized to be appropriated for fis-*
9 *cal years beginning after September 30, 2020, for base re-*
10 *alignment and closure activities, including real property*
11 *acquisition and military construction projects, as author-*
12 *ized by the Defense Base Closure and Realignment Act of*
13 *1990 (part A of title XXIX of Public Law 101–510; 10*
14 *U.S.C. 2687 note) and funded through the Department of*
15 *Defense Base Closure Account established by section 2906*
16 *of such Act (as amended by section 2711 of the Military*
17 *Construction Authorization Act for Fiscal Year 2013 (divi-*
18 *sion B of Public Law 112–239; 126 Stat. 2140)), as speci-*
19 *fied in the funding table in section 4601.*

20 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**
21 **BASE REALIGNMENT AND CLOSURE (BRAC)**
22 **ROUND.**

23 *Nothing in this Act shall be construed to authorize an*
24 *additional Base Realignment and Closure (BRAC) round.*

1 **SEC. 2703. PLAN TO FINISH REMEDIATION ACTIVITIES CON-**
2 **DUCTED BY THE SECRETARY OF THE ARMY IN**
3 **UMATILLA, OREGON.**

4 *Not later than 90 days after the date of the enactment*
5 *of this Act, the Secretary of the Army shall submit to Con-*
6 *gress a plan to finish remediation activities conducted by*
7 *the Secretary in Umatilla, Oregon, by not later than three*
8 *years after such date of enactment.*

9 **TITLE XXVIII—MILITARY CON-**
10 **STRUCTION AND GENERAL**
11 **PROVISIONS**

12 **Subtitle A—Military Construction**
13 **Program**

14 **SEC. 2801. RESPONSIBILITY OF NAVY FOR MILITARY CON-**
15 **STRUCTION REQUIREMENTS FOR CERTAIN**
16 **FLEET READINESS CENTERS.**

17 *In the case in which a Fleet Readiness Center is a*
18 *tenant command aboard an installation of the Marine*
19 *Corps, the Navy shall be responsible for programming, re-*
20 *questing, and executing any military construction require-*
21 *ments for the Fleet Readiness Center.*

22 **SEC. 2802. CONSTRUCTION OF GROUND-BASED STRATEGIC**
23 **DETERRENT LAUNCH FACILITIES AND**
24 **LAUNCH CENTERS FOR AIR FORCE.**

25 *(a) AUTHORITY TO CARRY OUT PROJECTS.—Subject*
26 *to subsections (b) and (d) and within the amount appro-*

1 *priated for such purpose, the Secretary of the Air Force*
2 *may carry out military construction projects to convert*
3 *Minuteman III launch facilities and launch centers to*
4 *ground-based strategic deterrent configurations.*

5 *(b) MASTER PLAN.—*

6 *(1) IN GENERAL.—Prior to the authority under*
7 *subsection (a) being available for use, the Secretary of*
8 *the Air Force shall submit to the congressional defense*
9 *committees a master plan, broken out by year and lo-*
10 *cation, for the planned launch facilities and launch*
11 *centers to be converted to ground-based strategic deter-*
12 *rent configurations pursuant to a project under this*
13 *section.*

14 *(2) SPENDING PLAN.—The master plan sub-*
15 *mitted under paragraph (1) shall include a spending*
16 *plan with estimated amounts to be requested with re-*
17 *spect to each planned location for conversion to*
18 *ground-based strategic deterrent configurations.*

19 *(c) MANAGEMENT OF DESIGN AND CONSTRUCTION.—*
20 *The Secretary of the Air Force may select a single, prime*
21 *contractor to manage the design and construction phases*
22 *of projects carried out under subsection (a).*

23 *(d) CONGRESSIONAL NOTIFICATION.—*

24 *(1) REPORT.—When a decision is made to carry*
25 *out a project under subsection (a) and before carrying*

1 *out such project, the Secretary of the Air Force shall*
2 *submit to the congressional defense committees a re-*
3 *port on that decision.*

4 (2) *ELEMENTS.*—*Subject to paragraph (3), the*
5 *report submitted under paragraph (1) with respect to*
6 *a project under subsection (a) shall include a jus-*
7 *tification for carrying out the project and a complete*
8 *Department of Defense Form 1391 for the project.*

9 (3) *SINGLE SUBMISSION.*—*The Secretary of the*
10 *Air Force may group multiple locations at which a*
11 *project is to be carried out under subsection (a) into*
12 *a single submission on a Department of Defense Form*
13 *1391 to allow all included locations to be considered*
14 *as a single project.*

15 (e) *FUNDING.*—*In fiscal year 2021, the Secretary of*
16 *the Air Force may expend amounts available to the Sec-*
17 *retary for research, development, test, and evaluation for*
18 *the purposes of planning and design to support the projects*
19 *described in subsection (a).*

20 (f) *EXISTING AUTHORITIES.*—*The Secretary of the Air*
21 *Force shall use existing authorities, as applicable, to carry*
22 *out this section, including sections 2304 and 2853 of title*
23 *10, United States Code.*

1 ***Subtitle B—Military Family***
2 ***Housing***

3 **SEC. 2821. PROHIBITION ON SUBSTANDARD FAMILY HOUS-**
4 **ING UNITS.**

5 (a) *IN GENERAL.*—Subchapter II of chapter 169 of
6 title 10, United States Code, is amended by striking section
7 2830 and inserting the following new section:

8 **“§2830. Prohibition on substandard family housing**
9 **units**

10 *“The Secretary concerned may not lease a substandard*
11 *family housing unit to a member of a uniformed service*
12 *for occupancy by such member.”.*

13 (b) *CLERICAL AMENDMENT.*—The table of sections at
14 the beginning of subchapter II of such chapter is amended
15 by striking the item relating to section 2830 and inserting
16 the following new item:

“2830. Prohibition on substandard family housing units.”.

17 (c) *EFFECTIVE DATE.*—The amendments made by this
18 section shall take effect on October 1, 2021.

19 **SEC. 2822. TECHNICAL CORRECTIONS TO PRIVATIZED MILI-**
20 **TARY HOUSING PROGRAM.**

21 (a) *CHIEF HOUSING OFFICER.*—Section 2890a of title
22 10, United States Code—

23 (1) is amended—

1 (A) in subsection (a)(1), by striking “hous-
2 ing units” and inserting “all military housing”;
3 and

4 (B) in subsection (b)(1), in the matter pre-
5 ceding subparagraph (A), by striking “under
6 subchapter IV and this subchapter” and insert-
7 ing “by the Department of Defense under this
8 chapter”;

9 (2) is transferred so as to appear at the end of
10 subchapter III of chapter 169 of such title; and

11 (3) is redesignated as section 2870a.

12 (b) *PRIVATIZED HOUSING REFORM*.—Subchapter V of
13 chapter 169 of such title is amended—

14 (1) in section 2890—

15 (A) in subsection (b)(15), by striking “and
16 held in escrow”;

17 (B) in subsection (e)(2), in the matter pre-
18 ceding subparagraph (A), by inserting “a” before
19 “landlord”; and

20 (C) in subsection (f)(2)—

21 (i) by striking “executed as” and in-
22 serting “executed—

23 “(A) as”;

1 (ii) in subparagraph (A), as des-
2 ignated by clause (i), by striking the period
3 at the end and inserting “; or”; and

4 (iii) by adding at the end the following
5 new subparagraph:

6 “(B) to avoid litigation if the tenant has re-
7 tained legal counsel or has sought military legal as-
8 sistance under section 1044 of this title.”;

9 (2) in section 2891—

10 (A) in subsection (e)—

11 (i) in paragraph (1)—

12 (I) in the matter preceding sub-
13 paragraph (A), by inserting “unit”
14 after “different housing”;

15 (II) in subparagraph (B), by in-
16 serting “the” before “tenant”; and

17 (ii) in paragraph (2)(B), by inserting
18 “the” before “tenant”;

19 (3) in section 2891a—

20 (A) in subsection (b)(2), by adding a period
21 at the end;

22 (B) in subsection (d)(11)—

23 (i) by striking “A landlord” and in-
24 serting “Upon request by a prospective ten-
25 ant, a landlord”; and

1 (ii) by striking “prospective tenants to
2 housing units” and inserting “the prospec-
3 tive tenant to a housing unit”; and

4 (C) in subsection (e)(2)(B) by striking “the
5 any” and inserting “any”;

6 (4) in section 2892a—

7 (A) by striking “The Secretary concerned”
8 and inserting “(a) IN GENERAL.—The Secretary
9 concerned”;

10 (B) by striking “years. In this section” and
11 inserting “years.

12 “(b) MAINTENANCE DEFINED.—In this section”;

13 (C) in subsection (a), as designated by sub-
14 paragraph (A), by striking “housing unit, before
15 the prospective tenant” and all that follows
16 through the period at the end and inserting
17 “housing unit—

18 “(1) not later than five business days before the
19 prospective tenant is asked to sign the lease, a sum-
20 mary of maintenance conducted with respect to that
21 housing unit for the previous seven years; and

22 “(2) not later than two business days after re-
23 quested by the prospective tenant, all information re-
24 garding maintenance conducted with respect to that
25 housing unit during such period.”; and

1 (D) in subsection (b), as designated by sub-
2 paragraph (B), by striking “such period” and
3 inserting “the period specified in subsection
4 (a)(1)”;

5 (5) in section 2893, by striking “propensity for”
6 and inserting “pattern of”; and

7 (6) in section 2894—

8 (A) in subsection (b), by adding at the end
9 the following new paragraph:

10 “(6) The dispute resolution process shall require the
11 installation or regional commander (as the case may be)
12 to record each dispute in the complaint database established
13 under section 2894a of this title.”;

14 (B) in subsection (c)—

15 (i) in paragraph (1), in the matter
16 preceding subparagraph (A), by striking
17 “24 hours” and inserting “two business
18 days”;

19 (ii) in paragraph (3)—

20 (I) by inserting “business” before
21 “days”; and

22 (II) by inserting “, such office”
23 before “shall complete”;

24 (iii) in paragraph (4), in the matter
25 preceding subparagraph (A), by inserting “,

1 *at a minimum,” before “the following per-*
2 *sons”;*

3 *(iv) in paragraph (5)—*

4 *(I) by inserting “calendar” before*
5 *“days” each place it appears; and*

6 *(II) in subparagraph (B), by*
7 *striking “30-day period” and inserting*
8 *“30-calendar-day period”; and*

9 *(v) by striking paragraph (6) and in-*
10 *serting the following new paragraph (6):*

11 *“(6) Except as provided in paragraph (5)(B), a final*
12 *decision shall be transmitted to the tenant, landlord, and*
13 *the installation or regional commander (as the case may*
14 *be) not later than 30 calendar days after the request was*
15 *submitted.”; and*

16 *(C) in subsection (e)—*

17 *(i) by striking paragraph (3);*

18 *(ii) by redesignating paragraph (2) as*
19 *paragraph (3);*

20 *(iii) in paragraph (1), in the matter*
21 *preceding subparagraph (A), by striking “,*
22 *the tenant may” and all that follows*
23 *through “in which—” and inserting “re-*
24 *garding maintenance guidelines or proce-*
25 *dures or habitability, the tenant may re-*

1 *quest that all or part of the payments de-*
2 *scribed in paragraph (3) for lease of the*
3 *housing unit be segregated and not used by*
4 *the property owner, property manager, or*
5 *landlord pending completion of the dispute*
6 *resolution process.*

7 *“(2) The amount allowed to be withheld under para-*
8 *graph (1) shall be limited to amounts associated with the*
9 *period in which—”; and*

10 *(iv) in paragraph (3), as redesignated*
11 *by clause (ii), by striking “Paragraph (1)”*
12 *and inserting “This subsection”.*

13 *(c) REPORTS.—Section 2884(c)(10) of such title is*
14 *amended by striking “specific analysis” and all that follows*
15 *through the period at the end and inserting “list of dispute*
16 *resolution cases by installation and the final outcome of*
17 *each such case.”.*

18 *(d) PAYMENT AUTHORITY.—Section 606(a) of the John*
19 *S. McCain National Defense Authorization Act for Fiscal*
20 *Year 2019 (Public Law 115–232; 10 U.S.C. 2871 note) is*
21 *amended—*

22 *(1) in paragraph (1)(A), by inserting “monthly”*
23 *before “payments”;*

24 *(2) in paragraph (2)(A), by striking “payments*
25 *to” and all that follows through “subparagraph (C)”*

1 *and inserting “monthly payments, under such terms*
2 *and in such amounts as determined by the Secretary,*
3 *to one of more lessors responsible for underfunded*
4 *MHPI housing projects identified pursuant to sub-*
5 *paragraph (C) under the jurisdiction of the Sec-*
6 *retary”;* and

7 *(3) in paragraph (3)(B), by inserting “that” be-*
8 *fore “require”.*

9 *(e) SUSPENSION OF RESIDENT ENERGY CONSERVA-*
10 *TION PROGRAM.—Section 3063(b) of the National Defense*
11 *Authorization Act for Fiscal Year 2020 (Public Law 116–*
12 *92) is amended—*

13 *(1) by striking “on the installation military*
14 *housing unit”;* and

15 *(2) by striking “on the” and inserting “covered*
16 *by a program suspended under subsection (a) on*
17 *that”.*

18 *(f) CLERICAL AMENDMENTS.—*

19 *(1) CHIEF HOUSING OFFICER.—*

20 *(A) ADDITION.—The table of sections at the*
21 *beginning of subchapter III of chapter 169 of*
22 *title 10, United States Code, is amended by in-*
23 *serting after the item relating to section 2870 the*
24 *following new item:*

“2870a. Chief Housing Officer.”.

1 (B) *REPEAL.*—*The table of sections at the*
2 *beginning of subchapter V of chapter 169 of such*
3 *title is amended by striking the item relating to*
4 *section 2890a.*

5 (2) *DISCLOSURE OF PERSONALLY IDENTIFIABLE*
6 *INFORMATION.*—*The table of sections at the beginning*
7 *of subchapter V of such title is amended by striking*
8 *the item relating to section 2892b and inserting the*
9 *following new item:*

 “2892b. *Prohibition on requirement to disclose personally identifiable information*
 in requests for certain maintenance.”.

10 **SEC. 2823. REQUIREMENT THAT SECRETARY OF DEFENSE**
11 **IMPLEMENT RECOMMENDATIONS RELATING**
12 **TO MILITARY FAMILY HOUSING CONTAINED**
13 **IN REPORT BY INSPECTOR GENERAL OF DE-**
14 **PARTMENT OF DEFENSE.**

15 *Not later than 90 days after the date of the enactment*
16 *of this Act, the Secretary of Defense shall implement the*
17 *recommendations of the Inspector General of the Depart-*
18 *ment of Defense contained in the report of the Inspector*
19 *General dated April 30, 2020, and entitled “Evaluation of*
20 *the DoD’s Management of Health and Safety Hazards in*
21 *Government-Owned and Government-Controlled Military*
22 *Family Housing”.*

1 ***Subtitle C—Project Management***
2 ***and Oversight Reforms***

3 ***SEC. 2841. PROMOTION OF ENERGY RESILIENCE AND EN-***
4 ***ERGY SECURITY IN PRIVATIZED UTILITY SYS-***
5 ***TEMS.***

6 ***(a) UTILITY PRIVATIZATION CONTRACT RENEWALS.—***

7 *Section 2688(d)(2) of title 10, United States Code, is*
8 *amended—*

9 *(1) in the first sentence, by inserting “or the re-*
10 *newal of such a contract” after “paragraph (1)”;* and

11 *(2) by adding at the end the following new sen-*
12 *tence: “A renewal of a contract pursuant to this para-*
13 *graph may be entered into only within the last 5*
14 *years of the existing contract term.”.*

15 ***(b) USE OF ERCIP FUNDS ON PRIVATIZED UTILITY***

16 ***SYSTEMS.—Section 2914 of such title is amended—***

17 *(1) by redesignating subsection (c) as subsection*
18 *(d); and*

19 *(2) by inserting after subsection (b) the following*
20 *new subsection (c):*

21 ***“(c) USE OF CERTAIN OTHER AUTHORITIES.—A***

22 ***project under this section may be—***

23 ***“(1) carried out in conjunction with the authori-***
24 ***ties provided in subsections (j), and (k) of section***
25 ***2688 of this title and section 2913 of this title, not-***

1 *withstanding that the United States does not own a*
2 *utility system covered by the project; or*

3 *“(2) included as a separate requirement in a*
4 *contract entered into pursuant to title VIII of the Na-*
5 *tional Energy Conservation Policy Act (42 U.S.C.*
6 *8287 et seq.).”.*

7 **SEC. 2842. CONSIDERATION OF ENERGY SECURITY AND EN-**
8 **ERGY RESILIENCE IN LIFE-CYCLE COST FOR**
9 **MILITARY CONSTRUCTION.**

10 *(a) IN GENERAL.—Subchapter I of chapter 169 of title*
11 *10, United States Code, is amended by inserting after sec-*
12 *tion 2815 the following new section:*

13 **“§2816. Consideration of energy security and energy**
14 **resilience in life-cycle cost for military**
15 **construction**

16 *“(a) IN GENERAL.—(1) The Secretary concerned, when*
17 *evaluating the life-cycle designed cost of a covered military*
18 *construction project, shall include as a facility requirement*
19 *the long-term consideration of energy security and energy*
20 *resilience that would ensure that the resulting facility is*
21 *capable of continuing to perform its missions, during the*
22 *life of the facility, in the event of a natural or human-*
23 *caused disaster, an attack, or any other unplanned event*
24 *that would otherwise interfere with the ability of the facility*
25 *to perform its missions.*

1 “(2) *A facility requirement under paragraph (1) shall*
2 *not be weighed, for cost purposes, against other facility re-*
3 *quirements in determining the design of the facility.*

4 “(b) *INCLUSION IN THE BUILDING LIFE-CYCLE COST*
5 *PROGRAM.—The Secretary shall include the requirements*
6 *of subsection (a) in applying the latest version of the build-*
7 *ing life-cycle cost program, as developed by the National*
8 *Institute of Standards and Technology, to consider on-site*
9 *distributed energy assets in a building design for a covered*
10 *military construction project.*

11 “(c) *COVERED MILITARY CONSTRUCTION PROJECT*
12 *DEFINED.—(1) In this section, the term ‘covered military*
13 *construction project’ means a military construction project*
14 *for a facility that is used to perform critical functions dur-*
15 *ing a natural or human-caused disaster, an attack, or any*
16 *other unplanned event.*

17 “(2) *For purposes of paragraph (1), the term ‘facility’*
18 *includes any of the following:*

19 “(A) *Operations centers.*

20 “(B) *Nuclear command and control facilities.*

21 “(C) *Integrated strategic and tactical warning*
22 *and attack assessment facilities.*

23 “(D) *Continuity of government facilities.*

24 “(E) *Missile defense facilities.*

25 “(F) *Air defense facilities.*

1 “(G) Hospitals.

2 “(H) Armories and readiness centers of the Na-
3 tional Guard.

4 “(I) Communications facilities.

5 “(J) Satellite and missile launch and control fa-
6 cilities.”.

7 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
8 *the beginning of subchapter I of such chapter is amended*
9 *by inserting after the item relating to section 2815 the fol-*
10 *lowing new item:*

*“2816. Consideration of energy security and energy resilience in life-cycle cost for
military construction.”.*

11 ***Subtitle D—Land Conveyances***

12 ***SEC. 2861. RENEWAL OF FALLON RANGE TRAINING COM-*** 13 ***PLEX LAND WITHDRAWAL AND RESERVATION.***

14 *Notwithstanding section 3015 of the Military Lands*
15 *Withdrawal Act of 1999 (title XXX of Public Law 106–*
16 *65; 113 Stat. 892), the withdrawal and reservation of lands*
17 *(known as the Fallon Range Training Complex) made by*
18 *section 3011(a) of such Act (113 Stat. 885) shall terminate*
19 *on November 6, 2041.*

20 ***SEC. 2862. RENEWAL OF NEVADA TEST AND TRAINING*** 21 ***RANGE LAND WITHDRAWAL AND RESERVA-*** 22 ***TION.***

23 *Notwithstanding section 3015 of the Military Lands*
24 *Withdrawal Act of 1999 (title XXX of Public Law 106–*

1 65; 113 Stat. 892), the withdrawal and reservation of lands
2 (known as the Nevada Test and Training Range) made by
3 section 3011(b) of such Act (113 Stat. 886) shall terminate
4 on November 6, 2041.

5 **SEC. 2863. TRANSFER OF LAND UNDER THE ADMINISTRA-**
6 **TIVE JURISDICTION OF THE DEPARTMENT OF**
7 **THE INTERIOR WITHIN NAVAL SUPPORT AC-**
8 **TIVITY PANAMA CITY, FLORIDA.**

9 (a) *AUTHORITY.*—The Secretary of the Interior shall
10 transfer to the Secretary of the Navy, without consideration,
11 approximately 1.23 acres of land within Naval Support Ac-
12 tivity Panama City, Florida, that are used on the day be-
13 fore the date of the enactment of this Act by the Department
14 of the Navy pursuant to Executive Order 10355 (17 Fed.
15 Reg. 4831; relating to delegating to the Secretary of the In-
16 terior the authority of the President to withdraw or reserve
17 lands of the United States for public purposes) and the pub-
18 lic land order entitled “Public Land Order 952” (19 Fed.
19 Reg. 2085 (April 10, 1954)).

20 (b) *STATUS OF FEDERAL LAND AFTER TRANSFER.*—
21 Upon completion of a transfer to the Secretary of the Navy
22 of a parcel of land under subsection (a), the parcel received
23 by the Secretary of the Navy shall cease to be public land
24 and shall be treated as property (as defined in section

1 102(9) of title 40, United States Code) under the adminis-
2 trative jurisdiction of the Secretary of the Navy.

3 (c) *REIMBURSEMENT.*—The Secretary of the Navy
4 shall reimburse the Secretary of the Interior for any costs
5 incurred by the Secretary of the Interior for preparing a
6 legal description of the land to be transferred under sub-
7 section (a).

8 **SEC. 2864. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.**

9 (a) *CONVEYANCE AUTHORIZED.*—The Secretary of the
10 Army (in this section referred to as the “Secretary”) may
11 convey, without consideration, to the State of Arizona De-
12 partment of Emergency and Military Affairs (in this sec-
13 tion referred to as the “State”), all right, title, and interest
14 of the United States in and to a parcel of real property
15 (in this section referred to as the “Property”), including
16 any improvements thereon, consisting of not more than
17 3,000 acres at Camp Navajo, Arizona, for the purpose of
18 permitting the State to use the Property for—

19 (1) training the Arizona Army and Air National
20 Guard; and

21 (2) defense industrial base economic development
22 purposes that are compatible with the environmental
23 security and primary National Guard training pur-
24 pose of Camp Navajo.

1 (b) *CONDITIONS ON CONVEYANCE.*—*The conveyance*
2 *authorized by subsection (a) shall be subject to the following*
3 *conditions:*

4 (1) *USE OF REVENUES.*—*The State shall use all*
5 *revenues generated by uses of the Property to support*
6 *the training requirements of the Arizona Army and*
7 *Air National Guard, to include necessary infrastruc-*
8 *ture maintenance and capital improvements.*

9 (2) *AUDIT.*—*The United States Property and*
10 *Fiscal Office for the State of Arizona shall periodi-*
11 *cally audit all revenues generated by uses of the Prop-*
12 *erty and all uses of such revenue, and shall provide*
13 *the audit results to the Chief of the National Guard*
14 *Bureau.*

15 (c) *REVERSIONARY INTEREST.*—

16 (1) *IN GENERAL.*—*If the Secretary determines at*
17 *any time that the Property is not being used in ac-*
18 *cordance with the purpose of the conveyance author-*
19 *ized by subsection (a), or that the State has not com-*
20 *plied with the conditions specified in subsection (b),*
21 *all right, title, and interest in and to the Property,*
22 *including any improvements thereto, shall, at the op-*
23 *tion of the Secretary, revert to and become the prop-*
24 *erty of the United States, and the United States shall*
25 *have the right of immediate entry onto the Property.*

1 (2) *RECORD.*—*A determination by the Secretary*
2 *under paragraph (1) shall be made on the record after*
3 *an opportunity for a hearing.*

4 (d) *ALTERNATIVE CONSIDERATION OPTION.*—

5 (1) *CONSIDERATION OPTION.*—*In lieu of exer-*
6 *cising the reversionary interest under subsection (c),*
7 *the Secretary may accept an offer by the State to pay*
8 *to the United States an amount equal to the fair mar-*
9 *ket value of the Property, excluding the value of any*
10 *improvements on the Property constructed without*
11 *Federal funds after the date of the conveyance author-*
12 *ized by subsection (a), as determined by the Sec-*
13 *retary.*

14 (2) *TREATMENT OF CONSIDERATION RE-*
15 *CEIVED.*—*Consideration received by the Secretary*
16 *under paragraph (1) shall be deposited in the special*
17 *account in the Treasury established for the Secretary*
18 *under subsection (e) of section 2667 of title 10, United*
19 *States Code, and shall be available to the Secretary*
20 *for the same uses and subject to the same limitations*
21 *as provided in that section.*

22 (e) *PAYMENT OF COST OF CONVEYANCE.*—

23 (1) *PAYMENT REQUIRED.*—

24 (A) *IN GENERAL.*—*The Secretary shall re-*
25 *quire the State to cover costs to be incurred by*

1 *the Secretary, or to reimburse the Secretary for*
2 *such costs incurred by the Secretary, to carry out*
3 *the conveyance under subsection (a), including*
4 *survey costs, costs for environmental documenta-*
5 *tion related to the conveyance, and any other ad-*
6 *ministrative costs related to the conveyance.*

7 *(B) REFUND OF EXCESS AMOUNTS.—If*
8 *amounts are collected from the State in advance*
9 *of the Secretary incurring the actual costs, and*
10 *the amount collected exceeds the costs actually*
11 *incurred by the Secretary to carry out the con-*
12 *veyance, the Secretary shall refund the excess*
13 *amount to the State.*

14 *(2) TREATMENT OF AMOUNTS RECEIVED.—*
15 *Amounts received as reimbursement under paragraph*
16 *(1)(A) shall be credited to the fund or account that*
17 *was used to cover those costs incurred by the Sec-*
18 *retary in carrying out the conveyance or, if the pe-*
19 *riod of availability for obligations for that appropri-*
20 *ation has expired, to the appropriations or fund that*
21 *is currently available to the Secretary for the same*
22 *purpose. Amounts so credited shall be merged with*
23 *amounts in such fund or account, and shall be avail-*
24 *able for the same purposes, and subject to the same*

1 *conditions and limitations, as amounts in such fund*
2 *or account.*

3 (f) *DESCRIPTION OF PROPERTY.*—*The exact acreage*
4 *and legal description of the Property shall be determined*
5 *by a survey satisfactory to the Secretary.*

6 (g) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
7 *retary may require such additional terms and conditions*
8 *in connection with the conveyance as the Secretary con-*
9 *siders appropriate to protect the interests of the United*
10 *States.*

11 (h) *ENVIRONMENTAL OBLIGATIONS.*—*Nothing in this*
12 *section shall be construed as alleviating, altering, or affect-*
13 *ing the responsibility of the United States for cleanup and*
14 *remediation of the Property in accordance with—*

15 (1) *the Defense Environmental Restoration Pro-*
16 *gram under section 2701(a)(1) of title 10, United*
17 *States Code; and*

18 (2) *the Comprehensive Environmental Response,*
19 *Compensation, and Liability Act of 1980 (42 U.S.C.*
20 *9601 et seq.).*

21 ***Subtitle E—Other Matters***

22 ***SEC. 2881. MILITARY FAMILY READINESS CONSIDERATIONS*** 23 ***IN BASING DECISIONS.***

24 (a) *TAKING OF CONSIDERATIONS INTO ACCOUNT RE-*
25 *QUIRED.*—*In determining whether to proceed with any bas-*

1 *ing decision in the United States after the date of the enact-*
2 *ment of this Act, the Secretary of the military department*
3 *concerned shall take into account, among such other factors*
4 *as such Secretary considers appropriate, the military fam-*
5 *ily readiness considerations specified in subsection (b).*

6 (b) *MILITARY FAMILY READINESS CONSIDER-*
7 *ATIONS.—The military family readiness considerations*
8 *specified in this subsection are the following:*

9 (1) *INTERSTATE PORTABILITY OF PROFESSIONAL*
10 *LICENSURE AND CERTIFICATION CREDENTIALS.—The*
11 *extent to which the State in which the installation*
12 *subject to the basing decision is or will be located ac-*
13 *cepts as valid professional licensure and certification*
14 *credentials obtained in other States, including profes-*
15 *sional licensure and certification credentials in the*
16 *following professional fields (and any subfield of such*
17 *field):*

18 (A) *Accounting.*

19 (B) *Cosmetology.*

20 (C) *Emergency medical service.*

21 (D) *Engineering.*

22 (E) *Law.*

23 (F) *Nursing.*

24 (G) *Physical therapy.*

25 (H) *Psychology.*

1 (I) *Teaching.*

2 (J) *Such other professional fields (and sub-*
3 *fields of such fields) as the Secretary of Defense*
4 *shall specify for purposes of this paragraph.*

5 (2) *PUBLIC EDUCATION.*—*The extent to which*
6 *public education is available and accessible to de-*
7 *pendents of members of the Armed Forces in the mili-*
8 *tary housing area in which the installation subject to*
9 *the basing decision is or will be located, including*
10 *with respect to the following:*

11 (A) *Academic performance of schools, in-*
12 *cluding student-to-teacher ratios and learning*
13 *rates and graduation rates.*

14 (B) *Social climate within schools, including*
15 *absenteeism rates and suspension rates.*

16 (C) *Availability, accessibility, and quality*
17 *of services, including pre-kindergarten, coun-*
18 *selors and mental health support, student-to-*
19 *nurse ratios, and services for military depend-*
20 *ents with special needs as required by law.*

21 (3) *HOUSING.*—*The extent to which housing (in-*
22 *cluding family housing) that meets Department of*
23 *Defense requirements is available and accessible to*
24 *members of the Armed Forces through the private sec-*
25 *tor in the military housing area in which the instal-*

1 *lation subject to the basing decision is or will be lo-*
2 *cated.*

3 (4) *HEALTH CARE.*—*The extent to which pri-*
4 *mary healthcare and specialty healthcare is available*
5 *and accessible to dependents of members of the Armed*
6 *Forces through the private sector in the local commu-*
7 *nity in which the installation subject to the basing de-*
8 *cision is or will be located, including care for mili-*
9 *tary dependents with special needs.*

10 (5) *INTERGOVERNMENTAL SUPPORT.*—*The extent*
11 *to which the State in which the installation subject to*
12 *the basing decision is or will be located, and local*
13 *governments in the vicinity of the installation, have*
14 *or will have intergovernmental support agreements*
15 *with the installation for the effective and efficient*
16 *provision of public services to the installation.*

17 (6) *OTHER CONSIDERATIONS.*—*Such other con-*
18 *siderations in connection with military family readi-*
19 *ness as the Secretary of Defense shall specify for pur-*
20 *poses of this subsection.*

21 (c) *ANALYTICAL FRAMEWORK.*—*The Secretary of a*
22 *military department shall take into account the consider-*
23 *ations specified in subsection (b), among such other factors*
24 *as the Secretary considers appropriate, in determining*
25 *whether to proceed with a basing decision under subsection*

1 (a) using an analytical framework developed by the Sec-
2 retary for that purpose that uses criteria based on quan-
3 titative data available to the Department of Defense and
4 on such reliable quantitative data from sources outside the
5 Department as the Secretary considers appropriate.

6 (d) *BASING DECISION SCORECARD.*—

7 (1) *IN GENERAL.*—Each Secretary of a military
8 department shall establish and maintain a scorecard
9 on military installations under the jurisdiction of
10 such Secretary, and on States and localities in which
11 such installations are or may be located, relevant to
12 the taking into account of the considerations specified
13 in subsection (b) in determinations of such Secretary
14 on basing decisions as required by subsection (a).

15 (2) *UPDATE.*—Each Secretary shall update the
16 scorecard required of such Secretary by this subsection
17 not less frequently than once each year in order to
18 keep the information in such scorecard as current as
19 is practicable.

20 (3) *AVAILABILITY TO PUBLIC.*—A current version
21 of each scorecard under this subsection shall be avail-
22 able to the public through an Internet website of the
23 military department concerned that is accessible to
24 the public.

1 (e) *BRIEFINGS.*—Not later than April 1 of each of
2 2021, 2022, and 2023, the Secretary of Defense shall brief
3 the Committees on Armed Services of the Senate and the
4 House of Representatives on actions taken pursuant to this
5 section, including a description and assessment of the effect
6 of the taking into account of the considerations specified
7 in subsection (b) on particular basing decisions in the
8 United States during the one-year period ending on the date
9 of the briefing.

10 (f) *BASING DECISION DEFINED.*—In this section, the
11 term “basing decision” means any of the following:

12 (1) *The establishment of a new mission at a*
13 *military installation.*

14 (2) *The relocation of an existing mission from a*
15 *military installation to another military installation.*

16 (3) *The establishment of a new military installa-*
17 *tion.*

18 **SEC. 2882. PROHIBITION ON USE OF FUNDS TO REDUCE AIR**
19 **BASE RESILIENCY OR DEMOLISH PROTECTED**
20 **AIRCRAFT SHELTERS IN THE EUROPEAN THE-**
21 **ATER WITHOUT CREATING A SIMILAR PRO-**
22 **TECTION FROM ATTACK.**

23 No funds authorized to be appropriated by this Act
24 or any other Act for the Department of Defense may be obli-
25 gated or expended to implement any activity that reduces

1 *air base resiliency or demolishes protected aircraft shelters*
2 *in the European theater, and the Department may not oth-*
3 *erwise implement any such activity, without creating a*
4 *similar protection from attack in the European theater*
5 *until such time as the Secretary of Defense certifies to the*
6 *congressional defense committees that protected aircraft*
7 *shelters are not required in the European theater.*

8 **SEC. 2883. PROHIBITIONS RELATING TO CLOSURE OR RE-**
9 **TURNING TO HOST NATION OF EXISTING**
10 **BASES UNDER THE EUROPEAN CONSOLIDA-**
11 **TION INITIATIVE.**

12 (a) *PROHIBITION ON USE OF FUNDS.—No funds au-*
13 *thorized to be appropriated by this Act for fiscal year 2021*
14 *for the Department of Defense may be obligated or expended*
15 *to implement any activity that closes or returns to the host*
16 *nation any existing base under the European Consolidation*
17 *Initiative.*

18 (b) *PROHIBITION ON CLOSURE OR RETURN.—The Sec-*
19 *retary of Defense shall not implement any activity that*
20 *closes or returns to the host nation any existing base under*
21 *the European Consolidation Initiative until the Secretary*
22 *certifies that there is no longer a need for a rotational mili-*
23 *tary presence in the European theater.*

1 **SEC. 2884. ENHANCEMENT OF AUTHORITY TO ACCEPT CON-**
2 **DITIONAL GIFTS OF REAL PROPERTY ON BE-**
3 **HALF OF MILITARY MUSEUMS.**

4 *Section 2601(e)(1) of title 10, United States Code, is*
5 *amended by inserting “a military museum,” after “offered*
6 *to”.*

7 **SEC. 2885. EQUAL TREATMENT OF INSURED DEPOSITORY**
8 **INSTITUTIONS AND CREDIT UNIONS OPER-**
9 **ATING ON MILITARY INSTALLATIONS.**

10 *Section 2667 of title 10, United States Code, is amend-*
11 *ed by adding at the end the following:*

12 *“(l) TREATMENT OF INSURED DEPOSITORY INSTITU-*
13 *TIONS.—(1) Each covered insured depository institution*
14 *operating on a military installation within the continental*
15 *United States may be allotted space or leased land on the*
16 *military installation without charge for rent or services in*
17 *the same manner as a credit union organized under State*
18 *law or a Federal credit union under section 124 of the Fed-*
19 *eral Credit Union Act (12 U.S.C. 1770) if space is avail-*
20 *able.*

21 *“(2) Each covered insured depository institution, cred-*
22 *it union organized under State law, and Federal credit*
23 *union operating on a military installation within the con-*
24 *tinental United States shall be treated equally with respect*
25 *to policies of the Department of Defense governing the fi-*

1 *nancial terms of leases, logistical support, services, and util-*
2 *ities.*

3 “(3) *The Secretary concerned shall not be required to*
4 *provide no-cost office space or a no-cost land lease to any*
5 *covered insured depository institution, credit union orga-*
6 *nized under State law, or Federal credit union.*

7 “(4) *In this subsection:*

8 “(A) *The term ‘covered insured depository insti-*
9 *tution’ means an insured depository institution that*
10 *meets the requirements applicable to a credit union*
11 *organized under State law or a Federal credit union*
12 *under section 124 of the Federal Credit Union Act*
13 *(12 U.S.C. 1770). The depositors of an insured depos-*
14 *itory institution shall be considered members for pur-*
15 *poses of the application of this subparagraph to that*
16 *section.*

17 “(B) *The term ‘Federal credit union’ has the*
18 *meaning given the term in section 101 of the Federal*
19 *Credit Union Act (12 U.S.C. 1752).*

20 “(C) *The term ‘insured depository institution’*
21 *has the meaning given the term in section 3 of the*
22 *Federal Deposit Insurance Act (12 U.S.C. 1813).”.*

1 **SEC. 2886. REPORT ON OPERATIONAL AVIATION UNITS IM-**
2 **PACTED BY NOISE RESTRICTIONS OR NOISE**
3 **MITIGATION MEASURES.**

4 (a) *REPORT.*—Not later than 90 days after the date
5 on which the Secretary of the Air Force or the Secretary
6 of the Navy determines that noise restrictions placed on an
7 operational aviation unit under the jurisdiction of the Sec-
8 retary concerned prohibit the unit from reaching a combat
9 ready or deployable status or prohibit the maintaining of
10 aircrew currency requirements or required noise mitigation
11 measures become cost prohibitive to the Department of De-
12 fense, the Secretary concerned, in consultation with the Sec-
13 retary of Defense, shall submit to the congressional defense
14 committees a report setting forth—

15 (1) *recommendations to preserve or restore the*
16 *readiness of such unit; and*

17 (2) *appropriate steps to be taken by the Sec-*
18 *retary concerned to lower the cost of noise mitigation*
19 *measures.*

20 (b) *COST PROHIBITIVE.*—A required noise mitigation
21 measure shall be considered cost prohibitive to the Depart-
22 ment of Defense for purposes of subsection (a) if the cost
23 to implement the measure at an installation exceeds 10 per-
24 cent of the annual budget for the installation for facilities
25 sustainment, restoration, and modernization.

1 **SEC. 2887. TRANSFER OF FUNDS FOR OKLAHOMA CITY NA-**
 2 **TIONAL MEMORIAL ENDOWMENT FUND.**

3 *Section 7(1) of the Oklahoma City National Memorial*
 4 *Act of 1997 (16 U.S.C. 450ss–5(1)) is amended by striking*
 5 *“there is hereby authorized” and inserting “the Secretary*
 6 *may provide, from the National Park Service’s national*
 7 *recreation and preservation account, the remainder of”.*

8 **TITLE XXIX—OVERSEAS CONTIN-**
 9 **GENCY OPERATIONS MILI-**
 10 **TARY CONSTRUCTION**

11 **SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 12 **ACQUISITION PROJECTS.**

13 *The Secretary of the Navy may acquire real property*
 14 *and carry out the military construction project for the in-*
 15 *stallation outside the United States, and in the amount,*
 16 *set forth in the following table:*

Navy: Outside the United States

<i>Country</i>	<i>Installation</i>	<i>Amount</i>
<i>Spain</i>	<i>Rota</i>	<i>\$59,230,000</i>

17 **SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 18 **LAND ACQUISITION PROJECTS.**

19 *The Secretary of the Air Force may acquire real prop-*
 20 *erty and carry out the military construction projects for*
 21 *the installations outside the United States, and in the*
 22 *amounts, set forth in the following table:*

Air Force: Outside the United States

Country	Installation	Amount
<i>Germany</i>	<i>Ramstein</i>	\$36,345,000
	<i>Spangdahlem Air Base</i>	\$25,824,000
<i>Romania</i>	<i>Campia Turzii</i>	\$130,500,000

1 **SEC. 2903. AUTHORIZATION OF APPROPRIATIONS.**

2 *Funds are hereby authorized to be appropriated for fis-*
3 *cal years beginning after September 30, 2020, for the mili-*
4 *tary construction projects outside the United States author-*
5 *ized by this title as specified in the funding table in section*
6 *4602.*

7 **SEC. 2904. REPLENISHMENT OF CERTAIN MILITARY CON-**
8 **STRUCTIONS FUNDS.**

9 *(a) IN GENERAL.—Of the amount authorized to be ap-*
10 *propriated for fiscal year 2021 by section 2903 and avail-*
11 *able as specified in the funding table in section 4602,*
12 *\$3,600,000,000 shall be available for replenishment of funds*
13 *that were authorized to be appropriated by military con-*
14 *struction authorization Acts for fiscal years before fiscal*
15 *year 2021 for military construction projects authorized by*
16 *such Acts, but were used instead for military construction*
17 *projects authorized by section 2808 of title 10, United States*
18 *Code, in connection with the national emergency along the*
19 *southern land border of the United States declared in 2019*
20 *pursuant to the National Emergencies Act (50 U.S.C. 1601*
21 *et seq.).*

22 *(b) REPLENISHMENT BY TRANSFER.—*

1 (1) *IN GENERAL.*—Any amounts available under
2 subsection (a) that are used for replenishment of
3 funds as described in that subsection shall be trans-
4 ferred to the account that was the source of such
5 funds.

6 (2) *INAPPLICABILITY TOWARD TRANSFER LIMITA-*
7 *TIONS.*—Any transfer of amounts under this sub-
8 section shall not count toward any limitation on
9 transfer of Department of Defense funds in section
10 1001 or 1512 or any other limitation on transfer of
11 Department of funds in law.

12 (3) *SUNSET OF AUTHORITY.*—The authority to
13 make transfers under this subsection shall terminate
14 on September 30, 2021.

15 (c) *USE OF FUNDS.*—

16 (1) *IN GENERAL.*—Amounts transferred under
17 subsection (b) for replenishment of funds as described
18 in subsection (a) may be used only for military con-
19 struction projects for which such funds were origi-
20 nally authorized in a military construction author-
21 ization Act described in subsection (a).

22 (2) *NO INCREASE IN AUTHORIZED AMOUNT OF*
23 *PROJECTS.*—The total amount of funds available for
24 a military construction project described in para-
25 graph (1) may not exceed the current amount author-

1 *ized for such project by applicable military construc-*
2 *tion authorization Acts (including this Act). A re-*
3 *plenishment of funds under this section for a military*
4 *construction project shall not operate to increase the*
5 *authorized amount of the project or the amount au-*
6 *thorized to be available for the project.*

7 ***DIVISION C—DEPARTMENT OF***
8 ***ENERGY NATIONAL SECURITY***
9 ***AUTHORIZATIONS AND***
10 ***OTHER AUTHORIZATIONS***

11 ***TITLE XXXI—DEPARTMENT OF***
12 ***ENERGY NATIONAL SECURITY***
13 ***PROGRAMS***

14 ***Subtitle A—National Security***
15 ***Programs and Authorizations***

16 ***SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-***
17 ***TION.***

18 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
19 *hereby authorized to be appropriated to the Department of*
20 *Energy for fiscal year 2021 for the activities of the National*
21 *Nuclear Security Administration in carrying out programs*
22 *as specified in the funding table in section 4701.*

23 *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*
24 *From funds referred to in subsection (a) that are available*
25 *for carrying out plant projects, the Secretary of Energy*

1 *may carry out new plant projects for the National Nuclear*
2 *Security Administration as follows:*

3 *Project 21–D–510, HE Synthesis, Formulation,*
4 *and Production, Pantex Plant, Amarillo, Texas,*
5 *\$31,000,000.*

6 *Project 21–D–511, Savannah River Plutonium*
7 *Processing Facility, Savannah River Site, Aiken,*
8 *South Carolina, \$241,900,000.*

9 *Project 21–D–512, Plutonium Pit Production*
10 *Project, Los Alamos National Laboratory, Los Ala-*
11 *mos, New Mexico, \$226,000,000.*

12 *Project 21–D–530, KL Steam and Condensate*
13 *Upgrades, Knolls Atomic Power Laboratory, Schenec-*
14 *tady, New York, \$4,000,000.*

15 *General Plant Project, U1a.03 Test Bed Facility*
16 *Improvements, Nevada National Security Site, Ne-*
17 *vada, \$16,000,000.*

18 *General Plant Project, TA–15 DARHT Hydro*
19 *Vessel Repair Facility, Los Alamos National Labora-*
20 *tory, New Mexico, \$16,500,000.*

21 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

22 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
23 *hereby authorized to be appropriated to the Department of*
24 *Energy for fiscal year 2021 for defense environmental*

1 *cleanup activities in carrying out programs as specified in*
2 *the funding table in section 4701.*

3 (b) *AUTHORIZATION OF NEW PLANT PROJECTS.—*
4 *From funds referred to in subsection (a) that are available*
5 *for carrying out plant projects, the Secretary of Energy*
6 *may carry out, for defense environmental cleanup activities,*
7 *the following new plant project:*

8 *Project 21–D–401, Hoisting Capability Project, Waste*
9 *Isolation Pilot Plant, Carlsbad, New Mexico, \$10,000,000.*

10 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

11 *Funds are hereby authorized to be appropriated to the*
12 *Department of Energy for fiscal year 2021 for other defense*
13 *activities in carrying out programs as specified in the fund-*
14 *ing table in section 4701.*

15 **SEC. 3104. NUCLEAR ENERGY.**

16 *Funds are hereby authorized to be appropriated to the*
17 *Department of Energy for fiscal year 2021 for nuclear en-*
18 *ergy as specified in the funding table in section 4701.*

19 ***Subtitle B—Budget of the National***
20 ***Nuclear Security Administration***

21 **SEC. 3111. REVIEW OF ADEQUACY OF NUCLEAR WEAPONS**
22 **BUDGET.**

23 (a) *IN GENERAL.—*Subtitle A of title XVII of the
24 *Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is*
25 *amended by adding at the end the following new section:*

1 **“SEC. 4717. REVIEW OF ADEQUACY OF NUCLEAR WEAPONS**
2 **BUDGET.**

3 *“(a) REVIEW OF ADEQUACY OF ADMINISTRATION*
4 *BUDGET BY NUCLEAR WEAPONS COUNCIL.—*

5 *“(1) TRANSMISSION TO COUNCIL.—The Secretary*
6 *of Energy shall transmit to the Nuclear Weapons*
7 *Council (in this section referred to as the ‘Council’)*
8 *a copy of the proposed budget request of the Adminis-*
9 *tration for each fiscal year before that budget request*
10 *is submitted to the Director of the Office of Manage-*
11 *ment and Budget in relation to the preparation of the*
12 *budget of the President to be submitted to Congress*
13 *under section 1105(a) of title 31, United States Code.*

14 *“(2) REVIEW AND DETERMINATION OF ADE-*
15 *QUACY.—*

16 *“(A) REVIEW.—The Council shall review*
17 *each budget request transmitted to the Council*
18 *under paragraph (1).*

19 *“(B) DETERMINATION OF ADEQUACY.—*

20 *“(i) INADEQUATE REQUESTS.—If the*
21 *Council determines that a budget request for*
22 *a fiscal year transmitted to the Council*
23 *under paragraph (1) is inadequate, in*
24 *whole or in part, to implement the objec-*
25 *tives of the Department of Defense with re-*
26 *spect to nuclear weapons for that fiscal*

1 year, the Council shall submit to the Sec-
2 retary of Energy a written description of
3 funding levels and specific initiatives that
4 would, in the determination of the Council,
5 make the budget request adequate to imple-
6 ment those objectives.

7 “(ii) *ADEQUATE REQUESTS.*—If the
8 Council determines that a budget request for
9 a fiscal year transmitted to the Council
10 under paragraph (1) is adequate to imple-
11 ment the objectives described in clause (i)
12 for that fiscal year, the Council shall submit
13 to the Secretary of Energy a written state-
14 ment confirming the adequacy of the re-
15 quest.

16 “(iii) *RECORDS.*—The Council shall
17 maintain a record of each description sub-
18 mitted under clause (i) and each statement
19 submitted under clause (ii).

20 “(3) *DEPARTMENT OF ENERGY RESPONSE.*—

21 “(A) *IN GENERAL.*—If the Council submits
22 to the Secretary of Energy a written description
23 under paragraph (2)(B)(i) with respect to the
24 budget request of the Administration for a fiscal
25 year, the Secretary shall include as an appendix

1 to the budget request submitted to the Director of
2 the Office of Management and Budget—

3 “(i) the funding levels and initiatives
4 identified in the description under para-
5 graph (2)(B)(i); and

6 “(ii) any additional comments the Sec-
7 retary considers appropriate.

8 “(B) TRANSMISSION TO CONGRESS.—The
9 Secretary of Energy shall transmit to Congress,
10 with the budget justification materials submitted
11 in support of the Department of Energy budget
12 for a fiscal year (as submitted with the budget
13 of the President under section 1105(a) of title 31,
14 United States Code), a copy of the appendix de-
15 scribed in subparagraph (A).

16 “(b) REVIEW AND CERTIFICATION OF DEPARTMENT OF
17 ENERGY BUDGET BY NUCLEAR WEAPONS COUNCIL.—

18 “(1) IN GENERAL.—At the time the Secretary of
19 Energy submits the budget request of the Department
20 of Energy for that fiscal year to the Director of the
21 Office of Management and Budget in relation to the
22 preparation of the budget of the President, the Sec-
23 retary shall transmit a copy of the budget request of
24 the Department to the Council.

25 “(2) CERTIFICATION.—The Council shall—

1 “(A) review the budget request transmitted
2 to the Council under paragraph (1);

3 “(B) based on the review under subpara-
4 graph (A), make a determination with respect to
5 whether the budget request includes the funding
6 levels and initiatives described in subsection
7 (a)(2)(B)(i); and

8 “(C) submit to Congress—

9 “(i)(I) a certification that the budget
10 request is adequate to implement the objec-
11 tives described in subsection (a)(2)(B)(i); or

12 “(II) a statement that the budget re-
13 quest is not adequate to implement those ob-
14 jectives; and

15 “(ii) a copy of the written description
16 submitted by the Council to the Secretary
17 under subsection (a)(2)(B)(i), if any.”.

18 (b) *CLERICAL AMENDMENT.*—The table of contents for
19 such Act is amended by inserting after the item relating
20 to section 4716 the following new item:

“Sec. 4717. Review of adequacy of nuclear weapons budget.”.

1 ***Subtitle C—Personnel Matters***

2 ***SEC. 3121. NATIONAL NUCLEAR SECURITY ADMINISTRA-***
 3 ***TION PERSONNEL SYSTEM.***

4 *(a) IN GENERAL.—Subtitle C of the National Nuclear*
 5 *Security Administration Act (50 U.S.C. 2441 et seq.) is*
 6 *amended by adding at the end the following new section:*

7 ***“SEC. 3248. ALTERNATIVE PERSONNEL SYSTEM.***

8 *“(a) IN GENERAL.—The Administrator may adapt the*
 9 *pay banding and performance-based pay adjustment dem-*
 10 *onstration project carried out by the Administration under*
 11 *the authority provided by section 4703 of title 5, United*
 12 *States Code, into a permanent alternative personnel system*
 13 *for the Administration (to be known as the ‘National Nu-*
 14 *clear Security Administration Personnel System’) and im-*
 15 *plement that system with respect to employees of the Ad-*
 16 *ministration.*

17 *“(b) MODIFICATIONS.—In adapting the demonstration*
 18 *project described in subsection (a) into a permanent alter-*
 19 *native personnel system, the Administrator—*

20 *“(1) may, subject to paragraph (2), revise the re-*
 21 *quirements and limitations of the demonstration*
 22 *project to the extent necessary; and*

23 *“(2) shall—*

24 *“(A) ensure that the permanent alternative*
 25 *personnel system is carried out in a manner con-*

1 *sistent with the final plan for the demonstration*
2 *project published in the Federal Register on De-*
3 *cember 21, 2007 (72 Fed. Reg. 72776);*

4 “(B) ensure that significant changes in the
5 system not take effect until revisions to the plan
6 for the demonstration project are approved by
7 the Office of Personnel Management and pub-
8 lished in the Federal Register;

9 “(C) ensure that procedural modifications
10 or clarifications to the final plan for the dem-
11 onstration project be made through local notifi-
12 cation processes;

13 “(D) authorize, and establish incentives for,
14 employees of the Administration to have rota-
15 tional assignments among different programs of
16 the Administration, the headquarters and field
17 offices of the Administration, and the manage-
18 ment and operating contractors of the Adminis-
19 tration; and

20 “(E) establish requirements for employees of
21 the Administration who are in the permanent al-
22 ternative personnel system described in sub-
23 section (a) to be promoted to senior-level posi-
24 tions in the Administration, including require-
25 ments with respect to—

1 “(i) professional training and con-
2 tinuing education; and

3 “(ii) a certain number and types of ro-
4 tational assignments under subparagraph
5 (D), as determined by the Administrator.

6 “(c) *APPLICATION TO NAVAL NUCLEAR PROPULSION*
7 *PROGRAM.—The Director of the Naval Nuclear Propulsion*
8 *Program established pursuant to section 4101 of the Atomic*
9 *Energy Defense Act (50 U.S.C. 2511) and section 3216 of*
10 *this Act may, with the concurrence of the Secretary of the*
11 *Navy, apply the alternative personnel system under sub-*
12 *section (a) to—*

13 “(1) all employees of the Naval Nuclear Propul-
14 sion Program in the competitive service (as defined in
15 section 2102 of title 5, United States Code); and

16 “(2) all employees of the Department of Navy
17 who are assigned to the Naval Nuclear Propulsion
18 Program and are in the excepted service (as defined
19 in section 2103 of title 5, United States Code) (other
20 than such employees in statutory excepted service sys-
21 tems).”.

22 (b) *BRIEFING.—*

23 (1) *IN GENERAL.—Not later than 180 days after*
24 *the date of the enactment of this Act, the Adminis-*
25 *trator for Nuclear Security shall provide a briefing to*

1 *the appropriate congressional committees on the im-*
2 *plementation of section 3248 of the National Nuclear*
3 *Security Administration Act, as added by subsection*
4 *(a).*

5 (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
6 *DEFINED.—In this subsection, the term “appropriate*
7 *congressional committees” means—*

8 (A) *the congressional defense committees;*

9 (B) *the Committee on Energy and Natural*
10 *Resources of the Senate and the Committee on*
11 *Energy and Commerce of the House of Rep-*
12 *resentatives; and*

13 (C) *the Committee on Homeland Security*
14 *and Governmental Affairs of the Senate and the*
15 *Committee on Oversight and Government Reform*
16 *of the House of Representatives.*

17 (c) *CONFORMING AMENDMENTS.—Section 3116 of the*
18 *National Defense Authorization Act for Fiscal Year 2018*
19 *(Public Law 115–91; 131 Stat. 1888; 50 U.S.C. 2441 note*
20 *prec) is amended—*

21 (1) *by striking subsections (a) and (d); and*

22 (2) *by redesignating subsections (b) and (c) as*
23 *subsections (a) and (b), respectively.*

24 (d) *CLERICAL AMENDMENT.—The table of contents for*
25 *the National Nuclear Security Administration Act is*

1 *amended by inserting after the item relating to section 3247*
 2 *the following new item:*

“Sec. 3248. Alternative personnel system.”.

3 **SEC. 3122. INCLUSION OF CERTAIN EMPLOYEES AND CON-**
 4 **TRACTORS OF DEPARTMENT OF ENERGY IN**
 5 **DEFINITION OF PUBLIC SAFETY OFFICER FOR**
 6 **PURPOSES OF CERTAIN DEATH BENEFITS.**

7 *Section 1204(9) of title I of the Omnibus Crime Con-*
 8 *trol and Safe Streets Act of 1968 (34 U.S.C. 10284(9)) is*
 9 *amended—*

10 *(1) in subparagraph (D), by striking “or” at the*
 11 *end;*

12 *(2) in subparagraph (E)(ii), by striking the pe-*
 13 *riod at the end and inserting “; or”; and*

14 *(3) by adding at the end the following:*

15 *“(F) an employee or contractor of the De-*
 16 *partment of Energy who—*

17 *“(i) is—*

18 *“(I) a nuclear materials courier*
 19 *(as defined in section 8331(27) of title*
 20 *5, United States Code); or*

21 *“(II) designated by the Secretary*
 22 *of Energy as a member of an emer-*
 23 *gency response team; and*

24 *“(ii) is performing official duties of the*
 25 *Department, pursuant to a deployment*

1 order issued by the Secretary, to protect the
2 public, property, or the interests of the
3 United States by—

4 “(I) assessing, locating, identi-
5 fying, securing, rendering safe, or dis-
6 posing of weapons of mass destruction
7 (as defined in section 1403 of the De-
8 fense Against Weapons of Mass De-
9 struction Act of 1996 (50 U.S.C.
10 2302)); or

11 “(II) managing the immediate
12 consequences of a radiological release
13 or exposure.”.

14 **SEC. 3123. REIMBURSEMENT FOR LIABILITY INSURANCE**
15 **FOR NUCLEAR MATERIALS COURIERS.**

16 Section 636(c)(2) of division A of the Treasury, Postal
17 Service, and General Government Appropriations Act, 1997
18 (Public Law 104–208; 5 U.S.C. prec. 5941 note) is amended
19 by striking “or under” and all that follows and inserting
20 the following: “a special agent under section 203 of the Om-
21 nibus Diplomatic Security and Antiterrorism Act of 1986
22 (22 U.S.C. 4823), or a nuclear materials courier (as defined
23 in section 8331(27) of such title 5);”.

1 **SEC. 3124. TRANSPORTATION AND MOVING EXPENSES FOR**
 2 **IMMEDIATE FAMILY OF DECEASED NUCLEAR**
 3 **MATERIALS COURIERS.**

4 *Section 5724d(c)(1) of title 5, United States Code, is*
 5 *amended—*

6 *(1) in subparagraph (B), by striking “; and”*
 7 *and inserting a semicolon; and*

8 *(2) by adding at the end the following:*

9 *“(D) any nuclear materials courier, as de-*
 10 *fin ed in section 8331(27); and”.*

11 **SEC. 3125. EXTENSION OF AUTHORITY FOR APPOINTMENT**
 12 **OF CERTAIN SCIENTIFIC, ENGINEERING, AND**
 13 **TECHNICAL PERSONNEL.**

14 *Section 4601(c) of the Atomic Energy Defense Act (50*
 15 *U.S.C. 2701(c)) is amended by striking “September 30,*
 16 *2020” and inserting “September 30, 2021”.*

17 ***Subtitle D—Cybersecurity***

18 **SEC. 3131. REPORTING ON PENETRATIONS OF NETWORKS**
 19 **OF CONTRACTORS AND SUBCONTRACTORS.**

20 *(a) IN GENERAL.—Subtitle A of title XLV of the Atom-*
 21 *ic Energy Defense Act (50 U.S.C. 2651 et seq.) is amended*
 22 *by adding at the end the following new section:*

23 **“SEC. 4511. REPORTING ON PENETRATIONS OF NETWORKS**
 24 **OF CONTRACTORS AND SUBCONTRACTORS.**

25 *“(a) PROCEDURES FOR REPORTING PENETRATIONS.—*
 26 *The Administrator shall establish procedures that require*

1 *each contractor and subcontractor to report to the Chief In-*
2 *formation Officer when a covered network of the contractor*
3 *or subcontractor that meets the criteria established pursu-*
4 *ant to subsection (b) is successfully penetrated.*

5 “(b) *ESTABLISHMENT OF CRITERIA FOR COVERED*
6 *NETWORKS.—*

7 “(1) *IN GENERAL.—The Administrator shall, in*
8 *consultation with the officials specified in paragraph*
9 *(2), establish criteria for covered networks to be sub-*
10 *ject to the procedures for reporting penetrations under*
11 *subsection (a).*

12 “(2) *OFFICIALS SPECIFIED.—The officials speci-*
13 *fied in this paragraph are the following officials of*
14 *the Administration:*

15 “(A) *The Deputy Administrator for Defense*
16 *Programs.*

17 “(B) *The Associate Administrator for Ac-*
18 *quisition and Project Management.*

19 “(C) *The Chief Information Officer.*

20 “(D) *Any other official of the Administra-*
21 *tion the Administrator considers necessary.*

22 “(c) *PROCEDURE REQUIREMENTS.—*

23 “(1) *RAPID REPORTING.—*

24 “(A) *IN GENERAL.—The procedures estab-*
25 *lished pursuant to subsection (a) shall require*

1 *each contractor or subcontractor to submit to the*
2 *Chief Information Officer a report on each suc-*
3 *cessful penetration of a covered network of the*
4 *contractor or subcontractor that meets the cri-*
5 *teria established pursuant to subsection (b) not*
6 *later than 60 days after the discovery of the suc-*
7 *cessful penetration.*

8 “(B) *ELEMENTS.*—Subject to subparagraph
9 (C), each report required by subparagraph (A)
10 with respect to a successful penetration of a cov-
11 ered network of a contractor or subcontractor
12 shall include the following:

13 “(i) *A description of the technique or*
14 *method used in such penetration.*

15 “(ii) *A sample of the malicious soft-*
16 *ware, if discovered and isolated by the con-*
17 *tractor or subcontractor, involved in such*
18 *penetration.*

19 “(iii) *A summary of information cre-*
20 *ated by or for the Administration in con-*
21 *nection with any program of the Adminis-*
22 *tration that has been potentially com-*
23 *promised as a result of such penetration.*

24 “(C) *AVOIDANCE OF DELAYS IN REPORT-*
25 *ING.*—If a contractor or subcontractor is not able

1 to obtain all of the information required by sub-
2 paragraph (B) to be included in a report re-
3 quired by subparagraph (A) by the date that is
4 60 days after the discovery of a successful pene-
5 tration of a covered network of the contractor or
6 subcontractor, the contractor or subcontractor
7 shall—

8 “(i) include in the report all informa-
9 tion available as of that date; and

10 “(ii) provide to the Chief Information
11 Officer the additional information required
12 by subparagraph (B) as the information be-
13 comes available.

14 “(2) ACCESS TO EQUIPMENT AND INFORMATION
15 BY ADMINISTRATION PERSONNEL.—Concurrent with
16 the establishment of the procedures pursuant to sub-
17 section (a), the Administrator shall establish proce-
18 dures to be used if information owned by the Admin-
19 istration was in use during or at risk as a result of
20 the successful penetration of a covered network—

21 “(A) in order to—

22 “(i) in the case of a penetration of a
23 covered network of a management and oper-
24 ating contractor, enhance the access of per-
25 sonnel of the Administration to Govern-

1 *ment-owned equipment and information;*
2 *and*

3 *“(ii) in the case of a penetration of a*
4 *covered network of a contractor or subcon-*
5 *tractor that is not a management and oper-*
6 *ating contractor, facilitate the access of per-*
7 *sonnel of the Administration to the equip-*
8 *ment and information of the contractor or*
9 *subcontractor; and*

10 *“(B) which shall—*

11 *“(i) include mechanisms for personnel*
12 *of the Administration to, upon request, ob-*
13 *tain access to equipment or information of*
14 *a contractor or subcontractor necessary to*
15 *conduct forensic analysis in addition to any*
16 *analysis conducted by the contractor or sub-*
17 *contractor;*

18 *“(ii) provide that a contractor or sub-*
19 *contractor is only required to provide access*
20 *to equipment or information as described in*
21 *clause (i) to determine whether information*
22 *created by or for the Administration in con-*
23 *nection with any program of the Adminis-*
24 *tration was successfully exfiltrated from a*
25 *network of the contractor or subcontractor*

1 *and, if so, what information was exfiltrated;*

2 *and*

3 “*(iii) provide for the reasonable protec-*
4 *tion of trade secrets, commercial or finan-*
5 *cial information, and information that can*
6 *be used to identify a specific person.*

7 “(3) *DISSEMINATION OF INFORMATION.—The*
8 *procedures established pursuant to subsection (a) shall*
9 *allow for limiting the dissemination of information*
10 *obtained or derived through such procedures so that*
11 *such information may be disseminated only to enti-*
12 *ties—*

13 “*(A) with missions that may be affected by*
14 *such information;*

15 “*(B) that may be called upon to assist in*
16 *the diagnosis, detection, or mitigation of cyber*
17 *incidents;*

18 “*(C) that conduct counterintelligence or law*
19 *enforcement investigations; or*

20 “*(D) for national security purposes, includ-*
21 *ing cyber situational awareness and defense pur-*
22 *poses.*

23 “(d) *DEFINITIONS.—In this section:*

24 “*(1) CHIEF INFORMATION OFFICER.—The term*
25 “*Chief Information Officer*” *means the Associate Ad-*

1 *ministrator for Information Management and Chief*
2 *Information Officer of the Administration.*

3 “(2) *CONTRACTOR*.—*The term ‘contractor’ means*
4 *a private entity that has entered into a contract or*
5 *contractual action of any kind with the Administra-*
6 *tion to furnish supplies, equipment, materials, or*
7 *services of any kind.*

8 “(3) *COVERED NETWORK*.—*The term ‘covered*
9 *network’ includes any network or information system*
10 *that accesses, receives, or stores—*

11 “(A) *classified information; or*

12 “(B) *sensitive unclassified information ger-*
13 *mane to any program of the Administration, as*
14 *determined by the Administrator.*

15 “(4) *SUBCONTRACTOR*.—*The term ‘subcontractor’*
16 *means a private entity that has entered into a con-*
17 *tract or contractual action with a contractor or an-*
18 *other subcontractor to furnish supplies, equipment,*
19 *materials, or services of any kind in connection with*
20 *another contract in support of any program of the*
21 *Administration.”.*

22 (b) *CLERICAL AMENDMENT*.—*The table of contents for*
23 *the Atomic Energy Defense Act is amended by inserting*
24 *after the item relating to section 4510 the following new*
25 *item:*

“Sec. 4511. Reporting on penetrations of networks of contractors and subcontractors.”.

1 **SEC. 3132. CLARIFICATION OF RESPONSIBILITY FOR CYBER-**
2 **SECURITY OF NATIONAL NUCLEAR SECURITY**
3 **ADMINISTRATION FACILITIES.**

4 (a) *ESTABLISHMENT OF CHIEF INFORMATION OFFI-*
5 *CER.—Subtitle B of the National Nuclear Security Admin-*
6 *istration Act (50 U.S.C. 2421 et seq.) is amended by adding*
7 *at the end the following new section:*

8 **“SEC. 3237. CHIEF INFORMATION OFFICER.**

9 *“There is within the Administration a Chief Informa-*
10 *tion Officer, who shall be—*

11 *“(1) appointed by the Administrator; and*

12 *“(2) responsible for the development and imple-*
13 *mentation of cybersecurity for all facilities of the Ad-*
14 *ministration.”.*

15 (b) *CONFORMING AMENDMENT.—Section 3232(b)(3) of*
16 *the National Nuclear Security Administration Act (50*
17 *U.S.C. 2422(b)(3)) is amended by striking “and cyber”.*

18 (c) *CLERICAL AMENDMENT.—The table of contents for*
19 *the National Nuclear Security Administration Act is*
20 *amended by inserting after the item relating to section 3236*
21 *the following new item:*

“Sec. 3237. Chief Information Officer.”.

1 ***Subtitle E—Defense Environmental***
2 ***Cleanup***

3 ***SEC. 3141. PUBLIC STATEMENT OF ENVIRONMENTAL LI-***
4 ***ABILITIES FOR FACILITIES UNDERGOING DE-***
5 ***FENSE ENVIRONMENTAL CLEANUP.***

6 (a) *IN GENERAL.*—*Subtitle A of title XLIV of the*
7 *Atomic Energy Defense Act (50 U.S.C. 2581 et seq.) is*
8 *amended by adding at the end the following new section:*

9 ***“SEC. 4410. PUBLIC STATEMENT OF ENVIRONMENTAL LI-***
10 ***ABILITIES.***

11 *“Each year, at the same time that the Department of*
12 *Energy submits its annual financial report under section*
13 *3516 of title 31, United States Code, the Secretary of En-*
14 *ergy shall make available to the public a statement of envi-*
15 *ronmental liabilities, as calculated for the most recent au-*
16 *dated financial statement of the Department under section*
17 *3515 of that title, for each defense nuclear facility at which*
18 *defense environmental cleanup activities are occurring.”.*

19 (b) *CLERICAL AMENDMENT.*—*The table of contents for*
20 *the Atomic Energy Defense Act is amended by inserting*
21 *after the item relating to section 4409 the following new*
22 *item:*

“Sec. 4410. Public statement of environmental liabilities.”.

1 **SEC. 3142. INCLUSION OF MISSED MILESTONES IN FUTURE-**
2 **YEARS DEFENSE ENVIRONMENTAL CLEANUP**
3 **PLAN.**

4 *Section 4402A(b)(3) of the Atomic Energy Defense Act*
5 *(50 U.S.C. 2582A(b)(3)) is amended by adding at the end*
6 *the following:*

7 *“(D) For any milestone that has been*
8 *missed, renegotiated, or postponed, a statement*
9 *of the current milestone, the original milestone,*
10 *and any interim milestones.”.*

11 **SEC. 3143. CLASSIFICATION OF DEFENSE ENVIRONMENTAL**
12 **CLEANUP AS CAPITAL ASSET PROJECTS OR**
13 **OPERATIONS ACTIVITIES.**

14 *(a) IN GENERAL.—The Assistant Secretary of Energy*
15 *for Environmental Management, in consultation with other*
16 *appropriate officials of the Department of Energy, shall es-*
17 *tablish requirements for the classification of defense envi-*
18 *ronmental cleanup projects as capital asset projects or oper-*
19 *ations activities.*

20 *(b) REPORT REQUIRED.—Not later than March 1,*
21 *2021, the Assistant Secretary shall submit to the congres-*
22 *sional defense committees a report—*

23 *(1) setting forth the requirements established*
24 *under subsection (a); and*

1 (2) *assessing whether any ongoing defense envi-*
2 *ronmental cleanup projects should be reclassified*
3 *based on those requirements.*

4 **SEC. 3144. CONTINUED ANALYSIS OF APPROACHES FOR**
5 **SUPPLEMENTAL TREATMENT OF LOW-ACTIV-**
6 **ITY WASTE AT HANFORD NUCLEAR RESERVA-**
7 **TION.**

8 (a) *IN GENERAL.*—*Not later than 120 days after the*
9 *date of the enactment of this Act, the Secretary of Energy*
10 *shall enter into an arrangement with a federally funded re-*
11 *search and development center to conduct a follow-on anal-*
12 *ysis to the analysis required by section 3134 of the National*
13 *Defense Authorization Act for Fiscal Year 2017 (Public*
14 *Law 114–328; 130 Stat. 2769) with respect to approaches*
15 *for treating the portion of low-activity waste at the Hanford*
16 *Nuclear Reservation, Richland, Washington, intended for*
17 *supplemental treatment.*

18 (b) *COMPARISON OF ALTERNATIVES TO AID DECISION-*
19 *MAKING.*—*The analysis required by subsection (a) shall be*
20 *designed, to the greatest extent possible, to provide decision-*
21 *makers with the ability to make a direct comparison be-*
22 *tween approaches for the supplemental treatment of low-*
23 *activity waste at the Hanford Nuclear Reservation based*
24 *on criteria that are relevant to decisionmaking and most*
25 *clearly differentiate between approaches.*

1 (c) *ELEMENTS.*—*The analysis required by subsection*

2 (a) *shall include an assessment of the following:*

3 (1) *The most effective potential technology for*
4 *supplemental treatment of low-activity waste that*
5 *will produce an effective waste form, including an as-*
6 *essment of the following:*

7 (A) *The maturity and complexity of the*
8 *technology.*

9 (B) *The extent of previous use of the tech-*
10 *nology.*

11 (C) *The life cycle costs and duration of use*
12 *of the technology.*

13 (D) *The effectiveness of the technology with*
14 *respect to immobilization.*

15 (E) *The performance of the technology ex-*
16 *pected under permanent disposal.*

17 (2) *The differences among approaches for the*
18 *supplemental treatment of low-activity waste consid-*
19 *ered as of the date of the analysis.*

20 (3) *The compliance of such approaches with the*
21 *technical standards described in section 3134(b)(2)(D)*
22 *of section 3134 of the National Defense Authorization*
23 *Act for Fiscal Year 2017.*

24 (4) *The differences among potential disposal sites*
25 *for the waste form produced through such treatment,*

1 *including mitigation of radionuclides, including tech-*
2 *netium-99, selenium-79, and iodine-129, on a system*
3 *level.*

4 *(5) Potential modifications to the design of fa-*
5 *ilities to enhance performance with respect to dis-*
6 *posal of the waste form to account for the following:*

7 *(A) Regulatory compliance.*

8 *(B) Public acceptance.*

9 *(C) Cost.*

10 *(D) Safety.*

11 *(E) The expected radiation dose to maxi-*
12 *mally exposed individuals over time.*

13 *(F) Differences among disposal environ-*
14 *ments.*

15 *(6) Approximately how much and what type of*
16 *pretreatment is needed to meet regulatory require-*
17 *ments regarding long-lived radionuclides and haz-*
18 *ardous chemicals to reduce disposal costs for radio-*
19 *nuclides described in paragraph (4).*

20 *(7) Whether the radionuclides can be left in the*
21 *waste form or economically removed and bounded at*
22 *a system level by the performance assessment of a po-*
23 *tential disposal site and, if the radionuclides cannot*
24 *be left in the waste form, how to account for the sec-*
25 *ondary waste stream.*

1 (8) *Other relevant factors relating to the tech-*
2 *nology described in paragraph (1), including the fol-*
3 *lowing:*

4 (A) *The costs and risks in delays with re-*
5 *spect to tank performance over time.*

6 (B) *Consideration of experience with treat-*
7 *ment methods at other sites and commercial fa-*
8 *cilities.*

9 (C) *Outcomes of the test bed initiative of the*
10 *Office of Environmental Management at the*
11 *Hanford Nuclear Reservation.*

12 (d) *REVIEW, CONSULTATION, SUBMISSION, AND LIM-*
13 *TATIONS.—The provision of subsections (c) through (f) of*
14 *section 3134 of the National Defense Authorization Act for*
15 *Fiscal Year 2017 shall apply with respect to the analysis*
16 *required by subsection (a) to the same extent and in the*
17 *same manner that such provisions applied with respect to*
18 *the analysis required by subsection (a) of such section 3134,*
19 *except that subsection (e) of such section shall be applied*
20 *and administered by substituting “the date of the enactment*
21 *of the National Defense Authorization Act for Fiscal Year*
22 *2021” for “the date of the enactment of this Act” each place*
23 *it appears.*

Subtitle F—Other Matters**SEC. 3151. MODIFICATIONS TO ENHANCED PROCUREMENT****AUTHORITY TO MANAGE SUPPLY CHAIN RISK.**

Section 4806 of the Atomic Energy Defense Act (50 U.S.C. 2786) is amended—

(1) in subsections (a) and (c), by inserting “or special exclusion action” after “covered procurement action” each place it appears;

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(3) by inserting after subsection (d) the following new subsection (e):

“(e) *DELEGATION OF AUTHORITY.*—The Secretary may delegate the authority under this section to—

“(1) in the case of the Administration, the Administrator; and

“(2) in the case of any other component of the Department of Energy, the Senior Procurement Executive of the Department.”; and

(4) in subsection (f), as redesignated by paragraph (2)—

(A) by redesignating paragraph (6) as paragraph (7); and

(B) by inserting after paragraph (5) the following new paragraph (6):

1 “(6) *SPECIAL EXCLUSION ACTION*.—*The term*
2 *‘special exclusion action’ means an action to prohibit,*
3 *for a period not to exceed two years, the award of any*
4 *contracts or subcontracts by the Administration or*
5 *any other component of the Department of Energy re-*
6 *lated to any covered system to a source the Secretary*
7 *determines to represent a supply chain risk.”.*

8 **SEC. 3152. PROHIBITION ON USE OF LABORATORY- OR PRO-**
9 **DUCTION FACILITY-DIRECTED RESEARCH**
10 **AND DEVELOPMENT FUNDS FOR GENERAL**
11 **AND ADMINISTRATIVE OVERHEAD COSTS.**

12 *Section 4811 of the Atomic Energy Defense Act (50*
13 *U.S.C. 2791), as amended by section 3152, is further*
14 *amended—*

15 (1) *by redesignating subsection (d) as subsection*
16 *(e); and*

17 (2) *by inserting after subsection (c) the following*
18 *new subsection (d):*

19 “(d) *PROHIBITION ON USE OF FUNDS FOR OVER-*
20 *HEAD*.—*Funds provided to a national security laboratory*
21 *or nuclear weapons production facility for laboratory- or*
22 *production facility-directed research and development may*
23 *not be used to cover the costs of general and administrative*
24 *overhead for the laboratory or facility.”.*

1 **SEC. 3153. MONITORING OF INDUSTRIAL BASE FOR NU-**
2 **CLEAR WEAPONS COMPONENTS, SUB-**
3 **SYSTEMS, AND MATERIALS.**

4 (a) *DESIGNATION OF OFFICIAL.*—Not later than
5 March 1, 2021, the Administrator for Nuclear Security
6 shall designate a senior official within the National Nuclear
7 Security Administration to be responsible for monitoring
8 the industrial base that supports the nuclear weapons com-
9 ponents, subsystems, and materials of the Administration,
10 including—

11 (1) *the consistent monitoring of the current sta-*
12 *tus of the industrial base;*

13 (2) *tracking of industrial base issues over time;*
14 *and*

15 (3) *proactively identifying gaps or risks in spe-*
16 *cific areas relating to the industrial base.*

17 (b) *PROVISION OF RESOURCES.*—The Administrator
18 shall ensure that the official designated under subsection (a)
19 is provided with resources sufficient to conduct the moni-
20 toring required by that subsection.

21 (c) *CONSULTATIONS.*—The Administrator, acting
22 through the official designated under subsection (a), shall,
23 to the extent practicable and beneficial, in conducting the
24 monitoring required by that subsection, consult with—

25 (1) *officials of the Department of Defense who*
26 *are members of the Nuclear Weapons Council estab-*

1 *lished under section 179 of title 10, United States*
2 *Code;*

3 *(2) officials of the Department of Defense respon-*
4 *sible for the defense industrial base; and*

5 *(3) other components of the Department of En-*
6 *ergy that rely on similar components, subsystems, or*
7 *materials.*

8 *(d) BRIEFINGS.—*

9 *(1) INITIAL BRIEFING.—Not later than April 1,*
10 *2021, the Administrator shall provide to the Commit-*
11 *tees on Armed Services of the Senate and the House*
12 *of Representatives a briefing on the designation of the*
13 *official required by subsection (a), including on—*

14 *(A) the responsibilities assigned to that offi-*
15 *cial; and*

16 *(B) the plan for providing that official with*
17 *resources sufficient to conduct the monitoring re-*
18 *quired by subsection (a).*

19 *(2) SUBSEQUENT BRIEFINGS.—Not later than*
20 *April 1, 2022, and annually thereafter through 2024,*
21 *the Administrator shall provide to the Committees on*
22 *Armed Services of the Senate and the House of Rep-*
23 *resentatives a briefing on activities carried out under*
24 *this section that includes an assessment of the*
25 *progress made by the official designated under sub-*

1 *bility, increase expense, or reduce operational avail-*
2 *ability as a result of refueling requirements.*

3 *(b) REPORT REQUIRED.—Not later than 60 days after*
4 *the date of the enactment of this Act, the Administrator for*
5 *Nuclear Security shall submit to the congressional defense*
6 *committees a report on activities conducted using amounts*
7 *made available for fiscal year 2020 for nonproliferation*
8 *fuels development, including a description of progress made*
9 *toward technological or nonproliferation goals.*

10 **SEC. 3155. AUTHORIZATION OF APPROPRIATIONS FOR W93**
11 **NUCLEAR WARHEAD PROGRAM.**

12 *In accordance with section 4209(a)(1)(B) of the Atom-*
13 *ic Energy Defense Act (50 U.S.C. 2529(a)(1)(B)), funds are*
14 *hereby authorized to be appropriated to the Department of*
15 *Energy for fiscal year 2021 for the W93 nuclear warhead*
16 *program as specified in the funding table in section 4701.*

17 **SEC. 3156. REVIEW OF FUTURE OF COMPUTING BEYOND**
18 **EXASCALE AT THE NATIONAL NUCLEAR SECU-**
19 **RITY ADMINISTRATION.**

20 *(a) IN GENERAL.—The Administrator for Nuclear Se-*
21 *curity, in consultation with the Secretary of Energy, shall*
22 *enter into an agreement with the National Academy of*
23 *Science to review the future of computing beyond exascale*
24 *computing to meet national security needs at the National*
25 *Nuclear Security Administration.*

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

3 (1) *Future computing needs of the National Nu-*
4 *clear Security Administration that exascale com-*
5 *puting will not accomplish during the 20 years after*
6 *the date of the enactment of this Act.*

7 (2) *Computing architectures that potentially can*
8 *meet those needs, including—*

9 (A) *classical computing architectures em-*
10 *ployed as of such date of enactment;*

11 (B) *quantum computing architectures and*
12 *other novel computing architectures;*

13 (C) *hybrid combinations of classical and*
14 *quantum computing architectures; and*

15 (D) *other architectures as necessary.*

16 (3) *The development of software for the com-*
17 *puting architectures described in paragraph (2).*

18 (4) *The maturity of the computing architectures*
19 *described in paragraph (2) and the software described*
20 *in paragraph (3), with key obstacles that must be*
21 *overcome for the employment of such architectures*
22 *and software.*

23 (5) *The secure industrial base that exists as of*
24 *the date of the enactment of this Act to meet the*
25 *unique needs of computing at the National Nuclear*

1 *Security Administration, including needs with respect*
2 *to—*

3 *(A) personnel;*

4 *(B) microelectronics; and*

5 *(C) other appropriate matters.*

6 *(c) INFORMATION AND CLEARANCES.—The Adminis-*
7 *trator shall ensure that personnel of the National Academy*
8 *of Sciences overseeing the implementation of the agreement*
9 *required by subsection (a) or conducting the review required*
10 *by that subsection receive, in a timely manner, access to*
11 *information and necessary security clearances to enable the*
12 *conduct of the review.*

13 *(d) REPORT REQUIRED.—*

14 *(1) IN GENERAL.—Not later than 2 years after*
15 *the date of the enactment of this Act, the National*
16 *Academy of Sciences shall submit to the congressional*
17 *defense committees a report on the findings of the re-*
18 *view required by subsection (a).*

19 *(2) FORM.—The report required by paragraph*
20 *(1) shall be submitted in unclassified form but may*
21 *include a classified annex.*

22 *(e) EXASCALE COMPUTING DEFINED.—In this section,*
23 *the term “exascale computing” means computing through*
24 *the use of a computing machine that performs near or above*
25 *10 to the 18th power floating point operations per second.*

1 **SEC. 3157. APPLICATION OF REQUIREMENT FOR INDE-**
2 **PENDENT COST ESTIMATES AND REVIEWS TO**
3 **NEW NUCLEAR WEAPON SYSTEMS.**

4 *Section 4217(b)(1) of the Atomic Energy Defense Act*
5 *(50 U.S.C. 2537(b)(1)) is amended—*

6 *(1) in subparagraph (A)—*

7 *(A) in clause (i), by inserting “, and each*
8 *new nuclear weapon system at the completion of*
9 *phase 2A” after “phase 6.2A”;*

10 *(B) in clause (ii), by inserting “, and each*
11 *new nuclear weapon system at the completion of*
12 *phase 3” after “phase 6.3”; and*

13 *(C) in clause (iii)—*

14 *(i) by inserting “, and each new nu-*
15 *clear weapon system at the completion of*
16 *phase 4” after “phase 6.4”; and*

17 *(ii) by inserting “or 5, as applicable”*
18 *after “phase 6.5”; and*

19 *(2) in subparagraph (B), by inserting “, and*
20 *each new nuclear weapon system at the completion of*
21 *phase 2” after “phase 6.2”.*

22 **SEC. 3159. INTEGRATION OF STOCKPILE STEWARDSHIP AND**
23 **NONPROLIFERATION MISSIONS.**

24 *(a) SENSE OF SENATE.—It is the sense of the Senate*
25 *that, in recognition of the close relationships between the*
26 *nuclear weapons expertise and infrastructure of the na-*

1 *tional security laboratories (as defined in section 4002 of*
2 *the Atomic Energy Defense Act (50 U.S.C. 2501)), those lab-*
3 *oratories should continue to apply their capabilities to as-*
4 *sessing, understanding, and countering current and emerg-*
5 *ing nuclear threats, including the nuclear capabilities of*
6 *adversaries of the United States.*

7 (b) *INTEGRATION.*—*The Secretary of Energy shall en-*
8 *sure that the capabilities of the stockpile stewardship pro-*
9 *gram under section 4201 of the Atomic Energy Defense Act*
10 *(50 U.S.C. 2521) are available to assess proliferation chal-*
11 *lenges, nuclear capabilities of adversaries of the United*
12 *States, and related safeguards.*

13 **SEC. 3160. TECHNOLOGY DEVELOPMENT AND INTEGRATION**
14 **PROGRAM.**

15 *The Administrator for Nuclear Security shall establish*
16 *a technology development and integration program to im-*
17 *prove the safety and security of the nuclear weapons stock-*
18 *pile, and to prevent proliferation, through research and de-*
19 *velopment, engineering, and integration of technologies ap-*
20 *plicable to multiple weapons systems in the stockpile.*

21 **SEC. 3161. ADVANCED MANUFACTURING DEVELOPMENT**
22 **PROGRAM.**

23 *The Administrator for Nuclear Security shall establish*
24 *an advanced manufacturing development program to focus*
25 *on the development, demonstration, and deployment of next-*

1 *generation processes and manufacturing tools to ensure that*
2 *the nuclear weapons stockpile is safe and secure.*

3 **SEC. 3162. MATERIALS SCIENCE PROGRAM.**

4 *The Administrator for Nuclear Security shall establish*
5 *a materials science program to develop new materials to*
6 *replace materials that are no longer available for weapons*
7 *sustainment.*

8 **SEC. 3163. MODIFICATIONS TO INERTIAL CONFINEMENT FU-**
9 **SION IGNITION AND HIGH YIELD PROGRAM.**

10 *(a) IN GENERAL.—The Inertial Confinement Fusion*
11 *Ignition and High Yield Program of the National Nuclear*
12 *Security Administration (in this section referred to as the*
13 *“Program”) shall provide the scientific understanding and*
14 *experimental capabilities required to validate the safety*
15 *and effectiveness of the nuclear weapons stockpile.*

16 *(b) RECOMMENDATIONS RELATING TO HIGH ENERGY*
17 *DENSITY PHYSICS.—*

18 *(1) ESTABLISHMENT OF WORKING GROUP.—The*
19 *Administrator for Nuclear Security shall establish a*
20 *working group to identify and implement any rec-*
21 *ommendations issued by the National Academies of*
22 *Sciences, Engineering, and Medicine as required by*
23 *section 3137 of the National Defense Authorization*
24 *Act for Fiscal Year 2020 (Public Law 116–92).*

1 (2) *REPORT REQUIRED.*—Not later than March
 2 31, 2021, the Administrator shall submit to the con-
 3 gressional defense committees a report on the
 4 timelines for completing implementation of the rec-
 5 ommendations described in paragraph (1).

6 **SEC. 3164. EARNED VALUE MANAGEMENT PROGRAM FOR**
 7 **LIFE EXTENSION PROGRAMS.**

8 (a) *IN GENERAL.*—Subtitle A of title XLII of the
 9 Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is
 10 amended by adding at the end the following new section:

11 **“SEC. 4223. EARNED VALUE MANAGEMENT PROGRAM FOR**
 12 **LIFE EXTENSION PROGRAMS.**

13 “(a) *IN GENERAL.*—The Administrator shall establish
 14 an earned value management program to establish earned
 15 value management standards—

16 “(1) to ensure specific benchmarks are set for
 17 technology readiness for life extension programs; and

18 “(2) to ensure that appropriate risk mitigation
 19 measures are taken to meet the cost and schedule re-
 20 quirements of such programs.

21 “(b) *REVIEW OF CONTRACTOR EARNED VALUE MAN-*
 22 *AGEMENT SYSTEMS.*—The Administrator shall enter into
 23 an arrangement with an independent entity under which
 24 that entity shall review and determine whether the earned
 25 value management standards of contractors of the Adminis-

1 *tration for life extension programs are consistent with the*
2 *standards established under subsection (a).*

3 “(c) *RECONCILIATION OF COST ESTIMATES.*—*The Ad-*
4 *ministrators shall ensure that key decisions of the Adminis-*
5 *tration concerning project milestones in life extension pro-*
6 *grams are based on a reconciliation of cost estimates of the*
7 *Administration with any independent cost estimates con-*
8 *ducted by the Director of Cost Estimating and Program*
9 *Evaluation.*”.

10 “(b) *CLERICAL AMENDMENT.*—*The table of contents for*
11 *the Atomic Energy Defense Act is amended by inserting*
12 *after the item relating to section 4222 the following new*
13 *item:*

 “*Sec. 4223. Earned value management program for life extension programs.*”.

14 **SEC. 3165. USE OF HIGH PERFORMANCE COMPUTING CAPA-**
15 **BILITIES FOR COVID-19 RESEARCH.**

16 *The Secretary of Energy shall make the unclassified*
17 *high performance computing capabilities of the Department*
18 *of Energy available for research relating to the coronavirus*
19 *disease 2019 (commonly known as “COVID-19”) so long*
20 *as and to the extent that doing so does not negatively affect*
21 *the stockpile stewardship mission of the National Nuclear*
22 *Security Administration.*

1 **SEC. 3166. AVAILABILITY OF STOCKPILE RESPONSIVENESS**
2 **FUNDS FOR PROJECTS TO REDUCE TIME NEC-**
3 **CESSARY TO EXECUTE A NUCLEAR TEST.**

4 *From amounts authorized to be appropriated by sec-*
5 *tion 3101 and available, as specified in the funding table*
6 *in section 4701, for the Stockpile Responsiveness Program*
7 *under section 4220 of the Atomic Energy Defense Act (50*
8 *U.S.C. 2538b), not less than \$10,000,000 shall be made*
9 *available to carry out projects related to reducing the time*
10 *required to execute a nuclear test if necessary.*

11 **SEC. 3167. SENSE OF THE SENATE ON EXTENSION OF LIM-**
12 **TATIONS ON IMPORTATION OF URANIUM**
13 **FROM RUSSIAN FEDERATION.**

14 *It is the sense of the Senate that—*

15 *(1) a secure nuclear fuel supply chain is essen-*
16 *tial to the economic and national security of the*
17 *United States;*

18 *(2) the United States should—*

19 *(A) expeditiously complete negotiation of an*
20 *extension of the Agreement Suspending the Anti-*
21 *dumping Investigation on Uranium from the*
22 *Russian Federation (commonly referred to as the*
23 *“Russian Suspension Agreement”); or*

24 *(B) if an agreement to extend the Russian*
25 *Suspension Agreement cannot be reached, com-*
26 *plete the antidumping investigation under title*

1 *VII of the Tariff Act of 1930 (19 U.S.C. 1671 et*
2 *seq.) with respect to imports of uranium from*
3 *the Russian Federation—*

4 *(i) to avoid unfair trade in uranium*
5 *and maintain a nuclear fuel supply chain*
6 *in the United States, consistent with the na-*
7 *tional security and nonproliferation goals of*
8 *the United States; and*

9 *(ii) to protect the United States nu-*
10 *clear fuel supply chain from the continued*
11 *manipulation of the global and United*
12 *States uranium markets by the Russian*
13 *Federation and Russian-influenced competi-*
14 *tors;*

15 *(3) a renegotiated, long-term extension of the*
16 *Russian Suspension Agreement can prevent adver-*
17 *saries of the United States from monopolizing the nu-*
18 *clear fuel supply chain;*

19 *(4) as was done in 2008, upon completion of a*
20 *new negotiated long-term extension of the Russian*
21 *Suspension Agreement, Congress should enact legisla-*
22 *tion to codify the terms of extension into law to en-*
23 *sure long-term stability for the domestic nuclear fuel*
24 *supply chain; and*

1 (5) *if the negotiations to extend the Russian Sus-*
 2 *pension Agreement prove unsuccessful, Congress*
 3 *should be prepared to enact legislation to prevent the*
 4 *manipulation by the Russian Federation of global*
 5 *uranium markets and potential domination by the*
 6 *Russian Federation of the United States uranium*
 7 *market.*

8 **TITLE XXXII—DEFENSE NU-**
 9 **CLEAR FACILITIES SAFETY**
 10 **BOARD**

11 **SEC. 3201. AUTHORIZATION.**

12 *There are authorized to be appropriated for fiscal year*
 13 2021, \$28,836,000 for the operation of the Defense Nuclear
 14 Facilities Safety Board under chapter 21 of the Atomic En-
 15 ergy Act of 1954 (42 U.S.C. 2286 et seq.).

16 **SEC. 3202. NONPUBLIC COLLABORATIVE DISCUSSIONS BY**
 17 **DEFENSE NUCLEAR FACILITIES SAFETY**
 18 **BOARD.**

19 *Section 313 of the Atomic Energy Act of 1954 (42*
 20 *U.S.C. 2286b) is amended by adding at the end the fol-*
 21 *lowing new subsection:*

22 “(k) **NONPUBLIC COLLABORATIVE DISCUSSIONS.**—

23 “(1) **IN GENERAL.**—*Notwithstanding section*
 24 *552b of title 5, United States Code, a quorum of the*
 25 *members of the Board may hold a meeting that is not*

1 *open to public observation to discuss official business*
2 *of the Board if—*

3 “(A) *no formal or informal vote or other of-*
4 *ficial action is taken at the meeting;*

5 “(B) *each individual present at the meeting*
6 *is a member or an employee of the Board;*

7 “(C) *at least one member of the Board from*
8 *each political party is present at the meeting,*
9 *unless all members of the Board are of the same*
10 *political party at the time of the meeting; and*

11 “(D) *the general counsel of the Board, or a*
12 *designee of the general counsel, is present at the*
13 *meeting.*

14 “(2) *DISCLOSURE OF NONPUBLIC COLLABO-*
15 *RATIVE DISCUSSIONS.—*

16 “(A) *IN GENERAL.—Except as provided by*
17 *subparagraph (B), not later than two business*
18 *days after the conclusion of a meeting described*
19 *in paragraph (1), the Board shall make avail-*
20 *able to the public, in a place easily accessible to*
21 *the public—*

22 “(i) *a list of the individuals present at*
23 *the meeting; and*

24 “(ii) *a summary of the matters, in-*
25 *cluding key issues, discussed at the meeting,*

1 *except for any matter the Board properly*
2 *determines may be withheld from the public*
3 *under section 552b(c) of title 5, United*
4 *States Code.*

5 “(B) *INFORMATION ABOUT MATTERS WITH-*
6 *HELD FROM PUBLIC.—If the Board properly de-*
7 *termines under subparagraph (A)(ii) that a mat-*
8 *ter may be withheld from the public under sec-*
9 *tion 552b(c) of title 5, United States Code, the*
10 *Board shall include in the summary required by*
11 *that subparagraph as much general information*
12 *as possible with respect to the matter.*

13 “(3) *RULES OF CONSTRUCTION.—Nothing in this*
14 *subsection may be construed—*

15 “(A) *to limit the applicability of section*
16 *552b of title 5, United States Code, with respect*
17 *to—*

18 “(i) *a meeting of the members of the*
19 *Board other than a meeting described in*
20 *paragraph (1); or*

21 “(ii) *any information that is proposed*
22 *to be withheld from the public under para-*
23 *graph (2)(A)(ii); or*

24 “(B) *to authorize the Board to withhold*
25 *from any individual any record that is accessible*

1 to that individual under section 552a of title 5,
2 United States Code.”.

3 **SEC. 3203. IMPROVEMENTS TO OPERATIONS OF DEFENSE**
4 **NUCLEAR FACILITIES SAFETY BOARD.**

5 (a) *MISSION OF BOARD.*—Section 312(a) of the Atomic
6 *Energy Act of 1954 (42 U.S.C. 2286a(a))* is amended by
7 striking “employees and contractors at such facilities” and
8 inserting “workers at such facilities conducting activities
9 covered by part 830 of title 10, Code of Federal Regulations
10 (or any successor regulation)”.

11 (b) *COOPERATION.*—Section 314(a) of the Atomic En-
12 *ergy Act of 1954 (42 U.S.C. 2286c(a))* is amended—

13 (1) by inserting “(1)” before “Except”; and
14 (2) by adding at the end the following new para-
15 graph:

16 “(2) For purposes of this subsection, the term ‘unfet-
17 *tered access*’, with respect to a facility or personnel of or
18 *information related to a facility, means access equivalent*
19 *to the access to the facility, personnel, or information pro-*
20 *vided to a regular employee of the facility, after proper*
21 *identification and compliance with applicable access con-*
22 *trol measures for security, radiological protection, and per-*
23 *sonal safety.*”.

1 **TITLE XXXV—MARITIME**
2 **ADMINISTRATION**

3 **SEC. 3501. MARITIME ADMINISTRATION.**

4 *Section 109 of title 49, United States Code, is amended*
5 *to read as follows:*

6 **“§ 109. Maritime Administration**

7 “(a) *ORGANIZATION AND MISSION.—The Maritime*
8 *Administration is an administration in the Department of*
9 *Transportation. The mission of the Maritime Administra-*
10 *tion is to foster, promote, and develop the merchant mari-*
11 *time industry of the United States.*

12 “(b) *MARITIME ADMINISTRATOR.—The head of the*
13 *Maritime Administration is the Maritime Administrator,*
14 *who is appointed by the President by and with the advice*
15 *and consent of the Senate. The Administrator shall report*
16 *directly to the Secretary of Transportation and carry out*
17 *the duties prescribed by the Secretary.*

18 “(c) *DEPUTY MARITIME ADMINISTRATOR.—The Mari-*
19 *time Administration shall have a Deputy Maritime Admin-*
20 *istrator, who is appointed in the competitive service by the*
21 *Secretary, after consultation with the Administrator. The*
22 *Deputy Administrator shall carry out the duties prescribed*
23 *by the Administrator. The Deputy Administrator shall be*
24 *Acting Administrator during the absence or disability of*
25 *the Administrator and, unless the Secretary designates an-*

1 *other individual, during a vacancy in the office of Adminis-*
2 *trator.*

3 “(d) *DUTIES AND POWERS VESTED IN SECRETARY.*—
4 *All duties and powers of the Maritime Administration are*
5 *vested in the Secretary.*

6 “(e) *REGIONAL OFFICES.*—*The Maritime Administra-*
7 *tion shall have regional offices for the Atlantic, Gulf, Great*
8 *Lakes, and Pacific port ranges, and may have other re-*
9 *gional offices as necessary. The Secretary shall appoint a*
10 *qualified individual as Director of each regional office. The*
11 *Secretary shall carry out appropriate activities and pro-*
12 *grams of the Maritime Administration through the regional*
13 *offices.*

14 “(f) *INTERAGENCY AND INDUSTRY RELATIONS.*—*The*
15 *Secretary shall establish and maintain liaison with other*
16 *agencies, and with representative trade organizations*
17 *throughout the United States, concerned with the transpor-*
18 *tation of commodities by water in the export and import*
19 *foreign commerce of the United States, for the purpose of*
20 *securing preference to vessels of the United States for the*
21 *transportation of those commodities.*

22 “(g) *DETAILING OFFICERS FROM ARMED FORCES.*—
23 *To assist the Secretary in carrying out duties and powers*
24 *relating to the Maritime Administration, not more than*
25 *five officers of the Armed Forces may be detailed to the Sec-*

1 *retary at any one time, in addition to details authorized*
2 *by any other law. During the period of a detail, the Sec-*
3 *retary shall pay the officer an amount that, when added*
4 *to the officer's pay and allowances as an officer in the*
5 *Armed Forces, makes the officer's total pay and allowances*
6 *equal to the amount that would be paid to an individual*
7 *performing work the Secretary considers to be of similar*
8 *importance, difficulty, and responsibility as that performed*
9 *by the officer during the detail.*

10 “(h) *CONTRACTS, COOPERATIVE AGREEMENTS, AND*
11 *AUDITS.—*

12 “(1) *CONTRACTS AND COOPERATIVE AGREE-*
13 *MENTS.—In the same manner that a private corpora-*
14 *tion may make a contract within the scope of its au-*
15 *thority under its charter, the Secretary may make*
16 *contracts and cooperative agreements for the United*
17 *States Government and disburse amounts to—*

18 “(A) *carry out the Secretary's duties and*
19 *powers under this section, subtitle V of title 46,*
20 *and all other Maritime Administration pro-*
21 *grams; and*

22 “(B) *protect, preserve, and improve collat-*
23 *eral held by the Secretary to secure indebtedness.*

24 “(2) *AUDITS.—The financial transactions of the*
25 *Secretary under paragraph (1) shall be audited by the*

1 *Comptroller General. The Comptroller General shall*
2 *allow credit for an expenditure shown to be necessary*
3 *because of the nature of the business activities author-*
4 *ized by this section or subtitle V of title 46. At least*
5 *once a year, the Comptroller General shall report to*
6 *Congress any departure by the Secretary from this*
7 *section or subtitle V of title 46.*

8 *“(i) GRANT ADMINISTRATIVE EXPENSES.—Except as*
9 *otherwise provided by law, the administrative and related*
10 *expenses for the administration of any grant programs by*
11 *the Maritime Administrator may not exceed 3 percent.*

12 *“(j) AUTHORIZATION OF APPROPRIATIONS.—*

13 *“(1) IN GENERAL.—Except as otherwise provided*
14 *in this subsection, there are authorized to be appro-*
15 *priated such amounts as may be necessary to carry*
16 *out the duties and powers of the Secretary relating to*
17 *the Maritime Administration.*

18 *“(2) LIMITATIONS.—Only those amounts specifi-*
19 *cally authorized by law may be appropriated for the*
20 *use of the Maritime Administration for—*

21 *“(A) acquisition, construction, or recon-*
22 *struction of vessels;*

23 *“(B) construction-differential subsidies inci-*
24 *dent to the construction, reconstruction, or recon-*
25 *ditioning of vessels;*

1 “(C) costs of national defense features;

2 “(D) payments of obligations incurred for
3 operating-differential subsidies;

4 “(E) expenses necessary for research and de-
5 velopment activities, including reimbursement of
6 the Vessel Operations Revolving Fund for losses
7 resulting from expenses of experimental vessel op-
8 erations;

9 “(F) the Vessel Operations Revolving Fund;

10 “(G) National Defense Reserve Fleet ex-
11 penses;

12 “(H) expenses necessary to carry out part B
13 of subtitle V of title 46; and

14 “(I) other operations and training expenses
15 related to the development of waterborne trans-
16 portation systems, the use of waterborne trans-
17 portation systems, and general administration.”.

18 ***DIVISION D—FUNDING TABLES***

19 ***SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-*** 20 ***BLES.***

21 (a) *IN GENERAL.*—Whenever a funding table in this
22 division specifies a dollar amount authorized for a project,
23 program, or activity, the obligation and expenditure of the
24 specified dollar amount for the project, program, or activity

1 *is hereby authorized, subject to the availability of appro-*
2 *priations.*

3 **(b) MERIT-BASED DECISIONS.**—*A decision to commit,*
4 *obligate, or expend funds with or to a specific entity on*
5 *the basis of a dollar amount authorized pursuant to sub-*
6 *section (a) shall—*

7 (1) *be based on merit-based selection procedures*
8 *in accordance with the requirements of sections*
9 *2304(k) and 2374 of title 10, United States Code, or*
10 *on competitive procedures; and*

11 (2) *comply with other applicable provisions of*
12 *law.*

13 **(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING**
14 **AUTHORITY.**—*An amount specified in the funding tables in*
15 *this division may be transferred or reprogrammed under*
16 *a transfer or reprogramming authority provided by another*
17 *provision of this Act or by other law. The transfer or re-*
18 *programming of an amount specified in such funding tables*
19 *shall not count against a ceiling on such transfers or*
20 *reprogrammings under section 1001 or section 1522 of this*
21 *Act or any other provision of law, unless such transfer or*
22 *reprogramming would move funds between appropriation*
23 *accounts.*

1 (d) *APPLICABILITY TO CLASSIFIED ANNEX.*—*This sec-*
2 *tion applies to any classified annex that accompanies this*
3 *Act.*

4 (e) *ORAL WRITTEN COMMUNICATIONS.*—*No oral or*
5 *written communication concerning any amount specified in*
6 *the funding tables in this division shall supersede the re-*
7 *quirements of this section.*

1 **TITLE XLI—PROCUREMENT**

2 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2021 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
2	MQ-1 UAV	0	165,000
	Reverse planned temporary procurement pause		[165,000]
3	FUTURE UAS FAMILY	1,100	1,100
4	RQ-11 (RAVEN)	20,851	20,851
ROTARY			
7	AH-64 APACHE BLOCK IIIA REMAN	792,027	792,027
8	AH-64 APACHE BLOCK IIIA REMAN AP	169,460	169,460
11	UH-60 BLACKHAWK M MODEL (MYP)	742,998	742,998
12	UH-60 BLACKHAWK M MODEL (MYP) AP	87,427	87,427
13	UH-60 BLACK HAWK L AND V MODELS	172,797	172,797
14	CH-47 HELICOPTER	160,750	160,750
15	CH-47 HELICOPTER AP	18,372	18,372
MODIFICATION OF AIRCRAFT			
18	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	7,509	7,509
19	GRAY EAGLE MODS2	16,280	16,280
20	MULTI SENSOR ABN RECON (MIP)	35,864	35,864
21	AH-64 MODS	118,316	118,316
22	CH-47 CARGO HELICOPTER MODS (MYP)	15,548	35,548
	IVCS		[20,000]
23	GRCS SEMA MODS (MIP)	2,947	2,947
24	ARL SEMA MODS (MIP)	9,598	9,598
25	EMARSS SEMA MODS (MIP)	2,452	2,452
26	UTILITY/CARGO AIRPLANE MODS	13,868	13,868
27	UTILITY HELICOPTER MODS	25,842	25,842
28	NETWORK AND MISSION PLAN	77,432	77,432
29	COMMS, NAV SURVEILLANCE	101,355	101,355
31	AVIATION ASSURED PNT	54,609	54,609
32	GATM ROLLUP	12,180	12,180
34	UAS MODS	4,204	4,204
GROUND SUPPORT AVIONICS			
35	AIRCRAFT SURVIVABILITY EQUIPMENT	49,455	49,455
36	SURVIVABILITY CM	8,035	8,035
37	CMWS	10,567	10,567
38	COMMON INFRARED COUNTERMEASURES (CIRCM)	237,467	237,467
OTHER SUPPORT			
39	AVIONICS SUPPORT EQUIPMENT	1,789	1,789
40	COMMON GROUND EQUIPMENT	17,584	17,584
41	AIRCREW INTEGRATED SYSTEMS	48,265	48,265
42	AIR TRAFFIC CONTROL	26,408	26,408
44	LAUNCHER, 2.75 ROCKET	2,256	2,256
45	LAUNCHER GUIDED MISSILE, LONGBOW HELLFIRE XM2	8,982	8,982
	TOTAL AIRCRAFT PROCUREMENT, ARMY	3,074,594	3,259,594
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
2	M-SHORAD—PROCUREMENT	378,654	378,654
3	MSE MISSILE	603,188	779,773
	Transfer missiles from EDI OCO		[176,585]
4	PRECISION STRIKE MISSILE (PRSM)	49,941	49,941
5	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	106,261	65,761
	Army-identified funding early to need		[-40,500]
AIR-TO-SURFACE MISSILE SYSTEM			
6	HELLFIRE SYS SUMMARY	91,225	91,225
7	JOINT AIR-TO-GROUND MSLS (JAGM)	213,397	213,397
8	LONG RANGE PRECISION MUNITION	45,307	45,307
ANTI-TANK/ASSAULT MISSILE SYS			
9	JAVELIN (AAWS-M) SYSTEM SUMMARY	190,325	190,325
10	TOW 2 SYSTEM SUMMARY	121,074	121,074
11	GUIDED MLRS ROCKET (GMLRS)	850,157	850,157
12	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	30,836	30,836
13	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	41,226	41,226
MODIFICATIONS			
16	PATRIOT MODS	278,050	278,050
17	ATACMS MODS	141,690	141,690
20	AVENGER MODS	13,942	13,942
21	ITAS/TOW MODS	5,666	5,666
22	MLRS MODS	310,419	310,419
23	HIMARS MODIFICATIONS	6,081	6,081
SPARES AND REPAIR PARTS			
24	SPARES AND REPAIR PARTS	5,090	5,090

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
SUPPORT EQUIPMENT & FACILITIES			
25	AIR DEFENSE TARGETS	8,978	8,978
	TOTAL MISSILE PROCUREMENT, ARMY	3,491,507	3,627,592
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	192,971	172,971
	Program decrease		[-20,000]
MODIFICATION OF TRACKED COMBAT VEHICLES			
4	STRYKER UPGRADE	847,212	847,212
5	BRADLEY PROGRAM (MOD)	493,109	473,109
	UBIS slip		[-20,000]
6	M109 FOV MODIFICATIONS	26,893	26,893
7	PALADIN INTEGRATED MANAGEMENT (PIM)	435,825	435,825
9	ASSAULT BRIDGE (MOD)	5,074	5,074
10	ASSAULT BREACHER VEHICLE	19,500	19,500
11	M88 FOV MODS	18,382	13,382
	Unjustified growth		[-5,000]
12	JOINT ASSAULT BRIDGE	72,178	61,678
	TOTE and testing delay		[-10,500]
13	M1 ABRAMS TANK (MOD)	392,013	392,013
14	ABRAMS UPGRADE PROGRAM	1,033,253	1,033,253
WEAPONS & OTHER COMBAT VEHICLES			
16	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	17,864	17,864
18	MORTAR SYSTEMS	10,288	10,288
19	AM320 GRENADE LAUNCHER MODULE (GLM)	5,969	5,969
20	PRECISION SNIPER RIFLE	10,137	10,137
21	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	999	999
22	CARBINE	7,411	7,411
23	NEXT GENERATION SQUAD WEAPON	35,822	35,822
24	COMMON REMOTELY OPERATED WEAPONS STATION	24,534	24,534
25	HANDGUN	4,662	4,662
MOD OF WEAPONS AND OTHER COMBAT VEH			
26	MK-19 GRENADE MACHINE GUN MODS	6,444	6,444
27	M777 MODS	10,983	10,983
28	M4 CARBINE MODS	4,824	4,824
31	M240 MEDIUM MACHINE GUN MODS	6,385	6,385
32	SNIPER RIFLES MODIFICATIONS	1,898	1,898
33	M119 MODIFICATIONS	2,009	2,009
34	MORTAR MODIFICATION	1,689	1,689
35	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	2,604	2,604
SUPPORT EQUIPMENT & FACILITIES			
36	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	2,763	2,763
37	PRODUCTION BASE SUPPORT (WOCV-WTCV)	3,045	3,045
	TOTAL PROCUREMENT OF W&TCV, ARMY	3,696,740	3,641,240
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
1	CTG, 5.56MM, ALL TYPES	68,472	68,472
2	CTG, 7.62MM, ALL TYPES	109,933	109,933
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	11,988	11,988
4	CTG, HANDGUN, ALL TYPES	853	853
5	CTG, .50 CAL, ALL TYPES	58,280	58,280
6	CTG, 20MM, ALL TYPES	31,708	31,708
7	CTG, 25MM, ALL TYPES	9,111	9,111
8	CTG, 30MM, ALL TYPES	58,172	58,172
9	CTG, 40MM, ALL TYPES	114,638	114,638
MORTAR AMMUNITION			
10	60MM MORTAR, ALL TYPES	31,222	31,222
11	81MM MORTAR, ALL TYPES	42,857	42,857
12	120MM MORTAR, ALL TYPES	107,762	107,762
TANK AMMUNITION			
13	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	233,444	233,444
ARTILLERY AMMUNITION			
14	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	35,963	35,963
15	ARTILLERY PROJECTILE, 155MM, ALL TYPES	293,692	293,692
16	PROJ 155MM EXTENDED RANGE M982	69,159	69,159
17	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	232,913	232,913
MINES			
18	MINES & CLEARING CHARGES, ALL TYPES	65,278	65,278
19	CLOSE TERRAIN SHAPING OBSTACLE	4,995	4,995
ROCKETS			
20	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	69,112	69,112
21	ROCKET, HYDRA 70, ALL TYPES	125,915	125,915
OTHER AMMUNITION			
22	CAD/PAD, ALL TYPES	8,891	8,891
23	DEMOLITION MUNITIONS, ALL TYPES	54,043	54,043
24	GRENADES, ALL TYPES	28,931	28,931

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
25	SIGNALS, ALL TYPES	27,036	27,036
26	SIMULATORS, ALL TYPES	10,253	10,253
	MISCELLANEOUS		
27	AMMO COMPONENTS, ALL TYPES	3,476	3,476
29	ITEMS LESS THAN \$5 MILLION (AMMO)	10,569	10,569
30	AMMUNITION PECULLAR EQUIPMENT	12,338	12,338
31	FIRST DESTINATION TRANSPORTATION (AMMO)	15,908	15,908
32	CLOSEOUT LIABILITIES	99	99
	PRODUCTION BASE SUPPORT		
33	INDUSTRIAL FACILITIES	592,224	592,224
34	CONVENTIONAL MUNITIONS DEMILITARIZATION	235,112	235,112
35	ARMS INITIATIVE	3,369	3,369
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,777,716	2,777,716
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
1	TACTICAL TRAILERS/DOLLY SETS	12,986	12,986
2	SEMITRAILERS, FLATBED:	31,443	31,443
3	SEMITRAILERS, TANKERS	17,082	17,082
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	44,795	44,795
5	GROUND MOBILITY VEHICLES (GMV)	37,932	37,932
8	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	894,414	894,414
9	TRUCK, DUMP, 30T (CCE)	29,368	29,368
10	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	95,092	95,092
11	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	999	999
12	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	27,687	27,687
14	PLS ESP	21,969	21,969
15	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	65,635	65,635
16	HMMWV RECAPITALIZATION PROGRAM	5,927	5,927
17	TACTICAL WHEELED VEHICLE PROTECTION KITS	36,497	36,497
18	MODIFICATION OF IN SVC EQUIP	114,977	114,977
	NON-TACTICAL VEHICLES		
20	PASSENGER CARRYING VEHICLES	1,246	1,246
21	NON-TACTICAL VEHICLES, OTHER	19,870	19,870
	COMM—JOINT COMMUNICATIONS		
22	SIGNAL MODERNIZATION PROGRAM	160,469	160,469
23	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	360,379	365,379
	MDTF scalable node equipment		[5,000]
24	SITUATION INFORMATION TRANSPORT	63,396	63,396
26	JCSE EQUIPMENT (USRDECOM)	5,170	5,170
	COMM—SATELLITE COMMUNICATIONS		
29	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,498	101,498
30	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	72,450	74,850
	AFRICOM force protection upgrades		[1,000]
	MDTF support requirements		[1,400]
31	SHF TERM	13,173	13,173
32	ASSURED POSITIONING, NAVIGATION AND TIMING	134,928	134,928
33	SMART-T (SPACE)	8,611	8,611
34	GLOBAL BRDCST SVC—GBS	8,191	8,191
	COMM—C3 SYSTEM		
36	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,871	94,871
	COMM—COMBAT COMMUNICATIONS		
37	HANDHELD MANPACK SMALL FORM FIT (HMS)	550,848	552,348
	AFRICOM force protection upgrades		[1,500]
38	RADIO TERMINAL SET, MIDS LVT(2)	8,237	8,237
41	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	13,967	0
	Program cancellation		[-13,967]
43	UNIFIED COMMAND SUITE	19,579	19,579
44	COTS COMMUNICATIONS EQUIPMENT	94,156	94,156
45	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	18,313	18,313
46	ARMY COMMUNICATIONS & ELECTRONICS	51,480	51,480
	COMM—INTELLIGENCE COMM		
48	CI AUTOMATION ARCHITECTURE (MIP)	13,146	13,146
49	DEFENSE MILITARY DECEPTION INITIATIVE	5,624	5,624
	INFORMATION SECURITY		
51	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	4,596	4,596
52	COMMUNICATIONS SECURITY (COMSEC)	159,272	159,272
53	DEFENSIVE CYBER OPERATIONS	54,753	55,653
	MDTF cyber defense and EW tools		[900]
54	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,760	1,760
56	ITEMS LESS THAN \$5M (INFO SECURITY)	260	260
	COMM—LONG HAUL COMMUNICATIONS		
57	BASE SUPPORT COMMUNICATIONS	29,761	30,761
	AFRICOM UFR force protection upgrades		[1,000]
	COMM—BASE COMMUNICATIONS		
58	INFORMATION SYSTEMS	147,696	147,696
59	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,900	4,900
60	HOME STATION MISSION COMMAND CENTERS (HSMCC)	15,227	15,227

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
61	JOINT INFORMATION ENVIRONMENT (JIE)	3,177	3,177
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	300,035	300,035
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
65	JTT/CIBS-M (MIP)	5,304	5,304
66	TERRESTRIAL LAYER SYSTEMS (TLS) (MIP)	8,081	8,081
68	DCGS-A (MIP)	151,886	151,886
70	TROJAN (MIP)	17,593	17,593
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	28,558	28,558
73	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	999	999
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
75	LIGHTWEIGHT COUNTER MORTAR RADAR	5,332	5,332
76	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	7,849	7,849
77	AIR VIGILANCE (AV) (MIP)	8,160	8,160
79	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	8,669	8,669
81	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	0	13,400
	MDTF advanced intel systems remote collection		[13,400]
82	CI MODERNIZATION (MIP)	300	300
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
83	SENTINEL MODS	58,884	58,884
84	NIGHT VISION DEVICES	1,127,375	1,127,375
86	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	13,954	13,954
88	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	10,069	14,069
	AFRICOM UFR force protection upgrades		[4,000]
89	FAMILY OF WEAPON SIGHTS (FWS)	133,590	133,590
91	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	243,850	243,850
92	JOINT EFFECTS TARGETING SYSTEM (JETS)	69,641	69,641
94	COMPUTER BALLISTICS: LHMCB XM32	7,509	7,509
95	MORTAR FIRE CONTROL SYSTEM	3,800	3,800
96	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,292	7,292
97	COUNTERFIRE RADARS	72,421	72,421
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
98	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....	49,947	49,947
99	FIRE SUPPORT C2 FAMILY	9,390	9,390
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	47,374	47,374
101	IAMD BATTLE COMMAND SYSTEM	201,587	201,587
102	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,495	4,495
103	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	18,651	18,651
105	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	2,792	2,792
106	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	9,071	9,071
107	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	12,117	12,117
108	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,004	3,004
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	14,574	14,574
110	AUTOMATED DATA PROCESSING EQUIP	140,619	140,619
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	4,448	4,448
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	68,405	68,405
113	CONTRACT WRITING SYSTEM	8,459	8,459
114	CSS COMMUNICATIONS	57,651	57,651
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	14,848	14,848
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
117	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	4,995	4,995
	ELECT EQUIP—SUPPORT		
119	BCT EMERGING TECHNOLOGIES	16,983	20,883
	MDTF advanced intel systems remote collection		[3,900]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	1,582	1,582
	CHEMICAL DEFENSIVE EQUIPMENT		
123	CBRN DEFENSE	28,456	42,456
	WMD CST equipment		[14,000]
124	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	13,995	13,995
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	10,545	10,545
126	TACTICAL BRIDGE, FLOAT-RIBBON	72,074	72,074
127	BRIDGE SUPPLEMENTAL SET	32,493	32,493
128	COMMON BRIDGE TRANSPORTER (CBT) RECAP	62,978	62,978
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
129	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,570	5,570
130	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	2,497	2,497
132	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	109,069	109,069
134	EOD ROBOTICS SYSTEMS RECAPITALIZATION	36,584	36,584
135	ROBOTICS AND APPLIQUE SYSTEMS	179,544	179,544
137	RENDER SAFE SETS KITS OUTFITS	64,583	64,583
139	FAMILY OF BOATS AND MOTORS	5,289	5,289
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECUS	8,200	8,200
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,625	4,625
143	GROUND SOLDIER SYSTEM	154,937	154,937
144	MOBILE SOLDIER POWER	34,297	34,297

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Line	Item	FY 2021 Request	Senate Authorized
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	53,021	53,021
148	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	23,324	23,324
149	ITEMS LESS THAN \$5M (ENG SPT)	8,014	8,014
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	78,448	78,448
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	59,485	59,485
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	40,337	40,337
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	5,386	5,386
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,406	5,406
155	SCRAPERS, EARTHMOVING	4,188	4,188
156	LOADERS	4,521	4,521
157	HYDRAULIC EXCAVATOR	5,186	5,186
158	TRACTOR, FULL TRACKED	4,715	4,715
159	ALL TERRAIN CRANES	70,560	70,560
162	CONST EQUIP ESP	8,925	8,925
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
164	ARMY WATERCRAFT ESP	40,910	40,910
165	MANEUVER SUPPORT VESSEL (MSV)	76,576	76,576
166	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	1,844	1,844
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	53,433	53,433
168	TACTICAL ELECTRIC POWER RECAPITALIZATION	22,216	22,216
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	16,145	16,145
	TRAINING EQUIPMENT		
170	COMBAT TRAINING CENTERS SUPPORT	90,580	90,580
171	TRAINING DEVICES, NONSYSTEM	161,814	161,814
172	SYNTHETIC TRAINING ENVIRONMENT (STE)	13,063	13,063
175	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	1,950	1,950
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
176	CALIBRATION SETS EQUIPMENT	2,511	2,511
177	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	78,578	78,578
178	TEST EQUIPMENT MODERNIZATION (TEMOD)	14,941	14,941
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,629	8,629
181	PHYSICAL SECURITY SYSTEMS (OPA3)	75,499	87,499
	AFRICOM UFR force protection upgrades		[12,000]
182	BASE LEVEL COMMON EQUIPMENT	27,444	27,444
183	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	32,485	48,385
	Expeditionary Solid Waste Disposal System		[15,900]
187	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	39,436	39,436
	OPA2		
189	INITIAL SPARES—C&E	9,950	9,950
	TOTAL OTHER PROCUREMENT, ARMY	8,625,206	8,685,239
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	F/A-18E/F (FIGHTER) HORNET	1,761,146	1,761,146
3	JOINT STRIKE FIGHTER CV	2,181,780	2,381,780
	Additional aircraft		[200,000]
4	JOINT STRIKE FIGHTER CV AP	330,386	330,386
5	JSF STOVL	1,109,393	1,234,893
	Additional 2 F-35B aircraft		[125,500]
6	JSF STOVL AP	303,035	303,035
7	CH-53K (HEAVY LIFT)	813,324	793,324
	Force Design 2030 realignment NRE excess		[-20,000]
8	CH-53K (HEAVY LIFT) AP	201,188	191,188
	Force Design 2030 realignment		[-10,000]
9	V-22 (MEDIUM LIFT)	934,793	934,793
10	V-22 (MEDIUM LIFT) AP	39,547	39,547
11	H-1 UPGRADES (UH-1Y/AH-1Z)	7,267	7,267
13	P-8A POSEIDON	80,134	80,134
15	E-2D ADV HAWKEYE	626,109	626,109
16	E-2D ADV HAWKEYE AP	123,166	123,166
	TRAINER AIRCRAFT		
17	ADVANCED HELICOPTER TRAINING SYSTEM	269,867	269,867
	OTHER AIRCRAFT		
18	KC-130J	380,984	380,984
19	KC-130J AP	67,022	67,022
21	MQ-4 TRITON	150,570	100,570
	Excess funding given procurement pause until FY23		[-50,000]
23	MQ-8 UAV	40,375	40,375
24	STUASLO UAV	30,930	30,930
26	VH-92A EXECUTIVE HELO	610,231	610,231
	MODIFICATION OF AIRCRAFT		

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Line	Item	FY 2021 Request	Senate Authorized
28	F-18 A-D UNIQUE	208,261	208,261
29	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	468,954	468,954
30	AEA SYSTEMS	21,061	21,061
31	AV-8 SERIES	34,082	34,082
32	INFRARED SEARCH AND TRACK (IRST)	158,055	158,055
33	ADVERSARY	42,946	42,946
34	F-18 SERIES	379,351	379,351
35	H-53 SERIES	74,771	74,771
36	MH-60 SERIES	131,584	131,584
37	H-1 SERIES	185,140	185,140
38	EP-3 SERIES	26,602	26,602
40	E-2 SERIES	175,540	175,540
41	TRAINER A/C SERIES	7,085	7,085
42	C-2A	9,525	9,525
43	C-130 SERIES	141,705	141,705
44	FEWSG	684	684
45	CARGO/TRANSPORT A/C SERIES	8,911	8,911
46	E-6 SERIES	197,206	197,206
47	EXECUTIVE HELICOPTERS SERIES	29,086	29,086
49	T-45 SERIES	155,745	155,745
50	POWER PLANT CHANGES	24,633	24,633
51	JPATS SERIES	22,682	22,682
52	AVIATION LIFE SUPPORT MODS	40,401	45,401
	Aviation body armor vest		[5,000]
53	COMMON ECM EQUIPMENT	138,480	138,480
54	COMMON AVIONICS CHANGES	143,322	143,322
55	COMMON DEFENSIVE WEAPON SYSTEM	2,142	2,142
56	ID SYSTEMS	35,999	35,999
57	P-8 SERIES	180,530	180,530
58	MAGTF EW FOR AVIATION	27,794	27,794
59	MQ-8 SERIES	28,774	28,774
60	V-22 (TILT/ROTOR ACFT) OSPREY	334,405	334,405
61	NEXT GENERATION JAMMER (NGJ)	176,638	176,638
62	F-35 STOVL SERIES	153,588	153,588
63	F-35 CV SERIES	105,452	105,452
64	QRC	126,618	126,618
65	MQ-4 SERIES	12,998	12,998
66	RQ-21 SERIES	18,550	18,550
	AIRCRAFT SPARES AND REPAIR PARTS		
70	SPARES AND REPAIR PARTS	2,198,460	2,228,460
	Additional F-35B/C spares		[30,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
71	COMMON GROUND EQUIPMENT	543,559	543,559
72	AIRCRAFT INDUSTRIAL FACILITIES	75,685	75,685
73	WAR CONSUMABLES	40,633	40,633
74	OTHER PRODUCTION CHARGES	21,194	21,194
75	SPECIAL SUPPORT EQUIPMENT	155,179	155,179
76	FIRST DESTINATION TRANSPORTATION	2,121	2,121
	TOTAL AIRCRAFT PROCUREMENT, NAVY	17,127,378	17,407,878
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,173,837	1,173,837
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	7,275	7,275
	STRATEGIC MISSILES		
3	TOMAHAWK	277,694	303,694
	Program increase for USMC Tomahawk		[26,000]
	TACTICAL MISSILES		
4	AMRAAM	326,952	326,952
5	SIDEWINDER	126,485	126,485
7	STANDARD MISSILE	456,206	456,206
8	STANDARD MISSILE AP	66,716	66,716
9	SMALL DIAMETER BOMB II	78,867	78,867
10	RAM	90,533	90,533
11	JOINT AIR GROUND MISSILE (JAGM)	49,386	49,386
14	AERIAL TARGETS	174,336	174,336
15	DRONES AND DECOYS	41,256	41,256
16	OTHER MISSILE SUPPORT	3,501	3,501
17	LRASM	168,845	203,845
	Additional Navy LRASM missiles		[35,000]
18	LCS OTH MISSILE	32,910	32,910
	MODIFICATION OF MISSILES		
19	TOMAHAWK MODS	164,915	164,915
20	ENSM	215,375	215,375
22	HARM MODS	147,572	147,572
23	STANDARD MISSILES MODS	83,654	83,654
	SUPPORT EQUIPMENT & FACILITIES		

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24	WEAPONS INDUSTRIAL FACILITIES	1,996	1,996
25	FLEET SATELLITE COMM FOLLOW-ON	53,401	53,401
	ORDNANCE SUPPORT EQUIPMENT		
27	ORDNANCE SUPPORT EQUIPMENT	215,659	215,659
	TORPEDOES AND RELATED EQUIP		
28	SSTD	5,811	3,611
	Insufficient justification for ADC non-recurring costs		[-2,200]
29	MK-48 TORPEDO	284,901	284,901
30	ASW TARGETS	13,833	13,833
	MOD OF TORPEDOES AND RELATED EQUIP		
31	MK-54 TORPEDO MODS	110,286	100,286
	Mk 54 Mod 0 production delays		[-10,000]
32	MK-48 TORPEDO ADCAP MODS	57,214	57,214
33	MARITIME MINES	5,832	5,832
	SUPPORT EQUIPMENT		
34	TORPEDO SUPPORT EQUIPMENT	97,581	97,581
35	ASW RANGE SUPPORT	4,159	4,159
	DESTINATION TRANSPORTATION		
36	FIRST DESTINATION TRANSPORTATION	4,106	4,106
	GUNS AND GUN MOUNTS		
37	SMALL ARMS AND WEAPONS	16,030	16,030
	MODIFICATION OF GUNS AND GUN MOUNTS		
38	CTWS MODS	37,147	37,147
39	COAST GUARD WEAPONS	45,804	45,804
40	GUN MOUNT MODS	74,427	74,427
41	LCS MODULE WEAPONS	4,253	4,253
42	AIRBORNE MINE NEUTRALIZATION SYSTEMS	6,662	6,662
	SPARES AND REPAIR PARTS		
45	SPARES AND REPAIR PARTS	159,578	159,578
	TOTAL WEAPONS PROCUREMENT, NAVY	4,884,995	4,933,795
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	41,496	41,496
2	JDAM	64,631	64,631
3	AIRBORNE ROCKETS, ALL TYPES	60,719	60,719
4	MACHINE GUN AMMUNITION	11,158	11,158
5	PRACTICE BOMBS	51,409	51,409
6	CARTRIDGES & CART ACTUATED DEVICES	64,694	64,694
7	AIR EXPENDABLE COUNTERMEASURES	51,523	51,523
8	JATOS	6,761	6,761
9	5 INCH/54 GUN AMMUNITION	31,517	31,517
10	INTERMEDIATE CALIBER GUN AMMUNITION	38,005	38,005
11	OTHER SHIP GUN AMMUNITION	40,626	40,626
12	SMALL ARMS & LANDING PARTY AMMO	48,202	48,202
13	PYROTECHNIC AND DEMOLITION	9,766	9,766
15	AMMUNITION LESS THAN \$5 MILLION	2,115	2,115
	MARINE CORPS AMMUNITION		
16	MORTARS	46,781	46,781
17	DIRECT SUPPORT MUNITIONS	119,504	119,504
18	INFANTRY WEAPONS AMMUNITION	83,220	83,220
19	COMBAT SUPPORT MUNITIONS	32,650	32,650
20	AMMO MODERNIZATION	15,144	15,144
21	ARTILLERY MUNITIONS	59,539	59,539
22	ITEMS LESS THAN \$5 MILLION	4,142	4,142
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	883,602	883,602
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	2,891,475	2,891,475
2	OHIO REPLACEMENT SUBMARINE AP	1,123,175	1,298,175
	Submarine supplier stability		[175,000]
	OTHER WARSHIPS		
3	CARRIER REPLACEMENT PROGRAM	997,544	997,544
4	CVN-81	1,645,606	1,645,606
5	VIRGINIA CLASS SUBMARINE	2,334,693	2,260,293
	Unjustified cost growth		[-74,400]
6	VIRGINIA CLASS SUBMARINE AP	1,901,187	3,373,187
	Long lead material for option ship		[472,000]
7	CVN REFUELING OVERHAULS	1,878,453	1,878,453
8	CVN REFUELING OVERHAULS AP	17,384	17,384
9	DDG 1000	78,205	78,205
10	DDG-51	3,040,270	3,010,270
	Available prior-year funds		[-30,000]
11	DDG-51 AP	29,297	464,297
	LLTM for FY22 DDG-51s		[260,000]
	Surface ship supplier stability		[175,000]
13	FFG-FRIGATE	1,053,123	1,053,123

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AMPHIBIOUS SHIPS			
14	LPD FLIGHT II	1,155,801	905,801
	Transfer to Line 15		[-250,000]
15	LPD FLIGHT II AP	0	500,000
	LPD-32 and LPD-33 program increase		[250,000]
	Transfer from Line 14 for LPD-32 and LPD-33		[250,000]
17	LHA REPLACEMENT	0	250,000
	LHA-9 program increase		[250,000]
AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST			
22	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	168,209	168,209
23	LCU 1700	87,395	70,395
	Insufficient justification		[-17,000]
24	OUTFITTING	825,586	747,286
	Unjustified cost growth		[-78,300]
26	SERVICE CRAFT	249,781	275,281
	Accelerate YP-703 Flight II		[25,500]
27	LCAC SLEP	56,461	0
	Insufficient justification		[-56,461]
28	COMPLETION OF PY SHIPBUILDING PROGRAMS	369,112	369,112
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	19,902,757	21,254,096
OTHER PROCUREMENT, NAVY			
SHIP PROPULSION EQUIPMENT			
1	SURFACE POWER EQUIPMENT	11,738	11,738
GENERATORS			
2	SURFACE COMBATANT HM&E	58,497	38,497
	Hardware and software upgrades for 5 previously procured HED ship sets		[15,000]
	HED installation early to need		[-35,000]
3	NAVIGATION EQUIPMENT	74,084	74,084
OTHER SHIPBOARD EQUIPMENT			
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	204,806	204,806
5	DDG MOD	547,569	497,569
	Installation excess unit cost growth		[-50,000]
6	FIREFIGHTING EQUIPMENT	18,394	18,394
7	COMMAND AND CONTROL SWITCHBOARD	2,374	2,374
8	LHA/LHD MIDLIFE	78,265	78,265
9	POLLUTION CONTROL EQUIPMENT	23,035	23,035
10	SUBMARINE SUPPORT EQUIPMENT	64,632	64,632
11	VIRGINIA CLASS SUPPORT EQUIPMENT	22,868	22,868
12	LCS CLASS SUPPORT EQUIPMENT	3,976	3,976
13	SUBMARINE BATTERIES	31,322	31,322
14	LPD CLASS SUPPORT EQUIPMENT	50,475	50,475
15	DDG 1000 CLASS SUPPORT EQUIPMENT	42,279	42,279
16	STRATEGIC PLATFORM SUPPORT EQUIP	15,429	15,429
17	DSSP EQUIPMENT	2,918	2,918
18	CG MODERNIZATION	87,978	87,978
19	LCAC	9,366	9,366
20	UNDERWATER EOD EQUIPMENT	16,842	16,842
21	ITEMS LESS THAN \$5 MILLION	105,715	105,715
22	CHEMICAL WARFARE DETECTORS	3,044	3,044
23	SUBMARINE LIFE SUPPORT SYSTEM	5,885	5,885
REACTOR PLANT EQUIPMENT			
24	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,260,721	1,260,721
25	REACTOR POWER UNITS	5,305	5,305
26	REACTOR COMPONENTS	415,404	415,404
OCEAN ENGINEERING			
27	DIVING AND SALVAGE EQUIPMENT	11,143	11,143
SMALL BOATS			
28	STANDARD BOATS	52,371	52,371
PRODUCTION FACILITIES EQUIPMENT			
29	OPERATING FORCES IPE	233,667	233,667
OTHER SHIP SUPPORT			
30	LCS COMMON MISSION MODULES EQUIPMENT	39,714	17,414
	MCM containers and MPCE sonar processing insufficient justification		[-22,300]
31	LCS MCM MISSION MODULES	218,822	95,322
	Excess procurement ahead of satisfactory testing		[-123,500]
32	LCS ASW MISSION MODULES	61,759	4,759
	Excess procurement ahead of satisfactory testing		[-57,000]
33	LCS SUW MISSION MODULES	24,412	24,412
34	LCS IN-SERVICE MODERNIZATION	121,848	121,848
35	SMALL & MEDIUM UUV	67,709	37,609
	SMCM UUV excess procurement ahead of satisfactory testing		[-30,100]
SHIP SONARS			
37	SPQ-9B RADAR	27,517	27,517
38	AN/SQQ-89 SURF ASW COMBAT SYSTEM	128,664	128,664
39	SSN ACOUSTIC EQUIPMENT	374,737	374,737
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,286	9,286

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ASW ELECTRONIC EQUIPMENT			
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	26,066	26,066
42	SSTD	13,241	13,241
43	FIXED SURVEILLANCE SYSTEM	193,446	193,446
44	SURTAASS	63,838	63,838
ELECTRONIC WARFARE EQUIPMENT			
45	AN/SLQ-32	387,195	330,795
	<i>Early to need</i>		[-56,400]
RECONNAISSANCE EQUIPMENT			
46	SHIPBOARD IW EXPLOIT	235,744	235,744
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,862	3,862
OTHER SHIP ELECTRONIC EQUIPMENT			
48	COOPERATIVE ENGAGEMENT CAPABILITY	26,006	18,706
	<i>Common Array Block antenna program delays</i>		[-7,300]
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,385	15,385
50	ATDLS	103,835	103,835
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,594	3,594
52	MINESWEEPING SYSTEM REPLACEMENT	15,744	15,744
53	SHALLOW WATER MCM	5,493	5,493
54	NAVSTAR GPS RECEIVERS (SPACE)	38,043	38,043
55	AMERICAN FORCES RADIO AND TV SERVICE	2,592	2,592
56	STRATEGIC PLATFORM SUPPORT EQUIP.	7,985	7,985
AVIATION ELECTRONIC EQUIPMENT			
57	ASHORE ATC EQUIPMENT	83,475	83,475
58	AFLOAT ATC EQUIPMENT	65,113	65,113
59	ID SYSTEMS	23,815	23,815
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....)	100,751	100,751
61	NAVAL MISSION PLANNING SYSTEMS	13,947	13,947
OTHER SHORE ELECTRONIC EQUIPMENT			
62	MARITIME INTEGRATED BROADCAST SYSTEM	1,375	1,375
63	TACTICAL/MOBILE C/I SYSTEMS	22,771	22,771
64	DCGS-N	18,872	18,872
65	CANES	389,585	389,585
66	RADIAC	10,335	10,335
67	CANES-INTELL	48,654	48,654
68	GPETE	8,133	8,133
69	MASF	4,150	4,150
70	INTEG COMBAT SYSTEM TEST FACILITY	5,934	5,934
71	EMI CONTROL INSTRUMENTATION	4,334	4,334
72	ITEMS LESS THAN \$5 MILLION	159,815	105,015
	<i>NGSSR available prior year funds</i>		[-54,800]
SHIPBOARD COMMUNICATIONS			
73	SHIPBOARD TACTICAL COMMUNICATIONS	56,106	56,106
74	SHIP COMMUNICATIONS AUTOMATION	124,288	124,288
75	COMMUNICATIONS ITEMS UNDER \$5M	45,120	45,120
SUBMARINE COMMUNICATIONS			
76	SUBMARINE BROADCAST SUPPORT	31,133	31,133
77	SUBMARINE COMMUNICATION EQUIPMENT	62,214	62,214
SATELLITE COMMUNICATIONS			
78	SATELLITE COMMUNICATIONS SYSTEMS	47,421	47,421
79	NAVY MULTIBAND TERMINAL (NMT)	64,552	64,552
SHORE COMMUNICATIONS			
80	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,398	4,398
CRYPTOGRAPHIC EQUIPMENT			
81	INFO SYSTEMS SECURITY PROGRAM (ISSP)	157,551	157,551
82	MIO INTEL EXPLOITATION TEAM	985	985
CRYPTOLOGIC EQUIPMENT			
83	CRYPTOLOGIC COMMUNICATIONS EQUIP	15,906	15,906
OTHER ELECTRONIC SUPPORT			
90	COAST GUARD EQUIPMENT	70,689	70,689
SONOBUOYS			
92	SONOBUOYS—ALL TYPES	237,639	286,739
	<i>Program increase for sonobuoys</i>		[49,100]
AIRCRAFT SUPPORT EQUIPMENT			
93	MINOTAUR	5,077	5,077
94	WEAPONS RANGE SUPPORT EQUIPMENT	83,969	83,969
95	AIRCRAFT SUPPORT EQUIPMENT	187,758	187,758
96	ADVANCED ARRESTING GEAR (AAG)	16,059	16,059
97	METEOROLOGICAL EQUIPMENT	15,192	15,192
99	LEGACY AIRBORNE MCM	6,674	6,674
100	LAMPS EQUIPMENT	1,189	1,189
101	AVIATION SUPPORT EQUIPMENT	58,873	58,873
102	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	60,937	60,937
SHIP GUN SYSTEM EQUIPMENT			
103	SHIP GUN SYSTEMS EQUIPMENT	5,540	5,540
SHIP MISSILE SYSTEMS EQUIPMENT			
104	HARPOON SUPPORT EQUIPMENT	208	208
105	SHIP MISSILE SUPPORT EQUIPMENT	262,077	262,077

SEC. 4101. PROCUREMENT
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Line	Item	FY 2021 Request	Senate Authorized
106	TOMAHAWK SUPPORT EQUIPMENT	84,087	84,087
	FBM SUPPORT EQUIPMENT		
107	STRATEGIC MISSILE SYSTEMS EQUIP	258,910	258,910
	ASW SUPPORT EQUIPMENT		
108	SSN COMBAT CONTROL SYSTEMS	173,770	173,770
109	ASW SUPPORT EQUIPMENT	26,584	26,584
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	7,470	7,470
111	ITEMS LESS THAN \$5 MILLION	6,356	6,356
	OTHER EXPENDABLE ORDNANCE		
112	ANTI-SHIP MISSILE DECOY SYSTEM	86,356	86,356
113	SUBMARINE TRAINING DEVICE MODS	69,240	69,240
114	SURFACE TRAINING EQUIPMENT	192,245	192,245
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	6,123	6,123
116	GENERAL PURPOSE TRUCKS	2,693	2,693
117	CONSTRUCTION & MAINTENANCE EQUIP	47,301	47,301
118	FIRE FIGHTING EQUIPMENT	10,352	10,352
119	TACTICAL VEHICLES	31,475	31,475
121	POLLUTION CONTROL EQUIPMENT	2,630	2,630
122	ITEMS LESS THAN \$5 MILLION	47,972	47,972
123	PHYSICAL SECURITY VEHICLES	1,171	1,171
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	19,693	19,693
125	FIRST DESTINATION TRANSPORTATION	4,956	4,956
126	SPECIAL PURPOSE SUPPLY SYSTEMS	668,639	668,639
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	4,026	4,026
128	TRAINING AND EDUCATION EQUIPMENT	73,454	73,454
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	32,390	32,390
130	MEDICAL SUPPORT EQUIPMENT	974	974
132	NAVAL MIP SUPPORT EQUIPMENT	5,606	5,606
133	OPERATING FORCES SUPPORT EQUIPMENT	16,024	16,024
134	CASR EQUIPMENT	6,697	6,697
135	ENVIRONMENTAL SUPPORT EQUIPMENT	27,503	27,503
136	PHYSICAL SECURITY EQUIPMENT	138,281	138,281
137	ENTERPRISE INFORMATION TECHNOLOGY	42,680	42,680
	OTHER		
140	NEXT GENERATION ENTERPRISE SERVICE	184,443	184,443
141	CYBERSPACE ACTIVITIES	16,523	16,523
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	18,446	18,446
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	374,195	374,195
	TOTAL OTHER PROCUREMENT, NAVY	10,948,518	10,576,218
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	87,476	87,476
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	478,874	478,874
3	LAV PIP	41,988	41,988
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	59	59
5	ARTILLERY WEAPONS SYSTEM	174,687	234,287
	Ground-Based Anti-Ship Missile NSM		[59,600]
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	24,867	24,867
	OTHER SUPPORT		
7	MODIFICATION KITS	3,067	3,067
	GUIDED MISSILES		
8	GROUND BASED AIR DEFENSE	18,920	18,920
9	ANTI-ARMOR MISSILE-JAVELIN	19,888	19,888
10	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,891	21,891
11	ANTI-ARMOR MISSILE-TOW	34,985	34,985
12	GUIDED MLRS ROCKET (GMLRS)	133,689	133,689
	COMMAND AND CONTROL SYSTEMS		
13	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,057	35,057
	REPAIR AND TEST EQUIPMENT		
14	REPAIR AND TEST EQUIPMENT	24,405	24,405
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	1,006	1,006
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
16	ITEMS UNDER \$5 MILLION (COMM & ELEC)	69,725	69,725
17	AIR OPERATIONS C2 SYSTEMS	15,611	15,611
	RADAR + EQUIPMENT (NON-TEL)		
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	284,283	284,283
	INTELL/COMM EQUIPMENT (NON-TEL)		
20	GCSS-MC	1,587	1,587

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<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
21	FIRE SUPPORT SYSTEM	24,934	24,934
22	INTELLIGENCE SUPPORT EQUIPMENT	50,728	50,728
24	UNMANNED AIR SYSTEMS (INTEL)	24,853	24,853
25	DCGS-MC	38,260	38,260
26	UAS PAYLOADS	5,489	5,489
	OTHER SUPPORT (NON-TEL)		
29	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	78,922	78,922
30	COMMON COMPUTER RESOURCES	35,349	35,349
31	COMMAND POST SYSTEMS	33,713	33,713
32	RADIO SYSTEMS	343,250	343,250
33	COMM SWITCHING & CONTROL SYSTEMS	40,627	40,627
34	COMM & ELEC INFRASTRUCTURE SUPPORT	43,782	43,782
35	CYBERSPACE ACTIVITIES	53,896	53,896
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	3,797	3,797
	ADMINISTRATIVE VEHICLES		
37	COMMERCIAL CARGO VEHICLES	22,460	22,460
	TACTICAL VEHICLES		
38	MOTOR TRANSPORT MODIFICATIONS	10,739	10,739
39	JOINT LIGHT TACTICAL VEHICLE	381,675	381,675
40	FAMILY OF TACTICAL TRAILERS	2,963	2,963
	ENGINEER AND OTHER EQUIPMENT		
42	ENVIRONMENTAL CONTROL EQUIP ASSORT	385	385
43	TACTICAL FUEL SYSTEMS	501	501
44	POWER EQUIPMENT ASSORTED	23,430	23,430
45	AMPHIBIOUS SUPPORT EQUIPMENT	5,752	5,752
46	EOD SYSTEMS	20,939	20,939
	MATERIALS HANDLING EQUIPMENT		
47	PHYSICAL SECURITY EQUIPMENT	23,063	23,063
	GENERAL PROPERTY		
48	FIELD MEDICAL EQUIPMENT	4,187	4,187
49	TRAINING DEVICES	101,765	101,765
50	FAMILY OF CONSTRUCTION EQUIPMENT	19,305	19,305
51	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	678	678
	OTHER SUPPORT		
52	ITEMS LESS THAN \$5 MILLION	9,174	9,174
	SPARES AND REPAIR PARTS		
53	SPARES AND REPAIR PARTS	27,295	27,295
	TOTAL PROCUREMENT, MARINE CORPS	2,903,976	2,963,576
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
1	F-35	4,567,018	5,543,685
	Additional 12 F-35As		[976,667]
2	F-35	610,800	610,800
4	F-15EX	1,269,847	1,269,847
5	F-15EX	133,500	133,500
	TACTICAL AIRLIFT		
7	KC-46A MDAP	2,850,151	2,850,151
	OTHER AIRLIFT		
8	C-130J	37,131	37,131
10	MC-130J	362,807	362,807
11	MC-130J	39,987	39,987
	HELICOPTERS		
12	UH-1N REPLACEMENT	194,016	194,016
13	COMBAT RESCUE HELICOPTER	973,473	973,473
	MISSION SUPPORT AIRCRAFT		
15	CIVIL AIR PATROL A/C	2,811	2,811
	OTHER AIRCRAFT		
16	TARGET DRONES	133,273	133,273
18	COMPASS CALL	161,117	161,117
20	MQ-9	29,409	79,409
	Program increase		[50,000]
	STRATEGIC AIRCRAFT		
22	B-1	3,853	0
	USAF-requested transfer to RDAF Line 174		[-3,853]
23	B-2A	31,476	31,476
24	B-1B	21,808	21,315
	USAF-requested transfer to RDAF Line 174		[-493]
25	B-52	53,949	53,949
26	LARGE AIRCRAFT INFRARED COUNTERMEASURES	9,999	9,999
	TACTICAL AIRCRAFT		
27	A-10	135,793	135,793
28	E-11 BACN/HAG	33,645	33,645
29	F-15	349,304	349,304
30	F-16	615,760	640,760
	Additional radars		[25,000]
32	F-22A	387,905	387,905

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Line	Item	FY 2021 Request	Senate Authorized
33	F-35 MODIFICATIONS	322,185	322,185
34	F-15 EPAW	31,995	31,995
35	INCREMENT 3.2B	5,889	5,889
36	KC-46A MDAP	24,085	24,085
	AIRLIFT AIRCRAFT		
37	C-5	62,108	62,108
38	C-17A	66,798	66,798
40	C-32A	2,947	2,947
41	C-37A	12,985	12,985
	TRAINER AIRCRAFT		
42	GLIDER MODS	977	977
43	T-6	26,829	26,829
44	T-1	4,465	4,465
45	T-38	36,806	44,506
	T-38 ejection seats		[7,700]
	OTHER AIRCRAFT		
46	U-2 MODS	110,618	110,618
47	KC-10A (ATCA)	117	117
49	VC-25A MOD	1,983	1,983
50	C-40	9,252	9,252
51	C-130	5,871	5,871
52	C-130J MODS	140,032	140,032
53	C-135	88,250	88,250
55	COMPASS CALL	193,389	193,389
57	RC-135	191,332	191,332
58	E-3	172,141	172,141
59	E-4	58,803	44,103
	Funds rephased to future fiscal years		[-14,700]
60	E-8	11,037	21,037
	Secure information transmission capability		[10,000]
61	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	53,343	53,343
62	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	1,573	1,573
63	H-1	4,410	4,410
64	H-60	44,538	44,538
65	RQ-4 MODS	40,468	40,468
66	HC/MC-130 MODIFICATIONS	20,780	20,780
67	OTHER AIRCRAFT	100,774	100,774
68	MQ-9 MODS	188,387	188,387
70	CV-22 MODS	122,306	127,306
	CV-22 ABSS		[5,000]
	AIRCRAFT SPARES AND REPAIR PARTS		
71	INITIAL SPARES/REPAIR PARTS	926,683	956,683
	F-35A initial spares increase		[30,000]
	COMMON SUPPORT EQUIPMENT		
73	AIRCRAFT REPLACEMENT SUPPORT EQUIP	132,719	132,719
	POST PRODUCTION SUPPORT		
74	B-2A	1,683	1,683
75	B-2B	46,734	46,734
76	B-52	1,034	1,034
79	E-11 BACN/HAG	63,419	63,419
80	F-15	2,632	2,632
81	F-16	14,163	14,163
83	OTHER AIRCRAFT	4,595	4,595
84	RQ-4 POST PRODUCTION CHARGES	32,585	32,585
	INDUSTRIAL PREPAREDNESS		
85	INDUSTRIAL RESPONSIVENESS	18,215	18,215
	WAR CONSUMABLES		
86	WAR CONSUMABLES	36,046	36,046
	OTHER PRODUCTION CHARGES		
87	OTHER PRODUCTION CHARGES	1,439,640	1,514,640
	Classified increase		[75,000]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	21,692	21,692
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	17,908,145	19,068,466
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	75,012	75,012
	TACTICAL		
2	REPLAC EQUIP & WAR CONSUMABLES	4,495	4,495
4	JOINT AIR-SURFACE STANDOFF MISSILE	475,949	400,949
	Realignement to support NDS requirements in Pacific		[-75,000]
5	LRASM0	19,800	94,800
	Additional Air Force LRASM missiles		[75,000]
6	SIDEWINDER (AIM-9X)	164,769	164,769
7	AMRAAM	453,223	453,223
8	PREDATOR HELLFIRE MISSILE	40,129	40,129
9	SMALL DIAMETER BOMB	45,475	45,475

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Line	Item	FY 2021 Request	Senate Authorized
10	SMALL DIAMETER BOMB II	273,272	273,272
	INDUSTRIAL FACILITIES		
11	INDUSTRIAL PREPAREDNESS/POL PREVENTION	814	814
	CLASS IV		
13	ICBM FUZE MOD	3,458	3,458
14	ICBM FUZE MOD AP	43,450	43,450
15	MM III MODIFICATIONS	85,310	85,310
16	AGM-65D MAVERICK	298	298
17	AIR LAUNCH CRUISE MISSILE (ALCM)	52,924	52,924
	MISSILE SPARES AND REPAIR PARTS		
18	MSL SPRS/REPAIR PARTS (INITIAL)	9,402	9,402
19	MSL SPRS/REPAIR PARTS (REPLEN)	84,671	84,671
	SPECIAL PROGRAMS		
25	SPECIAL UPDATE PROGRAMS	23,501	23,501
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	540,465	540,465
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,396,417	2,396,417
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
1	ADVANCED EHF	14,823	14,823
2	AF SATELLITE COMM SYSTEM	48,326	48,326
3	COUNTERSPACE SYSTEMS	65,540	65,540
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	66,190	66,190
5	GENERAL INFORMATION TECH—SPACE	3,299	3,299
6	GPSIII FOLLOW ON	627,796	627,796
7	GPS III SPACE SEGMENT	20,122	20,122
8	GLOBAL POSITIONING (SPACE)	2,256	2,256
9	SPACEBORNE EQUIP (COMSEC)	35,495	35,495
10	MILSATCOM	15,795	15,795
11	SBIR HIGH (SPACE)	160,891	160,891
12	SPECIAL SPACE ACTIVITIES	78,387	78,387
13	NATIONAL SECURITY SPACE LAUNCH	1,043,171	1,043,171
14	NUDET DETECTION SYSTEM	6,638	6,638
15	ROCKET SYSTEMS LAUNCH PROGRAM	47,741	47,741
16	SPACE FENCE	11,279	11,279
17	SPACE MODS	96,551	109,051
	<i>Cobra Dane service life extension</i>		[12,500]
18	SPACELIFT RANGE SYSTEM SPACE	100,492	100,492
	SPARES		
19	SPARES AND REPAIR PARTS	1,272	1,272
	TOTAL PROCUREMENT, SPACE FORCE	2,446,064	2,458,564
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	14,962	14,962
	CARTRIDGES		
2	CARTRIDGES	123,365	123,365
	BOMBS		
3	PRACTICE BOMBS	59,725	59,725
6	JOINT DIRECT ATTACK MUNITION	206,989	206,989
7	B61	35,634	35,634
	OTHER ITEMS		
9	CAD/PAD	47,830	47,830
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,232	6,232
11	SPARES AND REPAIR PARTS	542	542
12	MODIFICATIONS	1,310	1,310
13	ITEMS LESS THAN \$5,000,000	4,753	4,753
	FLARES		
15	FLARES	40,088	40,088
	FUZES		
16	FUZES	40,983	40,983
	SMALL ARMS		
17	SMALL ARMS	13,925	13,925
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	596,338	596,338
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	9,016	9,016
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	15,058	15,058
3	CAP VEHICLES	1,059	1,059
4	CARGO AND UTILITY VEHICLES	38,920	38,920
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	30,544	30,544
6	SECURITY AND TACTICAL VEHICLES	319	319
7	SPECIAL PURPOSE VEHICLES	43,157	43,157
	FIRE FIGHTING EQUIPMENT		

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<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	8,621	8,621
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	12,897	12,897
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	3,577	3,577
11	BASE MAINTENANCE SUPPORT VEHICLES	43,095	43,095
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	54,864	54,864
	INTELLIGENCE PROGRAMS		
14	INTERNATIONAL INTEL TECH & ARCHITECTURES	9,283	10,783
	<i>PDI: Mission Partner Environment BICES-X local upgrades</i>		[1,500]
15	INTELLIGENCE TRAINING EQUIPMENT	6,849	6,849
16	INTELLIGENCE COMM EQUIPMENT	33,471	33,471
	ELECTRONICS PROGRAMS		
17	AIR TRAFFIC CONTROL & LANDING SYS	29,409	29,409
18	BATTLE CONTROL SYSTEM—FIXED	7,909	7,909
19	THEATER AIR CONTROL SYS IMPROVEMEN	32,632	32,632
20	WEATHER OBSERVATION FORECAST	33,021	33,021
21	STRATEGIC COMMAND AND CONTROL	31,353	31,353
22	CHEYENNE MOUNTAIN COMPLEX	10,314	10,314
23	MISSION PLANNING SYSTEMS	15,132	15,132
25	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,806	9,806
	SPCL COMM-ELECTRONICS PROJECTS		
26	GENERAL INFORMATION TECHNOLOGY	39,887	39,887
27	AF GLOBAL COMMAND & CONTROL SYS	2,602	2,602
29	MOBILITY COMMAND AND CONTROL	10,541	10,541
30	AIR FORCE PHYSICAL SECURITY SYSTEM	96,277	96,277
31	COMBAT TRAINING RANGES	195,185	195,185
32	MINIMUM ESSENTIAL EMERGENCY COMM N	29,664	29,664
33	WIDE AREA SURVEILLANCE (WAS)	59,633	59,633
34	C3 COUNTERMEASURES	105,584	105,584
36	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	899	899
38	THEATER BATTLE MGT C2 SYSTEM	3,392	3,392
39	AIR & SPACE OPERATIONS CENTER (AOC)	24,983	24,983
	AIR FORCE COMMUNICATIONS		
41	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	19,147	19,147
42	AFNET	84,515	84,515
43	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	6,185	6,185
44	USCENTCOM	19,649	19,649
45	USSTRATCOM	4,337	4,337
	ORGANIZATION AND BASE		
46	TACTICAL C-E EQUIPMENT	137,033	137,033
47	RADIO EQUIPMENT	15,264	15,264
49	BASE COMM INFRASTRUCTURE	132,281	146,281
	<i>PDI: Mission Partner Environment PACNET</i>		[14,000]
	MODIFICATIONS		
50	COMM ELECT MODS	21,471	21,471
	PERSONAL SAFETY & RESCUE EQUIP		
51	PERSONAL SAFETY AND RESCUE EQUIPMENT	49,578	49,578
	DEPOT PLANT+MTRLS HANDLING EQ		
52	POWER CONDITIONING EQUIPMENT	11,454	11,454
53	MECHANIZED MATERIAL HANDLING EQUIP	12,110	12,110
	BASE SUPPORT EQUIPMENT		
54	BASE PROCURED EQUIPMENT	21,142	21,142
55	ENGINEERING AND EOD EQUIPMENT	7,700	7,700
56	MOBILITY EQUIPMENT	18,266	22,966
	<i>Insulation system for Air Force shelters</i>		[4,700]
57	FUELS SUPPORT EQUIPMENT (FSE)	9,601	9,601
58	BASE MAINTENANCE AND SUPPORT EQUIPMENT	42,078	42,078
	SPECIAL SUPPORT PROJECTS		
60	DARP RC135	27,164	27,164
61	DCGS-AF	121,528	121,528
63	SPECLAL UPDATE PROGRAM	782,641	782,641
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	21,086,112	21,086,112
	SPARES AND REPAIR PARTS		
64	SPARES AND REPAIR PARTS (CYBER)	1,664	1,664
65	SPARES AND REPAIR PARTS	15,847	15,847
	TOTAL OTHER PROCUREMENT, AIR FORCE	23,695,720	23,715,920
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCMA		
2	MAJOR EQUIPMENT	1,398	1,398
	MAJOR EQUIPMENT, DCSA		
3	MAJOR EQUIPMENT	2,212	2,212
	MAJOR EQUIPMENT, DHRA		
5	PERSONNEL ADMINISTRATION	4,213	4,213
	MAJOR EQUIPMENT, DISA		

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Line	Item	FY 2021 Request	Senate Authorized
11	INFORMATION SYSTEMS SECURITY	17,211	17,211
12	TELEPORT PROGRAM	29,841	29,841
13	JOINT FORCES HEADQUARTERS—DODIN	3,091	3,091
14	ITEMS LESS THAN \$5 MILLION	41,569	41,569
16	DEFENSE INFORMATION SYSTEM NETWORK	26,978	26,978
17	WHITE HOUSE COMMUNICATION AGENCY	44,161	44,161
18	SENIOR LEADERSHIP ENTERPRISE	35,935	35,935
19	JOINT REGIONAL SECURITY STACKS (JRSS)	88,741	77,641
	JRSS SIPR funding		[-11,100]
20	JOINT SERVICE PROVIDER	157,538	157,538
21	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,084	42,084
	MAJOR EQUIPMENT, DLA		
23	MAJOR EQUIPMENT	417,459	417,459
	MAJOR EQUIPMENT, DMACT		
24	MAJOR EQUIPMENT	7,993	7,993
	MAJOR EQUIPMENT, DODEA		
25	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,319	1,319
	MAJOR EQUIPMENT, DPAA		
26	MAJOR EQUIPMENT, DPAA	500	500
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
27	REGIONAL CENTER PROCUREMENT	1,598	1,598
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
28	VEHICLES	215	215
29	OTHER MAJOR EQUIPMENT	9,994	9,994
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
31	THAAD	495,396	601,796
	8th THAAD battery components		[76,300]
	HEMTT life-of-type buy		[30,100]
34	AEGIS BMD	356,195	356,195
35	AEGIS BMD AP	44,901	44,901
36	BMDs AN/TPY-2 RADARS	0	243,300
	8th THAAD battery radar equipment		[243,300]
37	SM-3 IIA	218,322	346,322
	Additional SM-3 Block IIA interceptors		[128,000]
38	ARROW 3 UPPER TIER SYSTEMS	77,000	77,000
39	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
40	AEGIS ASHORE PHASE III	39,114	39,114
41	IRON DOME	73,000	73,000
42	AEGIS BMD HARDWARE AND SOFTWARE	104,241	104,241
	MAJOR EQUIPMENT, NSA		
48	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	101	101
	MAJOR EQUIPMENT, OSD		
49	MAJOR EQUIPMENT, OSD	3,099	3,099
	MAJOR EQUIPMENT, TJS		
50	MAJOR EQUIPMENT, TJS	8,329	8,329
51	MAJOR EQUIPMENT—TJS CYBER	1,247	1,247
	MAJOR EQUIPMENT, WHS		
53	MAJOR EQUIPMENT, WHS	515	515
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	554,264	554,264
	AVIATION PROGRAMS		
55	ARMED OVERWATCH/TARGETING	101,000	0
	Lack of validated requirement and analysis		[-101,000]
56	MANNED ISR	0	40,100
	SOCOM DHC-8 combat loss replacement		[40,100]
59	ROTARY WING UPGRADES AND SUSTAINMENT	211,041	211,041
60	UNMANNED ISR	25,488	25,488
61	NON-STANDARD AVIATION	61,874	61,874
62	U-28	3,825	28,525
	SOCOM aircraft maintenance support combat loss replacement		[24,700]
63	MH-47 CHINOOK	135,482	135,482
64	CV-22 MODIFICATION	14,829	14,829
65	MQ-9 UNMANNED AERIAL VEHICLE	6,746	6,746
66	PRECISION STRIKE PACKAGE	243,111	243,111
67	AC/MC-130J	163,914	163,914
68	C-130 MODIFICATIONS	20,414	20,414
	SHIPBUILDING		
69	UNDERWATER SYSTEMS	20,556	20,556
	AMMUNITION PROGRAMS		
70	ORDNANCE ITEMS <\$5M	186,197	186,197
	OTHER PROCUREMENT PROGRAMS		
71	INTELLIGENCE SYSTEMS	94,982	108,382
	Transfer from MMP-Light to man-pack		[13,400]
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	11,645	11,645
73	OTHER ITEMS <\$5M	96,333	96,333
74	COMBATANT CRAFT SYSTEMS	17,278	17,278
75	SPECIAL PROGRAMS	78,865	78,865
76	TACTICAL VEHICLES	30,158	30,158

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
77	WARRIOR SYSTEMS <\$5M	260,733	248,533
	MMP-Light unexecutable, transfer to man-pack		[-12,200]
78	COMBAT MISSION REQUIREMENTS	19,848	19,848
79	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	2,401	2,401
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE	13,861	13,861
81	OPERATIONAL ENHANCEMENTS	247,038	259,538
	SOCOM Syria exfiltration reconsitution		[12,500]
	CBDP		
82	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	147,150	147,150
83	CB PROTECTION & HAZARD MITIGATION	149,944	149,944
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,324,487	5,768,587
	TOTAL PROCUREMENT	130,684,160	134,014,838

1 SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY

2 OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	ROTARY		
9	AH-64 APACHE BLOCK IIIB NEW BUILD	69,154	69,154
14	CH-47 HELICOPTER	50,472	50,472
	MODIFICATION OF AIRCRAFT		
17	MQ-1 PAYLOAD (MIP)	5,968	5,968
20	MULTI SENSOR ABN RECON (MIP)	122,520	122,520
25	EMARSS SEMA MODS (MIP)	26,460	26,460
30	DEGRADED VISUAL ENVIRONMENT	1,916	1,916
	GROUND SUPPORT AVIONICS		
37	CMWS	149,162	149,162
38	COMMON INFRARED COUNTERMEASURES (CIRCM)	32,400	32,400
	OTHER SUPPORT		
41	AIRCREW INTEGRATED SYSTEMS	3,028	3,028
	TOTAL AIRCRAFT PROCUREMENT, ARMY	461,080	461,080
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
2	M-SHORAD—PROCUREMENT	158,300	158,300
3	MSE MISSILE	176,585	0
	Inappropriate for EDI, transfer to base		[-176,585]
	AIR-TO-SURFACE MISSILE SYSTEM		
6	HELLFIRE SYS SUMMARY	236,265	236,265
	ANTI-TANK/ASSAULT MISSILE SYS		
11	GUIDED MLRS ROCKET (GMLRS)	127,015	127,015
15	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	84,993	84,993
	MODIFICATIONS		
17	ATACMS MODS	78,434	78,434
22	MLRS MODS	20,000	20,000
	TOTAL MISSILE PROCUREMENT, ARMY	881,592	705,007
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
16	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	4,765	4,765
18	MORTAR SYSTEMS	10,460	10,460
	TOTAL PROCUREMENT OF W&TCV, ARMY	15,225	15,225
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	567	567
2	CTG, 7.62MM, ALL TYPES	40	40
4	CTG, HANDGUN, ALL TYPES	17	17
5	CTG, .50 CAL, ALL TYPES	189	189
8	CTG, 30MM, ALL TYPES	24,900	24,900
	ARTILLERY AMMUNITION		
16	PROJ 155MM EXTENDED RANGE M982	29,213	29,213
17	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	21,675	21,675
	ROCKETS		
20	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	176	176
21	ROCKET, HYDRA 70, ALL TYPES	33,880	33,880
	MISCELLANEOUS		
29	ITEMS LESS THAN \$5 MILLION (AMMO)	11	11

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	110,668	110,668
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
13	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	6,500	6,500
14	PLS ESP	15,163	15,163
17	TACTICAL WHEELED VEHICLE PROTECTION KITS	27,066	27,066
	COMM—SATELLITE COMMUNICATIONS		
30	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	2,700	2,700
32	ASSURED POSITIONING, NAVIGATION AND TIMING	12,566	12,566
33	SMART-T (SPACE)	289	289
34	GLOBAL BRDCST SVC—GBS	319	319
	COMM—COMBAT COMMUNICATIONS		
45	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,257	1,257
	COMM—INTELLIGENCE COMM		
48	CI AUTOMATION ARCHITECTURE (MIP)	1,230	1,230
	INFORMATION SECURITY		
52	COMMUNICATIONS SECURITY (COMSEC)	128	128
	COMM—BASE COMMUNICATIONS		
58	INFORMATION SYSTEMS	15,277	15,277
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	74,004	80,004
	ED: NATO Response Force (NRF) networks		[6,000]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
68	DCGS-A (MIP)	47,709	47,709
70	TROJAN (MIP)	1,766	1,766
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	61,450	61,450
73	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	12,337	12,337
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
80	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	44,293	44,293
81	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	49,100	49,100
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
83	SENTINEL MODS	33,496	33,496
84	NIGHT VISION DEVICES	643	643
87	RADIATION MONITORING SYSTEMS	11	11
88	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	37,000	37,000
94	COMPUTER BALLISTICS: LHMC XM32	280	280
95	MORTAR FIRE CONTROL SYSTEM	13,672	13,672
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	15,143	15,143
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	4,688	4,688
110	AUTOMATED DATA PROCESSING EQUIP	16,552	16,552
	CHEMICAL DEFENSIVE EQUIPMENT		
121	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	25,480	25,480
122	BASE DEFENSE SYSTEMS (BDS)	98,960	98,960
123	CBRN DEFENSE	18,887	18,887
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	50,400	50,400
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
137	RENDER SAFE SETS KITS OUTFITS	84,000	84,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECUS	370	370
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	3,721	3,721
145	FORCE PROVIDER	56,400	129,800
	ED: Improvements to living quarters for rotational forces in Europe		[73,400]
146	FIELD FEEDING EQUIPMENT	2,279	2,279
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,040	2,040
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	4,374	4,374
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	6,390	6,390
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	7,769	7,769
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	184	184
	CONSTRUCTION EQUIPMENT		
156	LOADERS	3,190	3,190
157	HYDRAULIC EXCAVATOR	7,600	7,600
158	TRACTOR, FULL TRACKED	7,450	7,450
160	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	3,703	3,703
162	CONST EQUIP ESP	657	657
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	106	106
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	1,885	1,885
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
181	PHYSICAL SECURITY SYSTEMS (OPA3)	3,248	3,248
185	BUILDING, PRE-FAB, RELOCATABLE	31,845	31,845

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
	TOTAL OTHER PROCUREMENT, ARMY	924,077	1,003,477
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
24	STUASLo UAV	7,921	7,921
	MODIFICATION OF AIRCRAFT		
53	COMMON ECM EQUIPMENT	3,474	3,474
55	COMMON DEFENSIVE WEAPON SYSTEM	3,339	3,339
64	QRC	18,507	18,507
	TOTAL AIRCRAFT PROCUREMENT, NAVY	33,241	33,241
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
12	HELLFIRE	5,572	5,572
	TOTAL WEAPONS PROCUREMENT, NAVY	5,572	5,572
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	8,068	8,068
2	JDAM	15,529	15,529
3	AIRBORNE ROCKETS, ALL TYPES	23,000	23,000
4	MACHINE GUN AMMUNITION	22,600	22,600
6	CARTRIDGES & CART ACTUATED DEVICES	3,927	3,927
7	AIR EXPENDABLE COUNTERMEASURES	15,978	15,978
8	JATOS	2,100	2,100
11	OTHER SHIP GUN AMMUNITION	2,611	2,611
12	SMALL ARMS & LANDING PARTY AMMO	1,624	1,624
13	PYROTECHNIC AND DEMOLITION	505	505
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	95,942	95,942
	OTHER PROCUREMENT, NAVY		
	SMALL BOATS		
28	STANDARD BOATS	19,104	19,104
	OTHER SHIP SUPPORT		
35	SMALL & MEDIUM UUV	2,946	2,946
	ASW ELECTRONIC EQUIPMENT		
43	FIXED SURVEILLANCE SYSTEM	213,000	213,000
	SONOBUOYS		
92	SONOBUOYS—ALL TYPES	26,196	26,196
	AIRCRAFT SUPPORT EQUIPMENT		
95	AIRCRAFT SUPPORT EQUIPMENT	60,217	60,217
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	2,124	2,124
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	177	177
116	GENERAL PURPOSE TRUCKS	416	416
118	FIRE FIGHTING EQUIPMENT	801	801
	SUPPLY SUPPORT EQUIPMENT		
125	FIRST DESTINATION TRANSPORTATION	520	520
	TRAINING DEVICES		
128	TRAINING AND EDUCATION EQUIPMENT	11,500	11,500
	COMMAND SUPPORT EQUIPMENT		
130	MEDICAL SUPPORT EQUIPMENT	3,525	3,525
136	PHYSICAL SECURITY EQUIPMENT	3,000	3,000
	TOTAL OTHER PROCUREMENT, NAVY	343,526	343,526
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
12	GUIDED MLRS ROCKET (GMLRS)	17,456	17,456
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	4,200	4,200
	INTELL/COMM EQUIPMENT (NON-TEL)		
22	INTELLIGENCE SUPPORT EQUIPMENT	10,124	10,124
	TACTICAL VEHICLES		
38	MOTOR TRANSPORT MODIFICATIONS	16,183	16,183
	TOTAL PROCUREMENT, MARINE CORPS	47,963	47,963
	AIRCRAFT PROCUREMENT, AIR FORCE		
	HELICOPTERS		
13	COMBAT RESCUE HELICOPTER	174,000	174,000
	OTHER AIRCRAFT		
20	MQ-9	142,490	142,490
21	RQ-20B PUMA	13,770	13,770
	STRATEGIC AIRCRAFT		
26	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,521	57,521
	OTHER AIRCRAFT		
46	U-2 MODS	9,600	9,600
55	COMPASS CALL	12,800	12,800

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
66	HC/MC-130 MODIFICATIONS	58,020	58,020
69	MQ-9 UAS PAYLOADS	46,100	46,100
70	CV-22 MODS	6,290	6,290
	AIRCRAFT SPARES AND REPAIR PARTS		
71	INITIAL SPARES/REPAIR PARTS	10,700	10,700
72	MQ-9	12,250	12,250
	COMMON SUPPORT EQUIPMENT		
73	AIRCRAFT REPLACEMENT SUPPORT EQUIP	25,614	25,614
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	569,155	569,155
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
4	JOINT AIR-SURFACE STANDOFF MISSILE	30,000	30,000
8	PREDATOR HELLFIRE MISSILE	143,420	143,420
9	SMALL DIAMETER BOMB	50,352	50,352
	TOTAL MISSILE PROCUREMENT, AIR FORCE	223,772	223,772
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	19,489	19,489
	CARTRIDGES		
2	CARTRIDGES	40,434	40,434
	BOMBS		
4	GENERAL PURPOSE BOMBS	369,566	369,566
6	JOINT DIRECT ATTACK MUNITION	237,723	237,723
	FLARES		
15	FLARES	21,171	21,171
	FUZES		
16	FUZES	107,855	107,855
	SMALL ARMS		
17	SMALL ARMS	6,217	6,217
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	802,455	802,455
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	1,302	1,302
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	3,400	3,400
4	CARGO AND UTILITY VEHICLES	12,475	12,475
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	26,150	26,150
7	SPECIAL PURPOSE VEHICLES	51,254	51,254
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	24,903	24,903
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	14,167	14,167
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	5,759	5,759
11	BASE MAINTENANCE SUPPORT VEHICLES	20,653	20,653
	SPCL COMM-ELECTRONICS PROJECTS		
26	GENERAL INFORMATION TECHNOLOGY	5,100	5,100
30	AIR FORCE PHYSICAL SECURITY SYSTEM	56,496	56,496
	ORGANIZATION AND BASE		
49	BASE COMM INFRASTRUCTURE	30,717	30,717
	BASE SUPPORT EQUIPMENT		
55	ENGINEERING AND EOD EQUIPMENT	13,172	13,172
56	MOBILITY EQUIPMENT	33,694	33,694
57	FUELS SUPPORT EQUIPMENT (FSE)	1,777	1,777
58	BASE MAINTENANCE AND SUPPORT EQUIPMENT	31,620	31,620
	SPECIAL SUPPORT PROJECTS		
61	DCGS-AF	18,700	18,700
	SPARES AND REPAIR PARTS		
65	SPARES AND REPAIR PARTS	4,000	4,000
	TOTAL OTHER PROCUREMENT, AIR FORCE	355,339	355,339
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
16	DEFENSE INFORMATION SYSTEM NETWORK	6,120	6,120
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
30	COUNTER IMPROVISED THREAT TECHNOLOGIES	2,540	2,540
	CLASSIFIED PROGRAMS		
	CLASSIFIED PROGRAMS		
	AVIATION PROGRAMS		
56	MANNED ISR	5,000	5,000
57	MC-12	5,000	5,000
60	UNMANNED ISR	8,207	8,207
	AMMUNITION PROGRAMS		
70	ORDNANCE ITEMS <\$5M	105,355	105,355

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
OTHER PROCUREMENT PROGRAMS			
71	INTELLIGENCE SYSTEMS	16,234	16,234
73	OTHER ITEMS <\$5M	984	984
76	TACTICAL VEHICLES	2,990	2,990
77	WARRIOR SYSTEMS <\$5M	32,573	32,573
78	COMBAT MISSION REQUIREMENTS	10,000	10,000
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE	6,724	6,724
81	OPERATIONAL ENHANCEMENTS	53,264	53,264
	TOTAL PROCUREMENT, DEFENSE-WIDE	258,491	258,491
	TOTAL PROCUREMENT	5,128,098	5,030,913

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 2 **TION**
 3 **TION**
 4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
2	0601102A	DEFENSE RESEARCH SCIENCES	303,257	315,257
		AI human performance optimization		[2,000]
		Increase in basic research		[10,000]
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	67,148	67,148
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	87,877	87,877
5	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,077	5,077
		SUBTOTAL BASIC RESEARCH	463,359	475,359
APPLIED RESEARCH				
7	0602115A	BIOMEDICAL TECHNOLOGY	11,835	15,835
		Pandemic vaccine response		[4,000]
11	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	2,000	2,000
12	0602141A	LETHALITY TECHNOLOGY	42,425	45,425
		Hybrid additive manufacturing		[3,000]
13	0602142A	ARMY APPLIED RESEARCH	30,757	33,757
		Pathfinder Air Assault		[3,000]
14	0602143A	SOLDIER LETHALITY TECHNOLOGY	125,435	135,935
		Harnessing Emerging Research Opportunities to Empower Soldiers Program.		[2,500]
		Metal-based display technologies		[3,000]
		Pathfinder Airborne		[5,000]
15	0602144A	GROUND TECHNOLOGY	28,047	30,047
		Ground technology advanced manufacturing, materials and process initiative.		[2,000]
16	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	217,565	227,565
		Ground combat vehicle platform electrification		[2,000]
		Immersive virtual modeling and simulation techniques		[5,000]
		Next Generation Combat Vehicle modeling and simulation		[3,000]
17	0602146A	NETWORK C3I TECHNOLOGY	114,404	126,404
		Backpackable Communications Intelligence System		[5,000]
		Defense resiliency platform against extreme cold weather		[3,000]
		Multi-drone multi-sensor ISR capability		[2,000]
		Quantum computing base materials optimization		[2,000]
18	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	60,553	67,553
		Composite artillery tube and propulsion prototyping		[7,000]
19	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	96,484	96,484
20	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	56,298	66,298
		Counter unmanned aerial systems threat R&D		[5,000]
		Counter unmanned aircraft systems research		[5,000]
22	0602213A	C3I APPLIED CYBER	18,816	18,816
40	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	20,766	20,766
42	0602787A	MEDICAL TECHNOLOGY	95,496	97,496

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
		Research for coronavirus vaccine		[2,000]
		SUBTOTAL APPLIED RESEARCH	920,881	984,381
		ADVANCED TECHNOLOGY DEVELOPMENT		
44	0603002A	MEDICAL ADVANCED TECHNOLOGY	38,896	38,896
49	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	11,659	11,659
52	0603115A	MEDICAL DEVELOPMENT	27,723	27,723
53	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	62,663	62,663
54	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	109,608	111,608
		3D advanced manufacturing		[2,000]
55	0603119A	GROUND ADVANCED TECHNOLOGY	14,795	20,795
		Cybersecurity for industrial control systems and building automation		[3,000]
		Graphene applications for military engineering		[3,000]
59	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	25,000	25,000
63	0603457A	C3I CYBER ADVANCED DEVELOPMENT	23,357	23,357
64	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	188,024	193,024
		High performance computing modernization		[5,000]
65	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY	199,358	226,858
		Carbon fiber and graphitic composites		[10,000]
		Cyber and connected vehicle innovation research		[5,000]
		Small unit ground robotic capabilities		[7,500]
		Virtual experimentations enhancement		[5,000]
66	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	158,608	158,608
67	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	121,060	124,060
		Hyper velocity projectile—extended range technologies		[3,000]
68	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	156,194	156,194
69	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	58,130	73,630
		Electromagnetic effects research to support fires and AMD CFTs		[5,000]
		High-energy laser system characterization lab		[10,500]
77	0603920A	HUMANITARIAN DEMINING	8,515	8,515
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,203,590	1,262,590
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
78	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,062	14,062
		Hypersonic hot air tunnel test environment		[3,000]
79	0603308A	ARMY SPACE SYSTEMS INTEGRATION	26,230	26,230
80	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	26,482	26,482
81	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	64,092	64,092
83	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	92,753	92,753
84	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	151,478	151,478
85	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	5,841	5,841
86	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	194,775	194,775
87	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	24,316	24,316
88	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	13,387	13,387
89	0603790A	NATO RESEARCH AND DEVELOPMENT	4,762	4,762
90	0603801A	AVIATION—ADV DEV	647,937	652,937
		Future Long Range Assault Aircraft (FLRAA)		[5,000]
91	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	4,761	4,761
92	0603807A	MEDICAL SYSTEMS—ADV DEV	28,520	28,520
93	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	26,138	26,138
94	0604017A	ROBOTICS DEVELOPMENT	121,207	121,207
96	0604021A	ELECTRONIC WARFARE TECHNOLOGY MATURATION (MIP)	22,840	22,840
97	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	22,678	22,678
98	0604100A	ANALYSIS OF ALTERNATIVES	10,082	10,082
99	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	1,378	1,378
100	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	40,083	40,083
101	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	376,373	376,373
102	0604115A	TECHNOLOGY MATURATION INITIATIVES	156,834	146,834
		OpFires lack of transition pathway		[-10,000]
103	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	4,995	4,995
105	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	170,490	170,490
106	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	128,125	128,125
107	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	129,547	129,547
108	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING	13,831	13,831
109	0604182A	HYPERSONICS	801,417	796,417
		Lack of hypersonic prototyping coordination		[-5,000]
111	0604403A	FUTURE INTERCEPTOR	7,992	7,992
112	0604541A	UNIFIED NETWORK TRANSPORT	40,677	40,677
115	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	50,525	50,525
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	3,421,608	3,414,608
		SYSTEM DEVELOPMENT & DEMONSTRATION		

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Line	Program Element	Item	FY 2021 Request	Senate Authorized
118	0604201A	AIRCRAFT AVIONICS	2,764	2,764
119	0604270A	ELECTRONIC WARFARE DEVELOPMENT	62,426	62,426
121	0604601A	INFANTRY SUPPORT WEAPONS	91,574	91,574
122	0604604A	MEDIUM TACTICAL VEHICLES	8,523	8,523
123	0604611A	JAVELIN	7,493	7,493
124	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	24,792	24,792
125	0604633A	AIR TRAFFIC CONTROL	3,511	3,511
126	0604642A	LIGHT TACTICAL WHEELED VEHICLES	1,976	1,976
127	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	135,488	135,488
128	0604710A	NIGHT VISION SYSTEMS—ENG DEV	61,445	61,445
129	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,814	2,814
130	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	28,036	28,036
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	43,651	83,651
		Joint Counter-UAS Office acceleration		[17,500]
		Joint Counter-UAS Office SOCOM advanced capabilities		[7,500]
		Joint Counter-UAS Office SOCOM demonstrations		[15,000]
132	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	10,150	10,150
133	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	5,578	5,578
134	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	7,892	7,892
135	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	24,975	24,975
136	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	3,568	3,568
137	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	19,268	19,268
138	0604802A	WEAPONS AND MUNITIONS—ENG DEV	265,811	266,611
		Increase NGSW soldier touchpoints		[800]
139	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	49,694	49,694
140	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	11,079	11,079
141	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	49,870	49,870
142	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	9,589	9,589
143	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	162,513	162,513
144	0604820A	RADAR DEVELOPMENT	109,259	109,259
145	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	21,201	21,201
146	0604823A	FIREFINDER	20,008	20,008
147	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,534	6,534
148	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	82,459	129,459
		Bradley and Stryker APS		[47,000]
149	0604854A	ARTILLERY SYSTEMS—EMD	11,611	11,611
150	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	142,678	147,678
		Integrated data software pilot program		[5,000]
151	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	115,286	115,286
152	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	96,594	96,594
154	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,264	16,264
155	0605031A	JOINT TACTICAL NETWORK (JTN)	31,696	31,696
157	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EX-PEDITIONARY (GBOSS-E).	5,976	5,976
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	23,321	23,321
161	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	4,846	4,846
162	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	28,544	16,544
		Army Cyber SU program		[-12,000]
163	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,178	28,178
164	0605047A	CONTRACT WRITING SYSTEM	22,860	22,860
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	35,893	35,893
167	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	235,770	187,970
		Army-identified funding early to need		[-47,800]
168	0605053A	GROUND ROBOTICS	13,710	13,710
169	0605054A	EMERGING TECHNOLOGY INITIATIVES	294,739	294,739
170	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT	954	954
171	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	150,201	150,201
172	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	5,999	5,999
174	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	8,891	8,891
175	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (ALAMD)	193,929	193,929
176	0605625A	MANNED GROUND VEHICLE	327,732	247,732
		OMFV program reset		[-80,000]
177	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	7,670	7,670
178	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	1,742	1,742
179	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,467	1,467
180	0303032A	TROJAN—RH12	3,451	3,451
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	55,855	55,855
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,199,798	3,152,798
		MANAGEMENT SUPPORT		
185	0604256A	THREAT SIMULATOR DEVELOPMENT	14,515	14,515
186	0604258A	TARGET SYSTEMS DEVELOPMENT	10,668	10,668

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<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
187	0604759A	MAJOR T&E INVESTMENT	106,270	106,270
188	0605103A	RAND ARROYO CENTER	13,481	13,481
189	0605301A	ARMY KWAJALEIN ATOLL	231,824	231,824
190	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	54,898	54,898
192	0605601A	ARMY TEST RANGES AND FACILITIES	350,359	365,359
		Program increase—Army directed energy T&E		[15,000]
193	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	48,475	48,475
194	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,001	36,001
195	0605606A	AIRCRAFT CERTIFICATION	2,736	2,736
196	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,488	6,488
197	0605706A	MATERIEL SYSTEMS ANALYSIS	21,859	21,859
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,936	7,936
199	0605712A	SUPPORT OF OPERATIONAL TESTING	54,470	54,470
200	0605716A	ARMY EVALUATION CENTER	63,141	63,141
201	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	2,572	2,572
202	0605801A	PROGRAMWIDE ACTIVITIES	87,472	87,472
203	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,244	26,244
204	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	40,133	40,133
205	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,780	1,780
206	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,045	55,045
208	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	71,306	71,306
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,063	1,063
210	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	19,891	19,891
211	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	4,496	4,496
		SUBTOTAL MANAGEMENT SUPPORT	1,333,123	1,348,123
		OPERATIONAL SYSTEMS DEVELOPMENT		
214	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	10,157	10,157
216	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,682	8,682
217	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	20,409	20,409
219	0607134A	LONG RANGE PRECISION FIRES (LRPF)	122,733	115,233
		Excess funds due to second vendor dropped		[-7,500]
221	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	11,236	11,236
222	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	46,091	46,091
224	0607139A	IMPROVED TURBINE ENGINE PROGRAM	249,257	249,257
225	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	17,155	17,155
226	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	7,743	7,743
227	0607145A	APACHE FUTURE DEVELOPMENT	77,177	77,177
228	0607150A	INTEL CYBER DEVELOPMENT	14,652	14,652
229	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	35,851	35,851
230	0607665A	FAMILY OF BIOMETRICS	1,324	1,324
231	0607865A	PATRIOT PRODUCT IMPROVEMENT	187,840	187,840
232	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	44,691	44,691
233	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	268,919	268,919
234	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	427,254	427,254
235	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	11,688	11,688
236	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	80	80
237	0203758A	DIGITIZATION	4,516	4,516
238	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,288	1,288
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	79,424	79,424
243	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	259	259
244	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	166	166
245	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,575	93,075
		Qualification of second SRM source		[17,500]
246	0208053A	JOINT TACTICAL GROUND SYSTEM	9,510	9,510
249	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	29,270	29,270
250	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	86,908	86,908
251	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,684	18,684
256	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	467	467
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	4,051	4,051
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	13,283	13,283
259	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	47,204	47,204
264	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,012	78,512
		Functional fabrics manufacturing		[7,500]
		Nanoscale materials manufacturing		[5,000]
		Tungsten manufacturing for armaments		[5,000]
999	9999999999	CLASSIFIED PROGRAMS	3,983	3,983
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,998,539	2,026,039
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
267	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT	46,445	46,445
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	46,445	46,445

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TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.			12,587,343	12,710,343
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
BASIC RESEARCH				
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,816	118,816
		<i>Defense University Research and Instrumentation Program</i>		[2,000]
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,113	19,113
3	0601153N	DEFENSE RESEARCH SCIENCES	467,158	480,158
		<i>Increase in basic research</i>		[10,000]
		<i>Predictive modeling for undersea vehicles</i>		[3,000]
SUBTOTAL BASIC RESEARCH			603,087	618,087
APPLIED RESEARCH				
4	0602114N	POWER PROJECTION APPLIED RESEARCH	17,792	17,792
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,281	140,281
		<i>Direct air capture and blue carbon removal technology program</i>		[8,000]
		<i>Electric propulsion for military craft and advanced planning hulls</i> ...		[2,000]
		<i>Ereptionary unmanned systems launch and recovery</i>		[5,000]
		<i>Testbed for autonomous ship systems</i>		[3,000]
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	50,623	53,623
		<i>Interdisciplinary cybersecurity research</i>		[3,000]
7	0602235N	COMMON PICTURE APPLIED RESEARCH	48,001	48,001
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	67,765	74,765
		<i>Humanoid robotics research</i>		[4,000]
		<i>Social networks and computational social science</i>		[3,000]
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	84,994	84,994
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	63,392	63,392
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,343	6,343
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	56,397	63,897
		<i>Navy and academia submarine partnerships</i>		[7,500]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	167,590	167,590
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	30,715	30,715
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	160,537	167,837
		<i>Thermoplastic materials</i>		[7,300]
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	76,745	76,745
SUBTOTAL APPLIED RESEARCH			953,175	995,975
ADVANCED TECHNOLOGY DEVELOPMENT				
17	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	24,410	24,410
18	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,008	8,008
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	219,045	222,045
		<i>Mission planning advanced technology demonstration</i>		[3,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,301	13,301
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	246,054	246,054
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,122	60,122
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,851	4,851
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	40,709	40,709
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	1,948	1,948
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	141,948	141,948
SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT ...			760,396	763,396
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
27	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS) ...	464,042	0
		<i>Excess procurement ahead of satisfactory testing</i>		[-464,042]
28	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	35,386	35,386
29	0603216N	AVIATION SURVIVABILITY	13,428	13,428
30	0603239N	ISO NAVAL CONSTRUCTION FORCES	2,350	2,350
31	0603251N	AIRCRAFT SYSTEMS	418	418
32	0603254N	ASW SYSTEMS DEVELOPMENT	15,719	15,719
33	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,411	3,411
34	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	70,218	56,118
		<i>Project 3416: HIJENKS insufficient schedule justification</i>		[-7,000]
		<i>Project 3422: SHARC excess platforms ahead of satisfactory testing</i> ...		[-7,100]
35	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	52,358	24,158
		<i>Project 2989: Barracuda program delay</i>		[-28,200]
36	0603506N	SURFACE SHIP TORPEDO DEFENSE	12,816	12,816
37	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,559	7,559
38	0603525N	PILOT FISH	358,757	358,757
39	0603527N	RETRACT LARCH	12,562	12,562
40	0603536N	RETRACT JUNIPER	148,000	148,000
41	0603542N	RADIOLOGICAL CONTROL	778	778

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Line	Program Element	Item	FY 2021 Request	Senate Authorized
42	0603553N	SURFACE ASW	1,161	1,161
43	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	185,356	195,356
		Out-of-autoclave submarine technology development		[20,000]
		Project 9710: EDMs early to need		[-10,000]
44	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,528	10,528
45	0603563N	SHIP CONCEPT ADVANCED DESIGN	126,396	63,296
		Project 2196: Future surface combatant early to need		[-19,100]
		Project 3161: Program increase for CBM+ initiative		[16,000]
		Project 4044: Medium amphibious ship early to need		[-30,000]
		Project 4045: Medium logistics ship early to need		[-30,000]
46	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	70,270	28,970
		Project 0411: LSC preliminary design and CDD early to need		[-41,300]
47	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	149,188	149,188
48	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	38,449	238,449
		Accelerate ITF to achieve full test capability in FY23		[75,000]
		Accelerate qualification of silicon carbide power modules		[10,000]
		USV autonomy development		[45,000]
		USV engine and generator qualification testing		[70,000]
49	0603576N	CHALK EAGLE	71,181	71,181
50	0603581N	LITTORAL COMBAT SHIP (LCS)	32,178	27,178
		Project 3096: Available prior year funds		[-5,000]
51	0603582N	COMBAT SYSTEM INTEGRATION	17,843	17,843
52	0603595N	OHIO REPLACEMENT	317,196	317,196
53	0603596N	LCS MISSION MODULES	67,875	32,875
		Project 2550: LCS MCM MP outdated IMS and TEMP		[-20,000]
		Project 2551: LCS ASW MP available prior year funds due to testing delays.		[-15,000]
54	0603597N	AUTOMATED TEST AND ANALYSIS	4,797	4,797
55	0603599N	FRIGATE DEVELOPMENT	82,309	82,309
56	0603609N	CONVENTIONAL MUNITIONS	9,922	2,122
		Project 0363: Insufficient justification		[-7,800]
57	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	189,603	189,603
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	43,084	43,084
59	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	6,346	6,346
60	0603721N	ENVIRONMENTAL PROTECTION	20,601	20,601
61	0603724N	NAVY ENERGY PROGRAM	23,422	23,422
62	0603725N	FACILITIES IMPROVEMENT	4,664	4,664
63	0603734N	CHALK CORAL	545,763	545,763
64	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,884	3,884
65	0603746N	RETRACT MAPLE	353,226	353,226
66	0603748N	LINK PLUMERIA	544,388	544,388
67	0603751N	RETRACT ELM	86,730	86,730
68	0603764M	LINK EVERGREEN	236,234	236,234
70	0603790N	NATO RESEARCH AND DEVELOPMENT	6,880	6,880
71	0603795N	LAND ATTACK TECHNOLOGY	10,578	10,578
72	0603851M	JOINT NON-LETHAL WEAPONS TESTING	28,435	28,435
73	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	33,612	33,612
74	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	128,845	113,845
		Project 3402: Excess engineering and sustainment support		[-15,000]
75	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	84,190	84,190
76	0604027N	DIGITAL WARFARE OFFICE	54,699	54,699
77	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	53,942	53,942
78	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	40,060	40,060
79	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION.	12,100	12,100
80	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	78,122	42,122
		Project 2094: Excess procurement ahead of phase 1 testing		[-36,000]
81	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	107,895	107,895
82	0604126N	LITTORAL AIRBORNE MCM	17,366	17,366
83	0604127N	SURFACE MINE COUNTERMEASURES	18,754	18,754
84	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	59,776	59,776
86	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	5,097	5,097
87	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	3,664	3,664
88	0604454N	LX (R)	10,203	10,203
89	0604536N	ADVANCED UNDERSEA PROTOTYPING	115,858	95,858
		Orca UUV testing delay and uncertified test strategy		[-10,000]
		Snakehead UUV uncertified test strategy		[-10,000]
90	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	14,259	14,259
91	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	1,102,387	1,045,387
		Lack of hypersonic prototyping coordination		[-5,000]
		Project 3334: Excess Virginia-class CPS modification and installation costs.		[-52,000]
92	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	7,657	7,657
93	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	35,750	35,750

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94	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,151	9,151
95	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	22,589	22,589
97	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	809	809
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	6,503,074	5,926,532
		SYSTEM DEVELOPMENT & DEMONSTRATION		
98	0603208N	TRAINING SYSTEM AIRCRAFT	4,332	4,332
99	0604212N	OTHER HELO DEVELOPMENT	18,133	23,133
		Program increase for Attack and Utility Replacement Aircraft		[5,000]
100	0604214M	AV-8B AIRCRAFT—ENG DEV	20,054	20,054
101	0604215N	STANDARDS DEVELOPMENT	4,237	4,237
102	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	27,340	27,340
104	0604221N	P-3 MODERNIZATION PROGRAM	606	606
105	0604230N	WARFARE SUPPORT SYSTEM	9,065	9,065
106	0604231N	TACTICAL COMMAND SYSTEM	97,968	97,968
107	0604234N	ADVANCED HAWKEYE	309,373	309,373
108	0604245M	H-1 UPGRADES	62,310	62,310
109	0604261N	ACOUSTIC SEARCH SENSORS	47,182	47,182
110	0604262N	V-22A	132,624	132,624
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,445	21,445
112	0604269N	EA-18	106,134	106,134
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	134,194	134,194
114	0604273M	EXECUTIVE HELO DEVELOPMENT	99,321	99,321
115	0604274N	NEXT GENERATION JAMMER (NGJ)	477,680	477,680
116	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	232,818	232,818
117	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	170,039	170,039
118	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	403,712	403,712
119	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	945	945
120	0604329N	SMALL DIAMETER BOMB (SDB)	62,488	62,488
121	0604366N	STANDARD MISSILE IMPROVEMENTS	386,225	386,225
122	0604373N	AIRBORNE MCM	10,909	10,909
123	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	44,548	44,548
124	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	13,673	13,673
125	0604501N	ADVANCED ABOVE WATER SENSORS	87,809	87,809
126	0604503N	SSN-688 AND TRIDENT MODERNIZATION	93,097	93,097
127	0604504N	AIR CONTROL	38,863	38,863
128	0604512N	SHIPBOARD AVIATION SYSTEMS	9,593	9,593
129	0604518N	COMBAT INFORMATION CENTER CONVERSION	12,718	12,718
130	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	78,319	78,319
131	0604530N	ADVANCED ARRESTING GEAR (AAG)	65,834	65,834
132	0604558N	NEW DESIGN SSN	259,443	259,443
133	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	63,878	58,878
		AN/BYG-1 APB17 and APB19 testing delays		[-5,000]
134	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	51,853	66,753
		Advanced degaussing DDG-51 retrofit and demonstration		[14,900]
135	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,853	3,853
136	0604601N	MINE DEVELOPMENT	92,607	92,607
137	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	146,012	116,012
		Project 1412: HAAWC operational testing delays		[-10,000]
		Project 3418: Mk 54 Mod 2 contract delays		[-20,000]
138	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,383	8,383
139	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV.	33,784	33,784
140	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	8,599	8,599
141	0604727N	JOINT STANDOFF WEAPON SYSTEMS	73,744	73,744
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	157,490	157,490
143	0604756N	SHIP SELF DEFENSE (ENGAGE; HARD KILL)	121,761	121,761
144	0604757N	SHIP SELF DEFENSE (ENGAGE; SOFT KILL/EW)	89,373	89,373
145	0604761N	INTELLIGENCE ENGINEERING	15,716	15,716
146	0604771N	MEDICAL DEVELOPMENT	2,120	2,120
147	0604777N	NAVIGATION/ID SYSTEM	50,180	50,180
148	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	561	561
149	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	250	250
150	0604850N	SSN(X)	1,000	1,000
151	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	974	974
152	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	356,173	356,173
153	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	7,810	7,810
154	0605212M	CH-53K RDTE	406,406	406,406
155	0605215N	MISSION PLANNING	86,134	86,134
156	0605217N	COMMON AVIONICS	54,540	54,540
157	0605220N	SHIP TO SHORE CONNECTOR (SSC)	5,155	5,155
158	0605327N	T-AO 205 CLASS	5,148	5,148
159	0605414N	UNMANNED CARRIER AVIATION (UCA)	266,970	266,970
160	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	12,713	12,713
161	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	24,424	24,424
162	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	182,870	182,870

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163	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	41,775	41,775
164	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,541	2,541
165	0204202N	DDG-1000	208,448	208,448
169	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	111,434	111,434
170	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,173	26,173
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,263,883	6,248,783
		MANAGEMENT SUPPORT		
171	0604256N	THREAT SIMULATOR DEVELOPMENT	22,075	22,075
172	0604258N	TARGET SYSTEMS DEVELOPMENT	10,224	10,224
173	0604759N	MAJOR T&E INVESTMENT	85,195	85,195
175	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,089	3,089
176	0605154N	CENTER FOR NAVAL ANALYSES	43,517	43,517
179	0605804N	TECHNICAL INFORMATION SERVICES	932	932
180	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	94,297	94,297
181	0605856N	STRATEGIC TECHNICAL SUPPORT	3,813	3,813
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	104,822	104,822
184	0605864N	TEST AND EVALUATION SUPPORT	446,960	446,960
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	27,241	27,241
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	15,787	15,787
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,559	8,559
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	42,749	42,749
189	0605898N	MANAGEMENT HQ—R&D	41,094	41,094
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,022	37,022
193	0305327N	INSIDER THREAT	2,310	2,310
194	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,536	1,536
		SUBTOTAL MANAGEMENT SUPPORT	991,222	991,222
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604227N	HARPOON MODIFICATIONS	697	697
200	0604840M	F-35 C2D2	379,549	379,549
201	0604840N	F-35 C2D2	413,875	413,875
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	143,667	143,667
204	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	173,056	173,056
205	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,970	45,970
206	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	69,190	61,190
		CRAW EDM (TI-2) early to need		[-8,000]
207	0101402N	NAVY STRATEGIC COMMUNICATIONS	42,277	42,277
208	0204136N	F/A-18 SQUADRONS	171,030	171,030
210	0204228N	SURFACE SUPPORT	33,482	33,482
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	200,308	200,308
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM	102,975	152,975
		Accelerate sensor and signal processing development		[25,000]
		Program increase for spiral 1 TRAPS units		[25,000]
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	10,873	10,873
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,713	6,713
		Program increase for LCAC composite component manufacturing		[5,000]
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	22,205	105,805
		Program increase for G/ATOR and SM-6 stand-alone engagement analysis.		[10,000]
		Program increase for USMC G/ATOR and SM-6 demonstration		[73,600]
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	83,956	83,956
218	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	56,791	56,791
219	0205601N	HARM IMPROVEMENT	146,166	146,166
221	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,348	29,348
222	0205632N	MK-48 ADCAP	110,349	110,349
223	0205633N	AVIATION IMPROVEMENTS	133,953	133,953
224	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	110,313	110,313
225	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	207,662	207,662
226	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S) ...	4,406	4,406
227	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	61,381	61,381
228	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	10,421	10,421
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) ...	29,977	29,977
230	0206629M	AMPHIBIOUS ASSAULT VEHICLE	6,469	6,469
231	0207161N	TACTICAL AIM MISSILES	5,859	5,859
232	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	44,323	44,323
236	0303109N	SATELLITE COMMUNICATIONS (SPACE)	41,978	41,978
237	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	29,684	29,684
238	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	39,094	39,094
239	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,154	6,154
240	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	7,108	7,108

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241	0305205N	UAS INTEGRATION AND INTEROPERABILITY	62,098	62,098
242	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	21,500	21,500
244	0305220N	MQ-4C TRITON	11,120	11,120
245	0305231N	MQ-8 UAV	28,968	28,968
246	0305232M	RQ-11 UAV	537	537
247	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	8,773	8,773
248	0305239M	RQ-21A	10,853	10,853
249	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	60,413	60,413
250	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	5,000	5,000
251	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	34,967	44,967
		<i>Cyber tool development</i>		[10,000]
252	0305421N	RQ-4 MODERNIZATION	178,799	178,799
253	0307577N	INTELLIGENCE MISSION DATA (IMD)	2,120	2,120
254	0308601N	MODELING AND SIMULATION SUPPORT	8,683	8,683
255	0702207N	DEPOT MAINTENANCE (NON-IF)	45,168	45,168
256	0708730N	MARITIME TECHNOLOGY (MARITECH)	6,697	6,697
257	1203109N	SATELLITE COMMUNICATIONS (SPACE)	70,056	70,056
999	9999999999	CLASSIFIED PROGRAMS	1,795,032	1,795,032
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	5,327,043	5,467,643
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
258	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM	14,300	14,300
259	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM	10,868	10,868
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	25,168	25,168
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	21,427,048	21,036,806
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	315,348	325,348
		<i>Increase in basic research</i>		[10,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	161,861	161,861
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	15,085	15,085
		SUBTOTAL BASIC RESEARCH	492,294	502,294
		APPLIED RESEARCH		
4	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	100,000	100,000
5	0602102F	MATERIALS	140,781	160,281
		<i>High-energy synchrotron x-ray program</i>		[5,000]
		<i>Materials maturation for high mach systems</i>		[5,000]
		<i>Metals Affordability Initiative</i>		[5,000]
		<i>Qualification of additive manufacturing processes</i>		[2,000]
		<i>Techniques to repair fasteners</i>		[2,500]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	349,225	359,225
		<i>Hypersonic materials</i>		[10,000]
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	115,222	115,222
9	0602204F	AEROSPACE SENSORS	211,301	211,301
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEAD-QUARTERS ACTIVITIES	8,926	8,926
12	0602602F	CONVENTIONAL MUNITIONS	132,425	132,425
13	0602605F	DIRECTED ENERGY TECHNOLOGY	128,113	128,113
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	178,668	178,668
15	0602890F	HIGH ENERGY LASER RESEARCH	45,088	45,088
		SUBTOTAL APPLIED RESEARCH	1,409,749	1,439,249
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603030F	AF FOUNDATIONAL DEVELOPMENT/DEMOS	103,280	103,280
18	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	157,619	107,619
		<i>Golden Horde too mature for science and technology prototype</i>		[-50,000]
19	0603033F	NEXT GEN PLATFORM DEV/DEMO	199,556	208,556
		<i>B-52 pylon fairings</i>		[3,000]
		<i>C-130 finlets</i>		[3,000]
		<i>KC-135 aft body drag</i>		[3,000]
20	0603034F	PERSISTENT KNOWLEDGE, AWARENESS, & C2 TECH	102,276	102,276
21	0603035F	NEXT GEN EFFECTS DEV/DEMOS	215,817	215,817
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	778,548	737,548
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
38	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	4,320	4,320
39	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	26,396	26,396
40	0603790F	NATO RESEARCH AND DEVELOPMENT	3,647	3,647
41	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	32,959	32,959

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43	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	869	869
44	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	302,323	302,323
45	0604004F	ADVANCED ENGINE DEVELOPMENT	636,495	686,495
		AETP program acceleration		[50,000]
46	0604015F	LONG RANGE STRIKE—BOMBER	2,848,410	2,848,410
47	0604032F	DIRECTED ENERGY PROTOTYPING	20,964	25,964
		Directed energy counter-Unmanned Aerial Systems (CUAS)		[5,000]
48	0604033F	HYPERSONICS PROTOTYPING	381,862	446,862
		HAWC program increase		[65,000]
50	0604257F	ADVANCED TECHNOLOGY AND SENSORS	24,747	24,747
51	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	76,417	76,417
52	0604317F	TECHNOLOGY TRANSFER	3,011	3,011
53	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	52,921	52,921
54	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	69,783	69,783
55	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	25,835	25,835
56	0604858F	TECH TRANSITION PROGRAM	219,252	455,252
		Agile software development and operations		[4,500]
		Initial polar MILSATCOM capability		[46,000]
		KC-135 vertical wipers		[2,000]
		KC-135 winglets		[10,000]
		LCAAT program acceleration		[128,000]
		Long-endurance UAS		[33,500]
		Rapid repair of high performance materials		[6,000]
		Small satellite acceleration		[6,000]
57	0605230F	GROUND BASED STRATEGIC DETERRENT	1,524,759	1,524,759
59	0207110F	NEXT GENERATION AIR DOMINANCE	1,044,089	1,044,089
60	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,356	19,356
61	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	8,737	8,737
62	0208099F	UNIFIED PLATFORM (UP)	5,990	5,990
63	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	39,293	39,293
65	0305601F	MISSION PARTNER ENVIRONMENTS	11,430	11,430
66	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	259,823	259,823
67	0306415F	ENABLED CYBER ACTIVITIES	10,560	10,560
68	0401310F	C-32 EXECUTIVE TRANSPORT RECAPITALIZATION	9,908	9,908
69	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	8,662	8,662
74	1206427F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	8,787	8,787
77	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	56,311	56,311
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	7,737,916	8,093,916
		SYSTEM DEVELOPMENT & DEMONSTRATION		
82	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	25,161	25,161
83	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	38,564	38,564
84	0604222F	NUCLEAR WEAPONS SUPPORT	35,033	35,033
85	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,098	2,098
86	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	131,909	131,909
87	0604287F	PHYSICAL SECURITY EQUIPMENT	6,752	6,752
88	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	17,280	17,280
89	0604429F	AIRBORNE ELECTRONIC ATTACK	0	30,000
		STITCHES integration		[30,000]
90	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	23,076	23,076
91	0604604F	SUBMUNITIONS	3,091	3,091
92	0604617F	AGILE COMBAT SUPPORT	20,609	20,609
93	0604618F	JOINT DIRECT ATTACK MUNITION	7,926	7,926
94	0604706F	LIFE SUPPORT SYSTEMS	23,660	23,660
95	0604735F	COMBAT TRAINING RANGES	8,898	8,898
96	0604800F	F-35—EMD	5,423	5,423
97	0604932F	LONG RANGE STANDOFF WEAPON	474,430	474,430
98	0604933F	ICBM FUZE MODERNIZATION	167,099	167,099
100	0605056F	OPEN ARCHITECTURE MANAGEMENT	30,547	30,547
102	0605223F	ADVANCED PILOT TRAINING	248,669	254,669
		SLATE/VR training		[6,000]
103	0605229F	COMBAT RESCUE HELICOPTER	63,169	63,169
105	0101125F	NUCLEAR WEAPONS MODERNIZATION	9,683	9,683
106	0207171F	F-15 EPAWSS	170,679	170,679
107	0207328F	STAND IN ATTACK WEAPON	160,438	160,438
108	0207701F	FULL COMBAT MISSION TRAINING	9,422	9,422
110	0305176F	COMBAT SURVIVOR EVADER LOCATOR	973	973
111	0401221F	KC-46A TANKER SQUADRONS	106,262	106,262
113	0401319F	VC-25B	800,889	800,889
114	0701212F	AUTOMATED TEST SYSTEMS	10,673	10,673
115	0804772F	TRAINING DEVELOPMENTS	4,479	4,479
116	0901299F	AF A1 SYSTEMS	8,467	8,467
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	2,615,359	2,651,359
		MANAGEMENT SUPPORT		

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Line	Program Element	Item	FY 2021 Request	Senate Authorized
131	0604256F	THREAT SIMULATOR DEVELOPMENT	57,725	57,725
132	0604759F	MAJOR T&E INVESTMENT	208,680	223,680
		<i>Gulf Range telemetric modernization</i>		[15,000]
133	0605101F	RAND PROJECT AIR FORCE	35,803	35,803
135	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,557	13,557
136	0605807F	TEST AND EVALUATION SUPPORT	764,606	764,606
142	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	1,362,038	1,362,038
143	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	40,768	40,768
144	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	179,646	179,646
145	0605898F	MANAGEMENT HQ—R&D	5,734	5,734
146	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	70,985	70,985
147	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	29,880	29,880
148	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	63,381	63,381
149	0606398F	MANAGEMENT HQ—T&E	5,785	5,785
150	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM	24,564	24,564
151	0308602F	ENTEPRE INFORMATION SERVICES (EIS)	9,883	2,383
		<i>Acq strat incompatible with AF digital mod strategy</i>		[-7,500]
152	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	13,384	13,384
153	0804731F	GENERAL SKILL TRAINING	1,262	1,262
155	1001004F	INTERNATIONAL ACTIVITIES	3,599	3,599
		SUBTOTAL MANAGEMENT SUPPORT	2,891,280	2,898,780
		OPERATIONAL SYSTEMS DEVELOPMENT		
163	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,777	8,777
164	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	499	499
165	0604840F	F-35 C2D2	785,336	785,336
166	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	27,035	7,035
		<i>Poor agile development strategy</i>		[-20,000]
167	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	50,508	50,508
168	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,229	71,229
169	0605278F	HC/MC-130 RECAP RDT&E	24,705	24,705
170	0606018F	NC3 INTEGRATION	26,356	26,356
172	0101113F	B-52 SQUADRONS	520,023	520,023
173	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	1,433	1,433
174	0101126F	B-1B SQUADRONS	15,766	26,566
		<i>USAF-requested transfer from APAF Lines 22, 24</i>		[10,800]
175	0101127F	B-2 SQUADRONS	187,399	187,399
176	0101213F	MINUTEMAN SQUADRONS	116,569	116,569
177	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	27,235	27,235
178	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK	24,227	24,227
179	0101328F	ICBM REENTRY VEHICLES	112,753	112,753
181	0102110F	UH-1N REPLACEMENT PROGRAM	44,464	44,464
182	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	5,929	5,929
183	0102412F	NORTH WARNING SYSTEM (NWS)	100	100
184	0205219F	MQ-9 UAV	162,080	162,080
186	0207131F	A-10 SQUADRONS	24,535	24,535
187	0207133F	F-16 SQUADRONS	223,437	223,437
188	0207134F	F-15E SQUADRONS	298,908	298,908
189	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,960	14,960
190	0207138F	F-22A SQUADRONS	665,038	665,038
191	0207142F	F-35 SQUADRONS	132,229	132,229
192	0207146F	F-15EX	159,761	159,761
193	0207161F	TACTICAL AIM MISSILES	19,417	19,417
194	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,799	51,799
195	0207227F	COMBAT RESCUE—PARARESCUE	669	669
196	0207247F	AF TENCAP	21,644	21,644
197	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	9,261	9,261
198	0207253F	COMPASS CALL	15,854	15,854
199	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	95,896	95,896
200	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	70,792	70,792
201	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	51,187	51,187
202	0207412F	CONTROL AND REPORTING CENTER (CRC)	16,041	16,041
203	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	138,303	138,303
204	0207418F	AFSPECWAR—TACP	4,223	4,223
206	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	16,564	16,564
207	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,858	7,858
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,906	12,906
210	0207452F	DCAPES	14,816	14,816
211	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,970	1,970
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	396	396
213	0207590F	SEEK EAGLE	29,680	29,680
214	0207601F	USAF MODELING AND SIMULATION	17,666	17,666
215	0207605F	WARGAMING AND SIMULATION CENTERS	6,353	6,353
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	6,827	6,827
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,390	3,390

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218	0208006F	MISSION PLANNING SYSTEMS	91,768	91,768
219	0208007F	TACTICAL DECEPTION	2,370	2,370
220	0208064F	OPERATIONAL HQ—CYBER	5,527	5,527
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	68,279	68,279
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	15,165	15,165
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	38,480	38,480
224	0208099F	UNIFIED PLATFORM (UP)	84,645	84,645
230	0301025F	GEOBASE	2,767	2,767
231	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	32,759	32,759
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	2,904	2,904
239	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	3,468	3,468
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	61,887	61,887
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	10,351	10,351
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	1,346	1,346
246	0304260F	AIRBORNE SIGINT ENTERPRISE	128,110	128,110
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,042	4,042
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,649	1,649
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	19,265	19,265
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,645	4,645
254	0305103F	CYBER SECURITY INITIATIVE	384	384
255	0305111F	WEATHER SERVICE	23,640	23,640
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL).	6,553	6,553
257	0305116F	AERIAL TARGETS	449	449
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	432	432
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	4,890	4,890
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,864	8,864
265	0305202F	DRAGON U-2	18,660	18,660
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	121,512	121,512
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,711	14,711
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,152	14,152
270	0305220F	RQ-4 UAV	134,589	134,589
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	15,049	15,049
272	0305238F	NATO AGS	36,731	36,731
273	0305240F	SUPPORT TO DCGS ENTERPRISE	33,547	33,547
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	13,635	17,315
		PDI: Mission Partner Environment BICES-X Project 675898		[3,680]
275	0305881F	RAPID CYBER ACQUISITION	4,262	4,262
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,207	2,207
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,277	6,277
278	0401115F	C-130 AIRLIFT SQUADRON	41,973	41,973
279	0401119F	C-5 AIRLIFT SQUADRONS (IF)	32,560	32,560
280	0401130F	C-17 AIRCRAFT (IF)	9,991	12,991
		C-17 microvanes		[3,000]
281	0401132F	C-130J PROGRAM	10,674	10,674
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,507	5,507
283	0401218F	KC-135S	4,591	4,591
286	0401318F	CV-22	18,419	18,419
288	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,673	7,673
290	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	24,513	24,513
291	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	35,225	15,225
		Poor agile development strategy		[-20,000]
292	0708611F	SUPPORT SYSTEMS DEVELOPMENT	11,838	11,838
293	0804743F	OTHER FLIGHT TRAINING	1,332	1,332
295	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,092	2,092
296	0901218F	CIVILIAN COMPENSATION PROGRAM	3,869	3,869
297	0901220F	PERSONNEL ADMINISTRATION	1,584	1,584
298	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,197	1,197
299	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	7,006	7,006
300	0901554F	DEFENSE ENTERPRISE ACNTG AND MGT SYS (DEAMS)	45,638	45,638
301	1201017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	1,889	1,889
302	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	993	993
303	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	8,999	8,999
314	1203400F	SPACE SUPERIORITY INTELLIGENCE	16,810	16,810
316	1203620F	NATIONAL SPACE DEFENSE CENTER	2,687	2,687
318	1203906F	NCMC—TW/A SYSTEM	6,990	6,990
999	999999999	CLASSIFIED PROGRAMS	15,777,856	15,839,856
		Air-to-air weapons development increase		[62,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	21,466,680	21,506,160
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF ...	37,391,826	37,829,306
		RDTE, SPACE FORCE		
		APPLIED RESEARCH		

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Line	Program Element	Item	FY 2021 Request	Senate Authorized
1	1206601SF	SPACE TECHNOLOGY	130,874	133,874
		Small satellite mission operations facility		[3,000]
		SUBTOTAL APPLIED RESEARCH	130,874	133,874
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
2	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE). MGUE program slip	390,704	370,704
				[-20,000]
3	1203710SF	EO/IR WEATHER SYSTEMS	131,000	131,000
4	1206422SF	WEATHER SYSTEM FOLLOW-ON	83,384	83,384
5	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	33,359	33,359
6	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	142,808	142,808
7	1206438SF	SPACE CONTROL TECHNOLOGY	35,575	35,575
8	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	114,390	114,390
9	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	205,178	205,178
10	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	71,395	71,395
11	1206857SF	SPACE RAPID CAPABILITIES OFFICE	103,518	103,518
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,311,311	1,291,311
SYSTEM DEVELOPMENT & DEMONSTRATION				
12	1203269SF	GPS III FOLLOW-ON (GPS III-F)	263,496	263,496
13	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	41,897	41,897
14	1206421SF	COUNTERSPACE SYSTEMS	54,689	54,689
15	1206422SFZ	WEATHER SYSTEM FOLLOW-ON	2,526	2,526
16	1206425SFZ	SPACE SITUATION AWARENESS SYSTEMS	173,074	173,074
17	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	138,257	138,257
18	1206432SF	POLAR MILSATCOM (SPACE)	190,235	190,235
19	1206442SF	NEXT GENERATION OPIR	2,318,864	2,318,864
20	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD NSSL Phase 3 integration activities program	560,978	590,978
				[30,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	3,744,016	3,774,016
MANAGEMENT SUPPORT				
21	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	20,281	20,281
22	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	183,930	183,930
23	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	9,765	9,765
24	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,993	17,993
25	1206864SF	SPACE TEST PROGRAM (STP)	26,541	26,541
		SUBTOTAL MANAGEMENT SUPPORT	258,510	258,510
OPERATIONAL SYSTEM DEVELOPMENT				
26	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,708	3,708
27	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	247,229	247,229
28	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	75,480	75,480
29	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS). SPACE AND MISSILE TEST AND EVALUATION CENTER	1,984	1,984
			4,397	4,397
31	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT. SPACELIFT RANGE SYSTEM (SPACE)	44,746	44,746
			11,020	11,020
32	1203182SF	GPS III SPACE SEGMENT	10,777	10,777
33	1203265SF	BALLISTIC MISSILE DEFENSE RADARS	28,179	46,679
		Cobra Dane service life extension		[18,500]
34	1203873SF	NUDET DETECTION SYSTEM (SPACE)	29,157	29,157
35	1203913SF	SPACE SITUATION AWARENESS OPERATIONS	44,809	51,809
		Commercial SSA		[7,000]
36	1203940SFZ	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT. Funds available prioritized to other space missions	481,999	416,999
				[-65,000]
41	1206770SF	ENTERPRISE GROUND SERVICES	116,791	116,791
999	999999999	CLASSIFIED PROGRAMS	3,632,866	3,632,866
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,733,142	4,693,642
SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS				
42	1203614SF	JSPOC MISSION SYSTEM	149,742	149,742
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	149,742	149,742
		TOTAL RDTE, SPACE FORCE	10,327,595	10,301,095
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
BASIC RESEARCH				
1	0601000BR	DTRA BASIC RESEARCH	14,617	14,617
2	0601101E	DEFENSE RESEARCH SCIENCES	479,958	479,958

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3	0601110D8Z	BASIC RESEARCH INITIATIVES	35,565	72,565
		DEPSCoR		[20,000]
		Minerva Research initiative restore DWR cut		[17,000]
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	53,730	58,730
		Traumatic brain injury medical research		[5,000]
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	100,241	100,241
6	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,975	37,975
		Aerospace education, research, and innovation activities		[2,000]
		HBCU/Minority Institutions		[5,000]
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	45,300	45,300
		SUBTOTAL BASIC RESEARCH	760,386	809,386
APPLIED RESEARCH				
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,409	19,409
9	0602115E	BIOMEDICAL TECHNOLOGY	107,568	107,568
11	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	35,000	35,000
12	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	41,080	41,080
13	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	60,722	60,722
14	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	435,920	435,920
15	0602383E	BIOLOGICAL WARFARE DEFENSE	26,950	26,950
16	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	201,807	201,807
17	0602668D8Z	CYBER SECURITY RESEARCH	15,255	15,255
18	0602702E	TACTICAL TECHNOLOGY	233,271	233,271
19	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	250,107	290,107
		Increase in emerging biotech research		[40,000]
20	0602716E	ELECTRONICS TECHNOLOGY	322,693	322,693
21	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	174,571	174,571
22	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,573	9,573
23	1160401BB	SOF TECHNOLOGY DEVELOPMENT	42,464	42,464
		SUBTOTAL APPLIED RESEARCH	1,976,390	2,016,390
ADVANCED TECHNOLOGY DEVELOPMENT				
24	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	22,920	22,920
25	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,914	4,914
26	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	51,089	51,089
27	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,183	25,183
29	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	366,659	366,659
30	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	14,910	14,910
32	0603180C	ADVANCED RESEARCH	18,687	18,687
33	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,873	18,873
34	0603286E	ADVANCED AEROSPACE SYSTEMS	230,978	210,978
		OpFires lack of transition pathway		[-20,000]
35	0603287E	SPACE PROGRAMS AND TECHNOLOGY	158,439	158,439
36	0603288D8Z	ANALYTIC ASSESSMENTS	23,775	23,775
37	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	36,524	36,524
38	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA	14,703	14,703
39	0603294C	COMMON KILL VEHICLE TECHNOLOGY	11,058	11,058
40	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	133,375	126,375
		Lack of hypersonic prototype coordination efforts		[-20,000]
		Stratospheric balloon research		[13,000]
42	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	26,141	26,141
43	0603375D8Z	TECHNOLOGY INNOVATION	27,709	27,709
44	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	188,001	188,001
45	0603527D8Z	RETRACT LARCH	130,283	130,283
46	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	15,164	15,164
47	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	85,452	85,452
48	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	5,882	5,882
49	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	93,817	98,817
		Rapid prototyping using digital manufacturing		[5,000]
50	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	40,025	55,025
		Defense supply chain technologies		[5,000]
		Steel performance initiative		[10,000]
52	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	10,235	10,235
53	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	53,862	53,862
54	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	124,049	124,049
55	0603727D8Z	JOINT WARFIGHTING PROGRAM	3,871	3,871
56	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	95,864	95,864
57	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	221,724	221,724
58	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	661,158	651,158
		Lack of coordination		[-10,000]

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59	0603767E	SENSOR TECHNOLOGY	200,220	200,220
60	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	6,765	6,765
61	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	12,598	12,598
64	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	105,410	105,410
65	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	187,065	187,065
67	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	0	65,000
		Restoration of funds		[65,000]
70	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	89,072	89,072
71	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	72,422	72,422
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT ...	3,588,876	3,636,876
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
72	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	32,636	32,636
73	0603600D8Z	WALKOFF	106,529	106,529
75	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	61,345	76,345
		Joint Storage Program		[15,000]
76	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT ..	412,627	412,627
77	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,004,305	1,004,305
78	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	76,167	76,167
79	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	281,957	281,957
80	0603890C	BMD ENABLING PROGRAMS	599,380	599,380
81	0603891C	SPECIAL PROGRAMS—MDA	420,216	420,216
82	0603892C	AEGIS BMD	814,936	814,936
83	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	593,353	593,353
84	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT ...	49,560	49,560
85	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	55,356	55,356
86	0603906C	REGARDING TRENCH	11,863	11,863
87	0603907C	SEA BASED X-BAND RADAR (SBX)	118,318	118,318
88	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
89	0603914C	BALLISTIC MISSILE DEFENSE TEST	378,302	378,302
90	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	536,133	536,133
92	0603923D8Z	COALITION WARFARE	10,129	10,129
93	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	449,000	449,000
94	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,325	3,325
95	0604115C	TECHNOLOGY MATURATION INITIATIVES	67,389	67,389
98	0604181C	HYPERSONIC DEFENSE	206,832	206,832
99	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	730,508	630,508
		Program decrease		[-100,000]
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	489,076	489,076
101	0604331D8Z	RAPID PROTOTYPING PROGRAM	102,023	82,023
		Lack of hypersonic prototype coordination efforts		[-20,000]
102	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	13,255	13,255
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,787	2,787
105	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)	0	162,000
		Continue radar development		[162,000]
107	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,469	3,469
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	19,190	19,190
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,256	137,256
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	664,138	354,138
		Contract award delay		[-310,000]
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	7,768	7,768
113	0604878C	AEGIS BMD TEST	170,880	170,880
114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	76,456	76,456
115	0604880C	LAND-BASED SM-3 (LB8M3)	56,628	133,428
		PDI: Guam Defense System—systems engineering		[76,800]
116	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	67,071	67,071
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,198	2,198
119	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	997	997
120	0305103C	CYBER SECURITY INITIATIVE	1,148	1,148
121	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	215,994	325,994
		Execution of HBTSS by MDA		[-20,000]
		Space-based target custody layer		[130,000]
122	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	34,144	34,144
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	32,068	152,068
		Hypersonic and Ballistic Tracking Space Sensor (HBTSS)		[120,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,416,712	9,470,512

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SYSTEM DEVELOPMENT & DEMONSTRATION				
124	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	7,173	7,173
126	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	319,976	322,976
		<i>Stryker NBCRV sensor suite upgrade</i>		[3,000]
127	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	54,985	54,985
128	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	15,650	15,650
129	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	1,441	1,441
130	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	7,287	7,287
131	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	12,928	12,928
132	0605027D8Z	OUSDC IT DEVELOPMENT INITIATIVES	10,259	10,259
133	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	1,377	1,377
134	0605075D8Z	CMO POLICY AND INTEGRATION	1,648	1,648
135	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	20,537	20,537
136	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	1,638	1,638
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS)	5,500	5,500
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	8,279	8,279
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	107,585	107,585
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,685	3,685
143	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM).	3,275	3,275
144	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	20,585	20,585
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	603,808	606,808
MANAGEMENT SUPPORT				
145	0603829J	JOINT CAPABILITY EXPERIMENTATION	11,239	11,239
146	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,793	9,793
147	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,497	8,497
148	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	422,451	452,451
		<i>Joint Counter-UAS Office assessment infrastructure</i>		[15,000]
		<i>Telemetry range extension wave glider relay</i>		[15,000]
149	0604942D8Z	ASSESSMENTS AND EVALUATIONS	18,379	18,379
150	0605001E	MISSION SUPPORT	74,334	74,334
151	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETS)	79,046	79,046
153	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JLAMDO).	50,255	50,255
155	0605142D8Z	SYSTEMS ENGINEERING	49,376	49,376
156	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,777	7,777
		<i>National Academies of Science study on comparison of talent programs.</i>		[2,000]
157	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	16,552	16,552
158	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,582	9,582
159	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,940	1,940
160	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	122,951	122,951
167	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,582	3,582
168	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	29,566	29,566
169	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	29,059	29,059
170	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	59,369	9,369
		<i>Insufficient progress on data sharing and open repositories</i>		[-50,000]
171	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	29,420	29,420
172	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,198	27,198
173	0605898E	MANAGEMENT HQ—R&D	13,434	13,434
174	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	2,837	2,837
175	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	13,173	13,173
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,200	3,200
177	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT	999	999
180	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,099	3,099
181	0204571J	JOINT STAFF ANALYTICAL SUPPORT	3,058	3,058
182	0208045K	CAI INTEROPERABILITY	59,813	59,813
185	0303140SE	INFORMATION SYSTEMS SECURITY PROGRAM	1,112	1,112
186	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	545	545
187	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,036	1,036
188	0305172K	COMBINED ADVANCED APPLICATIONS	30,824	30,824
190	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,048	3,048
194	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	31,125	31,125
195	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	100	100
196	0901598C	MANAGEMENT HQ—MDA	26,902	26,902

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197	0903235K	JOINT SERVICE PROVIDER (JSP)	3,138	3,138
999	999999999	CLASSIFIED PROGRAMS	41,583	41,583
		SUBTOTAL MANAGEMENT SUPPORT	1,297,392	1,279,392
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	14,378	14,378
200	0604532K	JOINT ARTIFICIAL INTELLIGENCE	132,058	132,058
201	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNER-SHIP FOR PEACE INFORMATION MANA.....	1,986	1,986
202	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS).....	316	316
203	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	9,151	70,151
		Advanced machine tool research		[20,000]
		Cold spray manufacturing technologies		[5,000]
		Domestic organic LED manufacturing		[5,000]
		Implementation of radar supplier resiliency plan		[5,000]
		Manufacturing for reuse of NdFeB magnets		[6,000]
		Submarine industrial base workforce training pipeline		[20,000]
204	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	19,082	19,082
205	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).....	3,992	3,992
206	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).....	39,530	39,530
207	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,039	3,039
212	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.....	16,324	16,324
213	0303126K	LONG-HAUL COMMUNICATIONS—DCS	11,884	11,884
214	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).....	5,560	5,560
215	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	73,356	73,356
216	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	46,577	66,577
		Workforce transformation cyber initiative pilot program		[20,000]
217	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	356,713	356,713
218	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,922	18,922
		Execution of orchestration pilot		[10,000]
219	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	3,695	3,695
220	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,113	20,113
223	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,728	9,242
		JRSS SIPR funding		[-486]
231	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	5,700	5,700
235	0305186D8Z	POLICY R&D PROGRAMS	7,144	7,144
236	0305199D8Z	NET CENTRICITY	21,793	21,793
238	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,066	6,066
245	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,190	2,190
252	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,654	1,654
253	0708012S	PACIFIC DISASTER CENTERS	1,785	1,785
254	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	7,301	7,301
256	1105219BB	MQ-9 UAV	21,265	21,265
258	1160403BB	AVIATION SYSTEMS	230,812	230,812
259	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	19,558	19,558
260	1160408BB	OPERATIONAL ENHANCEMENTS	136,041	136,041
261	1160431BB	WARRIOR SYSTEMS	59,511	58,311
		MMP-Light unexecutable, transfer to man-pack		[-1,200]
262	1160432BB	SPECIAL PROGRAMS	10,500	10,500
263	1160434BB	UNMANNED ISR	19,154	19,154
264	1160480BB	SOF TACTICAL VEHICLES	9,263	9,263
265	1160483BB	MARITIME SYSTEMS	59,882	59,882
266	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,606	4,606
267	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,612	11,612
268	1203610K	TELEPORT PROGRAM	3,239	3,239
999	999999999	CLASSIFIED PROGRAMS	4,746,466	4,746,466
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	6,161,946	6,251,260
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
269	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM.....	121,676	121,676
270	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	16,848	16,848
271	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	86,750	86,750
272	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM.....	250,107	250,107
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.....	475,381	475,381
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW ..	24,280,891	24,546,005
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		

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1	0605118OTE	OPERATIONAL TEST AND EVALUATION	100,021	100,021
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	70,933	70,933
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	39,136	66,136
		Advanced satellite navigation receiver		[5,000]
		Joint Test and Evaluation DWR funding restoration		[22,000]
		SUBTOTAL MANAGEMENT SUPPORT	210,090	237,090
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	210,090	237,090
		TOTAL RDT&E	106,224,793	106,660,645

1 **SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
2 **TION FOR OVERSEAS CONTINGENCY OPER-**
3 **ATIONS.**

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		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		APPLIED RESEARCH		
16	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	2,000	2,000
		SUBTOTAL APPLIED RESEARCH	2,000	2,000
		ADVANCED COMPONENT DEVELOPMENT & PROTO-		
		TYPES		
80	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	500	500
114	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,020	2,020
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &	2,520	2,520
		PROTOTYPES.		
		SYSTEM DEVELOPMENT & DEMONSTRATION		
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	27,000	27,000
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	2,300	2,300
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	64,625	64,625
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	3,900	3,900
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	97,825	97,825
		MANAGEMENT SUPPORT		
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	1,000	1,000
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	4,137	4,137
		SUBTOTAL MANAGEMENT SUPPORT	5,137	5,137
		OPERATIONAL SYSTEMS DEVELOPMENT		
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	2,300	2,300
248	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	23,367	23,367
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	34,100	34,100
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	15,575	15,575
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	75,342	75,342
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL,	182,824	182,824
		ARMY.		
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTO-		
		TYPES		
39	0603527N	RETRACT LARCH	36,500	36,500
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	14,461	14,461
63	0603734N	CHALK CORAL	3,000	3,000
71	0603795N	LAND ATTACK TECHNOLOGY	1,457	1,457
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &	55,418	55,418
		PROTOTYPES.		
		SYSTEM DEVELOPMENT & DEMONSTRATION		
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,144	1,144
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	1,144	1,144

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OPERATIONAL SYSTEMS DEVELOPMENT				
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) ..	3,000	3,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	3,000	3,000
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.			59,562	59,562
RESEARCH, DEVELOPMENT, TEST & EVAL, AF ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES				
65	0305601F	MISSION PARTNER ENVIRONMENTS		6,500
		EDI: Mission Partner Environment (MPE)		[6,500]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.		6,500
OPERATIONAL SYSTEMS DEVELOPMENT				
185	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	4,080	4,080
228	0208288F	INTEL DATA APPLICATIONS	1,224	1,224
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	5,304	5,304
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF ..			5,304	11,804
RESEARCH, DEVELOPMENT, TEST & EVAL, DW APPLIED RESEARCH				
10	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	3,699	3,699
		SUBTOTAL APPLIED RESEARCH	3,699	3,699
ADVANCED TECHNOLOGY DEVELOPMENT				
26	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	19,288	19,288
28	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	3,861	3,861
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	23,149	23,149
ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES				
97	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTO- TYPE DEVELOPMENT, AND TESTING.	19,931	19,931
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	19,931	19,931
	9999999999	CLASSIFIED PROGRAMS	24,057	24,057
OPERATIONAL SYSTEMS DEVELOPMENT				
260	1160408BB	OPERATIONAL ENHANCEMENTS	1,186	1,186
261	1160431BB	WARRIOR SYSTEMS	5,796	5,796
263	1160434BB	UNMANNED ISR	5,000	5,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	36,039	36,039
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW			82,818	82,818
TOTAL RDT&E			330,508	337,008

1 **TITLE XLIII—OPERATION AND**
2 **MAINTENANCE**
3 **SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)**

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
OPERATION & MAINTENANCE, ARMY			
OPERATING FORCES			
020	MODULAR SUPPORT BRIGADES	159,834	159,834
030	ECHELONS ABOVE BRIGADE	663,751	663,751
040	THEATER LEVEL ASSETS	956,477	956,477
050	LAND FORCES OPERATIONS SUPPORT	1,157,635	1,167,935
	Joint Counter-UAS IOC acceleration		[10,300]
060	AVIATION ASSETS	1,453,024	1,453,024
070	FORCE READINESS OPERATIONS SUPPORT	4,713,660	4,713,660
080	LAND FORCES SYSTEMS READINESS	404,161	404,161
090	LAND FORCES DEPOT MAINTENANCE	1,413,359	1,413,359

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
100	BASE OPERATIONS SUPPORT	8,220,093	8,346,093
	Child Development Center playground equipment and furniture increases		[79,000]
	Child Youth Service improvements		[47,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	3,581,071	3,815,531
	FSRM increase		[62,360]
	MDTF EUCOM and INDOPACOM FSRM		[126,800]
	Revitalization of Army deployment infrastructure		[45,300]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	411,844	411,844
160	US AFRICA COMMAND	239,387	341,887
	AFRICOM force protection upgrades		[2,500]
	AFRICOM ISR improvements		[64,000]
	AFRICOM UFR CASEVAC improvements		[36,000]
170	US EUROPEAN COMMAND	160,761	160,761
180	US SOUTHERN COMMAND	197,826	197,826
190	US FORCES KOREA	65,152	65,152
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	430,109	435,109
	Additional access and operations support		[5,000]
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	464,117	464,117
	SUBTOTAL OPERATING FORCES	24,692,261	25,170,521
	MOBILIZATION		
220	STRATEGIC MOBILITY	402,236	402,236
230	ARMY PREPOSITIONED STOCKS	324,306	324,306
240	INDUSTRIAL PREPAREDNESS	3,653	3,653
	SUBTOTAL MOBILIZATION	730,195	730,195
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	165,142	165,142
260	RECRUIT TRAINING	76,509	76,509
270	ONE STATION UNIT TRAINING	88,523	88,523
280	SENIOR RESERVE OFFICERS TRAINING CORPS	535,578	535,578
290	SPECIALIZED SKILL TRAINING	981,436	981,436
300	FLIGHT TRAINING	1,204,768	1,204,768
310	PROFESSIONAL DEVELOPMENT EDUCATION	215,195	215,195
320	TRAINING SUPPORT	575,232	575,232
330	RECRUITING AND ADVERTISING	722,612	722,612
340	EXAMINING	185,522	185,522
350	OFF-DUTY AND VOLUNTARY EDUCATION	221,503	221,503
360	CIVILIAN EDUCATION AND TRAINING	154,651	154,651
370	JUNIOR RESERVE OFFICER TRAINING CORPS	173,286	173,286
	SUBTOTAL TRAINING AND RECRUITING	5,299,957	5,299,957
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	491,926	466,926
	Historical underexecution		[-25,000]
400	CENTRAL SUPPLY ACTIVITIES	812,613	812,613
410	LOGISTIC SUPPORT ACTIVITIES	676,178	676,178
420	AMMUNITION MANAGEMENT	437,774	437,774
430	ADMINISTRATION	438,048	438,048
440	SERVICEWIDE COMMUNICATIONS	1,638,872	1,638,872
450	MANPOWER MANAGEMENT	300,046	300,046
460	OTHER PERSONNEL SUPPORT	701,103	700,103
	Historical underexecution		[-4,000]
	Servicewomen's commemorative partnerships		[3,000]
470	OTHER SERVICE SUPPORT	1,887,133	1,887,133
480	ARMY CLAIMS ACTIVITIES	195,291	195,291
490	REAL ESTATE MANAGEMENT	229,537	229,537
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	306,370	306,370
510	INTERNATIONAL MILITARY HEADQUARTERS	373,030	373,030
520	MISC. SUPPORT OF OTHER NATIONS	32,719	32,719
9999	CLASSIFIED PROGRAMS	1,069,915	1,069,915
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	9,590,555	9,564,555
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-458,901
	COVID-related ops/training slowdown		[-185,801]
	Excessive standard price for fuel		[-135,400]
	Foreign currency adjustments		[-137,700]

SEC. 4301. OPERATION AND MAINTENANCE <i>(In Thousands of Dollars)</i>			
<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
	SUBTOTAL UNDISTRIBUTED	0	-458,901
	TOTAL OPERATION & MAINTENANCE, ARMY	40,312,968	40,306,327
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,784	10,784
020	ECHELONS ABOVE BRIGADE	530,425	530,425
030	THEATER LEVEL ASSETS	123,737	123,737
040	LAND FORCES OPERATIONS SUPPORT	589,582	589,582
050	AVIATION ASSETS	89,332	89,332
060	FORCE READINESS OPERATIONS SUPPORT	387,545	387,545
070	LAND FORCES SYSTEMS READINESS	97,569	97,569
080	LAND FORCES DEPOT MAINTENANCE	43,148	43,148
090	BASE OPERATIONS SUPPORT	587,098	587,098
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	327,180	332,440
	FSRM increase		[5,260]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,745	2,745
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,438	7,438
	SUBTOTAL OPERATING FORCES	2,825,366	2,830,626
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,530	15,530
150	ADMINISTRATION	17,761	17,761
160	SERVICEWIDE COMMUNICATIONS	14,256	14,256
170	MANPOWER MANAGEMENT	6,564	6,564
180	RECRUITING AND ADVERTISING	55,240	55,240
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	109,351	109,351
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-16,699
	COVID-related ops/training slowdown		[-11,999]
	Excessive standard price for fuel		[-4,700]
	SUBTOTAL UNDISTRIBUTED	0	-16,699
	TOTAL OPERATION & MAINTENANCE, ARMY RES	2,934,717	2,923,278
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	769,449	769,449
020	MODULAR SUPPORT BRIGADES	204,604	204,604
030	ECHELONS ABOVE BRIGADE	812,072	812,072
040	THEATER LEVEL ASSETS	103,650	103,650
050	LAND FORCES OPERATIONS SUPPORT	32,485	32,485
060	AVIATION ASSETS	1,011,142	1,011,142
070	FORCE READINESS OPERATIONS SUPPORT	712,881	712,881
080	LAND FORCES SYSTEMS READINESS	47,732	47,732
090	LAND FORCES DEPOT MAINTENANCE	265,408	265,408
100	BASE OPERATIONS SUPPORT	1,106,704	1,106,704
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	876,032	887,252
	FSRM increase		[11,220]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,050,257	1,050,257
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	7,998	10,998
	Pilot program for National Guard cybersecurity		[3,000]
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,756	7,756
	SUBTOTAL OPERATING FORCES	7,008,170	7,022,390
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	8,018	8,018
160	ADMINISTRATION	74,309	74,309
170	SERVICEWIDE COMMUNICATIONS	66,140	66,140
180	MANPOWER MANAGEMENT	9,087	9,087
190	OTHER PERSONNEL SUPPORT	251,714	251,714
200	REAL ESTATE MANAGEMENT	2,576	2,576
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	411,844	411,844
	UNDISTRIBUTED		

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
999	UNDISTRIBUTED	0	-74,172
	COVID-related ops/training slowdown		[-36,372]
	Excessive standard price for fuel		[-37,800]
	SUBTOTAL UNDISTRIBUTED	0	-74,172
	TOTAL OPERATION & MAINTENANCE, ARNG	7,420,014	7,360,062
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	5,738,746	5,738,746
020	FLEET AIR TRAINING	2,213,673	2,213,673
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	57,144	57,144
040	AIR OPERATIONS AND SAFETY SUPPORT	171,949	171,949
050	AIR SYSTEMS SUPPORT	838,767	838,767
060	AIRCRAFT DEPOT MAINTENANCE	1,459,447	1,459,447
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	57,789	57,789
080	AVIATION LOGISTICS	1,264,665	1,264,665
100	SHIP OPERATIONS SUPPORT & TRAINING	1,117,067	1,117,067
110	SHIP DEPOT MAINTENANCE	7,859,104	7,859,104
120	SHIP DEPOT OPERATIONS SUPPORT	2,262,196	2,262,196
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,521,360	1,521,360
140	SPACE SYSTEMS AND SURVEILLANCE	274,087	274,087
150	WARFARE TACTICS	741,609	741,609
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	401,382	401,382
170	COMBAT SUPPORT FORCES	1,546,273	1,546,273
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUP- PORT	177,951	177,951
190	COMBATANT COMMANDERS CORE OPERATIONS	61,484	66,484
	PDI: Asia-Pacific Regional Initiative		[5,000]
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	102,330	110,630
	PDI: Joint Task Force Indo-Pacific (SOCPAC)		[6,300]
	PDI: Singapore CTIF fusion center		[2,000]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,810	26,510
	PDI: Countering Chinese malign influence in Indo-Pacific		[17,700]
220	CYBERSPACE ACTIVITIES	567,496	567,496
230	FLEET BALLISTIC MISSILE	1,428,102	1,428,102
240	WEAPONS MAINTENANCE	995,762	995,762
250	OTHER WEAPON SYSTEMS SUPPORT	524,008	524,008
260	ENTERPRISE INFORMATION	1,229,056	1,229,056
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,453,099	3,453,099
280	BASE OPERATING SUPPORT	4,627,966	4,627,966
	SUBTOTAL OPERATING FORCES	40,701,322	40,732,322
	MOBILIZATION		
290	SHIP PREPOSITIONING AND SURGE	849,993	849,993
300	READY RESERVE FORCE	436,029	436,029
310	SHIP ACTIVATIONS/INACTIVATIONS	286,416	286,416
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	99,402	111,002
	USNS Mercy SLEP		[11,600]
330	COAST GUARD SUPPORT	25,235	25,235
	SUBTOTAL MOBILIZATION	1,697,075	1,708,675
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	186,117	186,117
350	RECRUIT TRAINING	13,206	13,206
360	RESERVE OFFICERS TRAINING CORPS	163,683	163,683
370	SPECIALIZED SKILL TRAINING	947,841	947,841
380	PROFESSIONAL DEVELOPMENT EDUCATION	367,647	367,647
390	TRAINING SUPPORT	254,928	254,928
400	RECRUITING AND ADVERTISING	206,305	206,305
410	OFF-DUTY AND VOLUNTARY EDUCATION	103,799	103,799
420	CIVILIAN EDUCATION AND TRAINING	66,060	66,060
430	JUNIOR ROTC	56,276	56,276
	SUBTOTAL TRAINING AND RECRUITING	2,365,862	2,365,862
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,249,410	1,249,410
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	189,625	189,625
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	499,904	499,904
470	MEDICAL ACTIVITIES	196,747	196,747

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
480	SERVICEWIDE TRANSPORTATION	165,708	165,708
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	519,716	524,716
	<i>Energy Security Programs Office</i>		[5,000]
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	751,184	751,184
520	INVESTIGATIVE AND SECURITY SERVICES	747,519	747,519
9999	CLASSIFIED PROGRAMS	608,670	608,670
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,928,483	4,933,483
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-629,787
	COVID-related ops/training slowdown		[-54,987]
	Excessive standard price for fuel		[-526,100]
	Foreign currency adjustments		[-48,700]
	SUBTOTAL UNDISTRIBUTED	0	-629,787
	TOTAL OPERATION & MAINTENANCE, NAVY	49,692,742	49,110,555
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	941,143	941,143
020	FIELD LOGISTICS	1,277,798	1,277,798
030	DEPOT MAINTENANCE	206,907	206,907
040	MARITIME PREPOSITIONING	103,614	103,614
050	CYBERSPACE ACTIVITIES	215,974	215,974
060	SUSTAINMENT, RESTORATION & MODERNIZATION	938,063	938,063
070	BASE OPERATING SUPPORT	2,264,680	2,264,680
	SUBTOTAL OPERATING FORCES	5,948,179	5,948,179
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	20,751	20,751
090	OFFICER ACQUISITION	1,193	1,193
100	SPECIALIZED SKILL TRAINING	110,149	110,149
110	PROFESSIONAL DEVELOPMENT EDUCATION	69,509	69,509
120	TRAINING SUPPORT	412,613	412,613
130	RECRUITING AND ADVERTISING	215,464	215,464
140	OFF-DUTY AND VOLUNTARY EDUCATION	33,719	33,719
150	JUNIOR ROTC	25,784	25,784
	SUBTOTAL TRAINING AND RECRUITING	889,182	889,182
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	32,005	32,005
170	ADMINISTRATION	399,363	399,363
9999	CLASSIFIED PROGRAMS	59,878	59,878
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	491,246	491,246
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-28,257
	COVID-related ops/training slowdown		[-7,457]
	Excessive standard price for fuel		[-7,300]
	Foreign currency adjustments		[-13,500]
	SUBTOTAL UNDISTRIBUTED	0	-28,257
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	7,328,607	7,300,350
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	635,070	635,070
020	INTERMEDIATE MAINTENANCE	8,713	8,713
030	AIRCRAFT DEPOT MAINTENANCE	105,088	105,088
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	398	398
050	AVIATION LOGISTICS	27,284	27,284
070	COMBAT COMMUNICATIONS	17,894	17,894
080	COMBAT SUPPORT FORCES	132,862	132,862
090	CYBERSPACE ACTIVITIES	453	453
100	ENTERPRISE INFORMATION	26,073	26,073
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,762	48,762
120	BASE OPERATING SUPPORT	103,580	103,580
	SUBTOTAL OPERATING FORCES	1,106,177	1,106,177

SEC. 4301. OPERATION AND MAINTENANCE <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2021 Request	Senate Authorized
ADMIN & SRVWD ACTIVITIES			
130	ADMINISTRATION	1,927	1,927
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	15,895	15,895
150	ACQUISITION AND PROGRAM MANAGEMENT	3,047	3,047
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	20,869	20,869
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	-30,938
	COVID-related ops/training slowdown		[-6,438]
	Excessive standard price for fuel		[-24,500]
	SUBTOTAL UNDISTRIBUTED	0	-30,938
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,127,046	1,096,108
OPERATION & MAINTENANCE, MC RESERVE			
OPERATING FORCES			
010	OPERATING FORCES	104,616	104,616
020	DEPOT MAINTENANCE	17,053	17,053
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	41,412	41,412
040	BASE OPERATING SUPPORT	107,773	107,773
	SUBTOTAL OPERATING FORCES	270,854	270,854
ADMIN & SRVWD ACTIVITIES			
050	ADMINISTRATION	13,802	13,802
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	13,802	13,802
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	-1,246
	COVID-related ops/training slowdown		[-1,046]
	Excessive standard price for fuel		[-200]
	SUBTOTAL UNDISTRIBUTED	0	-1,246
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	284,656	283,410
OPERATION & MAINTENANCE, AIR FORCE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	731,511	733,211
	Premature reduction of A-10 squadrons		[1,700]
020	COMBAT ENHANCEMENT FORCES	1,275,485	1,275,485
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,437,095	1,449,495
	Premature reduction of A-10 squadrons		[12,400]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	3,241,216	3,343,016
	FSRM increase		[101,800]
060	CYBERSPACE SUSTAINMENT	235,816	235,816
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	1,508,342	1,477,897
	Transfer to OCO		[-30,445]
080	FLYING HOUR PROGRAM	4,458,457	4,564,157
	KC-10 tanker divestment reversal		[16,200]
	KC-135 tanker divestment reversal		[36,600]
	Premature reduction of A-10 squadrons		[52,900]
090	BASE SUPPORT	7,497,288	7,497,288
100	GLOBAL C3I AND EARLY WARNING	849,842	880,642
	PDI: Mission Partner Environment implementation		[30,800]
110	OTHER COMBAT OPS SPT PROGRAMS	1,067,055	1,067,055
120	CYBERSPACE ACTIVITIES	698,579	698,579
150	SPACE CONTROL SYSTEMS	34,194	34,194
160	US NORTHCOM/NORAD	204,268	204,268
170	US STRATCOM	526,809	526,809
180	US CYBERCOM	314,524	356,224
	Additional access and operations support		[25,000]
	Hunt Forward missions		[13,800]
	Secure the DODIN		[2,900]
190	US CENTCOM	186,116	186,116
200	US SOCOM	9,881	9,881
210	US TRANSCOM	1,046	1,046
230	USSPACECOM	249,022	249,022
9999	CLASSIFIED PROGRAMS	1,289,339	1,289,339
	SUBTOTAL OPERATING FORCES	25,815,885	26,079,540

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
MOBILIZATION			
240	AIRLIFT OPERATIONS	1,350,031	1,350,031
250	MOBILIZATION PREPAREDNESS	647,168	647,168
	SUBTOTAL MOBILIZATION	1,997,199	1,997,199
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	142,548	142,548
270	RECRUIT TRAINING	25,720	25,720
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	128,295	128,295
290	SPECIALIZED SKILL TRAINING	417,335	417,335
300	FLIGHT TRAINING	615,033	615,033
310	PROFESSIONAL DEVELOPMENT EDUCATION	298,795	298,795
320	TRAINING SUPPORT	85,844	85,844
330	RECRUITING AND ADVERTISING	155,065	135,065
	<i>Ahead of need</i>		<i>[-20,000]</i>
340	EXAMINING	4,474	4,474
350	OFF-DUTY AND VOLUNTARY EDUCATION	219,349	219,349
360	CIVILIAN EDUCATION AND TRAINING	361,570	361,570
370	JUNIOR ROTC	72,126	72,126
	SUBTOTAL TRAINING AND RECRUITING	2,526,154	2,506,154
ADMIN & SRVWD ACTIVITIES			
380	LOGISTICS OPERATIONS	672,426	672,426
390	TECHNICAL SUPPORT ACTIVITIES	145,130	145,130
400	ADMINISTRATION	851,251	851,251
410	SERVICEWIDE COMMUNICATIONS	28,554	28,554
420	OTHER SERVICEWIDE ACTIVITIES	1,188,414	1,188,414
430	CIVIL AIR PATROL	28,772	28,772
450	INTERNATIONAL SUPPORT	158,803	158,803
9999	CLASSIFIED PROGRAMS	1,338,009	1,338,009
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,411,359	4,411,359
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	-765,956
	COVID-related ops/training slowdown		<i>[-89,856]</i>
	COVID-related throughput carryover adjustment		<i>[-75,800]</i>
	Excessive standard price for fuel		<i>[-560,200]</i>
	Foreign currency adjustments		<i>[-40,100]</i>
	SUBTOTAL UNDISTRIBUTED	0	-765,956
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	34,750,597	34,228,296
OPERATION & MAINTENANCE, SPACE FORCE			
OPERATING FORCES			
020	GLOBAL C3I & EARLY WARNING	276,109	276,109
030	SPACE LAUNCH OPERATIONS	177,056	177,056
040	SPACE OPERATIONS	475,338	475,338
050	EDUCATION & TRAINING	18,660	18,660
060	SPECIAL PROGRAMS	137,315	137,315
070	DEPOT MAINTENANCE	250,324	250,324
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	1,063,969	1,063,969
	SUBTOTAL OPERATING FORCES	2,398,771	2,398,771
ADMINISTRATION AND SERVICE WIDE ACTIVITIES			
090	ADMINISTRATION	132,523	132,523
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	132,523	132,523
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	-400
	Excessive standard price for fuel		<i>[-400]</i>
	SUBTOTAL UNDISTRIBUTED	0	-400
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	2,531,294	2,530,894
OPERATION & MAINTENANCE, AF RESERVE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	1,782,016	1,782,016
020	MISSION SUPPORT OPERATIONS	215,209	215,209
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	453,896	509,096

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	Senate Authorized
	KC-10 tanker divestment reversal		[48,400]
	KC-135 tanker divestment reversal		[3,400]
	Premature reduction of A-10 squadrons		[3,400]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	103,414	107,614
	FSRM increase		[4,200]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	224,977	224,977
060	BASE SUPPORT	452,468	452,468
070	CYBERSPACE ACTIVITIES	2,259	2,259
	SUBTOTAL OPERATING FORCES	3,234,239	3,293,639
ADMINISTRATION AND SERVICEWIDE ACTIVITIES			
080	ADMINISTRATION	74,258	74,258
090	RECRUITING AND ADVERTISING	23,121	18,121
	Ahead of need		[-5,000]
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	12,006	12,006
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,165	6,165
120	AUDIOVISUAL	495	495
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	116,045	111,045
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	-73,163
	COVID-related ops/training slowdown		[-10,863]
	Excessive standard price for fuel		[-62,300]
	SUBTOTAL UNDISTRIBUTED	0	-73,163
	TOTAL OPERATION & MAINTENANCE, AF RESERVE ..	3,350,284	3,331,521
OPERATION & MAINTENANCE, ANG			
OPERATING FORCES			
010	AIRCRAFT OPERATIONS	2,476,205	2,476,205
020	MISSION SUPPORT OPERATIONS	611,325	611,325
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,138,919	1,138,919
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	323,605	332,505
	FSRM increase		[8,900]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	1,100,828	1,100,828
060	BASE SUPPORT	962,438	962,438
070	CYBERSPACE SUSTAINMENT	27,028	27,028
080	CYBERSPACE ACTIVITIES	16,380	19,380
	Pilot program for National Guard cybersecurity		[3,000]
	SUBTOTAL OPERATING FORCES	6,656,728	6,668,628
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
090	ADMINISTRATION	48,218	48,218
100	RECRUITING AND ADVERTISING	48,696	33,696
	Ahead of need		[-15,000]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	96,914	81,914
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	-122,052
	COVID-related ops/training slowdown		[-15,852]
	Excessive standard price for fuel		[-106,200]
	SUBTOTAL UNDISTRIBUTED	0	-122,052
	TOTAL OPERATION & MAINTENANCE, ANG	6,753,642	6,628,490
OPERATION AND MAINTENANCE, DEFENSE-WIDE			
OPERATING FORCES			
010	JOINT CHIEFS OF STAFF	439,111	439,111
020	JOINT CHIEFS OF STAFF—CE2T2	535,728	535,728
030	JOINT CHIEFS OF STAFF—CYBER	24,728	24,728
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	1,069,971	1,072,971
	SOCOM Syria exfiltration reconstitution		[3,000]
050	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES ..	9,800	9,800
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	561,907	561,907
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	685,097	707,097

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
	<i>Airborne ISR restoration</i>		[22,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	158,971	158,971
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT ...	1,062,748	1,062,748
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	2,598,385	2,599,685
	<i>Airborne ISR restoration</i>		[1,300]
	SUBTOTAL OPERATING FORCES	7,146,446	7,172,746
TRAINING AND RECRUITING			
120	DEFENSE ACQUISITION UNIVERSITY	162,963	162,963
130	JOINT CHIEFS OF STAFF	95,684	95,684
140	PROFESSIONAL DEVELOPMENT EDUCATION	33,301	33,301
	SUBTOTAL TRAINING AND RECRUITING	291,948	291,948
ADMIN & SRVWIDE ACTIVITIES			
160	CIVIL MILITARY PROGRAMS	147,993	179,893
	<i>Innovative Readiness Training</i>		[16,900]
	STARBASE		[15,000]
180	DEFENSE CONTRACT AUDIT AGENCY	604,835	604,835
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,282	3,282
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,370,681	1,427,081
	<i>DWR restore activities</i>		[56,400]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	22,532	22,532
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	949,008	952,008
	<i>DWR restore: Congressional oversight</i>		[3,000]
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,577	9,577
260	DEFENSE HUMAN RESOURCES ACTIVITY	799,952	799,952
270	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	20,806	20,806
280	DEFENSE INFORMATION SYSTEMS AGENCY	1,883,190	1,923,190
	<i>Secure the DODIN</i>		[40,000]
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	582,639	577,939
	<i>JRSS SIPR funding</i>		[-4,700]
330	DEFENSE LEGAL SERVICES AGENCY	37,637	37,637
340	DEFENSE LOGISTICS AGENCY	382,084	385,684
	<i>DWR restore: blankets for homeless</i>		[3,600]
350	DEFENSE MEDIA ACTIVITY	196,997	196,997
360	DEFENSE PERSONNEL ACCOUNTING AGENCY	129,225	129,225
370	DEFENSE SECURITY COOPERATION AGENCY	598,559	598,559
	<i>Defense Institute for International Legal Studies</i>		[2,000]
	<i>Institute for Security Governance</i>		[-2,000]
	<i>PDI: Maritime Security Initiative INDOPACOM UFR</i>		[163,000]
	<i>PDI: Transfer from Sec. 333 to Maritime Security Initiative</i>		[-163,000]
400	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	38,432	38,432
410	DEFENSE THREAT REDUCTION AGENCY	591,780	591,780
430	DEFENSE THREAT REDUCTION AGENCY—CYBER	24,635	24,635
440	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,941,429	3,012,929
	<i>DWR restore: maintain student-teacher ratios in DODEA schools</i>		[1,500]
	<i>Impact Aid for children with severe disabilities</i>		[20,000]
	<i>Impact Aid for schools with military dependent students</i>		[50,000]
450	MISSILE DEFENSE AGENCY	505,858	505,858
480	OFFICE OF ECONOMIC ADJUSTMENT	40,272	90,272
	<i>Defense Community Infrastructure Program infusion</i>		[50,000]
490	OFFICE OF THE SECRETARY OF DEFENSE	1,540,446	1,613,946
	<i>AI National Security Commission</i>		[2,500]
	<i>Bien Hoa diarin cleanup</i>		[15,000]
	<i>Black Start ERREs</i>		[2,000]
	<i>CDC PFAS health assessment</i>		[10,000]
	<i>Commission on Confederate symbols and displays</i>		[2,000]
	<i>Cooperative program for Vietnam personnel MIA</i>		[2,000]
	<i>DWR restore: Congressional background investigations</i>		[-3,000]
	<i>Energy performance contracts</i>		[10,000]
	<i>ESOH personnel in ASD(S)</i>		[2,000]
	<i>FY20 NDAA Sec. 575 interstate spousal licensing</i>		[4,000]
	<i>National Cyber Director independent study</i>		[2,000]
	<i>REPI</i>		[25,000]
500	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	51,630	51,630
510	SPACE DEVELOPMENT AGENCY	48,166	48,166
530	WASHINGTON HEADQUARTERS SERVICES	340,291	343,291
	<i>DWR restore: support to commissions</i>		[3,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
9999	CLASSIFIED PROGRAMS	17,348,749	17,348,749
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	31,210,685	31,538,885
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-172,839
	COVID-related ops/training slowdown		[-129,339]
	Excessive standard price for fuel		[-14,800]
	Foreign currency adjustments		[-28,700]
	SUBTOTAL UNDISTRIBUTED	0	-172,839
	TOTAL OPERATION AND MAINTENANCE, DEFENSE- WIDE	38,649,079	38,830,740
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DE- FENSE	15,211	15,211
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	15,211	15,211
	TOTAL MISCELLANEOUS APPROPRIATIONS	15,211	15,211
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,900	109,900
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,900	109,900
	TOTAL MISCELLANEOUS APPROPRIATIONS	109,900	109,900
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION		
010	COOPERATIVE THREAT REDUCTION	238,490	288,490
	DWR restore: Biological Threat Reduction Program		[50,000]
	SUBTOTAL COOPERATIVE THREAT REDUCTION	238,490	288,490
	TOTAL MISCELLANEOUS APPROPRIATIONS	238,490	288,490
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	58,181	156,680
	DWR restore OSD-level acquisition workforce activities		[98,499]
	SUBTOTAL ACQUISITION WORKFORCE DEVELOP- MENT	58,181	156,680
	TOTAL MISCELLANEOUS APPROPRIATIONS	58,181	156,680
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	TOTAL MISCELLANEOUS APPROPRIATIONS	207,518	207,518
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	TOTAL MISCELLANEOUS APPROPRIATIONS	335,932	335,932
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	303,926	303,926
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	303,926	303,926
	TOTAL MISCELLANEOUS APPROPRIATIONS	303,926	303,926

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
MISCELLANEOUS APPROPRIATIONS			
ENVIRONMENTAL RESTORATION, DEFENSE			
080	ENVIRONMENTAL RESTORATION, DEFENSE	9,105	9,105
	SUBTOTAL ENVIRONMENTAL RESTORATION, DE- FENSE	9,105	9,105
	TOTAL MISCELLANEOUS APPROPRIATIONS	9,105	9,105
MISCELLANEOUS APPROPRIATIONS			
ENVIRONMENTAL RESTORATION FORMERLY USED SITES			
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,587	216,587
	SUBTOTAL ENVIRONMENTAL RESTORATION FOR- MERLY USED SITES	216,587	216,587
	TOTAL MISCELLANEOUS APPROPRIATIONS	216,587	216,587
	TOTAL OPERATION & MAINTENANCE	196,630,496	195,573,380

1 **SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS**
2 **CONTINGENCY OPERATIONS.**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY			
OPERATING FORCES			
010	MANEUVER UNITS	4,114,001	4,114,001
030	ECHELONS ABOVE BRIGADE	32,811	32,811
040	THEATER LEVEL ASSETS	2,542,760	2,545,410
	<i>EDI: Support to deterrent activities</i>		[2,650]
050	LAND FORCES OPERATIONS SUPPORT	162,557	162,557
060	AVIATION ASSETS	204,396	204,396
070	FORCE READINESS OPERATIONS SUPPORT	5,716,734	5,721,224
	<i>EDI: Support to deterrent activities PE 0202218A</i>		[1,490]
	<i>EDI: Support to deterrent activities PE 1001010A</i>		[3,000]
080	LAND FORCES SYSTEMS READINESS	180,048	180,048
090	LAND FORCES DEPOT MAINTENANCE	81,125	81,125
100	BASE OPERATIONS SUPPORT	219,029	219,029
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	301,017	301,017
130	ADDITIONAL ACTIVITIES	966,649	966,649
140	COMMANDER'S EMERGENCY RESPONSE PROGRAM	2,500	2,000
	<i>Hero payments funded by ASFF</i>		[-500]
150	RESET	403,796	403,796
160	US AFRICA COMMAND	100,422	100,422
170	US EUROPEAN COMMAND	120,043	144,143
	<i>EDI: Continuity of operations support</i>		[2,100]
	<i>EDI: Modernizing Mission Partner Environment (MPE)</i>		[22,000]
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	98,461	98,461
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	21,256	21,256
	SUBTOTAL OPERATING FORCES	15,267,605	15,298,345
MOBILIZATION			
230	ARMY PREPOSITIONED STOCKS	103,052	103,052
	SUBTOTAL MOBILIZATION	103,052	103,052
TRAINING AND RECRUITING			
290	SPECIALIZED SKILL TRAINING	89,943	89,943
320	TRAINING SUPPORT	2,550	2,550
	SUBTOTAL TRAINING AND RECRUITING	92,493	92,493
ADMIN & SRVWIDE ACTIVITIES			
390	SERVICEWIDE TRANSPORTATION	521,090	521,090

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
400	CENTRAL SUPPLY ACTIVITIES	43,897	43,897
410	LOGISTIC SUPPORT ACTIVITIES	68,423	68,423
420	AMMUNITION MANAGEMENT	29,162	29,162
440	SERVICEWIDE COMMUNICATIONS	11,447	11,447
470	OTHER SERVICE SUPPORT	5,839	5,839
490	REAL ESTATE MANAGEMENT	48,782	48,782
510	INTERNATIONAL MILITARY HEADQUARTERS	50,000	50,000
9999	CLASSIFIED PROGRAMS	895,964	895,964
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	1,674,604	1,674,604
	TOTAL OPERATION & MAINTENANCE, ARMY	17,137,754	17,168,494
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	17,193	17,193
060	FORCE READINESS OPERATIONS SUPPORT	440	440
090	BASE OPERATIONS SUPPORT	15,766	15,766
	SUBTOTAL OPERATING FORCES	33,399	33,399
	TOTAL OPERATION & MAINTENANCE, ARMY RES	33,399	33,399
	OPERATION & MAINTENANCE, ARNG OPERATING FORCES		
010	MANEUVER UNITS	25,746	25,746
020	MODULAR SUPPORT BRIGADES	40	40
030	ECHELONS ABOVE BRIGADE	983	983
040	THEATER LEVEL ASSETS	22	22
060	AVIATION ASSETS	20,624	20,624
070	FORCE READINESS OPERATIONS SUPPORT	7,914	7,914
100	BASE OPERATIONS SUPPORT	24,417	24,417
	SUBTOTAL OPERATING FORCES	79,746	79,746
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE COMMUNICATIONS	46	46
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	46	46
	TOTAL OPERATION & MAINTENANCE, ARNG	79,792	79,792
	AFGHANISTAN SECURITY FORCES FUND AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,065,932	1,065,932
020	INFRASTRUCTURE	64,501	64,501
030	EQUIPMENT AND TRANSPORTATION	47,854	47,854
040	TRAINING AND OPERATIONS	56,780	56,780
	SUBTOTAL AFGHAN NATIONAL ARMY	1,235,067	1,235,067
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	434,500	434,500
060	INFRASTRUCTURE	448	448
070	EQUIPMENT AND TRANSPORTATION	108,231	108,231
080	TRAINING AND OPERATIONS	58,993	58,993
	SUBTOTAL AFGHAN NATIONAL POLICE	602,172	602,172
	AFGHAN AIR FORCE		
090	SUSTAINMENT	534,102	534,102
100	INFRASTRUCTURE	9,532	9,532
110	EQUIPMENT AND TRANSPORTATION	58,487	58,487
120	TRAINING AND OPERATIONS	233,803	233,803
	SUBTOTAL AFGHAN AIR FORCE	835,924	835,924
	AFGHAN SPECIAL SECURITY FORCES		
130	SUSTAINMENT	680,024	680,024
140	INFRASTRUCTURE	2,532	2,532
150	EQUIPMENT AND TRANSPORTATION	486,808	486,808
160	TRAINING AND OPERATIONS	173,085	173,085
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	1,342,449	1,342,449
	TOTAL AFGHANISTAN SECURITY FORCES FUND	4,015,612	4,015,612
	OPERATION & MAINTENANCE, NAVY		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	382,062	382,062
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	832	832
040	AIR OPERATIONS AND SAFETY SUPPORT	17,840	17,840
050	AIR SYSTEMS SUPPORT	210,692	210,692
060	AIRCRAFT DEPOT MAINTENANCE	170,580	170,580
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	5,854	5,854
080	AVIATION LOGISTICS	33,707	33,707
090	MISSION AND OTHER SHIP OPERATIONS	5,817,696	5,817,696
100	SHIP OPERATIONS SUPPORT & TRAINING	20,741	20,741
110	SHIP DEPOT MAINTENANCE	2,072,470	2,072,470
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	59,254	59,254
140	SPACE SYSTEMS AND SURVEILLANCE	18,000	18,000
150	WARFARE TACTICS	17,324	17,324
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,581	22,581
170	COMBAT SUPPORT FORCES	772,441	772,441
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUP- PORT	5,788	5,788
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	24,800	24,800
220	CYBERSPACE ACTIVITIES	369	369
240	WEAPONS MAINTENANCE	567,247	567,247
250	OTHER WEAPON SYSTEMS SUPPORT	12,571	12,571
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	70,041	70,041
280	BASE OPERATING SUPPORT	218,792	218,792
	SUBTOTAL OPERATING FORCES	10,521,682	10,521,682
MOBILIZATION			
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	22,589	22,589
	SUBTOTAL MOBILIZATION	22,589	22,589
TRAINING AND RECRUITING			
370	SPECIALIZED SKILL TRAINING	53,204	53,204
	SUBTOTAL TRAINING AND RECRUITING	53,204	53,204
ADMIN & SRVWD ACTIVITIES			
440	ADMINISTRATION	9,983	9,983
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,805	7,805
480	SERVICEWIDE TRANSPORTATION	72,097	72,097
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	11,354	11,354
520	INVESTIGATIVE AND SECURITY SERVICES	1,591	1,591
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	102,830	102,830
	TOTAL OPERATION & MAINTENANCE, NAVY	10,700,305	10,700,305
OPERATION & MAINTENANCE, MARINE CORPS			
OPERATING FORCES			
010	OPERATIONAL FORCES	727,989	745,489
	EDI: Globally Integrated Exercise 20-4/Austere Challenge 21.3		[10,000]
	EDI: Marine European training program		[7,500]
020	FIELD LOGISTICS	195,001	195,001
030	DEPOT MAINTENANCE	55,183	55,183
050	CYBERSPACE ACTIVITIES	10,000	10,000
070	BASE OPERATING SUPPORT	24,569	24,569
	SUBTOTAL OPERATING FORCES	1,012,742	1,030,242
TRAINING AND RECRUITING			
120	TRAINING SUPPORT	28,458	28,458
	SUBTOTAL TRAINING AND RECRUITING	28,458	28,458
ADMIN & SRVWD ACTIVITIES			
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	61,400	61,400
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	1,102,600	1,120,100
OPERATION & MAINTENANCE, NAVY RES			
OPERATING FORCES			
020	INTERMEDIATE MAINTENANCE	522	522
030	AIRCRAFT DEPOT MAINTENANCE	11,861	11,861

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
<i>Line</i>	<i>Item</i>	FY 2021 Request	Senate Authorized
080	COMBAT SUPPORT FORCES	9,109	9,109
	SUBTOTAL OPERATING FORCES	21,492	21,492
	TOTAL OPERATION & MAINTENANCE, NAVY RES	21,492	21,492
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	7,627	7,627
040	BASE OPERATING SUPPORT	1,080	1,080
	SUBTOTAL OPERATING FORCES	8,707	8,707
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	8,707	8,707
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	125,551	125,551
020	COMBAT ENHANCEMENT FORCES	916,538	916,538
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	93,970	93,970
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,528,059	3,528,059
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	147,264	147,264
060	CYBERSPACE SUSTAINMENT	10,842	10,842
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .. Transfer from base	7,187,100	7,217,545 [30,445]
080	FLYING HOUR PROGRAM	2,031,548	2,031,548
090	BASE SUPPORT	1,540,444	1,540,444
100	GLOBAL C3I AND EARLY WARNING	13,709	13,709
110	OTHER COMBAT OPS SPT PROGRAMS	345,800	345,800
120	CYBERSPACE ACTIVITIES	17,936	17,936
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	36,820	36,820
140	LAUNCH FACILITIES	70	70
150	SPACE CONTROL SYSTEMS	1,450	1,450
160	US NORTHCOM/NORAD	725	725
170	US STRATCOM	856	856
180	US CYBERCOM	35,189	35,189
190	US CENTCOM	126,934	126,934
	SUBTOTAL OPERATING FORCES	16,160,805	16,191,250
	MOBILIZATION		
240	AIRLIFT OPERATIONS	1,271,439	1,271,439
250	MOBILIZATION PREPAREDNESS	120,866	120,866
	SUBTOTAL MOBILIZATION	1,392,305	1,392,305
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	200	200
270	RECRUIT TRAINING	352	352
290	SPECIALIZED SKILL TRAINING	27,010	27,010
300	FLIGHT TRAINING	844	844
310	PROFESSIONAL DEVELOPMENT EDUCATION	1,199	1,199
320	TRAINING SUPPORT	1,320	1,320
	SUBTOTAL TRAINING AND RECRUITING	30,925	30,925
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	164,701	164,701
390	TECHNICAL SUPPORT ACTIVITIES	11,782	11,782
400	ADMINISTRATION	3,886	3,886
410	SERVICEWIDE COMMUNICATIONS	355	355
420	OTHER SERVICEWIDE ACTIVITIES	100,831	85,831
	OSC-I transition to normalized security cooperation		[-15,000]
450	INTERNATIONAL SUPPORT	29,928	29,928
9999	CLASSIFIED PROGRAMS	34,502	34,502
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	345,985	330,985
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	17,930,020	17,945,465
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	227	227
030	SPACE LAUNCH OPERATIONS	321	321
040	SPACE OPERATIONS	15,135	15,135

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS			
<i>(In Thousands of Dollars)</i>			
Line	Item	FY 2021 Request	Senate Authorized
070	DEPOT MAINTENANCE	18,268	18,268
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	43,164	43,164
	SUBTOTAL OPERATING FORCES	77,115	77,115
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	77,115	77,115
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	24,408	24,408
060	BASE SUPPORT	5,682	5,682
	SUBTOTAL OPERATING FORCES	30,090	30,090
	TOTAL OPERATION & MAINTENANCE, AF RESERVE ..	30,090	30,090
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,739	3,739
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	61,862	61,862
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	97,108	97,108
060	BASE SUPPORT	12,933	12,933
	SUBTOTAL OPERATING FORCES	175,642	175,642
	TOTAL OPERATION & MAINTENANCE, ANG	175,642	175,642
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	3,799	3,799
020	JOINT CHIEFS OF STAFF—CE2T2	6,634	6,634
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	898,024	898,024
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,244,553	1,244,553
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	354,951	381,951
	<i>Airborne ISR restoration</i>		[27,000]
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT ...	104,535	104,535
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	757,744	757,744
	SUBTOTAL OPERATING FORCES	3,370,240	3,397,240
	ADMIN & SRVWIDE ACTIVITIES		
180	DEFENSE CONTRACT AUDIT AGENCY	1,247	1,247
210	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
280	DEFENSE INFORMATION SYSTEMS AGENCY	56,256	56,256
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	3,524	3,524
330	DEFENSE LEGAL SERVICES AGENCY	156,373	156,373
350	DEFENSE MEDIA ACTIVITY	3,555	3,555
370	DEFENSE SECURITY COOPERATION AGENCY	1,557,763	1,880,263
	<i>Transfer from CTEF for Iraq train and equip requirements</i>		[322,500]
410	DEFENSE THREAT REDUCTION AGENCY	297,486	297,486
490	OFFICE OF THE SECRETARY OF DEFENSE	16,984	16,984
530	WASHINGTON HEADQUARTERS SERVICES	1,997	1,997
9999	CLASSIFIED PROGRAMS	535,106	535,106
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,652,014	2,974,514
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	6,022,254	6,371,754
	TOTAL OPERATION & MAINTENANCE	57,334,782	57,747,967

1 **TITLE XLIV—MILITARY**
 2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

<i>SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)</i>		
<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	150,524,104	147,976,014
COVID related endstrength decreases		[-755,000]
Foreign currency adjustments, Air Force		[-81,800]
Foreign currency adjustments, Army		[-44,400]
Foreign currency adjustments, Marine Corps		[-13,900]
Foreign currency adjustments, Navy		[-41,300]
Military personnel historical underexecution		[-1,611,690]
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	150,524,104	147,976,014
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	8,372,741	8,372,741
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	8,372,741	8,372,741
TOTAL MILITARY PERSONNEL	158,896,845	156,348,755

4 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**
 5 **GENCY OPERATIONS.**

<i>SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)</i>		
<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	4,602,593	4,602,593
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	4,602,593	4,602,593
TOTAL MILITARY PERSONNEL	4,602,593	4,602,593

6 **TITLE XLV—OTHER**
 7 **AUTHORIZATIONS**

8 **SEC. 4501. OTHER AUTHORIZATIONS.**

<i>SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)</i>			
<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
010	INDUSTRIAL OPERATIONS	32,551	5,551
	One-time COVID-related carryover decrease		[-27,000]
020	SUPPLY MANAGEMENT—ARMY	24,166	1,166
	One-time COVID-related carryover decrease		[-23,000]
	SUBTOTAL WORKING CAPITAL FUND, ARMY	56,717	6,717
	WORKING CAPITAL FUND, AIR FORCE		
020	SUPPLIES AND MATERIALS	95,712	5,712
	Air Force cash corpus for energy optimization		[10,000]
	One-time COVID-related carryover decrease		[-100,000]
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	191,424	101,424
	WORKING CAPITAL FUND, DEFENSE-WIDE		
020	SUPPLY CHAIN MANAGEMENT—DEF	49,821	49,821
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	49,821	49,821
	WORKING CAPITAL FUND, DECA		
010	WORKING CAPITAL FUND, DECA	1,146,660	1,146,660
	SUBTOTAL WORKING CAPITAL FUND, DECA	1,146,660	1,146,660
	TOTAL WORKING CAPITAL FUND	1,444,622	1,304,622
	CHEM AGENTS & MUNITIONS DESTRUCTION OPERATION & MAINTENANCE		
1	CHEM DEMILITARIZATION—O&M	106,691	106,691
	SUBTOTAL OPERATION & MAINTENANCE	106,691	106,691
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	CHEM DEMILITARIZATION—RDT&E	782,193	782,193
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	782,193	782,193
	PROCUREMENT		
3	CHEM DEMILITARIZATION—PROC	616	616
	SUBTOTAL PROCUREMENT	616	616
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	889,500	889,500
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF DRUG INTRDCTN		
010	COUNTER-NARCOTICS SUPPORT	546,203	562,003
	PDI: Joint Interagency Task Force—West Project 3309		[13,000]
	PDI: Joint Interagency Task Force—West Project 9202		[2,800]
	SUBTOTAL DRUG INTRDCTN	546,203	562,003
	DRUG DEMAND REDUCTION PROGRAM		
020	DRUG DEMAND REDUCTION PROGRAM	123,704	123,704
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	123,704	123,704
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
030	NATIONAL GUARD COUNTER-DRUG PROGRAM	94,211	94,211
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PRO- GRAM	94,211	94,211
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
040	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,511	5,511
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,511	5,511
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	769,629	785,429
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL	368,279	368,279
030	OFFICE OF THE INSPECTOR GENERAL—CYBER	1,204	1,204
040	OFFICE OF THE INSPECTOR GENERAL	1,098	1,098
050	OFFICE OF THE INSPECTOR GENERAL	858	858
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	371,439	371,439

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
	TOTAL OFFICE OF THE INSPECTOR GENERAL	371,439	371,439
	DEFENSE HEALTH PROGRAM OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	9,560,564	9,560,564
020	PRIVATE SECTOR CARE	15,841,887	15,841,887
030	CONSOLIDATED HEALTH SUPPORT	1,338,269	1,338,269
040	INFORMATION MANAGEMENT	2,039,910	2,039,910
050	MANAGEMENT ACTIVITIES	330,627	330,627
060	EDUCATION AND TRAINING	315,691	315,691
070	BASE OPERATIONS/COMMUNICATIONS	1,922,605	1,927,605
	National Disaster Medical System pilot program		[5,000]
	SUBTOTAL OPERATION & MAINTENANCE	31,349,553	31,354,553
	RDT&E		
080	R&D RESEARCH	8,913	8,913
090	R&D EXPLORATORY DEVELOPMENT	73,984	73,984
100	R&D ADVANCED DEVELOPMENT	225,602	225,602
110	R&D DEMONSTRATION/VALIDATION	132,331	132,331
120	R&D ENGINEERING DEVELOPMENT	55,748	55,748
130	R&D MANAGEMENT AND SUPPORT	48,672	48,672
140	R&D CAPABILITIES ENHANCEMENT	17,215	17,215
	SUBTOTAL RDT&E	562,465	562,465
	PROCUREMENT		
150	PROC INITIAL OUTFITTING	22,932	22,932
160	PROC REPLACEMENT & MODERNIZATION	215,618	215,618
170	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER ..	70,872	70,872
180	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZA- TION	308,504	308,504
	SUBTOTAL PROCUREMENT	617,926	617,926
	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
190	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	160,428	160,428
	SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	160,428	160,428
	TOTAL DEFENSE HEALTH PROGRAM	32,690,372	32,695,372
	TOTAL OTHER AUTHORIZATIONS	36,711,765	36,592,565

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**
2 **TINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
020	SUPPLY MANAGEMENT—ARMY	20,090	20,090
	SUBTOTAL WORKING CAPITAL FUND, ARMY	20,090	20,090
	TOTAL WORKING CAPITAL FUND	20,090	20,090
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
	TOTAL OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
	DEFENSE HEALTH PROGRAM OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	65,072	65,072
020	PRIVATE SECTOR CARE	296,828	296,828

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>	
030	CONSOLIDATED HEALTH SUPPORT	3,198	3,198	
	SUBTOTAL OPERATION & MAINTENANCE	365,098	365,098	
	TOTAL DEFENSE HEALTH PROGRAM	365,098	365,098	
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)			
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)			
010	IRAQ	645,000	322,500	
	Transfer traditional BPC activities to DSCA		[-322,500]	
020	SYRIA	200,000	200,000	
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	845,000	522,500	
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF) ...	845,000	522,500	
	TOTAL OTHER AUTHORIZATIONS	1,254,257	931,757	

1 **TITLE XLVI—MILITARY**
 2 **CONSTRUCTION**
 3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
<i>Account</i>	<i>State/Country and Installation</i>	<i>Project Title</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
MILITARY CONSTRUCTION				
ARMY				
	<i>Alaska</i>			
Army	Fort Wainwright	Child Development Center	0	55,000
Army	Fort Wainwright	Unaccompanied Enlisted Personnel Housing	0	59,000
	<i>Arizona</i>			
Army	Yuma Proving Ground	Ready Building	14,000	14,000
	<i>California</i>			
Army	Military Ocean Terminal Concord	Ammunition Holding Facility	0	46,000
	<i>Colorado</i>			
Army	Fort Carson	Physical Fitness Facility	28,000	28,000
	<i>Florida</i>			
Army	JLATF-S Operations Center	Planning & Design	0	8,000
	<i>Georgia</i>			
Army	Fort Gillem	Forensic Laboratory	71,000	71,000
Army	Fort Gordon	Adv Individual Training Barracks Cplx, Ph3	80,000	80,000
	<i>Hawaii</i>			
Army	Aliamanu Military Reservation	Child Development Center—School Age	0	71,000
Army	Schofield Barracks	Child Development Center	0	39,000
Army	Wheeler Army Air Field	Aircraft Maintenance Hangar	89,000	89,000
	<i>Italy</i>			
Army	Casmera Renato Dal Din	Access Control Point	0	10,200
	<i>Louisiana</i>			
Army	Fort Polk	Information Systems Facility	25,000	25,000
	<i>Oklahoma</i>			
Army	McAlester AAP	Ammunition Demolition Shop	35,000	35,000
	<i>Pennsylvania</i>			
Army	Carlisle Barracks	General Instruction Building (Inc 2)	38,000	8,000
	<i>South Carolina</i>			
Army	Fort Jackson	Trainee Barracks Complex 3, Ph2	0	7,000
	<i>Virginia</i>			
Army	Humphreys Engineer Center	Training Support Facility	51,000	51,000
	<i>Worldwide Unspecified</i>			
Army	Unspecified Worldwide Locations	Planning and Design	129,436	59,436
Army	Unspecified Worldwide Locations	Host Nation Support	39,000	39,000
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	50,900	74,900

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
SUBTOTAL ARMY			650,336	869,536
NAVY				
	<i>Bahrain Island</i>			
Navy	SW Asia	Ship to Shore Utility Services	68,340	68,340
	<i>California</i>			
Navy	Camp Pendleton	Combat Water Survival Training Facility	0	25,200
Navy	Camp Pendleton	Warehouse Consolidation and Modernization	0	21,800
Navy	Camp Pendleton	I MEF Consolidated Information Center (INC) ...	37,000	37,000
Navy	Camp Pendleton	1st MARDIV Operations Complex	68,530	68,530
Navy	Lemoore	F-35C Simulator Facility & Electrical Upgrade	59,150	59,150
Navy	Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4)	128,070	53,000
Navy	Point Mugu	Directed Energy Test Facility	0	26,700
Navy	Port Hueneme	Combat Vehicle Maintenance Facilities	0	43,500
Navy	San Diego	Pier 6 Replacement	128,500	63,500
Navy	Seal Beach	Magazines	0	46,800
Navy	Twentynine Palms	Wastewater Treatment Plant	76,500	76,500
	<i>Greece</i>			
Navy	Souda Bay	Communication Center	50,180	50,180
	<i>Guam</i>			
Navy	Andersen Air Force Base	Ordnance Operations Admin	21,280	21,280
Navy	Joint Region Marianas	DAR Road Strengthening	70,760	70,760
Navy	Joint Region Marianas	DAR Bridge Improvements	40,180	40,180
Navy	Joint Region Marianas	Central Fuel Station	35,950	17,950
Navy	Joint Region Marianas	Distribution Warehouse	77,930	77,930
Navy	Joint Region Marianas	Combined EOD Facility	37,600	37,600
Navy	Joint Region Marianas	Bachelor Enlisted Quarters (Inc)	80,000	10,000
Navy	Joint Region Marianas	Joint Communication Upgrade	166,000	26,000
Navy	Joint Region Marianas	Base Warehouse	55,410	55,410
Navy	Joint Region Marianas	Individual Combat Skills Training	17,430	17,430
Navy	Joint Region Marianas	Central Issue Facility	45,290	45,290
	<i>Hawaii</i>			
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improvements Wharves S8-S10	65,910	65,910
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improve, Wharves S1,S11-13,S20-21	48,990	48,990
	<i>Honduras</i>			
Navy	Comalapa	Long Range Maritime Patrol Aircraft Hangar and Ramp.	0	28,000
	<i>Japan</i>			
Navy	Yokosuka	Pier 5 (Berths 2 and 3) (Inc)	74,692	44,692
	<i>Maine</i>			
Navy	Kittery	Multi-Mission Drydock #1 Exten., Ph 1 (Inc)	160,000	160,000
Navy	NCTAMS LANT Detachment Cutler	Perimeter Security	0	26,100
	<i>Nevada</i>			
Navy	Fallon	Range Training Complex, Phase 1	29,040	29,040
	<i>North Carolina</i>			
Navy	Camp Lejeune	II MEF Operations Center Replacement (Inc)	20,000	20,000
Navy	Cherry Point	Fitness Center Replacement and Training Pool ...	0	51,900
	<i>Spain</i>			
Navy	Rota	MH-60R Squadron Support Facilities	60,110	60,110
	<i>Virginia</i>			
Navy	Norfolk	Sub Logistics Support	0	9,400
Navy	Norfolk	MH60 & CMV-22B Corrosion Control & Paint Facility.	17,671	17,671
Navy	Norfolk	E-2D Training Facility	30,400	30,400
	<i>Worldwide Unspecified Locations</i>			
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	38,983	38,983
Navy	Unspecified Worldwide Locations	Planning & Design	165,710	165,710
SUBTOTAL NAVY			1,975,606	1,856,936
AIR FORCE				
	<i>Colorado</i>			
Air Force	Schriever Air Force Base	Consolidated Space Operations Facility, (Inc 2) ..	88,000	88,000
Air Force	United States Air Force Academy	Cadet Preparatory School Dormitory	0	49,000
	<i>Guam</i>			
Air Force	Joint Region Marianas	Stand Off Weapons Complex, MSA 2	56,000	56,000
	<i>Mariana Islands</i>			
Air Force	Tinian	Fuel Tanks With Pipeline & Hydrant Sys, (Inc 2).	7,000	7,000
Air Force	Tinian	Airfield Development Phase 1, (Inc 2)	20,000	20,000
Air Force	Tinian	Parking Apron, (Inc 2)	15,000	15,000
	<i>Montana</i>			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Air Force	Malmstrom Air Force Base	Weapons Storage & Maintenance Facility, (Inc 2).	25,000	25,000
Air Force	New Jersey Joint Base McGuire-Dix-Lakehurst	Munitions Storage Area	22,000	22,000
Air Force	Qatar Al Udeid	Cargo Marshalling Yard	26,000	26,000
Air Force	South Dakota Ellsworth Air Force Base	B-21 2-Bay IO Restoration Facility	0	10,000
Air Force	Texas Joint Base San Antonio	BMT Recruit Dormitory 8, (Inc 2)	36,000	36,000
Air Force	Texas Joint Base San Antonio	T-X ADAL Ground Based Trng Sys Sim	19,500	19,500
Air Force	Utah Hill Air Force Base	GBSD Organic Software Sustainment Center	0	20,000
Air Force	Utah Hill Air Force Base	GBSD Mission Integration Facility, (Inc 2)	68,000	68,000
Air Force	Virginia Joint Base Langley-Eustis	Access Control Point Main Gate With Land Acq	19,500	19,500
Air Force	Worldwide Unspecified Unspecified Worldwide Locations	Cost to Complete	0	29,422
Air Force	Unspecified Worldwide Locations	Planning & Design	296,532	116,532
Air Force	Unspecified Worldwide Locations	Unspecified Minor Construction	68,600	68,600
SUBTOTAL AIR FORCE			767,132	695,554
DEFENSE-WIDE				
Defense-Wide	Alabama Anniston Army Depot	Demilitarization Facility	18,000	18,000
Defense-Wide	Alaska Fort Greely	Communications Center	48,000	48,000
Defense-Wide	Alabama Fort Rucker	Construct 10mw Generation & Microgrid	0	24,000
Defense-Wide	Arizona Fort Huachuca	Laboratory Building	33,728	33,728
Defense-Wide	Arizona Yuma	SOF Hangar	49,500	49,500
Defense-Wide	Arkansas Fort Smith Air National Guard Base	PV Arrays and Battery Storage	0	2,600
Defense-Wide	California Beale Air Force Base	Bulk Fuel Tank	22,800	22,800
Defense-Wide	Colorado Fort Carson	SOF Tactical Equipment Maintenance Facility ..	15,600	15,600
Defense-Wide	CONUS Unspecified CONUS Unspecified	Training Target Structure	14,400	14,400
Defense-Wide	Florida Hurlburt Field	SOF Special Tactics Ops Facility (23 STS)	44,810	44,810
Defense-Wide	Florida Hurlburt Field	SOF Combat Aircraft Parking Apron-North	38,310	38,310
Defense-Wide	Georgia Fort Benning	Construct 4.8mw Generation & Microgrid	0	17,000
Defense-Wide	Germany Rhine Ordnance Barracks	Medical Center Replacement (Inc 9)	200,000	0
Defense-Wide	Japan Def Fuel Support Point	Fuel Wharf	49,500	49,500
Defense-Wide	Tsurumi Yokosuka	Kinnick High School (Inc)	30,000	0
Defense-Wide	Kentucky Fort Knox	Van Voorhis Elementary School	69,310	69,310
Defense-Wide	Maryland Bethesda Naval Hospital	MEDCEN Addition/Alteration (Inc 4)	180,000	50,000
Defense-Wide	Fort Meade	NSAW Recapitalize Building #3 (Inc)	250,000	250,000
Defense-Wide	Mississippi MTA Camp Shelby	Construct 10mw Generation Plant and Microgrid System.	0	30,000
Defense-Wide	Missouri Fort Leonard Wood	Hospital Replacement (Inc 3)	40,000	40,000
Defense-Wide	St Louis	Next NGA West (N2W) Complex Phase 2 (Inc) ...	119,000	60,000
Defense-Wide	New Mexico Kirtland Air Force Base	Administrative Building	46,600	46,600
Defense-Wide	North Carolina Fort Bragg	SOTF Chilled Water Upgrade	0	6,100
Defense-Wide	Fort Bragg	SOF Military Working Dog Facility	17,700	17,700
Defense-Wide	Fort Bragg	SOF Group Headquarters	53,100	53,100
Defense-Wide	Fort Bragg	SOF Operations Facility	43,000	43,000
Defense-Wide	Ohio			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Defense-Wide	Wright-Patterson Air Force Base	Intelligence Facility Central Utility Plant	0	35,000
Defense-Wide	Wright-Patterson Air Force Base	Hydrant Fuel System	23,500	23,500
	Tennessee			
Defense-Wide	Memphis International Airport	PV Arrays and Battery Storage	0	4,780
	Texas			
Defense-Wide	Fort Hood	Fuel Facilities	32,700	32,700
	Virginia			
Defense-Wide	Joint Expeditionary Base Little Creek—Story	SOF DCS Operations Fac. and Command Center	54,500	54,500
Defense-Wide	Joint Expeditionary Base Little Creek—Story	SOF NSWG-2 NSWTG CSS Facilities	58,000	58,000
	Washington			
Defense-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis North)	10,900	10,900
Defense-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis Main)	10,900	10,900
Defense-Wide	Manchester	Bulk Fuel Storage Tanks Phase 1	82,000	82,000
	Washington DC			
Defense-Wide	Joint Base Anacostia-Bolling	DIA HQ Cooling Towers and Cond Pumps	0	1,963
Defense-Wide	Joint Base Anacostia-Bolling	Industrial Controls System Modernization	0	8,749
Defense-Wide	Joint Base Anacostia-Bolling	PV Carports	0	25,221
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	8,000	8,000
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	27,746	27,746
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	4,922	4,922
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	17,698	17,698
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	20,000	20,000
Defense-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	142,500	142,500
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	10,647	10,647
Defense-Wide	Unspecified Worldwide Locations	ERCIP Design	14,250	14,250
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	10,303	10,303
Defense-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,840	5,840
Defense-Wide	Various Worldwide Locations	Planning and Design	32,624	32,624
Defense-Wide	Various Worldwide Locations	Unspecified Minor Construction	9,726	9,726
Defense-Wide	Various Worldwide Locations	Planning and Design	64,406	64,406
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Planning & Design—Military Installation Resiliency.	0	50,000
Defense-Wide	Unspecified Worldwide Locations	Planning & Design—Pacific Deterrence Initiative.	0	15,000
SUBTOTAL DEFENSE-WIDE			2,027,520	1,828,933
ARMY NATIONAL GUARD				
	Arizona			
Army National Guard	Tucson	National Guard Readiness Center	18,100	18,100
	Arkansas			
Army National Guard	Fort Chaffee	National Guard Readiness Center	0	15,000
	California			
Army National Guard	Bakersfield	National Guard Vehicle Maintenance Shop	0	9,300
	Colorado			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Army National Guard	Peterson Air Force Base	National Guard Readiness Center	15,000	15,000
Army National Guard	Indiana Shelbyville	National Guard/Reserve Center Building Add/Alt	12,000	12,000
Army National Guard	Kentucky Frankfort	National Guard/Reserve Center Building	15,000	15,000
Army National Guard	Mississippi Brandon	National Guard Vehicle Maintenance Shop	10,400	10,400
Army National Guard	Nebraska North Platte	National Guard Vehicle Maintenance Shop	9,300	9,300
Army National Guard	New Jersey Joint Base McGuire-Dix-Lakehurst	National Guard Readiness Center	15,000	15,000
Army National Guard	Ohio Columbus	National Guard Readiness Center	15,000	15,000
Army National Guard	Oklahoma Ardmore	National Guard Vehicle Maintenance Shop	0	9,800
Army National Guard	Oregon Hermiston	Enlisted Barracks, Transient Training	0	15,735
Army National Guard	Hermiston	Enlisted Barracks, Transient Training	9,300	9,300
Army National Guard	Puerto Rico Fort Allen	National Guard Readiness Center	37,000	37,000
Army National Guard	South Carolina Joint Base Charleston	National Guard Readiness Center	15,000	15,000
Army National Guard	Tennessee Meminnville	National Guard Readiness Center	11,200	11,200
Army National Guard	Texas Fort Worth	National Guard Vehicle Maintenance Shop	7,800	7,800
Army National Guard	Fort Worth	Aircraft Maintenance Hangar Addition/Alt	6,000	6,000
Army National Guard	Utah Nephi	National Guard Readiness Center	12,000	12,000
Army National Guard	Virgin Islands St. Croix	Army Aviation Support Facility (AASF)	28,000	28,000
Army National Guard	St. Croix	CST Ready Building	11,400	11,400
Army National Guard	Wisconsin Appleton	National Guard Readiness Center Add/Alt	11,600	11,600
Army National Guard	Worldwide Unspecified Locations	Unspecified Minor Construction	32,744	32,744
Army National Guard	Unspecified Worldwide Locations	Planning and Design	29,593	29,593
SUBTOTAL ARMY NATIONAL GUARD			321,437	371,272
AIR NATIONAL GUARD				
Air National Guard	Alabama Montgomery Regional Airport	Base Supply Complex	0	12,000
Air National Guard	Montgomery Regional Airport	F-35 Simulator Facility	11,600	11,600
Air National Guard	Guam Joint Region Marianas	Space Control Facility #5	20,000	20,000
Air National Guard	Maryland Joint Base Andrews	F-16 Mission Training Center	9,400	9,400
Air National Guard	North Dakota Hector International Air- port	Consolidated RPA Operations Facility	0	17,500
Air National Guard	Texas Joint Base San Antonio	F-16 Mission Training Center	10,800	10,800
Air National Guard	Worldwide Unspecified Locations	Unspecified Minor Construction	9,000	9,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Air National Guard	Various Worldwide Locations	Planning and Design	3,414	3,414
SUBTOTAL AIR NATIONAL GUARD			64,214	93,714
ARMY RESERVE				
	Florida			
Army Reserve	Gainesville	ECS TEMF/Warehouse	36,000	36,000
	Massachusetts			
Army Reserve	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	8,700	8,700
	North Carolina			
Army Reserve	Asheville	Army Reserve Center/Land	24,000	24,000
	Wisconsin			
Army Reserve	Fort McCoy	Transient Training Barracks	0	2,500
Army Reserve	Fort McCoy	Scout Reconnaissance Range	14,600	14,600
	Worldwide Unspecified			
Army Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	3,819	3,819
Army Reserve	Unspecified Worldwide Locations	Planning and Design	1,218	1,218
SUBTOTAL ARMY RESERVE			88,337	90,837
NAVY RESERVE				
	Maryland			
Navy Reserve	Reisterstown	Reserve Training Center, Camp Fretterd, MD	39,500	39,500
	Minnesota			
Navy Reserve	NOSC Minneapolis	Joint Reserve Intel Center	0	12,800
	Utah			
Navy Reserve	Hill Air Force Base	Naval Operational Support Center	25,010	25,010
	Worldwide Unspecified			
Navy Reserve	Unspecified Worldwide Locations	MCNR Planning & Design	3,485	3,485
Navy Reserve	Unspecified Worldwide Locations	MCNR Minor Construction	3,000	3,000
SUBTOTAL NAVY RESERVE			70,995	83,795
AIR FORCE RESERVE				
	Texas			
Air Force Reserve	Fort Worth	F-35 Squadron Ops / Aircraft Maintenance Unit	0	25,000
Air Force Reserve	Fort Worth	F-35A Simulator Facility	14,200	14,200
	Worldwide Unspecified			
Air Force Reserve	Unspecified Worldwide Locations	Planning & Design	3,270	3,270
Air Force Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	5,647	5,647
SUBTOTAL AIR FORCE RESERVE			23,117	48,117
NATO SECURITY INVESTMENT PROGRAM				
	Worldwide Unspecified			
NATO Security Investment Program	NATO Security Investment Program	NATO Security Investment Program	173,030	173,030
SUBTOTAL NATO SECURITY INVESTMENT PROGRAM			173,030	173,030
TOTAL MILITARY CONSTRUCTION			6,161,724	6,111,724
FAMILY HOUSING CONSTRUCTION, ARMY				
	Italy			
Construction, Army	Vicenza	Family Housing New Construction	84,100	84,100
	Kwajalein			
Construction, Army	Kwajalein Atoll	Family Housing Replacement Construction	32,000	32,000
	Worldwide Unspecified			
Construction, Army	Unspecified Worldwide Locations	Family Housing P & D	3,300	3,300
SUBTOTAL CONSTRUCTION, ARMY			119,400	119,400
O&M, ARMY				
	Worldwide Unspecified			
O&M, Army	Unspecified Worldwide Locations	Management	39,716	39,716
O&M, Army	Unspecified Worldwide Locations	Services	8,135	8,135

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
O&M, Army	Unspecified Worldwide Locations	Furnishings	18,004	18,004
O&M, Army	Unspecified Worldwide Locations	Miscellaneous	526	526
O&M, Army	Unspecified Worldwide Locations	Maintenance	97,789	70,789
O&M, Army	Unspecified Worldwide Locations	Utilities	41,183	41,183
O&M, Army	Unspecified Worldwide Locations	Leasing	123,841	123,841
O&M, Army	Unspecified Worldwide Locations	Housing Privatization Support	37,948	64,948
SUBTOTAL O&M, ARMY			367,142	367,142
CONSTRUCTION, NAVY AND MARINE CORPS				
Worldwide Unspecified				
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	USMC DPRI/Guam Planning and Design	2,726	2,726
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	Construction Improvements	37,043	37,043
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	Planning & Design	3,128	3,128
SUBTOTAL CONSTRUCTION, NAVY AND MARINE CORPS			42,897	42,897
O&M, NAVY AND MARINE CORPS				
Worldwide Unspecified				
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Utilities	58,429	58,429
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Furnishings	17,977	17,977
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Management	51,006	51,006
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Miscellaneous	350	350
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Services	16,743	16,743
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Leasing	62,658	62,658
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Maintenance	85,630	85,630
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Housing Privatization Support	53,700	78,700
SUBTOTAL O&M, NAVY AND MARINE CORPS			346,493	371,493
CONSTRUCTION, AIR FORCE				
Worldwide Unspecified				
Construction, Air Force	Unspecified Worldwide Locations	Construction Improvements	94,245	94,245
Construction, Air Force	Unspecified Worldwide Locations	Planning & Design	2,969	2,969
SUBTOTAL CONSTRUCTION, AIR FORCE			97,214	97,214
O&M, AIR FORCE				
Worldwide Unspecified				
O&M, Air Force	Unspecified Worldwide Locations	Housing Privatization	23,175	48,175
O&M, Air Force	Unspecified Worldwide Locations	Utilities	43,173	43,173
O&M, Air Force	Unspecified Worldwide Locations	Management	64,732	64,732
O&M, Air Force	Unspecified Worldwide Locations	Services	7,968	7,968
O&M, Air Force	Unspecified Worldwide Locations	Furnishings	25,805	25,805
O&M, Air Force	Unspecified Worldwide Locations	Miscellaneous	2,184	2,184
O&M, Air Force	Unspecified Worldwide Locations	Leasing	9,318	9,318
O&M, Air Force	Unspecified Worldwide Locations	Maintenance	140,666	140,666
SUBTOTAL O&M, AIR FORCE			317,021	342,021
O&M, DEFENSE-WIDE				

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
	<i>Worldwide Unspecified</i>			
O&M, Defense-Wide	<i>Unspecified Worldwide Locations</i>	Utilities	4,100	4,100
O&M, Defense-Wide	<i>Unspecified Worldwide Locations</i>	Furnishings	82	82
O&M, Defense-Wide	<i>Unspecified Worldwide Locations</i>	Utilities	13	13
O&M, Defense-Wide	<i>Unspecified Worldwide Locations</i>	Leasing	12,996	12,996
O&M, Defense-Wide	<i>Unspecified Worldwide Locations</i>	Maintenance	32	32
O&M, Defense-Wide	<i>Unspecified Worldwide Locations</i>	Furnishings	645	645
O&M, Defense-Wide	<i>Unspecified Worldwide Locations</i>	Leasing	36,860	36,860
		SUBTOTAL O&M, DEFENSE-WIDE	54,728	54,728
IMPROVEMENT FUND				
	<i>Worldwide Unspecified</i>			
Improvement Fund	<i>Unspecified Worldwide Locations</i>	Administrative Expenses—FHIF	5,897	5,897
		SUBTOTAL IMPROVEMENT FUND	5,897	5,897
UNACCOMP HSG IMPROVEMENT FUND				
	<i>Worldwide Unspecified</i>			
Unaccomp HSG Improvement Fund	<i>Unspecified Worldwide Locations</i>	Administrative Expenses—UHIF	600	600
		SUBTOTAL UNACCOMP HSG IMPROVEMENT FUND	600	600
		TOTAL FAMILY HOUSING	1,351,392	1,401,392
DEFENSE BASE REALIGNMENT AND CLOSURE				
ARMY BRAC				
	<i>Worldwide Unspecified</i>			
Army BRAC	<i>Base Realignment & Closure, Army</i>	Base Realignment and Closure	66,060	66,060
		SUBTOTAL ARMY BRAC	66,060	66,060
NAVY BRAC				
	<i>Worldwide Unspecified</i>			
Navy BRAC	<i>Unspecified Worldwide Locations</i>	Base Realignment & Closure	125,165	125,165
		SUBTOTAL NAVY BRAC	125,165	125,165
AIR FORCE BRAC				
	<i>Worldwide Unspecified</i>			
Air Force BRAC	<i>Unspecified Worldwide Locations</i>	Dod BRAC Activities—Air Force	109,222	109,222
		SUBTOTAL AIR FORCE BRAC	109,222	109,222
		TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE	300,447	300,447
		TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC	7,813,563	7,813,563

1 SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CON-
2 TINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	FY 2021 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
	<i>Worldwide Unspecified</i>			
Army	<i>Unspecified Worldwide Locations</i>	EDI: Planning and Design	11,903	11,903

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Army	Unspecified Worldwide Locations	EDI: Minor Construction	3,970	3,970
SUBTOTAL ARMY			15,873	15,873
NAVY				
	Spain			
Navy	Rota	EDI: Expeditionary Maintenance Facility	27,470	27,470
Navy	Rota	EDI: EOD Boat Shop	31,760	31,760
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design	10,790	10,790
SUBTOTAL NAVY			70,020	70,020
AIR FORCE				
	Germany			
Air Force	Ramstein	EDI: Rapid Airfield Damage Repair Storage	36,345	36,345
Air Force	Spangdahlem AB	EDI: Rapid Airfield Damage Repair Storage	25,824	25,824
	Romania			
Air Force	Campia Turzii	EDI: Dangerous Cargo Pad	11,000	11,000
Air Force	Campia Turzii	EDI: POL Increase Capacity	32,000	32,000
Air Force	Campia Turzii	EDI: ECAOS DABS-FEV Storage Complex	68,000	68,000
Air Force	Campia Turzii	EDI: Parking Apron	19,500	19,500
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	EDI: Unspecified Minor Military Construction	16,400	16,400
Air Force	Various Worldwide Locations	EDI: Planning & Design	54,800	54,800
SUBTOTAL AIR FORCE			263,869	263,869
TOTAL MILITARY CONSTRUCTION			349,762	349,762
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			349,762	349,762

1 **TITLE XLVII—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Discretionary Summary by Appropriation		
Energy and Water Development and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear energy	137,800	137,800
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Federal Salaries and Expenses	454,000	454,000
Weapons activities	15,602,000	15,602,000
Defense nuclear nonproliferation	2,031,000	2,031,000
Naval reactors	1,684,000	1,684,000
Total, National Nuclear Security Administration	19,771,000	19,771,000
Defense environmental cleanup	4,983,608	5,083,608

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS		
<i>(In Thousands of Dollars)</i>		
Program	FY 2021 Request	Senate Authorized
<i>Other defense activities</i>	1,054,727	904,727
Total, Atomic Energy Defense Activities	25,809,335	25,759,335
Total, Discretionary Funding	25,947,135	25,897,135
Nuclear Energy		
<i>Idaho site-wide safeguards and security</i>	137,800	137,800
Total, Nuclear Energy	137,800	137,800
National Nuclear Security Administration		
Federal Salaries and Expenses		
<i>Program direction</i>	454,000	454,000
Weapons Activities		
Stockpile management		
Stockpile major modernization		
<i>B61 Life extension program</i>	815,710	815,710
<i>W76 Life extension program</i>	0	0
<i>W76-2 Modification program</i>	0	0
<i>W88 Alteration program</i>	256,922	256,922
<i>W80-4 Life extension program</i>	1,000,314	1,000,314
<i>W87-1 Modification Program (formerly IW1)</i>	541,000	541,000
<i>W93</i>	53,000	53,000
Total, Stockpile major modernization	2,666,946	2,666,946
<i>Stockpile sustainment</i>	998,357	998,357
<i>Weapons dismantlement and disposition</i>	50,000	50,000
<i>Production operations</i>	568,941	568,941
Total, Stockpile management	4,284,244	4,284,244
Production modernization		
Primary capability modernization		
Plutonium modernization		
Los Alamos plutonium modernization		
<i>Los Alamos Plutonium Operations</i>	610,599	610,599
<i>21-D-512, Plutonium Pit Production Project, LANL</i>	226,000	226,000
Subtotal, Los Alamos plutonium modernization	836,599	836,599
Savannah River plutonium modernization		
<i>Savannah River plutonium operations</i>	200,000	200,000
<i>21-D-511, Savannah River Plutonium Processing Facility, SRS</i>	241,896	241,896
Subtotal, Savannah River plutonium modernization	441,896	441,896
<i>Enterprise Plutonium Support</i>	90,782	90,782
Total, Plutonium Modernization	1,369,277	1,369,277
<i>High Explosives & Energetics</i>	67,370	67,370
Total, Primary capability modernization	1,436,647	1,436,647
<i>Secondary Capability Modernization</i>	457,004	457,004
<i>Tritium and Domestic Uranium Enrichment</i>	457,112	457,112
<i>Non-Nuclear Capability Modernization</i>	107,137	107,137
Total, Production modernization	2,457,900	2,457,900
Stockpile research, technology, and engineering		
<i>Assessment science</i>	773,111	773,111
<i>Engineering and integrated assessments</i>	337,404	337,404
<i>Inertial confinement fusion</i>	554,725	554,725
<i>Advanced simulation and computing</i>	732,014	732,014
<i>Weapon technology and manufacturing maturation</i>	297,965	297,965
<i>Academic programs</i>	86,912	86,912
Total, Stockpile research, technology, and engineering	2,782,131	2,782,131
Infrastructure and operations		
Operating		
<i>Operations of facilities</i>	1,014,000	1,014,000
<i>Safety and Environmental Operations</i>	165,354	165,354
<i>Maintenance and Repair of Facilities</i>	792,000	792,000
Recapitalization		
<i>Infrastructure and Safety</i>	670,000	670,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Capabilities Based Investments	149,117	149,117
Planning for Programmatic Construction (Pre-CD-1)	84,787	84,787
Subtotal, Recapitalization	903,904	903,904
Total, Operating	2,875,258	2,875,258
I&O: Construction		
Programmatic		
21-D-510, HE Synthesis, Formulation, and Production Facility, PX	31,000	31,000
18-D-690, Lithium Processing Facility, Y-12	109,405	109,405
18-D-650, Tritium Finishing Facility, SRS	27,000	27,000
18-D-620, Erasmac Computing Facility Modernization Project, LLNL	29,200	29,200
17-D-640, U1a Complex Enhancements Project, NNSC	160,600	160,600
15-D-302, TA-55 Reinvestment Project—Phase 3, LANL	30,000	30,000
15-D-301, HE Science & Engineering Facility, PX	43,000	43,000
07-D-220-04, Transuranic Liquid Waste Facility, LANL	36,687	36,687
06-D-141, Uranium Processing Facility, Y-12	750,000	750,000
04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL	169,427	169,427
Total, Programmatic	1,386,319	1,386,319
Mission enabling		
19-D-670, 138kV Power Transmission System Replacement, NNSC	59,000	59,000
15-D-612, Emergency Operations Center, LLNL	27,000	27,000
15-D-611, Emergency Operations Center, SNL	36,000	36,000
Total, Mission enabling	122,000	122,000
Total, I&O construction	1,508,319	1,508,319
Total, Infrastructure and operations	4,383,577	4,383,577
Secure transportation asset		
Operations and equipment	266,390	266,390
Program direction	123,684	123,684
Total, Secure transportation asset	390,074	390,074
Defense nuclear security		
Operations and maintenance	815,895	815,895
Security improvements program	0	0
Construction:		
17-D-710, West end protected area reduction project, Y-12	11,000	11,000
Subtotal, construction	11,000	11,000
Total, Defense nuclear security	826,895	826,895
Information technology and cybersecurity	375,511	375,511
Legacy contractor pensions	101,668	101,668
Total, Weapons activities	16,056,000	16,056,000
Adjustments		
Use of prior year balances	0	0
Total, Adjustments	0	0
Total, Weapons Activities	15,602,000	15,602,000
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Material management and minimization		
Conversion (formerly HEU Reactor Conversion)	170,000	170,000
Nuclear material removal	40,000	40,000
Material disposition	190,711	190,711
Laboratory and partnership support	0	0
Total, Material management & minimization	400,711	400,711
Global material security	0	0
International nuclear security	66,391	66,391
Domestic radiological security	101,000	101,000
International radiological security	73,340	73,340
Nuclear smuggling detection and deterrence	159,749	159,749
Total, Global material security	400,480	400,480
Nonproliferation and arms control	138,708	138,708
National Technical Nuclear Forensics R&D	40,000	40,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Defense nuclear nonproliferation R&D		
Proliferation detection	235,220	235,220
Nonproliferation Stewardship program	59,900	59,900
Nuclear detonation detection	236,531	236,531
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	531,651	531,651
Nonproliferation construction		
U. S. Construction:		
18-D-150 Surplus Plutonium Disposition Project	148,589	148,589
99-D-143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	0	0
Total, U. S. Construction:	148,589	148,589
Total, Nonproliferation construction	148,589	148,589
Total, Defense Nuclear Nonproliferation Programs	1,660,139	1,660,139
Legacy contractor pensions	14,348	14,348
Nuclear counterterrorism and incident response program		
Emergency Operations	36,000	36,000
Counterterrorism and Counterproliferation	341,513	341,513
Total, Nuclear counterterrorism and incident response program	377,513	377,513
Subtotal, Defense Nuclear Nonproliferation	2,052,000	2,052,000
Adjustments		
Use of prior year balances	-21,000	-21,000
Total, Adjustments	-21,000	-21,000
Total, Defense Nuclear Nonproliferation	2,031,000	2,031,000
Naval Reactors		
Naval reactors development	590,306	590,306
Columbia-Class reactor systems development	64,700	64,700
SSG Prototype refueling	135,000	135,000
Naval reactors operations and infrastructure	506,294	506,294
Program direction	53,700	53,700
Construction:		
21-D-530 KL Steam and Condensate Upgrades	4,000	4,000
14-D-901, Spent fuel handling recapitalization project, NRF	330,000	330,000
Total, Construction	334,000	334,000
Transfer to NE—Advanced Test Reactor (non-add)	0	0
Total, Naval Reactors	1,684,000	1,684,000
TOTAL, National Nuclear Security Administration	19,771,000	19,771,000
Defense Environmental Cleanup		
Closure sites administration	4,987	4,987
Richland:		
River corridor and other cleanup operations	54,949	54,949
Central plateau remediation	498,335	498,335
Richland community and regulatory support	2,500	2,500
18-D-404 Modification of Waste Encapsulation and Storage Facility	0	0
Total, Richland	555,784	555,784
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	597,757	597,757
Construction:		
18-D-16 Waste treatment and immobilization plant—LBL/Direct feed LAW	609,924	609,924
15-D-409 Low activity waste pretreatment system, ORP	0	0
01-D-16 D, High-level waste facility	0	0
01-D-16 E, Pretreatment Facility	0	0
Total, Construction	609,924	609,924
ORP Low-level waste offsite disposal	0	0
Total, Office of River Protection	1,257,681	1,257,681
Idaho National Laboratory:		
Idaho cleanup and waste disposition	257,554	257,554
ID Excess facilities R&D	0	0
Idaho community and regulatory support	2,400	2,400

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

<i>Program</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
Total, Idaho National Laboratory	259,954	259,954
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,764	1,764
LLNL Excess facilities R&D	0	0
Separations Process Research Unit	15,000	15,000
Nevada Test Site	60,737	60,737
Sandia National Laboratories	4,860	4,860
Los Alamos National Laboratory	120,000	220,000
Execute achievable scope of work		(100,000)
Total, NNSA sites and Nevada off-sites	202,361	302,361
Oak Ridge Reservation:		
OR Nuclear facility D & D	109,077	109,077
U233 Disposition Program	45,000	45,000
OR cleanup and waste disposition	58,000	58,000
Construction:		
17-D-401 On-site waste disposal facility	22,380	22,380
14-D-403 Outfall 200 Mercury Treatment Facility	20,500	20,500
Subtotal, Construction:	42,880	42,880
OR community & regulatory support	4,930	4,930
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	262,887	262,887
Savannah River Site:		
Savannah River risk management operations	455,122	455,122
SR community and regulatory support	4,989	4,989
Radioactive liquid tank waste:		
Construction:		
20-D-402 Advanced Manufacturing Collaborative Facility (AMC)	25,000	25,000
20-D-401 Saltstone Disposal Unit #10, 11, 12	0	0
19-D-701 SR Security system replacement	0	0
18-D-402, Saltstone disposal unit #8/9	65,500	65,500
17-D-402—Saltstone Disposal Unit #7	10,716	10,716
05-D-405 Salt waste processing facility, SRS	0	0
Total, Construction, Radioactive liquid tank waste	101,216	101,216
Radioactive liquid tank waste stabilization	970,332	970,332
Total, Savannah River Site	1,531,659	1,531,659
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	323,260	323,260
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	0	0
15-D-412 Exhaust shaft, WIPP	50,000	50,000
21-D-401 Hoisting Capability Project	10,000	10,000
Total, Construction	60,000	60,000
Total, Waste Isolation Pilot Plant	383,260	383,260
Program direction—Defense Environment Cleanup	275,285	275,285
Program support—Defense Environment Cleanup	12,979	12,979
Safeguards and Security—Defense Environment Cleanup	320,771	320,771
Technology development and deployment	25,000	25,000
Use of prior year balances	0	0
Subtotal, Defense environmental cleanup	5,092,608	5,192,608
Rescission:		
Rescission of prior year balances	-109,000	-109,000
TOTAL, Defense Environmental Cleanup	4,983,608	5,083,608
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	134,320	134,320
Program direction	75,368	75,368
Total, Environment, health, safety and security	209,688	209,688
Independent enterprise assessments		
Enterprise assessments	26,949	26,949
Program direction—Office of Enterprise Assessments	54,635	54,635
Total, Office of Enterprise Assessments	81,584	81,584

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

<i>Program</i>	<i>FY 2021 Request</i>	<i>Senate Authorized</i>
<i>Specialized security activities</i>	258,411	258,411
Office of Legacy Management		
<i>Legacy management activities—defense</i>	293,873	143,873
<i>Maintain current program administration</i>		(-150,000)
<i>Program direction</i>	23,120	23,120
Total, Office of Legacy Management	316,993	166,993
<i>Defense related administrative support</i>	183,789	183,789
<i>Office of hearings and appeals</i>	4,262	4,262
Subtotal, Other defense activities	1,054,727	904,727
<i>Use of prior year balances</i>	0	0
Total, Other Defense Activities	1,054,727	904,727

1 ***DIVISION E—ADDITIONAL***
2 ***PROVISIONS***
3 ***TITLE LI—PROCUREMENT***
4 ***Subtitle B—Army Programs***

5 ***SEC. 5111. REPORT ON CH-47F CHINOOK BLOCK-II UP-***
6 ***GRADE.***

7 (a) *IN GENERAL.*—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of Defense,
9 in consultation with the Secretary of the Army, shall submit
10 to the congressional defense committees a report that in-
11 cludes the following elements:

12 (1) *An analysis of the warfighting capability*
13 *currently delivered by the Block I and Block II con-*
14 *figurations of H-47 Chinook helicopters.*

15 (2) *An analysis of the feasibility and advis-*
16 *ability of delaying or terminating the CH-47F Chi-*
17 *nook Block-II upgrade.*

18 (3) *A plan to ensure that warfighter capability*
19 *is not negatively affected by the delay or termination*
20 *of the CH-47F Chinook Block-II upgrade.*

21 (b) *FORM.*—The report required under subsection (a)
22 shall be submitted in unclassified form, but may include
23 a classified annex.

Subtitle C—Navy Programs

SEC. 5121. LIMITATION ON ALTERATION OF NAVY FLEET

MIX.

(a) *SENSE OF CONGRESS.*—*It is the sense of Congress that—*

(1) *the United States shipbuilding and supporting vendor base constitute a national security imperative that is unique and must be protected;*

(2) *a healthy and efficient industrial base continues to be a fundamental driver for achieving and sustaining a successful shipbuilding procurement strategy;*

(3) *without consistent and continuous commitment to steady and predictable acquisition profiles, the industrial base will struggle and some elements may not survive; and*

(4) *proposed reductions in the future-years defense program to the DDG–51 Destroyer procurement profile without a clear transition to procurement of the next Large Surface Combatant would adversely affect the shipbuilding industrial base and long-term strategic objectives of the Navy.*

(b) *LIMITATION.*—

(1) *IN GENERAL.*—*The Secretary of the Navy may not deviate from the 2016 Navy Force Structure*

1 *Assessment to implement the results of a new force*
2 *structure assessment or new annual long-range plan*
3 *for construction of naval vessels that would reduce the*
4 *requirement for Large Surface Combatants to fewer*
5 *than 104 such vessels until the date on which the Sec-*
6 *retary of the Navy submits to the congressional de-*
7 *fense committees the certification under paragraph*
8 *(2) and the report under subsection (c).*

9 (2) *CERTIFICATION.*—*The certification referred*
10 *to in paragraph (1) is a certification, in writing, that*
11 *each of the following conditions have been satisfied:*

12 (A) *The large surface combatant ship-*
13 *building industrial base and supporting vendor*
14 *base would not significantly deteriorate due to a*
15 *reduced procurement profile.*

16 (B) *The Navy can mitigate the reduction in*
17 *anti-air and ballistic missile defense capabilities*
18 *due to having a reduced number of DDG–51 De-*
19 *stroyers with the advanced AN/SPY–6 radar in*
20 *the next three decades.*

21 (c) *REPORT.*—*Not later than 90 days after the date*
22 *of the enactment of this Act, the Secretary of the Navy shall*
23 *submit to the congressional defense committees a report that*
24 *includes—*

1 (1) a description of likely detrimental impacts to
 2 the large surface combatant industrial base and the
 3 Navy’s plan to mitigate any such impacts if the fiscal
 4 year 2021 future-years defense program were imple-
 5 mented as proposed;

6 (2) a review of the benefits to the Navy fleet of
 7 the new AN/SPY-6 radar to be deployed aboard
 8 Flight III variant DDG-51 Destroyers, which are
 9 currently under construction, as well as an analysis
 10 of impacts to the fleet’s warfighting capabilities,
 11 should the number of such destroyers be reduced; and

12 (3) a plan to fully implement section 131 of the
 13 National Defense Authorization for Fiscal Year 2020
 14 (Public Law 116-92), including subsystem proto-
 15 typing efforts and funding by fiscal year.

16 **TITLE LII—RESEARCH, DEVELOP-**
 17 **MENT, TEST, AND EVALUA-**
 18 **TION**

19 **Subtitle B—Program Requirements,**
 20 **Restrictions, and Limitations**

21 **SEC. 5211. IMPORTANCE OF HISTORICALLY BLACK COL-**
 22 **LEGES AND UNIVERSITIES AND MINORITY-**
 23 **SERVING INSTITUTIONS.**

24 (a) **INCREASE.**—Funds authorized to be appropriated
 25 in *Research, Development, Test, and Evaluation, Defense-*

1 *wide, PE 0601228D8Z, section 4201, for Basic Research,*
2 *Historically Black Colleges and Universities/Minority In-*
3 *stitutions, Line 006, are hereby increased by \$14,025,000.*

4 (b) *OFFSET.—Funding in section 4101 for Other Pro-*
5 *curement, Army, for Automated Data Processing Equip-*
6 *ment, Line 112, is hereby reduced by \$14,025,000.*

7 **Subtitle C—Sustainable Chemistry**

8 **SEC. 5221. NATIONAL COORDINATING ENTITY FOR SUS-** 9 **TAINABLE CHEMISTRY.**

10 (a) *ESTABLISHMENT.—Not later than 180 days after*
11 *the date of enactment of this title, the Director of the Office*
12 *of Science and Technology Policy shall convene an inter-*
13 *agency entity (referred to in this title as the “Entity”)*
14 *under the National Science and Technology Council with*
15 *the responsibility to coordinate Federal programs and ac-*
16 *tivities in support of sustainable chemistry, including those*
17 *described in sections ____3 and ____4.*

18 (b) *COORDINATION WITH EXISTING GROUPS.—In con-*
19 *vening the Entity, the Director of the Office of Science and*
20 *Technology Policy shall consider overlap and possible co-*
21 *ordination with existing committees, subcommittees, or*
22 *other groups of the National Science and Technology Coun-*
23 *cil, such as—*

24 (1) *the Committee on Environment;*

25 (2) *the Committee on Technology;*

1 (3) *the Committee on Science; or*

2 (4) *related groups or subcommittees.*

3 (c) *CO-CHAIRS.—The Entity shall be co-chaired by the*
4 *Director of the Office of Science and Technology Policy and*
5 *a representative from the Environmental Protection Agen-*
6 *cy, the National Institute of Standards and Technology, the*
7 *National Science Foundation, or the Department of Energy,*
8 *as selected by the Director of the Office of Science and Tech-*
9 *nology Policy.*

10 (d) *AGENCY PARTICIPATION.—The Entity shall in-*
11 *clude representatives, including subject matter experts, from*
12 *the Environmental Protection Agency, the National Insti-*
13 *tute of Standards and Technology, the National Science*
14 *Foundation, the Department of Energy, the Department of*
15 *Agriculture, the Department of Defense, the National Insti-*
16 *tutes of Health, the Centers for Disease Control and Preven-*
17 *tion, the Food and Drug Administration, and other related*
18 *Federal agencies, as appropriate.*

19 (e) *TERMINATION.—The Entity shall terminate on the*
20 *date that is 10 years after the date of enactment of this*
21 *title.*

22 **SEC. 5222. STRATEGIC PLAN FOR SUSTAINABLE CHEM-**
23 **ISTRY.**

24 (a) *STRATEGIC PLAN.—Not later than 2 years after*
25 *the date of enactment of this title, the Entity shall—*

1 (1) *consult with relevant stakeholders, including*
2 *representatives from industry, academia, national*
3 *labs, the Federal Government, and international enti-*
4 *tities, to develop and update, as needed, a consensus*
5 *definition of “sustainable chemistry” to guide the ac-*
6 *tivities under this title;*

7 (2) *develop a working framework of attributes*
8 *characterizing and metrics for assessing sustainable*
9 *chemistry, as described in subsection (b);*

10 (3) *assess the state of sustainable chemistry in*
11 *the United States as a key benchmark from which*
12 *progress under the activities described in this title can*
13 *be measured, including assessing key sectors of the*
14 *United States economy, key technology platforms,*
15 *commercial priorities, and barriers to innovation;*

16 (4) *coordinate and support Federal research, de-*
17 *velopment, demonstration, technology transfer, com-*
18 *mercialization, education, and training efforts in sus-*
19 *tainable chemistry, including budget coordination*
20 *and support for public-private partnerships, as ap-*
21 *propriate;*

22 (5) *identify any Federal regulatory barriers to,*
23 *and opportunities for, Federal agencies facilitating*
24 *the development of incentives for development, consid-*

1 *eration and use of sustainable chemistry processes*
2 *and products;*

3 *(6) identify major scientific challenges, road-*
4 *blocks, or hurdles to transformational progress in im-*
5 *proving the sustainability of the chemical sciences;*
6 *and*

7 *(7) review, identify, and make effort to eliminate*
8 *duplicative Federal funding and duplicative Federal*
9 *research in sustainable chemistry.*

10 *(b) CHARACTERIZING AND ASSESSING SUSTAINABLE*
11 *CHEMISTRY.—The Entity shall develop a working frame-*
12 *work of attributes characterizing and metrics for assessing*
13 *sustainable chemistry for the purposes of carrying out the*
14 *title. In developing this framework, the Entity shall—*

15 *(1) seek advice and input from stakeholders as*
16 *described in subsection (c);*

17 *(2) consider existing definitions of, or frame-*
18 *works characterizing and metrics for assessing, sus-*
19 *tainable chemistry already in use at Federal agencies;*

20 *(3) consider existing definitions of, or frame-*
21 *works characterizing and metrics for assessing, sus-*
22 *tainable chemistry already in use by international or-*
23 *ganizations of which the United States is a member,*
24 *such as the Organisation for Economic Co-operation*
25 *and Development; and*

1 (4) *consider any other appropriate existing defi-*
2 *initions of, or frameworks characterizing and metrics*
3 *for assessing, sustainable chemistry.*

4 (c) *CONSULTATION.—In carrying out the duties de-*
5 *scribed in subsections (a) and (b), the Entity shall consult*
6 *with stakeholders qualified to provide advice and informa-*
7 *tion to guide Federal activities related to sustainable chem-*
8 *istry through workshops, requests for information, or other*
9 *mechanisms as necessary. The stakeholders shall include*
10 *representatives from—*

11 (1) *business and industry (including trade asso-*
12 *ciations and small- and medium-sized enterprises*
13 *from across the value chain);*

14 (2) *the scientific community (including the Na-*
15 *tional Academies of Sciences, Engineering, and Medi-*
16 *cine, scientific professional societies, national labs,*
17 *and academia);*

18 (3) *the defense community;*

19 (4) *State, tribal, and local governments, includ-*
20 *ing nonregulatory State or regional sustainable chem-*
21 *istry programs, as appropriate;*

22 (5) *nongovernmental organizations; and*

23 (6) *other appropriate organizations.*

24 (d) *REPORT TO CONGRESS.—*

1 (1) *IN GENERAL.*—Not later than 2 years after
2 the date of enactment of this Act, the Entity shall
3 submit a report to the Committee on Environment
4 and Public Works, the Committee on Commerce,
5 Science, and Transportation, and the Committee on
6 Appropriations of the Senate, and the Committee on
7 Science, Space, and Technology, the Committee on
8 Energy and Commerce, and the Committee on Appro-
9 priations of the House of Representatives. In addition
10 to the elements described in subsections (a) and (b),
11 the report shall include—

12 (A) a summary of federally funded, sustain-
13 able chemistry research, development, demonstra-
14 tion, technology transfer, commercialization,
15 education, and training activities;

16 (B) a summary of the financial resources
17 allocated to sustainable chemistry initiatives by
18 each participating agency;

19 (C) an assessment of the current state of
20 sustainable chemistry in the United States, in-
21 cluding the role that Federal agencies are play-
22 ing in supporting it;

23 (D) an analysis of the progress made to-
24 ward achieving the goals and priorities of this

1 *Act, and recommendations for future program*
2 *activities;*

3 *(E) an evaluation of steps taken and future*
4 *strategies to avoid duplication of efforts, stream-*
5 *line interagency coordination, facilitate informa-*
6 *tion sharing, and spread best practices among*
7 *participating agencies; and*

8 *(F) an evaluation of duplicative Federal*
9 *funding and duplicative Federal research in sus-*
10 *tainable chemistry, efforts undertaken by the En-*
11 *tity to eliminate duplicative funding and re-*
12 *search, and recommendations on how to achieve*
13 *these goals.*

14 *(2) SUBMISSION TO GAO.—The Entity shall also*
15 *submit the report described in paragraph (1) to the*
16 *Comptroller General of the United States for consider-*
17 *ation in future Congressional inquiries.*

18 *(3) ADDITIONAL REPORTS.—The Entity shall*
19 *submit a report to Congress and the Comptroller Gen-*
20 *eral of the United States that incorporates the infor-*
21 *mation described in subparagraphs (A), (B), (D), (E),*
22 *and (F) of paragraph (1) every 3 years, commencing*
23 *after the initial report is submitted until the Entity*
24 *terminates.*

1 **SEC. 5223. AGENCY ACTIVITIES IN SUPPORT OF SUSTAIN-**
2 **ABLE CHEMISTRY.**

3 (a) *IN GENERAL.*—*The agencies participating in the*
4 *Entity shall carry out activities in support of sustainable*
5 *chemistry, as appropriate to the specific mission and pro-*
6 *grams of each agency.*

7 (b) *ACTIVITIES.*—*The activities described in subsection*
8 *(a) shall—*

9 (1) *incorporate sustainable chemistry into exist-*
10 *ing research, development, demonstration, technology*
11 *transfer, commercialization, education, and training*
12 *programs, that the agency determines to be relevant,*
13 *including consideration of—*

14 (A) *merit-based competitive grants to indi-*
15 *vidual investigators and teams of investigators,*
16 *including, to the extent practicable, early career*
17 *investigators for research and development;*

18 (B) *grants to fund collaborative research*
19 *and development partnerships among univer-*
20 *sities, industry, and nonprofit organizations;*

21 (C) *coordination of sustainable chemistry*
22 *research, development, demonstration, and tech-*
23 *nology transfer conducted at Federal laboratories*
24 *and agencies;*

1 (D) incentive prize competitions and chal-
2 lenges in coordination with such existing Federal
3 agency programs; and

4 (E) grants, loans, and loan guarantees to
5 aid in the technology transfer and commer-
6 cialization of sustainable chemicals, materials,
7 processes, and products;

8 (2) collect and disseminate information on sus-
9 tainable chemistry research, development, technology
10 transfer, and commercialization, including informa-
11 tion on accomplishments and best practices;

12 (3) expand the education and training of stu-
13 dents at appropriate levels of education, professional
14 scientists and engineers, and other professionals in-
15 volved in all aspects of sustainable chemistry and en-
16 gineering appropriate to that level of education and
17 training, including through—

18 (A) partnerships with industry as described
19 in section ____4;

20 (B) support for the integration of sustain-
21 able chemistry principles into chemistry and
22 chemical engineering curriculum and research
23 training, as appropriate to that level of edu-
24 cation and training; and

1 (C) support for integration of sustainable
2 chemistry principles into existing or new profes-
3 sional development opportunities for profes-
4 sionals including teachers, faculty, and individ-
5 uals involved in laboratory research (product de-
6 velopment, materials specification and testing,
7 life cycle analysis, and management);

8 (4) as relevant to an agency's programs, examine
9 methods by which the Federal agencies, in collabora-
10 tion and consultation with the National Institute of
11 Standards and Technology, may facilitate the devel-
12 opment or recognition of validated, standardized tools
13 for performing sustainability assessments of chemistry
14 processes or products;

15 (5) through programs identified by an agency,
16 support (including through technical assistance, par-
17 ticipation, financial support, communications tools,
18 awards, or other forms of support) outreach and dis-
19 semination of sustainable chemistry advances such as
20 non-Federal symposia, forums, conferences, and publi-
21 cations in collaboration with, as appropriate, indus-
22 try, academia, scientific and professional societies,
23 and other relevant groups;

24 (6) provide for public input and outreach to be
25 integrated into the activities described in this section

1 *by the convening of public discussions, through mech-*
2 *anisms such as public meetings, consensus con-*
3 *ferences, and educational events, as appropriate;*

4 *(7) within each agency, develop or adapt metrics*
5 *to track the outputs and outcomes of the programs*
6 *supported by that agency; and*

7 *(8) incentivize or recognize actions that advance*
8 *sustainable chemistry products, processes, or initia-*
9 *tives, including through the establishment of a nation-*
10 *ally recognized awards program through the Environ-*
11 *mental Protection Agency to identify, publicize, and*
12 *celebrate innovations in sustainable chemistry and*
13 *chemical technologies.*

14 *(c) LIMITATIONS .—Financial support provided under*
15 *this section shall—*

16 *(1) be available only for pre-competitive activi-*
17 *ties; and*

18 *(2) not be used to promote the sale of a specific*
19 *product, process, or technology, or to disparage a spe-*
20 *cific product, process, or technology.*

21 **SEC. 5224. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.**

22 *(a) IN GENERAL.—The agencies participating in the*
23 *Entity may facilitate and support, through financial, tech-*
24 *nical, or other assistance, the creation of partnerships be-*
25 *tween institutions of higher education, nongovernmental or-*

1 *ganizations, consortia, or companies across the value chain*
2 *in the chemical industry, including small- and medium-*
3 *sized enterprises, to—*

4 (1) *create collaborative sustainable chemistry re-*
5 *search, development, demonstration, technology trans-*
6 *fer, and commercialization programs; and*

7 (2) *train students and retrain professional sci-*
8 *entists, engineers, and others involved in materials*
9 *specification on the use of sustainable chemistry con-*
10 *cepts and strategies by methods, including—*

11 (A) *developing or recognizing curricular*
12 *materials and courses for undergraduate and*
13 *graduate levels and for the professional develop-*
14 *ment of scientists, engineers, and others involved*
15 *in materials specification; and*

16 (B) *publicizing the availability of profes-*
17 *sional development courses in sustainable chem-*
18 *istry and recruiting professionals to pursue such*
19 *courses.*

20 (b) *PRIVATE SECTOR PARTICIPATION.—To be eligible*
21 *for support under this section, a partnership in sustainable*
22 *chemistry shall include at least one private sector organiza-*
23 *tion.*

24 (c) *SELECTION OF PARTNERSHIPS.—In selecting part-*
25 *nerships for support under this section, the agencies partici-*

1 *pating in the Entity shall also consider the extent to which*
2 *the applicants are willing and able to demonstrate evidence*
3 *of support for, and commitment to, the goals outlined in*
4 *the strategic plan and report described in section ____2.*

5 *(d) PROHIBITED USE OF FUNDS.—Financial support*
6 *provided under this section may not be used—*

7 *(1) to support or expand a regulatory chemical*
8 *management program at an implementing agency*
9 *under a State law;*

10 *(2) to construct or renovate a building or struc-*
11 *ture; or*

12 *(3) to promote the sale of a specific product,*
13 *process, or technology, or to disparage a specific prod-*
14 *uct, process, or technology.*

15 **SEC. 5225. PRIORITIZATION.**

16 *In carrying out this Act, the Entity shall focus its sup-*
17 *port for sustainable chemistry activities on those that*
18 *achieve, to the highest extent practicable, the goals outlined*
19 *in the title.*

20 **SEC. 5226. RULE OF CONSTRUCTION.**

21 *Nothing in this title shall be construed to alter or*
22 *amend any State law or action with regard to sustainable*
23 *chemistry, as defined by the State.*

1 **SEC. 5227. MAJOR MULTI-USER RESEARCH FACILITY**
 2 **PROJECT.**

3 *Section 110 of the American Innovation and Competi-*
 4 *tiveness Act (42 U.S.C. 1862s–2) is amended by striking*
 5 *(g)(2) and inserting the following:*

6 “(2) **MAJOR MULTI-USER RESEARCH FACILITY**
 7 **PROJECT.**—*The term ‘major multi-user research facil-*
 8 *ity project’ means a science and engineering facility*
 9 *project that exceeds \$100,000,000 in total construc-*
 10 *tion, acquisition, or upgrade costs to the Founda-*
 11 *tion.’.*”

12 **Subtitle D—Cyber Workforce**
 13 **Matters**

14 **SEC. 5231. IMPROVING NATIONAL INITIATIVE FOR CYBER-**
 15 **SECURITY EDUCATION.**

16 (a) **PROGRAM IMPROVEMENTS GENERALLY.**—*Sub-*
 17 *section (a) of section 401 of the Cybersecurity Enhancement*
 18 *Act of 2014 (15 U.S.C. 7451) is amended—*

19 (1) *in paragraph (5), by striking “; and” and*
 20 *inserting a semicolon;*

21 (2) *by redesignating paragraph (6) as para-*
 22 *graph (10); and*

23 (3) *by inserting after paragraph (5) the fol-*
 24 *lowing:*

25 “(6) *supporting efforts to identify cybersecurity*
 26 *workforce skill gaps in public and private sectors;*

1 “(7) *facilitating Federal programs to advance*
2 *cybersecurity education, training, and workforce;*

3 “(8) *in coordination with the Department of De-*
4 *fense and the Department of Homeland Security, con-*
5 *sidering any specific needs of the cybersecurity work-*
6 *force of critical infrastructure, to include cyber phys-*
7 *ical systems and control systems;*

8 “(9) *advising the Director of the Office of Man-*
9 *agement and Budget, as needed in, developing metrics*
10 *to measure the effectiveness and effect of programs*
11 *and initiatives to advance the cybersecurity work-*
12 *force; and”.*

13 **(b) STRATEGIC PLAN.**—Subsection (c) of such section
14 *is amended—*

15 (1) *by striking “The Director” and inserting the*
16 *following:*

17 “(1) *IN GENERAL.*—*The Director*”; and

18 (2) *by adding at the end the following:*

19 “(2) *REQUIREMENT.*—*The strategic plan devel-*
20 *oped and implemented under paragraph (1) shall in-*
21 *clude an indication of how the Director will carry out*
22 *this section.”.*

23 **(c) CYBERSECURITY CAREER PATHWAYS.**—

24 (1) *IDENTIFICATION OF MULTIPLE CYBERSECU-*
25 *RITY CAREER PATHWAYS.*—*In carrying out subsection*

1 (a) of such section and not later than 540 days after
2 the date of the enactment of this Act, the Director of
3 the National Institute of Standards and Technology
4 shall, in coordination with the Secretary of Defense,
5 the Secretary of Homeland Security, and the Director
6 of the Office of Personnel Management, use a consult-
7 ative process with other Federal agencies, academia,
8 and industry to identify multiple career pathways for
9 cybersecurity work roles that can be used in the pri-
10 vate and public sectors.

11 (2) *REQUIREMENTS.*—The Director shall ensure
12 that the multiple cybersecurity career pathways iden-
13 tified under paragraph (1) indicate the knowledge,
14 skills, and abilities, including relevant education,
15 training, apprenticeships, certifications, and other ex-
16 periences, that—

17 (A) align with employers' cybersecurity skill
18 needs, including proficiency level requirements,
19 for its workforce; and

20 (B) prepare an individual to be successful
21 in entering or advancing in a cybersecurity ca-
22 reer.

23 (3) *EXCHANGE PROGRAM.*—Consistent with re-
24 quirements under chapter 37 of title 5, United States
25 Code, the Director of the National Institute of Stand-

1 *ards and Technology, in coordination with the Direc-*
2 *tor of the Office of Personnel Management, may estab-*
3 *lish a voluntary program for the exchange of employ-*
4 *ees engaged in one of the cybersecurity work roles*
5 *identified in the National Initiative for Cybersecurity*
6 *Education (NICE) Cybersecurity Workforce Frame-*
7 *work (NIST Special Publication 800–181), or suc-*
8 *cessor framework, between the National Institute of*
9 *Standards and Technology and private sector institu-*
10 *tions, including a nonpublic or commercial business,*
11 *a research institution, or an institution of higher edu-*
12 *cation, as the Director of the National Institute of*
13 *Standards and Technology considers feasible.*

14 *(d) PROFICIENCY TO PERFORM CYBERSECURITY*
15 *TASKS.—Not later than 540 days after the date of the enact-*
16 *ment of this Act, the Director of the National Institute of*
17 *Standards and Technology shall, in coordination with the*
18 *Secretary of Defense and the Secretary of Homeland Secu-*
19 *urity—*

20 *(1) in carrying out subsection (a) of such section,*
21 *assess the scope and sufficiency of efforts to measure*
22 *a learner’s capability to perform specific tasks found*
23 *in the National Initiative for Cybersecurity Edu-*
24 *cation (NICE) Cybersecurity Workforce Framework*

1 *(NIST Special Publication 800–181) at all pro-*
2 *ficiency levels; and*

3 *(2) submit to Congress a report—*

4 *(A) on the findings of the Director with re-*
5 *spect to the assessment carried out under para-*
6 *graph (1); and*

7 *(B) with recommendations for effective*
8 *methods for measuring the cybersecurity pro-*
9 *ficiency of learners.*

10 *(e) CYBERSECURITY METRICS.—Such section is fur-*
11 *ther amended by adding at the end the following:*

12 *“(e) CYBERSECURITY METRICS.—In carrying out sub-*
13 *section (a), the Director of the Office of Management and*
14 *Budget may seek input from the Director of the National*
15 *Institute of Standards and Technology, in coordination*
16 *with the Department of Homeland Security, the Office of*
17 *Personnel Management, and such agencies as the Director*
18 *of the National Institute of Standards and Technology con-*
19 *siders relevant, shall develop repeatable measures and reli-*
20 *able metrics for measuring and evaluating Federally funded*
21 *cybersecurity workforce programs and initiatives based on*
22 *the outcomes of such programs and initiatives.”.*

23 *(f) REGIONAL ALLIANCES AND MULTISTAKEHOLDER*
24 *PARTNERSHIPS.—Such section is further amended by add-*
25 *ing at the end the following:*

1 “(f) *REGIONAL ALLIANCES AND MULTISTAKEHOLDER*
2 *PARTNERSHIPS.*—

3 “(1) *IN GENERAL.*—Pursuant to section 2(b)(4)
4 *of the National Institute of Standards and Technology*
5 *Act (15 U.S.C. 272(b)(4)), the Director shall establish*
6 *cooperative agreements between the National Initia-*
7 *tive for Cybersecurity Education (NICE) of the Insti-*
8 *tute and regional alliances or partnerships for cyber-*
9 *security education and workforce.*

10 “(2) *AGREEMENTS.*—The cooperative agreements
11 *established under paragraph (1) shall advance the*
12 *goals of the National Initiative for Cybersecurity*
13 *Education Cybersecurity Workforce Framework*
14 *(NIST Special Publication 800–181), or successor*
15 *framework, by facilitating local and regional partner-*
16 *ships—*

17 “(A) *to identify the workforce needs of the*
18 *local economy and classify such workforce in ac-*
19 *cordance with such framework;*

20 “(B) *to identify the education, training, ap-*
21 *prenticeship, and other opportunities available*
22 *in the local economy; and*

23 “(C) *to support opportunities to meet the*
24 *needs of the local economy.*

25 “(3) *FINANCIAL ASSISTANCE.*—

1 “(A) *FINANCIAL ASSISTANCE AUTHOR-*
2 *IZED.—The Director may award financial as-*
3 *istance to a regional alliance or partnership*
4 *with whom the Director enters into a cooperative*
5 *agreement under paragraph (1) in order to assist*
6 *the regional alliance or partnership in carrying*
7 *out the term of the cooperative agreement.*

8 “(B) *AMOUNT OF ASSISTANCE.—The aggre-*
9 *gate amount of financial assistance awarded*
10 *under subparagraph (A) per cooperative agree-*
11 *ment shall not exceed \$200,000.*

12 “(C) *MATCHING REQUIREMENT.—The Di-*
13 *rector may not award financial assistance to a*
14 *regional alliance or partnership under subpara-*
15 *graph (A) unless the regional alliance or part-*
16 *nership agrees that, with respect to the costs to*
17 *be incurred by the regional alliance or partner-*
18 *ship in carrying out the cooperative agreement*
19 *for which the assistance was awarded, the re-*
20 *gional alliance or partnership will make avail-*
21 *able (directly or through donations from public*
22 *or private entities) non-Federal contributions in*
23 *an amount equal to 50 percent of Federal funds*
24 *provided under the award.*

25 “(4) *APPLICATION.—*

1 “(A) *IN GENERAL.*—*A regional alliance or*
2 *partnership seeking to enter into a cooperative*
3 *agreement under paragraph (1) and receive fi-*
4 *nancial assistance under paragraph (3) shall*
5 *submit to the Director an application therefore*
6 *at such time, in such manner, and containing*
7 *such information as the Director may require.*

8 “(B) *REQUIREMENTS.*—*Each application*
9 *submitted under subparagraph (A) shall include*
10 *the following:*

11 “(i)(I) *A plan to establish (or identi-*
12 *fication of, if it already exists) a multi-*
13 *stakeholder workforce partnership that in-*
14 *cludes—*

15 “(aa) *at least one institution of*
16 *higher education or nonprofit training*
17 *organization; and*

18 “(bb) *at least one local employer*
19 *or owner or operator of critical infra-*
20 *structure.*

21 “(II) *Participation from Federal Cyber*
22 *Scholarships for Service organizations, ad-*
23 *vanced technological education programs,*
24 *elementary and secondary schools, training*
25 *and certification providers, State and local*

1 *governments, economic development organi-*
2 *zations, or other community organizations*
3 *is encouraged.*

4 “(ii) *A description of how the work-*
5 *force partnership would identify the work-*
6 *force needs of the local economy.*

7 “(iii) *A description of how the multi-*
8 *stakeholder workforce partnership would le-*
9 *verage the programs and objectives of the*
10 *National Initiative for Cybersecurity Edu-*
11 *cation, such as the Cybersecurity Workforce*
12 *Framework and the strategic plan of such*
13 *initiative.*

14 “(iv) *A description of how employers*
15 *in the community will be recruited to sup-*
16 *port internships, externships, apprentice-*
17 *ships, or cooperative education programs in*
18 *conjunction with providers of education and*
19 *training. Inclusion of programs that seek to*
20 *include women, minorities, or veterans is*
21 *encouraged.*

22 “(v) *A definition of the metrics that*
23 *will be used to measure the success of the ef-*
24 *forts of the regional alliance or partnership*
25 *under the agreement.*

1 “(C) *PRIORITY CONSIDERATION.*—*In*
2 *awarding financial assistance under paragraph*
3 *(3)(A), the Director shall give priority consider-*
4 *ation to a regional alliance or partnership that*
5 *includes an institution of higher education which*
6 *receives an award under the Federal Cyber*
7 *Scholarship for Service program located in the*
8 *State or region of the regional alliance or part-*
9 *nership.*

10 “(5) *AUDITS.*—*Each cooperative agreement for*
11 *which financial assistance is awarded under para-*
12 *graph (3) shall be subject to audit requirements under*
13 *part 200 of title 2, Code of Federal Regulations (re-*
14 *lating to uniform administrative requirements, cost*
15 *principles, and audit requirements for Federal*
16 *awards), or successor regulation.*

17 “(6) *REPORTS.*—

18 “(A) *IN GENERAL.*—*Upon completion of a*
19 *cooperative agreement under paragraph (1), the*
20 *regional alliance or partnership that partici-*
21 *ipated in the agreement shall submit to the Direc-*
22 *tor a report on the activities of the regional alli-*
23 *ance or partnership under the agreement, which*
24 *may include training and education outcomes.*

1 “(B) *CONTENTS.*—*Each report submitted*
2 *under subparagraph (A) by a regional alliance*
3 *or partnership shall include the following:*

4 “(i) *An assessment of efforts made by*
5 *the regional alliance or partnership to carry*
6 *out paragraph (2).*

7 “(ii) *The metrics used by the regional*
8 *alliance or partnership to measure the suc-*
9 *cess of the efforts of the regional alliance or*
10 *partnership under the cooperative agree-*
11 *ment.”.*

12 *(g) TRANSFER OF SECTION.*—

13 (1) *TRANSFER.*—*Such section is transferred to*
14 *the end of title III of such Act and redesignated as*
15 *section 303.*

16 (2) *REPEAL.*—*Title IV of such Act is repealed.*

17 (3) *CLERICAL.*—*The table of contents in section*
18 *1(b) of such Act is amended—*

19 (A) *by striking the items relating to title IV*
20 *and section 401; and*

21 (B) *by inserting after the item relating to*
22 *section 302 the following:*

 “*Sec. 303. National cybersecurity awareness and education program.*”.

23 (4) *CONFORMING AMENDMENTS.*—

24 (A) *Section 302(3) of the Federal Cybersecu-*
25 *rity Workforce Assessment Act of 2015 (Public*

1 *Law 114–113) is amended by striking “under*
2 *section 401 of the Cybersecurity Enhancement*
3 *Act of 2014 (15 U.S.C. 7451)” and inserting*
4 *“under section 303 of the Cybersecurity En-*
5 *hancement Act of 2014 (Public Law 113–274)”.*

6 *(B) Section 2(c)(3) of the NIST Small*
7 *Business Cybersecurity Act (Public Law 115–*
8 *236) is amended by striking “under section 401*
9 *of the Cybersecurity Enhancement Act of 2014*
10 *(15 U.S.C. 7451)” and inserting “under section*
11 *303 of the Cybersecurity Enhancement Act of*
12 *2014 (Public Law 113–274)”.*

13 *(C) Section 302(f) of the Cybersecurity En-*
14 *hancement Act of 2014 (15 U.S.C. 7442(f)) is*
15 *amended by striking “under section 401” and*
16 *inserting “under section 303”.*

17 **SEC. 5232. DEVELOPMENT OF STANDARDS AND GUIDELINES**
18 **FOR IMPROVING CYBERSECURITY WORK-**
19 **FORCE OF FEDERAL AGENCIES.**

20 *(a) IN GENERAL.—Section 20(a) of the National Insti-*
21 *tute of Standards and Technology Act (15 U.S.C. 278g–*
22 *3(a)) is amended—*

23 *(1) in paragraph (3), by striking “; and” and*
24 *inserting a semicolon;*

1 (B) by amending paragraph (3) to read as
2 follows:

3 “(3) prioritize the placement of scholarship re-
4 cipients fulfilling the post-award employment obliga-
5 tion under this section to ensure that—

6 “(A) not less than 70 percent of such recipi-
7 ents are placed in an executive agency (as de-
8 fined in section 105 of title 5, United States
9 Code);

10 “(B) not more than 10 percent of such re-
11 cipients are placed as educators in the field of
12 cybersecurity at qualified institutions of higher
13 education that provide scholarships under this
14 section; and

15 “(C) not more than 20 percent of such re-
16 cipients are placed in positions described in
17 paragraphs (2) through (5) of subsection (d);
18 and”;

19 (C) in paragraph (4), in the matter pre-
20 ceding subparagraph (A), by inserting “, includ-
21 ing by seeking to provide awards in coordination
22 with other relevant agencies for summer cyberse-
23 curity camp or other experiences, including
24 teacher training, in each of the 50 States,” after
25 “cybersecurity education”;

1 (2) *in subsection (d)—*

2 (A) *in paragraph (4), by striking “or” at*
3 *the end;*

4 (B) *in paragraph (5), by striking the period*
5 *at the end and inserting “; or”; and*

6 (C) *by adding at the end the following:*

7 “(6) *as provided by subsection (b)(3)(B), a*
8 *qualified institution of higher education.”; and*

9 (3) *in subsection (m)—*

10 (A) *in paragraph (1), in the matter pre-*
11 *ceding subparagraph (A), by striking “cyber”*
12 *and inserting “cybersecurity”; and*

13 (B) *in paragraph (2), by striking “cyber”*
14 *and inserting “cybersecurity”.*

15 **SEC. 5234. MODIFICATIONS TO FEDERAL CYBER SCHOLAR-**
16 **SHIP-FOR-SERVICE PROGRAM.**

17 *Section 302 of the Cybersecurity Enhancement Act of*
18 *2014 (15 U.S.C. 7442) is amended—*

19 (1) *in subsection (f)—*

20 (A) *in paragraph (4), by striking “; and”*
21 *and inserting a semicolon; and*

22 (B) *by striking paragraph (5) and inserting*
23 *the following:*

1 “(5) enter into an agreement accepting and ac-
2 knowledging the post award employment obligations,
3 pursuant to section (d);

4 “(6) accept and acknowledge the conditions of
5 support under section (g); and

6 “(7) accept all terms and conditions of a scholar-
7 ship under this section.”;

8 (2) in subsection (g)—

9 (A) in paragraph (1), by inserting “the Of-
10 fice of Personnel Management, in coordination
11 with the National Science Foundation, and” be-
12 fore “the qualified institution”;

13 (B) in paragraph (2)—

14 (i) in subparagraph (D), by striking “;
15 or” and inserting a semicolon; and

16 (ii) by striking subparagraph (E) and
17 inserting the following:

18 “(E) fails to maintain or fulfill any of the
19 post-graduation or post-award obligations or re-
20 quirements of the individual; or

21 “(F) fails to fulfill the requirements of
22 paragraph (1).”;

23 (3) in subsection (h)(2), by inserting “and the
24 Director of the Office of Personnel Management” after
25 “Foundation”;

1 (4) in subsection (k)(1)(A), by striking “and the
2 Director” and all that follows and inserting “, the Di-
3 rector of the National Science Foundation, and the
4 Director of the Office of Personnel Management of the
5 amounts owed; and”; and

6 (5) in subsection (m)(2), by striking “once every
7 3 years” and all that follows and inserting “once
8 every 2 years, to the Committee on Commerce,
9 Science, and Transportation and the Committee on
10 Homeland Security and Governmental Affairs of the
11 Senate and the Committee on Science, Space, and
12 Technology and the Committee on Oversight and Re-
13 form of the House of Representatives a report, includ-
14 ing—”

15 (A) “the results of the evaluation under
16 paragraph (1);”

17 (B) “the disparity in any reporting between
18 scholarship recipients and their respective insti-
19 tutions of higher education; and”

20 (C) “any recent statistics regarding the size,
21 composition, and educational requirements of the
22 Federal cyber workforce.”

1 **SEC. 5235. CYBERSECURITY IN PROGRAMS OF THE NA-**
2 **TIONAL SCIENCE FOUNDATION.**

3 (a) *COMPUTER SCIENCE AND CYBERSECURITY EDU-*
4 *CATION RESEARCH.*—Section 310 of the American Innova-
5 *tion and Competitiveness Act (42 U.S.C. 1862s-7) is*
6 *amended—*

7 (1) *in subsection (b)—*

8 (A) *in paragraph (1), by inserting “and cy-*
9 *bersecurity” after “computer science”; and*

10 (B) *in paragraph (2)—*

11 (i) *in subparagraph (C), by striking “;*
12 *and” and inserting a semicolon;*

13 (ii) *in subparagraph (D), by striking*
14 *the period at the end and inserting “; and”;*
15 *and*

16 (iii) *by adding at the end the fol-*
17 *lowing:*

18 “(E) *tools and models for the integration of*
19 *cybersecurity and other interdisciplinary efforts*
20 *into computer science education and computa-*
21 *tional thinking at secondary and postsecondary*
22 *levels of education.”; and*

23 (2) *in subsection (c), by inserting “, cybersecu-*
24 *rity,” after “computing”.*

25 (b) *SCIENTIFIC AND TECHNICAL EDUCATION.*—Section
26 *3(j)(9) of the Scientific and Advanced-Technology Act of*

1 1992 (42 U.S.C. 1862i(j)(9)) is amended by inserting “and
2 cybersecurity” after “computer science”.

3 (c) *LOW-INCOME SCHOLARSHIP PROGRAM*.—Section
4 414(d) of the American Competitiveness and Workforce Im-
5 provement Act of 1998 (42 U.S.C. 1869c) is amended—

6 (1) in paragraph (1), by striking “or computer
7 science” and inserting “computer science, or cyberse-
8 curity”; and

9 (2) in paragraph (2)(A)(iii), by inserting “cy-
10 bersecurity,” after “computer science,”.

11 (d) *SCHOLARSHIPS AND GRADUATE FELLOWSHIPS*.—
12 The Director of the National Science Foundation shall en-
13 sure that students pursuing master’s degrees and doctoral
14 degrees in fields relating to cybersecurity are considered as
15 applicants for scholarships and graduate fellowships under
16 the Graduate Research Fellowship Program under section
17 10 of the National Science Foundation Act of 1950 (42
18 U.S.C. 1869).

19 (e) *PRESIDENTIAL AWARDS FOR TEACHING EXCEL-
20 LENCE*.—The Director of the National Science Foundation
21 shall ensure that educators and mentors in fields relating
22 to cybersecurity can be considered for—

23 (1) *Presidential Awards for Excellence in Mathe-
24 matics and Science Teaching* made under section 117

1 *of the National Science Foundation Authorization Act*
2 *of 1988 (42 U.S.C. 1881b); and*

3 (2) *Presidential Awards for Excellence in STEM*
4 *Mentoring administered under section 307 of the*
5 *American Innovation and Competitiveness Act (42*
6 *U.S.C. 1862s-6).*

7 **SEC. 5236. CYBERSECURITY IN STEM PROGRAMS OF THE**
8 **NATIONAL AERONAUTICS AND SPACE ADMIN-**
9 **ISTRATION.**

10 *In carrying out any STEM education program of the*
11 *National Aeronautics and Space Administration (referred*
12 *to in this section as “NASA”), including a program of the*
13 *Office of STEM Engagement, the Administrator of NASA*
14 *shall, to the maximum extent practicable, encourage the in-*
15 *clusion of cybersecurity education opportunities in such*
16 *program.*

17 **SEC. 5237. CYBERSECURITY IN DEPARTMENT OF TRANS-**
18 **PORTATION PROGRAMS.**

19 (a) *UNIVERSITY TRANSPORTATION CENTERS PRO-*
20 *GRAM.—Section 5505 of title 49, United States Code, is*
21 *amended—*

22 (1) *in subsection (a)(2)(C), by inserting “in the*
23 *matters described in subparagraphs (A) through (G)*
24 *of section 6503(c)(1)” after “transportation leaders”;*
25 *and*

1 (2) *in subsection (c)(3)(E)—*

2 (A) *by inserting “, including the cybersecu-*
 3 *urity implications of technologies relating to con-*
 4 *ected vehicles, connected infrastructure, and au-*
 5 *tonomous vehicles” after “autonomous vehicles”;*
 6 *and*

7 (B) *by striking “The Secretary” and insert-*
 8 *ing the following:*

9 “(i) *IN GENERAL.—A regional univer-*
 10 *sity transportation center receiving a grant*
 11 *under this paragraph shall carry out re-*
 12 *search focusing on 1 or more of the matters*
 13 *described in subparagraphs (A) through (G)*
 14 *of section 6503(c)(1).*

15 “(ii) *FOCUSED OBJECTIVES.—The Sec-*
 16 *retary”.*

17 (b) *TRANSPORTATION RESEARCH AND DEVELOPMENT*
 18 *5-YEAR STRATEGIC PLAN.—Section 6503(c)(1) of title 49,*
 19 *United States Code, is amended—*

20 (1) *in subparagraph (E), by striking “and” at*
 21 *the end;*

22 (2) *in subparagraph (F), by inserting “and”*
 23 *after the semicolon at the end; and*

24 (3) *by adding at the end the following:*

1 “(G) reducing transportation cybersecurity
2 risks;”.

3 **SEC. 5238. NATIONAL CYBERSECURITY CHALLENGES.**

4 (a) *IN GENERAL.*—Title II of the Cybersecurity En-
5 hancement Act of 2014 (15 U.S.C. 7431 et seq.) is amended
6 by adding at the end the following:

7 **“SEC. 205. NATIONAL CYBERSECURITY CHALLENGES.**

8 “(a) *ESTABLISHMENT OF NATIONAL CYBERSECURITY*
9 *CHALLENGES.*—

10 “(1) *IN GENERAL.*—To achieve high-priority
11 breakthroughs in cybersecurity by 2028, the Secretary
12 of Commerce shall establish the following national cy-
13 bersecurity challenges:

14 “(A) *ECONOMICS OF A CYBER ATTACK.*—
15 Building more resilient systems that measurably
16 and exponentially raise adversary costs of car-
17 rying out common cyber attacks.

18 “(B) *CYBER TRAINING.*—

19 “(i) *Empowering the people of the*
20 *United States with an appropriate and*
21 *measurably sufficient level of digital lit-*
22 *eracy to make safe and secure decisions on-*
23 *line.*

1 “(ii) *Developing a cybersecurity work-*
2 *force with measurable skills to protect and*
3 *maintain information systems.*

4 “(C) *EMERGING TECHNOLOGY.—Advancing*
5 *cybersecurity efforts in response to emerging*
6 *technology, such as artificial intelligence, quan-*
7 *tum science, and next generation communica-*
8 *tions technologies.*

9 “(D) *REIMAGINING DIGITAL IDENTITY.—*
10 *Maintaining a high sense of usability while im-*
11 *proving the security and safety of online activity*
12 *of individuals in the United States.*

13 “(E) *FEDERAL AGENCY RESILIENCE.—Re-*
14 *ducing cybersecurity risks to Federal networks*
15 *and systems, and improving the response of Fed-*
16 *eral agencies to cybersecurity incidents on such*
17 *networks and systems.*

18 “(2) *COORDINATION.—In establishing the chal-*
19 *lenges under paragraph (1), the Secretary shall co-*
20 *ordinate with the Secretary of Homeland Security on*
21 *the challenges under subparagraphs (B) and (E) of*
22 *such paragraph.*

23 “(b) *PURSUIT OF NATIONAL CYBERSECURITY CHAL-*
24 *LENGES.—*

1 “(1) *IN GENERAL.*—Not later than 180 days
2 after the date of the enactment of this section, the Sec-
3 retary, acting through the Under Secretary of Com-
4 merce for Standards and Technology, shall commence
5 efforts to pursue the national cybersecurity challenges
6 established under subsection (a).

7 “(2) *COMPETITIONS.*—The efforts required by
8 paragraph (1) shall include carrying out programs to
9 award prizes, including cash and noncash prizes,
10 competitively pursuant to the authorities and proc-
11 esses established under section 24 of the Stevenson-
12 Wydler Technology Innovation Act of 1980 (15 U.S.C.
13 3719) or any other applicable provision of law.

14 “(3) *ADDITIONAL AUTHORITIES.*—In carrying
15 out paragraph (1), the Secretary may enter into and
16 perform such other transactions as the Secretary con-
17 siders necessary and on such terms as the Secretary
18 considers appropriate.

19 “(4) *COORDINATION.*—In pursuing national cy-
20 bersecurity challenges under paragraph (1), the Sec-
21 retary shall coordinate with the following:

22 “(A) *The Director of the National Science*
23 *Foundation.*

24 “(B) *The Secretary of Homeland Security.*

1 “(C) *The Director of the Defense Advanced*
2 *Research Projects Agency.*

3 “(D) *The Director of the Office of Science*
4 *and Technology Policy.*

5 “(E) *The Director of the Office of Manage-*
6 *ment and Budget.*

7 “(F) *The Administrator of the General*
8 *Services Administration.*

9 “(G) *The Federal Trade Commission.*

10 “(H) *The heads of such other Federal agen-*
11 *cies as the Secretary of Commerce considers ap-*
12 *propriate for purposes of this section.*

13 “(5) *SOLICITATION OF ACCEPTANCE OF FUNDS.—*

14 “(A) *IN GENERAL.—Pursuant to section 24*
15 *of the Stevenson-Wydler Technology Innovation*
16 *Act of 1980 (15 U.S.C. 3719), the Secretary shall*
17 *request and accept funds from other Federal*
18 *agencies, State, United States territory, local, or*
19 *tribal government agencies, private sector for-*
20 *profit entities, and nonprofit entities to support*
21 *efforts to pursue a national cybersecurity chal-*
22 *lenge under this section.*

23 “(B) *RULE OF CONSTRUCTION.—Nothing in*
24 *subparagraph (A) shall be construed to require*
25 *any person or entity to provide funds or other-*

1 *wise participate in an effort or competition*
2 *under this section.*

3 “(c) *RECOMMENDATIONS.*—

4 “(1) *IN GENERAL.*—*In carrying out this section,*
5 *the Secretary of Commerce shall designate an advi-*
6 *sory council to seek recommendations.*

7 “(2) *ELEMENTS.*—*The recommendations re-*
8 *quired by paragraph (1) shall include the following:*

9 “(A) *A scope for efforts carried out under*
10 *subsection (b).*

11 “(B) *Metrics to assess submissions for prizes*
12 *under competitions carried out under subsection*
13 *(b) as the submissions pertain to the national cy-*
14 *bersecurity challenges established under sub-*
15 *section (a).*

16 “(3) *NO ADDITIONAL COMPENSATION.*—*The Sec-*
17 *retary may not provide any additional compensation,*
18 *except for travel expenses, to a member of the advisory*
19 *council designated under paragraph (1) for participa-*
20 *tion in the advisory council.”.*

21 “(b) *CONFORMING AMENDMENTS.*—*Section 201(a)(1) of*
22 *such Act is amended—*

23 (1) *in subparagraph (J), by striking “; and”*
24 *and inserting a semicolon;*

1 (2) *by redesignating subparagraph (K) as sub-*
2 *paragraph (L); and*

3 (3) *by inserting after subparagraph (J) the fol-*
4 *lowing:*

5 *“(K) implementation of section 205 through*
6 *research and development on the topics identified*
7 *under subsection (a) of such section; and”.*

8 (c) *CLERICAL AMENDMENT.—The table of contents in*
9 *section 1(b) of such Act is amended by inserting after the*
10 *item relating to section 204 the following:*

“Sec. 205. National Cybersecurity Challenges.”.

11 **SEC. 5239. INTERNET OF THINGS.**

12 (a) *DEFINITIONS.—In this section:*

13 (1) *COMMISSION.—The term “Commission”*
14 *means the Federal Communications Commission.*

15 (2) *SECRETARY.—The term “Secretary” means*
16 *the Secretary of Commerce.*

17 (3) *STEERING COMMITTEE.—The term “steering*
18 *committee” means the steering committee established*
19 *under subsection (b)(5)(A).*

20 (4) *WORKING GROUP.—The term “working*
21 *group” means the working group convened under sub-*
22 *section (b)(1).*

23 (b) *FEDERAL WORKING GROUP.—*

24 (1) *IN GENERAL.—The Secretary shall convene a*
25 *working group of Federal stakeholders for the purpose*

1 *of providing recommendations and a report to Con-*
2 *gress relating to the aspects of the Internet of Things*
3 *described in paragraph (2).*

4 (2) *DUTIES.—The working group shall—*

5 (A) *identify any Federal regulations, stat-*
6 *utes, grant practices, budgetary or jurisdictional*
7 *challenges, and other sector-specific policies that*
8 *are inhibiting, or could inhibit, the development*
9 *or deployment of the Internet of Things;*

10 (B) *consider policies or programs that en-*
11 *courage and improve coordination among Fed-*
12 *eral agencies that have responsibilities that are*
13 *relevant to the objectives of this section;*

14 (C) *consider any findings or recommenda-*
15 *tions made by the steering committee and, where*
16 *appropriate, act to implement those rec-*
17 *ommendations;*

18 (D) *examine—*

19 (i) *how Federal agencies can benefit*
20 *from utilizing the Internet of Things;*

21 (ii) *the use of Internet of Things tech-*
22 *nology by Federal agencies as of the date on*
23 *which the working group performs the ex-*
24 *amination;*

1 (iii) the preparedness and ability of
2 Federal agencies to adopt Internet of Things
3 technology as of the date on which the work-
4 ing group performs the examination and in
5 the future; and

6 (iv) any additional security measures
7 that Federal agencies may need to take to—

8 (I) safely and securely use the
9 Internet of Things, including measures
10 that ensure the security of critical in-
11 frastructure; and

12 (II) enhance the resiliency of Fed-
13 eral systems against cyber threats to
14 the Internet of Things; and

15 (E) in carrying out the examinations re-
16 quired under subclauses (I) and (II) of subpara-
17 graph (D)(iv), ensure to the maximum extent
18 possible the coordination of the current and fu-
19 ture activities of the Federal Government relat-
20 ing to security with respect to the Internet of
21 Things.

22 (3) AGENCY REPRESENTATIVES.—In convening
23 the working group under paragraph (1), the Secretary
24 shall have discretion to appoint representatives from
25 Federal agencies and departments as appropriate and

1 *shall specifically consider seeking representation*
2 *from—*

3 *(A) the Department of Commerce, includ-*
4 *ing—*

5 *(i) the National Telecommunications*
6 *and Information Administration;*

7 *(ii) the National Institute of Stand-*
8 *ards and Technology; and*

9 *(iii) the National Oceanic and Atmos-*
10 *pheric Administration;*

11 *(B) the Department of Transportation;*

12 *(C) the Department of Homeland Security;*

13 *(D) the Office of Management and Budget;*

14 *(E) the National Science Foundation;*

15 *(F) the Commission;*

16 *(G) the Federal Trade Commission;*

17 *(H) the Office of Science and Technology*
18 *Policy;*

19 *(I) the Department of Energy; and*

20 *(J) the Federal Energy Regulatory Commis-*
21 *sion.*

22 *(4) NONGOVERNMENTAL STAKEHOLDERS.—The*
23 *working group shall consult with nongovernmental*
24 *stakeholders with expertise relating to the Internet of*
25 *Things, including—*

1 (A) *the steering committee;*

2 (B) *information and communications tech-*
3 *nology manufacturers, suppliers, service pro-*
4 *viders, and vendors;*

5 (C) *subject matter experts representing in-*
6 *dustrial sectors other than the technology sector*
7 *that can benefit from the Internet of Things, in-*
8 *cluding the transportation, energy, agriculture,*
9 *and health care sectors;*

10 (D) *small, medium, and large businesses;*

11 (E) *think tanks and academia;*

12 (F) *nonprofit organizations and consumer*
13 *groups;*

14 (G) *security experts;*

15 (H) *rural stakeholders; and*

16 (I) *other stakeholders with relevant exper-*
17 *tise, as determined by the Secretary.*

18 (5) *STEERING COMMITTEE.—*

19 (A) *ESTABLISHMENT.—There is established*
20 *within the Department of Commerce a steering*
21 *committee to advise the working group.*

22 (B) *DUTIES.—The steering committee shall*
23 *advise the working group with respect to—*

24 (i) *the identification of any Federal*
25 *regulations, statutes, grant practices, pro-*

1 *grams, budgetary or jurisdictional chal-*
2 *lenges, and other sector-specific policies that*
3 *are inhibiting, or could inhibit, the develop-*
4 *ment of the Internet of Things;*

5 *(ii) situations in which the use of the*
6 *Internet of Things is likely to deliver sig-*
7 *nificant and scalable economic and societal*
8 *benefits to the United States, including ben-*
9 *efits from or to—*

10 *(I) smart traffic and transit tech-*
11 *nologies;*

12 *(II) augmented logistics and sup-*
13 *ply chains;*

14 *(III) sustainable infrastructure;*

15 *(IV) precision agriculture;*

16 *(V) environmental monitoring;*

17 *(VI) public safety; and*

18 *(VII) health care;*

19 *(iii) whether adequate spectrum is*
20 *available to support the growing Internet of*
21 *Things and what legal or regulatory bar-*
22 *riers may exist to providing any spectrum*
23 *needed in the future;*

24 *(iv) policies, programs, or multi-stake-*
25 *holder activities that—*

1 (I) *promote or are related to the*
2 *privacy of individuals who use or are*
3 *affected by the Internet of Things;*

4 (II) *may enhance the security of*
5 *the Internet of Things, including the*
6 *security of critical infrastructure;*

7 (III) *may protect users of the*
8 *Internet of Things; and*

9 (IV) *may encourage coordination*
10 *among Federal agencies with jurisdic-*
11 *tion over the Internet of Things;*

12 (v) *the opportunities and challenges as-*
13 *sociated with the use of Internet of Things*
14 *technology by small businesses; and*

15 (vi) *any international proceeding,*
16 *international negotiation, or other inter-*
17 *national matter affecting the Internet of*
18 *Things to which the United States is or*
19 *should be a party.*

20 (C) *MEMBERSHIP.*—*The Secretary shall ap-*
21 *point to the steering committee members rep-*
22 *resenting a wide range of stakeholders outside of*
23 *the Federal Government with expertise relating*
24 *to the Internet of Things, including—*

1 (i) *information and communications*
2 *technology manufacturers, suppliers, service*
3 *providers, and vendors;*

4 (ii) *subject matter experts representing*
5 *industrial sectors other than the technology*
6 *sector that can benefit from the Internet of*
7 *Things, including the transportation, en-*
8 *ergy, agriculture, and health care sectors;*

9 (iii) *small, medium, and large busi-*
10 *nesses;*

11 (iv) *think tanks and academia;*

12 (v) *nonprofit organizations and con-*
13 *sumer groups;*

14 (vi) *security experts;*

15 (vii) *rural stakeholders; and*

16 (viii) *other stakeholders with relevant*
17 *expertise, as determined by the Secretary.*

18 (D) *REPORT.*—*Not later than 1 year after*
19 *the date of enactment of this Act, the steering*
20 *committee shall submit to the working group a*
21 *report that includes any findings or rec-*
22 *ommendations of the steering committee.*

23 (E) *INDEPENDENT ADVICE.*—

24 (i) *IN GENERAL.*—*The steering com-*
25 *mittee shall set the agenda of the steering*

1 *committee in carrying out the duties of the*
2 *steering committee under subparagraph (B).*

3 (ii) *SUGGESTIONS.—The working*
4 *group may suggest topics or items for the*
5 *steering committee to study, and the steer-*
6 *ing committee shall take those suggestions*
7 *into consideration in carrying out the du-*
8 *ties of the steering committee.*

9 (iii) *REPORT.—The steering committee*
10 *shall ensure that the report submitted under*
11 *subparagraph (D) is the result of the inde-*
12 *pendent judgment of the steering committee.*

13 (F) *NO COMPENSATION FOR MEMBERS.—A*
14 *member of the steering committee shall serve*
15 *without compensation.*

16 (G) *TERMINATION.—The steering committee*
17 *shall terminate on the date on which the working*
18 *group submits the report under paragraph (6).*

19 (6) *REPORT TO CONGRESS.—*

20 (A) *IN GENERAL.—Not later than 18*
21 *months after the date of enactment of this Act,*
22 *the working group shall submit to Congress a re-*
23 *port that includes—*

24 (i) *the findings and recommendations*
25 *of the working group with respect to the du-*

1 *ties of the working group under paragraph*
2 *(2);*

3 *(ii) the report submitted by the steer-*
4 *ing committee under paragraph (5)(D), as*
5 *the report was received by the working*
6 *group;*

7 *(iii) recommendations for action or*
8 *reasons for inaction, as applicable, with re-*
9 *spect to each recommendation made by the*
10 *steering committee in the report submitted*
11 *under paragraph (5)(D); and*

12 *(iv) an accounting of any progress*
13 *made by Federal agencies to implement rec-*
14 *ommendations made by the working group*
15 *or the steering committee.*

16 *(B) COPY OF REPORT.—The working group*
17 *shall submit a copy of the report described in*
18 *subparagraph (A) to—*

19 *(i) the Committee on Commerce,*
20 *Science, and Transportation and the Com-*
21 *mittee on Energy and Natural Resources of*
22 *the Senate;*

23 *(ii) the Committee on Energy and*
24 *Commerce of the House of Representatives;*
25 *and*

1 (iii) any other committee of Congress,
2 upon request to the working group.

3 (c) *ASSESSING SPECTRUM NEEDS.*—

4 (1) *IN GENERAL.*—*The Commission, in consulta-*
5 *tion with the National Telecommunications and In-*
6 *formation Administration, shall issue a notice of in-*
7 *quiry seeking public comment on the current, as of*
8 *the date of enactment of this Act, and future spectrum*
9 *needs to enable better connectivity relating to the*
10 *Internet of Things.*

11 (2) *REQUIREMENTS.*—*In issuing the notice of in-*
12 *quiry under paragraph (1), the Commission shall seek*
13 *comments that consider and evaluate—*

14 (A) *whether adequate spectrum is available,*
15 *or is planned for allocation, for commercial*
16 *wireless services that could support the growing*
17 *Internet of Things;*

18 (B) *if adequate spectrum is not available*
19 *for the purposes described in subparagraph (A),*
20 *how to ensure that adequate spectrum is avail-*
21 *able for increased demand with respect to the*
22 *Internet of Things;*

23 (C) *what regulatory barriers may exist to*
24 *providing any needed spectrum that would sup-*
25 *port uses relating to the Internet of Things; and*

1 (D) *what the role of unlicensed and licensed*
2 *spectrum is and will be in the growth of the*
3 *Internet of Things.*

4 (3) *REPORT.*—*Not later than 1 year after the*
5 *date of enactment of this Act, the Commission shall*
6 *submit to the Committee on Commerce, Science, and*
7 *Transportation of the Senate and the Committee on*
8 *Energy and Commerce of the House of Representa-*
9 *tives a report summarizing the comments submitted*
10 *in response to the notice of inquiry issued under*
11 *paragraph (1).*

12 ***Subtitle E—Plans, Reports, and***
13 ***Other Matters***

14 ***SEC. 5241. REPORT ON DEPARTMENT OF DEFENSE STRAT-***
15 ***EGY ON ARTIFICIAL INTELLIGENCE STAND-***
16 ***ARDS.***

17 (a) *REPORT REQUIRED.*—*Not later than 180 days*
18 *after the date of the enactment of this Act, the Secretary*
19 *of Defense shall submit to Congress a report on the role of*
20 *the Department of Defense in the development of artificial*
21 *intelligence standards.*

22 (b) *CONTENTS.*—*The report required by subsection (a)*
23 *shall include an assessment of each of the following:*

24 (1) *The need for the Department of Defense to*
25 *develop an artificial intelligence standards strategy.*

1 (2) *Any efforts to date on the development of*
2 *such a strategy.*

3 (3) *The ways in which an artificial intelligence*
4 *standards strategy will improve the national security.*

5 (4) *How the Secretary intends to collaborate*
6 *with—*

7 (A) *the Director of the National Institute of*
8 *Standards and Technology;*

9 (B) *the Secretary of Homeland Security;*

10 (C) *the intelligence community;*

11 (D) *the Secretary of State;*

12 (E) *representatives of private industry, spe-*
13 *cifically representatives of the defense industrial*
14 *base; and*

15 (F) *representatives of any other agencies,*
16 *entities, organizations, or persons the Secretary*
17 *considers appropriate.*

18 **SEC. 5242. STUDY ON ESTABLISHMENT OF ENERGETICS**
19 **PROGRAM OFFICE.**

20 *The Under Secretary of Defense for Research and En-*
21 *gineering shall conduct a study to assess the feasibility and*
22 *advisability of establishing a program office to coordinate*
23 *energetics research and to ensure a robust and sustained*
24 *energetics material enterprise.*

1 **SEC. 5243. DEEPPFAKE REPORT.**

2 (a) *DEFINITIONS.—In this section:*

3 (1) *DIGITAL CONTENT FORGERY.—The term*
4 *“digital content forgery” means the use of emerging*
5 *technologies, including artificial intelligence and ma-*
6 *chine learning techniques, to fabricate or manipulate*
7 *audio, visual, or text content with the intent to mis-*
8 *lead.*

9 (2) *SECRETARY.—The term “Secretary” means*
10 *the Secretary of Homeland Security.*

11 (b) *REPORTS ON DIGITAL CONTENT FORGERY TECH-*
12 *NOLOGY.—*

13 (1) *IN GENERAL.—Not later than 1 year after*
14 *the date of enactment of this Act, and annually there-*
15 *after for 5 years, the Secretary, acting through the*
16 *Under Secretary for Science and Technology, shall*
17 *produce a report on the state of digital content for-*
18 *gergy technology.*

19 (2) *CONTENTS.—Each report produced under*
20 *paragraph (1) shall include—*

21 (A) *an assessment of the underlying tech-*
22 *nologies used to create or propagate digital con-*
23 *tent forgeries, including the evolution of such*
24 *technologies;*

25 (B) *a description of the types of digital con-*
26 *tent forgeries, including those used to commit*

1 *fraud, cause harm, or violate civil rights recog-*
2 *nized under Federal law;*

3 *(C) an assessment of how foreign govern-*
4 *ments, and the proxies and networks thereof, use,*
5 *or could use, digital content forgeries to harm*
6 *national security;*

7 *(D) an assessment of how non-governmental*
8 *entities in the United States use, or could use,*
9 *digital content forgeries;*

10 *(E) an assessment of the uses, applications,*
11 *dangers, and benefits of deep learning tech-*
12 *nologies used to generate high fidelity artificial*
13 *content of events that did not occur, including*
14 *the impact on individuals;*

15 *(F) an analysis of the methods used to de-*
16 *termine whether content is genuinely created by*
17 *a human or through digital content forgery tech-*
18 *nology and an assessment of any effective*
19 *heuristics used to make such a determination, as*
20 *well as recommendations on how to identify and*
21 *address suspect content and elements to provide*
22 *warnings to users of the content;*

23 *(G) a description of the technological*
24 *counter-measures that are, or could be, used to*

1 *address concerns with digital content forgery*
2 *technology; and*

3 *(H) any additional information the Sec-*
4 *retary determines appropriate.*

5 (3) *CONSULTATION AND PUBLIC HEARINGS.—In*
6 *producing each report required under paragraph (1),*
7 *the Secretary may—*

8 *(A) consult with any other agency of the*
9 *Federal Government that the Secretary considers*
10 *necessary; and*

11 *(B) conduct public hearings to gather, or*
12 *otherwise allow interested parties an opportunity*
13 *to present, information and advice relevant to*
14 *the production of the report.*

15 (4) *FORM OF REPORT.—Each report required*
16 *under paragraph (1) shall be produced in unclassified*
17 *form, but may contain a classified annex.*

18 (5) *APPLICABILITY OF FOIA.—Nothing in this*
19 *section, or in a report produced under this section,*
20 *shall be construed to allow the disclosure of informa-*
21 *tion or a record that is exempt from public disclosure*
22 *under section 552 of title 5, United States Code (com-*
23 *monly known as the “Freedom of Information Act”).*

24 (6) *APPLICABILITY OF THE PAPERWORK REDUC-*
25 *TION ACT.—Subchapter I of chapter 35 of title 44,*

1 *United States Code (commonly known as the “Paper-*
2 *work Reduction Act”), shall not apply to this section.*

3 **SEC. 5244. CISA DIRECTOR.**

4 *Subchapter II of chapter 53 of title 5, United States*
5 *Code, is amended—*

6 *(1) in section 5313, by inserting after the item*
7 *relating to “Administrator of the Transportation Se-*
8 *curity Administration” the following:*

9 *“Director, Cybersecurity and Infrastructure Security*
10 *Agency.”; and*

11 *(2) in section 5314, by striking the item relating*
12 *to “Director, Cybersecurity and Infrastructure Secu-*
13 *rity Agency.”.*

14 **SEC. 5245. AGENCY REVIEW.**

15 *(a) REQUIREMENT OF COMPREHENSIVE REVIEW.—In*
16 *order to strengthen the Cybersecurity and Infrastructure Se-*
17 *curity Agency, the Secretary of Homeland Security shall*
18 *conduct a comprehensive review of the ability of the Cyber-*
19 *security and Infrastructure Security Agency to fulfill—*

20 *(1) the missions of the Cybersecurity and Infra-*
21 *structure Security Agency; and*

22 *(2) the recommendations detailed in the report*
23 *issued by the Cyberspace Solarium Commission under*
24 *section 1652(k) of the John S. McCain National De-*

1 *fense Authorization Act for Fiscal Year 2019 (Public*
2 *Law 115–232).*

3 *(b) ELEMENTS OF REVIEW.—The review conducted*
4 *under subsection (a) shall include the following elements:*

5 *(1) An assessment of how additional budget re-*
6 *sources could be used by the Cybersecurity and Infra-*
7 *structure Security Agency for projects and programs*
8 *that—*

9 *(A) support the national risk management*
10 *mission;*

11 *(B) support public and private-sector cyber-*
12 *security;*

13 *(C) promote public-private integration; and*

14 *(D) provide situational awareness of cyber-*
15 *security threats.*

16 *(2) A comprehensive force structure assessment of*
17 *the Cybersecurity and Infrastructure Security Agency*
18 *including—*

19 *(A) a determination of the appropriate size*
20 *and composition of personnel to accomplish the*
21 *mission of the Cybersecurity and Infrastructure*
22 *Security Agency, as well as the recommendations*
23 *detailed in the report issued by the Cyberspace*
24 *Solarium Commission under section 1652(k) of*
25 *the John S. McCain National Defense Authoriza-*

1 *tion Act for Fiscal Year 2019 (Public Law 115–*
2 *232);*

3 *(B) an assessment of whether existing per-*
4 *sonnel are appropriately matched to the*
5 *prioritization of threats in the cyber domain and*
6 *risks in critical infrastructure;*

7 *(C) an assessment of whether the Cybersecu-*
8 *rity and Infrastructure Security Agency has the*
9 *appropriate personnel and resources to—*

10 *(i) perform risk assessments, threat*
11 *hunting, incident response to support both*
12 *private and public cybersecurity;*

13 *(ii) carry out the responsibilities of the*
14 *Cybersecurity and Infrastructure Security*
15 *Agency related to the security of Federal in-*
16 *formation and Federal information systems;*
17 *and*

18 *(iii) carry out the critical infrastruc-*
19 *ture responsibilities of the Cybersecurity*
20 *and Infrastructure Security Agency, includ-*
21 *ing national risk management; and*

22 *(D) an assessment of whether current struc-*
23 *ture, personnel, and resources of regional field of-*
24 *fices are sufficient in fulfilling agency respon-*
25 *sibilities and mission requirements.*

1 (c) *SUBMISSION OF REVIEW.*—Not later than 1 year
2 after the date of the enactment of this Act, the Secretary
3 of Homeland Security shall submit a report to Congress de-
4 tailing the results of the assessments required under sub-
5 section (b), including recommendations to address any
6 identified gaps.

7 **SEC. 5246. GENERAL SERVICES ADMINISTRATION REVIEW.**

8 (a) *REVIEW.*—The Administrator of the General Serv-
9 ices Administration shall—

10 (1) conduct a review of current Cybersecurity
11 and Infrastructure Security Agency facilities and as-
12 sess the suitability of such facilities to fully support
13 current and projected mission requirements nation-
14 ally and regionally; and

15 (2) make recommendations regarding resources
16 needed to procure or build a new facility or augment
17 existing facilities to ensure sufficient size and accom-
18 modations to fully support current and projected mis-
19 sion requirements, including the integration of per-
20 sonnel from the private sector and other departments
21 and agencies.

22 (b) *SUBMISSION OF REVIEW.*—Not later than 1 year
23 after the date of the enactment of this Act, the Adminis-
24 trator of the General Services Administration shall submit
25 the review required under subsection (a) to—

- 1 (1) *the President;*
 2 (2) *the Secretary of Homeland Security; and*
 3 (3) *to the Committee on Homeland Security and*
 4 *Governmental Affairs of the Senate and the Com-*
 5 *mittee on Homeland Security of the House of Rep-*
 6 *resentatives.*

7 ***TITLE LIII—OPERATION AND***
 8 ***MAINTENANCE***
 9 ***Subtitle C—Logistics and***
 10 ***Sustainment***

11 ***SEC. 5331. USE OF COST SAVINGS REALIZED FROM INTER-***
 12 ***GOVERNMENTAL SERVICES AGREEMENTS***
 13 ***FOR INSTALLATION-SUPPORT SERVICES.***

14 (a) *REQUIREMENT.*—*Section 2679 of title 10, United*
 15 *States Code, is amended—*

16 (1) *by redesignating subsections (d) and (e) as*
 17 *subsections (e) and (f), respectively; and*

18 (2) *by inserting after subsection (c) the following*
 19 *new subsection (d):*

20 “(d) *USE OF COST SAVINGS REALIZED.*—(1) *With re-*
 21 *spect to a fiscal year in which cost savings are realized as*
 22 *a result of entering into an intergovernmental support*
 23 *agreement under this section for a military installation, the*
 24 *Secretary concerned shall make not less than 25 percent of*
 25 *the amount of such savings available for use by the com-*

1 *mander of the installation solely for sustainment restora-*
2 *tion and modernization requirements that have been ap-*
3 *proved by the major subordinate command or equivalent*
4 *component.*

5 “(2) *Not less frequently than annually, the Secretary*
6 *concerned shall certify to the congressional defense com-*
7 *mittee the amount of the cost savings achieved, the source*
8 *and type of intergovernmental support agreement that*
9 *achieved the savings, and the manner in which those sav-*
10 *ings were deployed, disaggregated by installation.”.*

11 (b) *EFFECTIVE DATE.*—*The amendments made by this*
12 *section shall apply with respect to fiscal year 2021 and each*
13 *subsequent fiscal year.*

14 ***Subtitle D—Reports***

15 ***SEC. 5351. REPORT ON NON-PERMISSIVE, GLOBAL POSI-***
16 ***TIONING SYSTEM DENIED AIRFIELD CAPA-***
17 ***BILITIES.***

18 (a) *IN GENERAL.*—*Not later than February 1, 2021,*
19 *the Secretary of Defense shall submit to the congressional*
20 *defense committees a report assessing the ability of each*
21 *combatant command to conduct all-weather, day-night air-*
22 *field operations in a non-permissive, global positioning sys-*
23 *tem denied environment.*

24 (b) *ELEMENTS.*—*The report required under subsection*
25 (a) *shall include, at a minimum, the following:*

1 (1) *An assessment of current air traffic control*
2 *and landing systems at existing airfields and contin-*
3 *gency airfields.*

4 (2) *An assessment of the ability of each combat-*
5 *ant command to conduct all-weather, day-night air-*
6 *field flight operations in a non-permissive, global po-*
7 *sitioning system denied environment at existing and*
8 *contingency airfields, including aircraft tracking and*
9 *precision landing.*

10 (3) *An assessment of the ability of each combat-*
11 *ant command to rapidly set up and conduct oper-*
12 *ations at alternate airfields, including the ability to*
13 *receive and deploy forces in a non-permissive, global*
14 *positioning system denied environment.*

15 (4) *A list of backup systems in place or pre-posi-*
16 *tioned to be able to reconstitute operations after an*
17 *attack.*

18 ***Subtitle E—Other Matters***

19 ***SEC. 5371. INCREASE OF AMOUNTS AVAILABLE TO MARINE*** 20 ***CORPS FOR BASE OPERATIONS AND SUP-*** 21 ***PORT.***

22 (a) *INCREASE OF BASE OPERATIONS AND SUPPORT.—*

23 *The amount authorized to be appropriated for fiscal year*
24 *2021 for operation and maintenance for the Marine Corps,*
25 *is hereby increased by \$47,600,000, with the amount of the*

1 *increase to be available for base operations and support*
2 *(SAG BSS1).*

3 *(b) OFFSETS.—*

4 *(1) OPERATION AND MAINTENANCE.—The*
5 *amount authorized to be appropriated for fiscal year*
6 *2021 for operation and maintenance for the Marine*
7 *Corps, is hereby reduced by \$4,700,000, with the*
8 *amount of the reduction to be derived from SAG*
9 *1A1A.*

10 *(2) MODIFICATION KIT PROCUREMENT.—The*
11 *amount authorized to be appropriated for fiscal year*
12 *2021 for procurement for the Marine Corps, is hereby*
13 *reduced by \$3,100,000, with the amount of the reduc-*
14 *tion to be derived from Line 7, Modification Kits.*

15 *(3) DIRECT SUPPORT MUNITION PROCURE-*
16 *MENT.—The amount authorized to be appropriated*
17 *for fiscal year 2021 for procurement and ammunition*
18 *for the Marine Corps, is hereby reduced by*
19 *\$39,800,000, with the amount of the reduction to be*
20 *derived from Line 17, Direct Support Munitions.*

21 **SEC. 5372. MODERNIZATION OF CONGRESSIONAL REPORTS**
22 **PROCESS.**

23 *(a) INCREASE IN O&M, DEFENSE-WIDE ACTIVITIES.—*
24 *The amount authorized to be appropriated for fiscal year*
25 *2021 by section 301 is hereby increased by \$2,000,000, with*

1 *the amount of the increase to be available for operation and*
2 *maintenance, Defense-wide activities, for SAG 4GTN Office*
3 *of the Secretary of Defense for modernization of the congres-*
4 *sional reports process.*

5 (b) *OFFSET.—The amount authorized to be appro-*
6 *priated for fiscal year 2021 by section 301 is hereby de-*
7 *creased by \$2,000,000, with the amount of the decrease to*
8 *be applied against amounts available for operation and*
9 *maintenance, Army, for SAG 421 for Servicewide Trans-*
10 *portation for historical underexecution.*

11 ***TITLE LV—MILITARY***
12 ***PERSONNEL POLICY***
13 ***Subtitle C—General Service***
14 ***Authorities***

15 ***SEC. 5516. REPORT ON IMPLEMENTATION OF REC-***
16 ***COMMENDATIONS OF THE COMPTROLLER GEN-***
17 ***ERAL OF THE UNITED STATES ON RECRUIT-***
18 ***MENT AND RETENTION OF FEMALE MEMBERS***
19 ***OF THE ARMED FORCES.***

20 *Not later than 180 days after the date of the enactment*
21 *of this Act, the Secretary of Defense shall submit to the*
22 *Committees on Armed Services of the Senate and the House*
23 *of Representatives a report setting forth a comprehensive*
24 *plan to implement and accomplish the recommendations for*
25 *the Department of Defense in keeping with the May 2020*

1 *report of the Government Accountability Office titled “Fe-*
2 *male Active-Duty Personnel: Guidance and Plans Needed*
3 *for Recruitment and Retention Efforts”, namely the rec-*
4 *ommendations as follows:*

5 (1) *The Secretary of Defense must ensure that*
6 *the Under Secretary of Defense for Personnel and*
7 *Readiness provides guidance to each of the Armed*
8 *Forces to develop plans, with clearly defined goals,*
9 *performance measures, and timeframes, to guide and*
10 *monitor the efforts in connection with the recruitment*
11 *and retention of female members.*

12 (2) *Each Secretary of a military department*
13 *must develop a plan, with clearly defined goals, per-*
14 *formance measures, and timeframes, to guide and*
15 *monitor the efforts of each Armed Force under the ju-*
16 *risdiction of such Secretary in connection with the re-*
17 *ruitment and retention of female members in such*
18 *Armed Force.*

1 ***Subtitle F—Decorations and***
2 ***Awards***

3 ***SEC. 5551. REPORT ON REGULATIONS AND PROCEDURES TO***
4 ***IMPLEMENT PROGRAMS ON AWARD OF MED-***
5 ***ALS OR COMMENDATIONS TO HANDLERS OF***
6 ***MILITARY WORKING DOGS.***

7 *Not later than 90 days after the date of the enactment*
8 *of this Act, the Secretary of Defense shall submit to the*
9 *Committees on Armed Services of the Senate and the House*
10 *of Representatives a report on the regulations and other*
11 *procedures prescribed by the Secretaries of the military de-*
12 *partments in order to implement and carry out the pro-*
13 *grams of the military departments on the award of medals*
14 *or other commendations to handlers of military working*
15 *dogs required by section 582 of the John S. McCain Na-*
16 *tional Defense Authorization Act for Fiscal Year 2019 (Pub-*
17 *lic Law 115–232; 132 Stat. 1787; 10 U.S.C. 1121 note*
18 *prec.).*

1 ***Subtitle G—Defense Dependents’***
2 ***Education and Military Family***
3 ***Readiness Matters***

4 ***PART II—MILITARY FAMILY READINESS MATTERS***

5 ***SEC. 5571. INDEPENDENT STUDY AND REPORT ON MILI-***
6 ***TARY SPOUSE UNDEREMPLOYMENT.***

7 *(a) INDEPENDENT STUDY.—Not later than 30 days*
8 *after the date of the enactment of this Act, the Secretary*
9 *of Defense shall seek to enter into a contract with a Feder-*
10 *ally funded research and development center to conduct a*
11 *study on underemployment among military spouses. The*
12 *study shall consider, at a minimum, the following:*

13 *(1) The prevalence of unemployment and under-*
14 *employment among military spouses, including dif-*
15 *ferences by Armed Force, region, State, education*
16 *level, and income level.*

17 *(2) The causes of unemployment and under-*
18 *employment among military spouses.*

19 *(3) The differences in unemployment and under-*
20 *employment between military spouses and civilians.*

21 *(4) Barriers to small business ownership and en-*
22 *trepreneurship faced by military spouses.*

23 *(b) SUBMITTAL TO DOD.—Not later than 240 days*
24 *after the date of the enactment of this Act, the Federally*
25 *funded research and development center with which the Sec-*

1 *retary contracts pursuant to subsection (a) shall submit to*
2 *the Secretary a report containing the results of the study*
3 *conducted pursuant to that subsection.*

4 (c) *TRANSMITTAL TO CONGRESS.*—Not later than 270
5 *days after the date of the enactment of this Act, the Sec-*
6 *retary shall transmit to the appropriate committees of Con-*
7 *gress the report under subsection (b), without change.*

8 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
9 *FINED.*—In this section, the term “appropriate committees
10 *of Congress” means the following—*

11 (1) *the Committee on Armed Services, the Com-*
12 *mittee on Health, Education, Labor, and Pensions,*
13 *the Committee on Small Business and Entrepreneur-*
14 *ship, and Committee on Appropriations of the Senate;*
15 *and*

16 (2) *the Committee on Armed Services, the Com-*
17 *mittee on Education and Labor, the Committee on*
18 *Small Business, and Committee on Appropriations of*
19 *the House of Representatives.*

1 ***Subtitle H—Other Matters***

2 **SEC. 5586. QUESTIONS REGARDING RACISM, ANTI-SEMI-**
 3 **TISM, AND SUPREMACISM IN WORKPLACE**
 4 **SURVEYS ADMINISTERED BY THE SECRETARY**
 5 **OF DEFENSE.**

6 *Section 593 of the National Defense Authorization Act*
 7 *for Fiscal Year 2020 (Public Law 116–92) is amended—*

8 (1) *by inserting “(a) QUESTIONS REQUIRED.—*
 9 *” before “The Secretary”;*

10 (2) *in paragraph (1), by inserting “, racist,*
 11 *anti-Semitic, or supremacist” after “extremist”; and*

12 (3) *by adding at the end the following new sub-*
 13 *section:*

14 “(b) *REPORT.—Not later than March 1, 2021, the Sec-*
 15 *retary shall submit to Congress a report including—*

16 “(1) *the text of the questions included in surveys*
 17 *under subsection (a); and*

18 “(2) *which surveys include such questions.”.*

19 **SEC. 5587. BRIEFING ON THE IMPLEMENTATION OF RE-**
 20 **QUIREMENTS ON CONNECTIONS OF RETIR-**
 21 **ING AND SEPARATING MEMBERS OF THE**
 22 **ARMED FORCES WITH COMMUNITY-BASED OR-**
 23 **GANIZATIONS AND RELATED ENTITIES.**

24 *Not later than 90 days after the date of the enactment*
 25 *of this Act, the Secretary of Defense shall brief Congress on*

1 *the current status of the implementation of the requirements*
2 *of section 570F of the National Defense Authorization Act*
3 *for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1401;*
4 *10 U.S.C. 1142 note), relating to connections of retiring*
5 *and separating members of the Armed Forces with commu-*
6 *nity-based organizations and related entities.*

7 **SEC. 5590. PILOT PROGRAMS ON REMOTE PROVISION BY**
8 **NATIONAL GUARD TO STATE GOVERNMENTS**
9 **AND NATIONAL GUARDS OF OTHER STATES**
10 **OF CYBERSECURITY TECHNICAL ASSISTANCE**
11 **IN TRAINING, PREPARATION, AND RESPONSE**
12 **TO CYBER INCIDENTS.**

13 (a) *INEFFECTIVENESS OF SECTION 590.*—Section 590
14 *shall have no force or effect.*

15 (b) *PILOT PROGRAMS AUTHORIZED.*—The Secretary of
16 *the Army and the Secretary of the Air Force may each,*
17 *in coordination with the Secretary of Homeland Security*
18 *and in consultation with the Chief of the National Guard*
19 *Bureau, conduct a pilot program to assess the feasibility*
20 *and advisability of the development of a capability within*
21 *the National Guard through which a National Guard of a*
22 *State remotely provides State governments and National*
23 *Guards of other States (whether or not in the same Armed*
24 *Force as the providing National Guard) with cybersecurity*
25 *technical assistance in training, preparation, and response*

1 *to cyber incidents. If such Secretary elects to conduct such*
2 *a pilot program, such Secretary shall be known as an “ad-*
3 *ministering Secretary” for purposes of this section, and any*
4 *reference in this section to “the pilot program” shall be*
5 *treated as a reference to the pilot program conducted by*
6 *such Secretary.*

7 (c) *ASSESSMENT PRIOR TO COMMENCEMENT.—For*
8 *purposes of evaluating existing platforms, technologies, and*
9 *capabilities under subsection (d), and for establishing eligi-*
10 *bility and participation requirements under subsection (d),*
11 *for purposes of the pilot program, an administering Sec-*
12 *retary, in consultation with the Chief of the National Guard*
13 *Bureau, shall, prior to commencing the pilot program—*

14 (1) *conduct an assessment of—*

15 (A) *existing cyber response capacities of the*
16 *Army National Guard or Air National Guard,*
17 *as applicable, in each State; and*

18 (B) *any existing platform, technology, or*
19 *capability of a National Guard that provides the*
20 *capability described in subsection (b); and*

21 (2) *determine whether a platform, technology, or*
22 *capability described in paragraph (1)(B) is suitable*
23 *for expansion for purposes of the pilot program.*

24 (d) *ELEMENTS.—A pilot program under subsection (b)*
25 *shall include the following:*

1 (1) *A technical capability that enables the Na-*
2 *tional Guard of a State to remotely provide cyberse-*
3 *curity technical assistance to State governments and*
4 *National Guards of other States, without the need to*
5 *deploy outside its home State.*

6 (2) *Policies, processes, procedures, and authori-*
7 *ties for use of such a capability, including with re-*
8 *spect to the following:*

9 (A) *The roles and responsibilities of both re-*
10 *questing and deploying State governments and*
11 *National Guards with respect to such technical*
12 *assistance, taking into account the matters speci-*
13 *fied in subsection (g).*

14 (B) *Necessary updates to the Defense Cyber*
15 *Incident Coordinating Procedure, or any other*
16 *applicable Department of Defense instruction, for*
17 *purposes of implementing the capability.*

18 (C) *Program management and governance*
19 *structures for deployment and maintenance of*
20 *the capability.*

21 (D) *Security when performing remote sup-*
22 *port, including such in matters such as authen-*
23 *tication and remote sensing.*

24 (3) *The conduct, in coordination with the Chief*
25 *of the National Guard Bureau and the Secretary of*

1 *Homeland Security and in consultation with the Di-*
2 *rector of the Federal Bureau of Investigation, other*
3 *Federal agencies, and appropriate non-Federal enti-*
4 *ties, of at least one exercise to demonstrate the capa-*
5 *bility, which exercise shall include the following:*

6 (A) *Participation of not fewer than two*
7 *State governments and their National Guards.*

8 (B) *Circumstances designed to test and vali-*
9 *date the policies, processes, procedures, and au-*
10 *thorities developed pursuant to paragraph (2).*

11 (C) *An after action review of the exercise.*

12 (e) *USE OF EXISTING TECHNOLOGY.—An admin-*
13 *istering Secretary may use an existing platform, tech-*
14 *nology, or capability to provide the capability described in*
15 *subsection (b) under the pilot program.*

16 (f) *ELIGIBILITY AND PARTICIPATION REQUIRE-*
17 *MENTS.—An administering Secretary shall, in consultation*
18 *with the Chief of the National Guard Bureau, establish re-*
19 *quirements with respect to eligibility and participation of*
20 *State governments and their National Guards in the pilot*
21 *program.*

22 (g) *CONSTRUCTION WITH CERTAIN CURRENT AU-*
23 *THORITIES.—*

24 (1) *COMMAND AUTHORITIES.—Nothing in a pilot*
25 *program under subsection (b) may be construed as af-*

1 *fecting or altering the command authorities otherwise*
2 *applicable to any unit of the National Guard unit*
3 *participating in the pilot program.*

4 (2) *EMERGENCY MANAGEMENT ASSISTANCE COM-*
5 *PACT.—Nothing in a pilot program may be construed*
6 *as affecting or altering any current agreement under*
7 *the Emergency Management Assistance Compact, or*
8 *any other State agreements, or as determinative of the*
9 *future content of any such agreement.*

10 (h) *EVALUATION METRICS.—An administering Sec-*
11 *retary shall, in consultation with the Chief of the National*
12 *Guard Bureau and the Secretary of Homeland Security,*
13 *establish metrics to evaluate the effectiveness of the pilot*
14 *program.*

15 (i) *TERM.—A pilot program under subsection (b) shall*
16 *terminate on the date that is three years after the date of*
17 *the commencement of the pilot program.*

18 (j) *REPORTS.—*

19 (1) *INITIAL REPORT.—Not later than 180 days*
20 *after the date of the commencement of the pilot pro-*
21 *gram, the administering Secretary, in coordination*
22 *with the Secretary of Homeland Security, shall sub-*
23 *mit to the appropriate committees of Congress a re-*
24 *port setting forth a description of the pilot program*

1 *and such other matters in connection with the pilot*
2 *program as the Secretary considers appropriate.*

3 (2) *FINAL REPORT.*—*Not later than 180 days*
4 *after the termination of the pilot program, the admin-*
5 *istering Secretary, in coordination with the Secretary*
6 *of Homeland Security, shall submit to the appro-*
7 *priate committees of Congress a report on the pilot*
8 *program. The report shall include the following:*

9 (A) *A description of the pilot program, in-*
10 *cluding any partnerships entered into by the*
11 *Chief of the National Guard Bureau under the*
12 *pilot program.*

13 (B) *A summary of the assessment performed*
14 *prior to the commencement of the pilot program*
15 *in accordance with subsection (c).*

16 (C) *A summary of the evaluation metrics*
17 *established in accordance with subsection (h).*

18 (D) *An assessment of the effectiveness of the*
19 *pilot program, and of the capability described in*
20 *subsection (b) under the pilot program.*

21 (E) *A description of costs associated with*
22 *the implementation and conduct of the pilot pro-*
23 *gram.*

24 (F) *A recommendation as to the termi-*
25 *nation or extension of the pilot program, or the*

1 *making of the pilot program permanent with an*
2 *expansion nationwide.*

3 (G) *An estimate of the costs of making the*
4 *pilot program permanent and expanding it na-*
5 *tionwide in accordance with the recommendation*
6 *in subparagraph (F).*

7 (H) *Such recommendations for legislative or*
8 *administrative action as the Secretary considers*
9 *appropriate in light of the pilot program.*

10 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
11 *DEFINED.—In this subsection, the term “appropriate*
12 *committees of Congress” means—*

13 (A) *the Committee on Armed Services and*
14 *the Committee on Homeland Security and Gov-*
15 *ernmental Affairs of the Senate; and*

16 (B) *the Committee on Armed Services and*
17 *the Committee on Homeland Security of the*
18 *House of Representatives.*

19 (k) *STATE DEFINED.—In this section, the term*
20 *“State” means each of the several States, the District of Co-*
21 *lumbia, the Commonwealth of Puerto Rico, American*
22 *Samoa, Guam, the United States Virgin Islands, and the*
23 *Commonwealth of the Northern Mariana Islands.*

1 **TITLE LVII—HEALTH CARE**
2 **PROVISIONS**

3 **Subtitle A—TRICARE and Other**
4 **Health Care Provisions**

5 **SEC. 5707. PILOT PROGRAM ON RECEIPT OF NON-GENERIC**
6 **PRESCRIPTION MAINTENANCE MEDICATIONS**
7 **UNDER TRICARE PHARMACY BENEFITS PRO-**
8 **GRAM.**

9 *The reference in section 707(c) to section*
10 *1074g(a)(9)(C)(i) of title 10, United States Code, is deemed*
11 *to be a reference to section 1074g(a)(9)(C)(ii) of title 10,*
12 *United States Code.*

13 **Subtitle B—Health Care**
14 **Administration**

15 **SEC. 5723. AUTHORITY OF SECRETARY OF DEFENSE TO**
16 **WAIVE REQUIREMENTS DURING NATIONAL**
17 **EMERGENCIES FOR PURPOSES OF PROVISION**
18 **OF HEALTH CARE.**

19 *Section 723 and the amendments made by that section*
20 *shall have no force or effect.*

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

3 ***SEC. 5741. STUDY AND REPORT ON SURGE CAPACITY OF DE-***
4 ***PARTMENT OF DEFENSE TO ESTABLISH NEG-***
5 ***ATIVE AIR ROOM CONTAINMENT SYSTEMS IN***
6 ***MILITARY MEDICAL TREATMENT FACILITIES.***

7 (a) *STUDY.*—*The Director of the Defense Health Agen-*
8 *cy shall conduct a study on the use, scalability, and mili-*
9 *tary requirements for commercial off the shelf negative air*
10 *pressure room containment systems in order to improve*
11 *pandemic preparedness at military medical treatment fa-*
12 *cilities worldwide, to include an assessment of whether such*
13 *systems would improve the readiness of the Department of*
14 *Defense to expand capability and capacity to evaluate and*
15 *treat patients at such facilities during a pandemic.*

16 (b) *REPORT.*—*Not later than 180 days after the date*
17 *of the enactment of this Act, the Director of the Defense*
18 *Health Agency shall submit to the Committees on Armed*
19 *Services of the Senate and the House of Representatives a*
20 *report on the findings of the study conducted under sub-*
21 *section (a).*

1 **TITLE LVIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Industrial Base Matters**

6 **SEC. 5801. REPORT ON USE OF DOMESTIC NONAVAIL-**
7 **ABILITY DETERMINATIONS.**

8 *Not later than September 30, 2021, and annually*
9 *thereafter, the Secretary of Defense shall submit a report*
10 *to congressional defense committees—*

11 *(1) describing in detail the use of any waiver or*
12 *exception to the requirements of section 2533a of title*
13 *10, United States Code, relating to domestic non-*
14 *availability determinations;*

15 *(2) providing reasoning for the use of each such*
16 *waiver or exception; and*

17 *(3) providing an assessment of the impact on the*
18 *use of such waivers or exceptions due to the COVID–*
19 *19 pandemic and associated challenges with invest-*
20 *ments in domestic sources.*

21 **SEC. 5802. REPORT ON THE EFFECT OF THE DEFENSE MAN-**
22 **UFACTURING COMMUNITIES SUPPORT PRO-**
23 **GRAM ON THE DEFENSE SUPPLY CHAIN.**

24 *Not later than September 30, 2021, the Secretary of*
25 *Defense shall submit to Congress a report evaluating the*

1 *effect of the Defense Manufacturing Communities Support*
 2 *Program on the defense supply chain. The evaluation should*
 3 *consider the program’s effect on—*

4 *(1) the diversification of the supply chain;*

5 *(2) procurement costs; and*

6 *(3) efficient procurement processes.*

7 **SEC. 5803. IMPROVING IMPLEMENTATION OF POLICY PER-**
 8 **TAINING TO THE NATIONAL TECHNOLOGY**
 9 **AND INDUSTRIAL BASE.**

10 *Section 803(d)(2) is deemed amended as follows:*

11 *(1) Subparagraph (A) of such section is deemed*
 12 *to read as follows:*

13 *“(A) analysis of the national security im-*
 14 *acts, cost, and benefits to the United States and*
 15 *allies of the inclusion of such additional member*
 16 *nation in the national technology and industrial*
 17 *base, including criticality to program and mis-*
 18 *sion accomplishment;”.*

19 *(2) In the stem of subparagraph (B) of such sec-*
 20 *tion, “costs,” is deemed to be read “impacts, costs,”.*

21 *(3) In clause (ii) of subparagraph (B) of such*
 22 *section “base;” is deemed to read “base, including*
 23 *costs to reconstitute capability should such capability*
 24 *be lost to competition;”.*

1 **SEC. 5808. ADDITIONAL REQUIREMENTS PERTAINING TO**
2 **PRINTED CIRCUIT BOARDS.**

3 *Section 808 is deemed to include at the end the fol-*
4 *lowing:*

5 *“(h) SENSE OF CONGRESS ON MITIGATING RISKS OF*
6 *RELIANCE ON CERTAIN SOURCES OF SUPPLY AND MANU-*
7 *FACTURING FOR PRINTED CIRCUIT BOARDS.—It is the*
8 *sense of Congress that—*

9 *“(1) the Department of Defense must take steps*
10 *to reduce and mitigate risks of reliance on certain*
11 *sources of supply and manufacturing for printed cir-*
12 *cuit boards; and*

13 *“(2) the provisions of this section are intended to*
14 *augment, rather than reduce or supersede, current ef-*
15 *forts to reduce and mitigate such risks.”.*

16 **SEC. 5812. MISCELLANEOUS LIMITATIONS ON THE PRO-**
17 **CUREMENT OF GOODS OTHER THAN UNITED**
18 **STATES GOODS.**

19 *Notwithstanding the amendments made by section*
20 *812—*

21 *(1) the subparagraph (A) proposed to be included*
22 *in subsection (a)(2) of section 2534 of title 10, United*
23 *States Code, shall not be included;*

24 *(2) subsection (b) of such section is deemed to*
25 *read as follows:*

1 “(b) *MANUFACTURER IN THE NATIONAL TECHNOLOGY*
2 *AND INDUSTRIAL BASE.*—A manufacturer meets the re-
3 quirements of this subsection if the manufacturer is part
4 of the national technology and industrial base.”; and

5 (3) the amendment to subsection (h) of such sec-
6 tion is deemed to insert the following: “subsection
7 (a)(2)”.

8 ***Subtitle C—Amendments to General***
9 ***Contracting Authorities, Proce-***
10 ***dures, and Limitations***

11 ***SEC. 5841. WAIVERS OF CERTAIN CONDITIONS FOR***
12 ***PROGRESS PAYMENTS UNDER CERTAIN CON-***
13 ***TRACTS DURING THE COVID-19 NATIONAL***
14 ***EMERGENCY.***

15 *During the national emergency declared under the Na-*
16 *tional Emergencies Act (50 U.S.C. 1601 et seq.) with respect*
17 *to the coronavirus disease 2019 (commonly referred to as*
18 *“COVID-19”), the Secretary of Defense may waive section*
19 *2307(e)(2) of title 10, United States Code, with respect to*
20 *progress payments for any undefinitized contract.*

1 ***Subtitle E—Small Business Matters***

2 ***SEC. 5871. OFFICE OF SMALL BUSINESS AND DISADVAN-***
3 ***TAGED BUSINESS UTILIZATION.***

4 *Section 15(k) of the Small Business Act (15 U.S.C.*
5 *644(k)) is amended, in the matter preceding paragraph*
6 *(1)—*

7 *(1) by inserting after the first sentence the fol-*
8 *lowing: “If the Government Accountability Office has*
9 *determined that a Federal agency is not in compli-*
10 *ance with all of the requirements under this sub-*
11 *section, the Federal agency shall, not later than 120*
12 *days after that determination or 120 days after the*
13 *date of enactment of this sentence, whichever is later,*
14 *submit to the Committee on Small Business and En-*
15 *trepreneurship of the Senate and the Committee on*
16 *Small Business of the House of Representatives a re-*
17 *port that includes the reasons why the Federal agency*
18 *is not in compliance and the specific actions that the*
19 *Federal agency will take to comply with the require-*
20 *ments under this subsection.”; and*

21 *(2) by striking “The management of each such*
22 *office” and inserting “The management of each Office*
23 *of Small Business and Disadvantaged Business Utili-*
24 *zation”.*

1 **SEC. 5872. ELIGIBILITY OF THE COMMONWEALTH OF THE**
2 **NORTHERN MARIANA ISLANDS FOR CERTAIN**
3 **SMALL BUSINESS ADMINISTRATION PRO-**
4 **GRAMS.**

5 *The Small Business Act (15 U.S.C. 631 et seq.) is*
6 *amended—*

7 *(1) in section 21(a) (15 U.S.C. 648(a))—*

8 *(A) in paragraph (1), by inserting before*
9 *“The Administration shall require” the following*
10 *new sentence: “The previous sentence shall not*
11 *apply to an applicant that has its principal of-*
12 *fice located in the Commonwealth of the North-*
13 *ern Mariana Islands.”; and*

14 *(B) in paragraph (4)(C)(ix), by striking*
15 *“and American Samoa” and inserting “Amer-*
16 *ican Samoa, and the Commonwealth of the*
17 *Northern Mariana Islands”;* and

18 *(2) in section 34(a)(9) (15 U.S.C. 657d(a)(9)),*
19 *by striking “and American Samoa” and inserting*
20 *“American Samoa, and the Commonwealth of the*
21 *Northern Mariana Islands”.*

22 **SEC. 5873. DISASTER DECLARATION IN RURAL AREAS.**

23 *(a) IN GENERAL.—Section 7(b) of the Small Business*
24 *Act (15 U.S.C. 636(b)) is amended by inserting after para-*
25 *graph (15) the following:*

1 “(16) *DISASTER DECLARATION IN RURAL*
2 *AREAS.*—

3 “(A) *DEFINITIONS.*—*In this paragraph—*

4 “(i) *the term ‘rural area’ means an*
5 *area with a population of less than 200,000*
6 *outside an urbanized area; and*

7 “(ii) *the term ‘significant damage’*
8 *means, with respect to property, uninsured*
9 *losses of not less than 40 percent of the esti-*
10 *mated fair replacement value or pre-dis-*
11 *aster fair market value of the damaged*
12 *property, whichever is lower.*

13 “(B) *DISASTER DECLARATION.*—*Notwith-*
14 *standing section 123.3(a) of title 13, Code of*
15 *Federal Regulations, or any successor regulation,*
16 *the Administrator may declare a disaster in a*
17 *rural area for which a major disaster was de-*
18 *clared by the President under section 401 of the*
19 *Robert T. Stafford Disaster Relief and Emer-*
20 *gency Assistance Act (42 U.S.C. 5170) if—*

21 “(i) *the Governor of the State in which*
22 *the rural area is located requests such a dec-*
23 *laration; and*

24 “(ii) *any home, small business concern,*
25 *private nonprofit organization, or small ag-*

1 *ricultural cooperative has incurred signifi-*
2 *cant damage in the rural area.*

3 “(C) *SBA REPORT.*—*Not later than 120*
4 *days after the date of enactment of this Act, and*
5 *every year thereafter, the Administrator shall*
6 *submit to the Committee on Small Business and*
7 *Entrepreneurship of the Senate and the Com-*
8 *mittee on Small Business of the House of Rep-*
9 *resentatives a report on, with respect to the 1-*
10 *year period preceding submission of the report—*

11 *“(i) any economic injury that resulted*
12 *from a major disaster declared by the Presi-*
13 *dent under section 401 of the Robert T.*
14 *Stafford Disaster Relief and Emergency As-*
15 *sistance Act (42 U.S.C. 5170) in a rural*
16 *area;*

17 *“(ii) each request for assistance made*
18 *by the Governor of a State under subpara-*
19 *graph (B)(i) and the response of the Admin-*
20 *istrator, including the timeline for each re-*
21 *sponse; and*

22 *“(iii) any regulatory changes that will*
23 *impact the ability of communities in rural*
24 *areas to obtain disaster assistance under*
25 *this subsection.”.*

1 (b) *REGULATIONS.*—Not later than 120 days after the
2 date of enactment of this Act, the Administrator of the
3 Small Business Administration shall issue regulations to
4 carry out the amendment made by subsection (a).

5 (c) *GAO REPORT.*—

6 (1) *DEFINITION OF RURAL AREA.*—In this sub-
7 section, the term “rural area” means an area with a
8 population of less than 200,000 outside an urbanized
9 area.

10 (2) *REPORT.*—Not later than 120 days after the
11 date of enactment of this Act, the Comptroller General
12 of the United States shall submit to the Committee on
13 Small Business and Entrepreneurship of the Senate
14 and the Committee on Small Business of the House
15 of Representatives a report on—

16 (A) any unique challenges that communities
17 in rural areas face compared to communities in
18 metropolitan areas when seeking to obtain dis-
19 aster assistance under section 7(b) of the Small
20 Business Act (15 U.S.C. 636(b)); and

21 (B) legislative recommendations for improv-
22 ing access to disaster assistance for communities
23 in rural areas.

1 **SEC. 5874. TEMPORARY EXTENSION FOR 8(A) PARTICI-**
 2 **PANTS.**

3 *The Administrator of the Small Business Administra-*
 4 *tion shall allow a small business concern (as defined in sec-*
 5 *tion 3 of the Small Business Act (15 U.S.C. 632)) partici-*
 6 *parting in the program established under section 8(a) of the*
 7 *Small Business Act (15 U.S.C. 637(a)) on the date of enact-*
 8 *ment of this section to extend such participation by a period*
 9 *of 1 year.*

10 **SEC. 5875. MAXIMUM AWARD PRICE FOR SOLE SOURCE**
 11 **MANUFACTURING CONTRACTS.**

12 *The Small Business Act (15 U.S.C. 631 et seq.) is*
 13 *amended—*

14 *(1) in section 8 (15 U.S.C. 637)—*

15 *(A) in subsection (a)(1)(D)(i)(II), by strik-*
 16 *ing “\$5,000,000” and inserting “\$7,000,000”;*
 17 *and*

18 *(B) in subsection (m)—*

19 *(i) in paragraph (7)(B)(i), by striking*
 20 *“\$6,500,000” and inserting “\$7,000,000”;*
 21 *and*

22 *(ii) in paragraph (8)(B)(i), by striking*
 23 *“\$6,500,000” and inserting “\$7,000,000”;*

24 *(2) in section 31(c)(2)(A)(i)(I) (15 U.S.C.*
 25 *657a(c)(2)(A)(i)(I)), by striking “\$5,000,000” and*
 26 *inserting “\$7,000,000”; and*

1 (3) in section 36(a)(2)(A) (15 U.S.C.
2 657f(a)(2)(A)), by striking “\$5,000,000” and insert-
3 ing “\$7,000,000”.

4 **SEC. 5876. ANNUAL REPORTS REGARDING THE SBIR PRO-**
5 **GRAM OF THE DEPARTMENT OF DEFENSE.**

6 (a) *DEFINITIONS.*—*In this section—*

7 (1) the term “SBIR” has the meaning given the
8 term in section 9(e)(4) of the Small Business Act (15
9 U.S.C. 638(e)(4)); and

10 (2) the term “Secretary” means the Secretary of
11 Defense.

12 (b) *REPORTS REQUIRED.*—*Not later than 90 days*
13 *after the date of enactment of this Act, and not later than*
14 *120 days after the end of each fiscal year that begins after*
15 *that date of enactment, the Secretary, after consultation*
16 *with the Secretary of each branch of the Armed Forces, shall*
17 *submit, through the Under Secretary of Defense for Re-*
18 *search and Engineering, to Congress a report that address-*
19 *es—*

20 (1) *the ways in which the Secretary, as of the*
21 *date on which the report is submitted, is using incen-*
22 *tives to Department of Defense program managers*
23 *under section 9(y)(6)(B) of the Small Business Act*
24 *(15 U.S.C. 638(y)(6)(B)) to increase the number of*
25 *Phase II SBIR contracts awarded by the Secretary*

1 *that lead to technology transition into programs of*
2 *record or fielded systems, which shall include the*
3 *judgment of the Secretary regarding the potential ef-*
4 *fect of providing monetary incentives to those officers*
5 *for that purpose;*

6 *(2) the extent to which the Department of De-*
7 *fense has developed simplified and standardized pro-*
8 *cedures and model contracts throughout the agency for*
9 *Phase I, Phase II, and Phase III SBIR awards, as*
10 *required under section 9(hh)(2)(A)(i) of the Small*
11 *Business Act (15 U.S.C. 638(hh)(2)(A)(i));*

12 *(3) with respect to each report submitted under*
13 *this section after the submission of the first such re-*
14 *port, the extent to which any incentives described in*
15 *this section and implemented by the Secretary have*
16 *resulted in an increased number of Phase II contracts*
17 *under the SBIR program of the Department of De-*
18 *fense leading to technology transition into programs*
19 *of record or fielded systems;*

20 *(4) the extent to which Phase I, Phase II, and*
21 *Phase III projects under the SBIR program of the*
22 *Department of Defense align with the modernization*
23 *priorities of the Department, including with respect*
24 *to artificial intelligence, biotechnology, autonomy, cy-*
25 *bersecurity, directed energy, fully networked com-*

1 *mand, control, and communication systems, micro-*
 2 *electronics, quantum science, hypersonics, and space;*
 3 *and*

4 *(5) any other action taken, and proposed to be*
 5 *taken, to increase the number of Department of De-*
 6 *fense Phase II SBIR contracts leading to technology*
 7 *transition into programs of record or fielded systems.*

8 **SEC. 5877. SMALL BUSINESS LOANS FOR NONPROFIT CHILD**
 9 **CARE PROVIDERS.**

10 *Section 3(a) of the Small Business Act (15 U.S.C.*
 11 *632(a)) is amended by adding at the end the following:*

12 “(10) NONPROFIT CHILD CARE PROVIDERS.—

13 “(A) DEFINITION.—*In this paragraph, the*
 14 *term ‘covered nonprofit child care provider’*
 15 *means an organization—*

16 “(i) *that—*

17 “(I) *is in compliance with licens-*
 18 *ing requirements for child care pro-*
 19 *viders of the State in which the organi-*
 20 *zation is located;*

21 “(II) *is described in section*
 22 *501(c)(3) of the Internal Revenue Code*
 23 *of 1986 and exempt from tax under*
 24 *section 501(a) of such Code; and*

1 “(III) is primarily engaged in
2 providing child care for children from
3 birth to compulsory school age;

4 “(ii) for which each employee and reg-
5 ular volunteer complies with the criminal
6 background check requirements under sec-
7 tion 658H(b) of the Child Care and Devel-
8 opment Block Grant Act of 1990 (42 U.S.C.
9 9858f(b)); and

10 “(iii) that may—

11 “(I) provide care for school-age
12 children outside of school hours or out-
13 side of the school year; or

14 “(II) offer preschool or prekinderg-
15 garten educational programs.

16 “(B) *ELIGIBILITY FOR LOAN PROGRAMS.*—
17 Notwithstanding any other provision of this sub-
18 section, a covered nonprofit child care provider
19 shall be deemed to be a small business concern
20 for purposes of any program under this Act or
21 the Small Business Investment Act of 1958 (15
22 U.S.C. 661 et seq.) under which—

23 “(i) the Administrator may make
24 loans to small business concerns;

1 “(ii) the Administrator may guarantee
2 *timely payment of loans to small business*
3 *concerns; or*

4 “(iii) the recipient of a loan made or
5 *guaranteed by the Administrator may make*
6 *loans to small business concerns.”.*

7 ***Subtitle G—Other Matters***

8 ***SEC. 5891. LISTING OF OTHER TRANSACTION AUTHORITY***
9 ***CONSORTIA.***

10 *Beginning not later than 90 days after the date of the*
11 *enactment of this Act, the Secretary of Defense shall main-*
12 *tain on the government-wide point of entry for contracting*
13 *opportunities, Beta.SAM.gov (or any successor system), a*
14 *list of the consortia used by the Department of Defense to*
15 *announce or otherwise make available contracting opportu-*
16 *nities using other transaction authority (OTA).*

17 ***SEC. 5892. REPORT RECOMMENDING DISPOSITION OF***
18 ***NOTES TO CERTAIN SECTIONS OF TITLE 10,***
19 ***UNITED STATES CODE.***

20 *(a) IN GENERAL.—Not later than March 31, 2021, the*
21 *Secretary of Defense shall submit to the congressional de-*
22 *fense committees a report recommending the disposition of*
23 *provisions of law found in the notes to the following sections*
24 *of title 10, United States Code:*

25 *(1) Section 2313.*

1 (2) *Section 2364.*

2 (3) *Section 2432.*

3 (b) *ELEMENTS.—The report required under subsection*
4 *(a) shall include—*

5 (1) *for each provision of law included as a note*
6 *to a section listed in such subsection, a recommenda-*
7 *tion whether such provision—*

8 (A) *should be repealed because the provision*
9 *is no longer operative or is otherwise obsolete;*

10 (B) *should be codified as a section to title*
11 *10, United States Code, because the section has,*
12 *and is anticipated to continue to have in the fu-*
13 *ture, significant relevance; or*

14 (C) *should remain as a note to such section;*
15 *and*

16 (2) *any legislative proposals appropriate to im-*
17 *prove the intent and effect of the sections listed in*
18 *such subsection.*

19 (c) *TECHNICAL CORRECTIONS.—(1) Section 2362(a) of*
20 *title 10, United States Code, is amended by striking “As-*
21 *sistant Secretary of Defense for Research and Engineering”*
22 *both places it appears and inserting “Under Secretary of*
23 *Defense for Research and Engineering”.*

24 (2) *Section 804(c) of the Bob Stump National Defense*
25 *Authorization Act for Fiscal Year 2003 (Public Law 107–*

1 314; 10 U.S.C. 2302 note) is amended by striking “The As-
2 sistant Secretary of Defense for Command, Control, Com-
3 munications, and Intelligence, in consultation with the
4 Under Secretary of Defense for Acquisition, Technology,
5 and Logistics,” and inserting “The Under Secretary of De-
6 fense for Acquisition and Sustainment”.

7 **SEC. 5893. APPLICABILITY OF REPORTING REQUIREMENT**
8 **RELATED TO NOTIONAL MILESTONES AND**
9 **STANDARD TIMELINES FOR FOREIGN MILI-**
10 **TARY SALES.**

11 *Section 887 of the National Defense Authorization Act*
12 *for Fiscal Year 2018 (Public Law 115 –91; 22 U.S.C. 2761*
13 *note) is amended—*

14 *(1) by redesignating subsection (c) as subsection*
15 *(d); and*

16 *(2) by inserting after subsection (b) the following*
17 *new subsection:*

18 *“(c) APPLICABILITY.—The reporting requirements*
19 *under this section apply only to foreign military sales proc-*
20 *esses within the Department of Defense.”.*

1 **SEC. 5894. ADDITIONAL REQUIREMENTS RELATED TO MITI-**
2 **GATING RISKS RELATED TO FOREIGN OWNER-**
3 **SHIP, CONTROL, OR INFLUENCE OF DEPART-**
4 **MENT OF DEFENSE CONTRACTORS AND SUB-**
5 **CONTRACTORS.**

6 (a) *COMPLIANCE ASSESSMENT.*—Subparagraph (A) of
7 paragraph (2) of section 847(b) of the National Defense Au-
8 thorization Act for Fiscal Year 2020 (Public Law 116–92)
9 is amended by adding at the end the following new clause:

10 “(v) A requirement for the Secretary to re-
11 quire reports and conduct examinations on a
12 periodic basis of covered contractors and sub-
13 contractors in order to assess compliance with
14 the requirements of this section.”.

15 (b) *ADDITIONAL REQUIREMENTS FOR RESPONSIBILITY*
16 *DETERMINATIONS.*—Subparagraph (B) of such paragraph
17 is amended—

18 (1) in clause (ii), by striking “; and” and insert-
19 ing a semicolon;

20 (2) by redesignating clause (iii) as clause (iv);
21 and

22 (3) by inserting after clause (ii) the following
23 new clause:

24 “(iii) procedures for appropriately re-
25 sponding to changes in contractor or sub-
26 contractor beneficial ownership status based

1 *on changes in disclosures of their beneficial*
2 *ownership relating to whether they are*
3 *under FOCI and based on the reports and*
4 *examinations required by subparagraph*
5 *(A)(v); and”.*

6 *(c) TIMELINES AND MILESTONES FOR IMPLEMENTA-*
7 *TION.—*

8 *(1) IMPLEMENTATION PLAN.—Not later than 60*
9 *days after the date of the enactment of this Act, the*
10 *Secretary of Defense shall provide to the congressional*
11 *defense committees a plan and schedule for implemen-*
12 *tation of the requirements of section 847 of the Na-*
13 *tional Defense Authorization Act for Fiscal Year 2020*
14 *(Public Law 116–92), including—*

15 *(A) a timeline for issuance of regulations,*
16 *development of training for appropriate officials,*
17 *and development of systems for reporting of bene-*
18 *ficial ownership and FOCI by contractors and*
19 *subcontractors;*

20 *(B) designation of officials and organiza-*
21 *tions responsible for execution; and*

22 *(C) interim milestones to be met in imple-*
23 *menting the plan.*

24 *(2) REVISION OF REGULATIONS, DIRECTIVES,*
25 *GUIDANCE, TRAINING, AND POLICIES.—Not later than*

1 180 days after the date of the enactment of this Act,
2 the Secretary of Defense shall revise relevant direc-
3 tives, guidance, training, and policies, including re-
4 vising the Defense Federal Acquisition Regulation
5 Supplement as needed, to fully implement section 847
6 of the National Defense Authorization Act for Fiscal
7 Year 2020 (Public Law 116–92), as amended by this
8 section.

9 **TITLE LIX—DEPARTMENT OF DE-**
10 **FENSE ORGANIZATION AND**
11 **MANAGEMENT**

12 **Subtitle D—Organization and Man-**
13 **agement of Other Department of**
14 **Defense Offices and Elements**

15 **SEC. 5951. COMPTROLLER GENERAL OF THE UNITED**
16 **STATES REPORT ON VULNERABILITIES OF**
17 **THE DEPARTMENT OF DEFENSE RESULTING**
18 **FROM OFFSHORE TECHNICAL SUPPORT CALL**
19 **CENTERS.**

20 (a) *REPORT REQUIRED.*—Not later than 180 days
21 after the date of the enactment of this Act, the Comptroller
22 General of the United States shall submit to the Committees
23 on Armed Services of the Senate and the House of Rep-
24 resentatives a report on vulnerabilities in connection with

1 *the provision of services by offshore technical support call*
2 *centers to the Department of Defense.*

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

5 (1) *A description and assessment of the location*
6 *of all offshore technical support call centers.*

7 (2) *A description and assessment of the types of*
8 *information shared by the Department with foreign*
9 *nationals at offshore technical support call centers.*

10 (3) *An assessment of the extent to which access*
11 *to such information by foreign nationals creates*
12 *vulnerabilities to the information technology network*
13 *of the Department.*

14 (c) *OFFSHORE TECHNICAL SUPPORT CALL CENTER*
15 *DEFINED.*—*In this section, the term “offshore technical sup-*
16 *port call center” means a call center that—*

17 (1) *is physically located outside the United*
18 *States;*

19 (2) *employs individuals who are foreign nation-*
20 *als; and*

21 (3) *may be contacted by personnel of the Depart-*
22 *ment to provide technical support relating to tech-*
23 *nology used by the Department.*

1 **TITLE LX—GENERAL**
2 **PROVISIONS**
3 **Subtitle A—Financial Matters**

4 **SEC. 6001. UNDER SECRETARY OF DEFENSE (COMP-**
5 **TROLLER) REPORTS ON IMPROVING THE**
6 **BUDGET JUSTIFICATION AND RELATED MA-**
7 **TERIALS OF THE DEPARTMENT OF DEFENSE.**

8 *(a) REPORTS REQUIRED.—Not later than April 1 of*
9 *each of 2021 through 2025, the Under Secretary of Defense*
10 *(Comptroller) shall submit to the congressional defense com-*
11 *mittees a report on improving the following:*

12 *(1) Modernization of covered materials, includ-*
13 *ing the following:*

14 *(A) Updating the format of such materials*
15 *in order to account for significant improvements*
16 *in document management and data visualiza-*
17 *tion.*

18 *(B) Expanding the scope and quality of*
19 *data included in such materials.*

20 *(2) Streamlining of the production of covered*
21 *materials within the Department of Defense.*

22 *(3) Transmission of covered materials to Con-*
23 *gress.*

24 *(4) Availability of adequate resources and capa-*
25 *bilities to permit the Department to integrate changes*

1 *to covered materials together with its submittal of*
2 *current covered materials.*

3 (5) *Promotion of the flow between the Depart-*
4 *ment and the congressional defense committees of*
5 *other information required by Congress for its over-*
6 *sight of budgeting for the Department and the future-*
7 *years defense programs.*

8 (b) *COVERED MATERIALS DEFINED.—In this section,*
9 *the term “covered materials” means the following:*

10 (1) *Materials submitted in support of the budget*
11 *of the President for a fiscal year under section*
12 *1105(a) of title 31, United States Code.*

13 (2) *Materials submitted in connection with the*
14 *future-years defense program for a fiscal year under*
15 *section 221 of title 10, United States Code.*

16 **SEC. 6002. REPORT ON FISCAL YEAR 2022 BUDGET REQUEST**
17 **REQUIREMENTS IN CONNECTION WITH AIR**
18 **FORCE OPERATIONS IN THE ARCTIC.**

19 *The Secretary of the Air Force shall submit to the con-*
20 *gressional defense committees, not later than 30 days after*
21 *submission of the budget justification documents submitted*
22 *to Congress in support of the budget of the President for*
23 *fiscal year 2022 (as submitted pursuant to section 1105 of*
24 *title 31, United States Code), a report that includes the fol-*
25 *lowing:*

1 (1) *A description of the manner in which*
2 *amounts requested for the Air Force in the budget for*
3 *fiscal year 2022 support Air Force operations in the*
4 *Arctic.*

5 (2) *A list of the procurement initiatives and re-*
6 *search, development, test, and evaluation initiatives*
7 *funded by that budget that are primarily intended to*
8 *enhance the ability of the Air Force to deploy to or*
9 *operate in the Arctic region, or to defend the northern*
10 *approach to the United States homeland.*

11 (3) *An assessment of the adequacy of the infra-*
12 *structure of Air Force installations in Alaska and in*
13 *the States along the northern border of the continental*
14 *United States to support deployments to and oper-*
15 *ations in the Arctic region, including an assessment*
16 *of runways, fuel lines, and aircraft maintenance ca-*
17 *capacity for purposes of such support.*

18 **SEC. 6003. PROVIDING INFORMATION TO STATES REGARD-**
19 **ING UNDELIVERED SAVINGS BONDS.**

20 *Section 3105 of title 31, United States Code, is amend-*
21 *ed by adding at the end the following:*

22 “(f)(1) *Notwithstanding any other law to the contrary,*
23 *the Secretary shall provide each State, as digital or other*
24 *electronically searchable forms become available (including*
25 *digital images), with sufficient information to identify the*

1 registered owner of any applicable savings bond with a reg-
2 istration address that is within such State, including the
3 serial number of the bond, the name and registered address
4 of such owner, and any registered beneficiaries.

5 “(2) The Secretary shall prescribe such regulations or
6 other guidance as may be necessary to carry out the pur-
7 poses of this subsection, including rules to—

8 “(A) protect the privacy of the owners of appli-
9 cable savings bonds;

10 “(B) ensure that any information provided to a
11 State under this subsection shall be used solely to lo-
12 cate such owners and assist them in redeeming such
13 bonds with the United States Treasury; and

14 “(C) ensure that owners of applicable savings
15 bonds seeking to redeem such bonds with the United
16 States Treasury are able to do so in an expeditious
17 manner.

18 “(3) Not later than 12 months after the date of enact-
19 ment of this subsection, and annually thereafter, the Sec-
20 retary shall submit to the Committee on Appropriations
21 and the Committee on Finance of the Senate a report assess-
22 ing all efforts to satisfy the requirement under paragraph
23 (1).

1 “(4) For purposes of this subsection, the term ‘applica-
2 ble savings bond’ means a matured and unredeemed savings
3 bond.”.

4 **Subtitle E—Miscellaneous**
5 **Authorities and Limitations**

6 **SEC. 6046. CONDITIONS FOR PERMANENTLY BASING**
7 **UNITED STATES EQUIPMENT OR ADDITIONAL**
8 **MILITARY UNITS IN HOST COUNTRIES WITH**
9 **AT-RISK VENDORS IN 5G OR 6G NETWORKS.**

10 (a) *INEFFECTIVENESS OF SECTION 1046.*—Section
11 1046 shall have no force or effect.

12 (b) *IN GENERAL.*—Prior to a decision for basing a
13 major weapon system or an additional military unit com-
14 parable to or larger than a battalion, squadron, or naval
15 combatant for permanent basing to a host nation with at-
16 risk 5th generation (5G) or sixth generation (6G) wireless
17 network equipment, software, and services, including the
18 use of telecommunications equipment, software, and services
19 provided by vendors such as Huawei and ZTE, where
20 United States military personnel and their families will be
21 directly connected or subscribers to networks that include
22 such at-risk equipment, software, and services in their offi-
23 cial duties or in the conduct of personal affairs, the Sec-
24 retary of Defense shall provide a certification to Congress
25 that includes—

1 (1) *an acknowledgment by the host nation of the*
2 *risk posed by the network architecture;*

3 (2) *a description of steps being taken by the host*
4 *nation to mitigate any potential risks to the weapon*
5 *systems, military units, or personnel, and the Depart-*
6 *ment of Defense’s assessment of those efforts;*

7 (3) *a description of steps being taken by the*
8 *United States Government to mitigate any potential*
9 *risks to the weapon systems, military units, or per-*
10 *sonnel; and*

11 (4) *a description of any defense mutual agree-*
12 *ments between the host nation and the United States*
13 *intended to allay the costs of risk mitigation posed by*
14 *the at-risk infrastructure.*

15 (c) *APPLICABILITY.—The conditions in subsection (b)*
16 *apply to the permanent long-term stationing of equipment*
17 *and personnel, and do not apply to short-term deployments*
18 *or rotational presence to military installations outside the*
19 *United States in connection with exercises, dynamic force*
20 *employment, contingency operations, or combat operations.*

21 (d) *REPORT.—Not later than one year after the date*
22 *of the enactment of this Act, the Secretary of Defense shall*
23 *submit to the congressional defense committees a report that*
24 *contains an assessment of—*

1 (1) *the risk to personnel, equipment, and oper-*
2 *ations of the Department of Defense in host countries*
3 *posed by the current or intended use by such countries*
4 *of 5G or 6G telecommunications architecture provided*
5 *by at-risk vendors; and*

6 (2) *measures required to mitigate the risk de-*
7 *scribed in paragraph (1), including the merit and*
8 *feasibility of the relocation of certain personnel or*
9 *equipment of the Department to another location*
10 *without the presence of 5G or 6G telecommunications*
11 *architecture provided by at-risk vendors.*

12 (e) *FORM.*—*The report required by subsection (c) shall*
13 *be submitted in a classified form with an unclassified sum-*
14 *mary.*

15 **SEC. 6047. ANTIDISCRIMINATION.**

16 (a) *SHORT TITLE.*—*This section may be cited as the*
17 *“Elijah E. Cummings Federal Employee Antidiscrimina-*
18 *tion Act of 2020”.*

19 (b) *SENSE OF CONGRESS.*—*Section 102 of the Notifi-*
20 *cation and Federal Employee Antidiscrimination and Re-*
21 *taliation Act of 2002 (5 U.S.C. 2301 note) is amended—*

22 (1) *by striking paragraph (4) and inserting the*
23 *following:*

24 “(4) *accountability in the enforcement of the*
25 *rights of Federal employees is furthered when Federal*

1 *agencies agree to take appropriate disciplinary action*
2 *against Federal employees who are found to have in-*
3 *tentionally committed discriminatory (including re-*
4 *taliatory) acts;”;* and

5 *(2) in paragraph (5)(A)—*

6 *(A) by striking “nor is accountability” and*
7 *inserting “accountability is not”; and*

8 *(B) by inserting “for what, by law, the*
9 *agency is responsible” after “under this Act”.*

10 *(c) NOTIFICATION OF VIOLATION.—Section 202 of the*
11 *Notification and Federal Employee Antidiscrimination and*
12 *Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended*
13 *by adding at the end the following:*

14 *“(d) NOTIFICATION OF FINAL AGENCY ACTION.—*

15 *“(1) IN GENERAL.—Not later than 90 days after*
16 *the date on which an event described in paragraph*
17 *(2) occurs with respect to a finding of discrimination*
18 *(including retaliation), the head of the Federal agency*
19 *subject to the finding shall provide notice—*

20 *“(A) on the public internet website of the*
21 *agency, in a clear and prominent location linked*
22 *directly from the home page of that website;*

23 *“(B) stating that a finding of discrimina-*
24 *tion (including retaliation) has been made; and*

1 “(C) which shall remain posted for not less
2 than 1 year.

3 “(2) *EVENTS DESCRIBED.*—An event described in
4 this paragraph is any of the following:

5 “(A) All appeals of a final action by a Fed-
6 eral agency involving a finding of discrimina-
7 tion (including retaliation) prohibited by a pro-
8 vision of law covered by paragraph (1) or (2) of
9 section 201(a) have been exhausted.

10 “(B) All appeals of a final decision by the
11 Equal Employment Opportunity Commission
12 involving a finding of discrimination (including
13 if the finding included a finding of retaliation)
14 prohibited by a provision of law covered by
15 paragraph (1) or (2) of section 201(a) have been
16 exhausted.

17 “(C) A court of jurisdiction issues a final
18 judgment involving a finding of discrimination
19 (including retaliation) prohibited by a provision
20 of law covered by paragraph (1) or (2) of section
21 201(a).

22 “(3) *CONTENTS.*—A notification provided under
23 paragraph (1) with respect to a finding of discrimi-
24 nation (including retaliation) shall—

1 “(A) identify the date on which the finding
2 was made, the date on which each discrimina-
3 tory act occurred, and the law violated by each
4 such discriminatory act; and

5 “(B) advise Federal employees of the rights
6 and protections available under the provisions of
7 law covered by paragraphs (1) and (2) of section
8 201(a).”.

9 (d) *REPORTING REQUIREMENTS.*—

10 (1) *ELECTRONIC FORMAT REQUIREMENT.*—

11 (A) *IN GENERAL.*—Section 203(a) of the
12 *Notification and Federal Employee Anti-*
13 *discrimination and Retaliation Act of 2002* (5
14 *U.S.C. 2301 note)* is amended, in the matter pre-
15 *ceding paragraph (1)*—

16 (i) by inserting “*Homeland Security*
17 *and*” before “*Governmental Affairs*”;

18 (ii) by striking “*on Government Re-*
19 *form*” and inserting “*on Oversight and Re-*
20 *form*”;

21 (iii) by inserting “*any Member of Con-*
22 *gress (upon request to the agency),*” before
23 “*the Equal Employment Opportunity Com-*
24 *mission*”; and

1 (iv) by inserting “(in an electronic for-
2 mat prescribed by the Director of the Office
3 of Personnel Management),” after “an an-
4 nual report”.

5 (B) *EFFECTIVE DATE.*—The amendment
6 made by subparagraph (A)(iii) shall take effect
7 on the date that is 1 year after the date of enact-
8 ment of this Act.

9 (C) *TRANSITION PERIOD.*—Notwithstanding
10 the requirements of section 203(a) of the Notifi-
11 cation and Federal Employee Antidiscrimina-
12 tion and Retaliation Act of 2002 (5 U.S.C. 2301
13 note), the report required under such section
14 203(a) may be submitted in an electronic format,
15 as prescribed by the Director of the Office of Per-
16 sonnel Management, during the period beginning
17 on the date of enactment of this Act and ending
18 on the effective date in subparagraph (B).

19 (2) *REPORTING REQUIREMENT FOR DISCIPLI-*
20 *NARY ACTION.*—Section 203 of the Notification and
21 Federal Employee Antidiscrimination and Retalia-
22 tion Act of 2002 (5 U.S.C. 2301 note) is amended by
23 adding at the end the following:

24 “(c) *DISCIPLINARY ACTION REPORT.*—Not later than
25 120 days after the date on which a Federal agency takes

1 *final action, or a Federal agency receives a final decision*
2 *issued by the Equal Employment Opportunity Commission,*
3 *involving a finding of discrimination (including retalia-*
4 *tion) in violation of a provision of law covered by para-*
5 *graph (1) or (2) of section 201(a), as applicable, the appli-*
6 *cable Federal agency shall submit to the Commission a re-*
7 *port stating—*

8 “(1) *whether disciplinary action has been pro-*
9 *posed against a Federal employee as a result of the*
10 *violation; and*

11 “(2) *the reasons for any disciplinary action pro-*
12 *posed under paragraph (1).”.*

13 (e) *DATA TO BE POSTED BY EMPLOYING FEDERAL*
14 *AGENCIES.—Section 301(b) of the Notification and Federal*
15 *Employee Antidiscrimination and Retaliation Act of 2002*
16 *(5 U.S.C. 2301 note) is amended—*

17 (1) *in paragraph (9)—*

18 (A) *in subparagraph (A), by striking “and”*
19 *at the end;*

20 (B) *in subparagraph (B)(ii), by striking the*
21 *period at the end and inserting “, and”; and*

22 (C) *by adding at the end the following:*

23 “(C) *with respect to each finding described*
24 *in subparagraph (A)—*

25 “(i) *the date of the finding,*

1 “(ii) the affected Federal agency,

2 “(iii) the law violated, and

3 “(iv) whether a decision has been made
4 regarding disciplinary action as a result of
5 the finding.”; and

6 (2) by adding at the end the following:

7 “(11) Data regarding each class action com-
8 plaint filed against the agency alleging discrimina-
9 tion (including retaliation), including—

10 “(A) information regarding the date on
11 which each complaint was filed,

12 “(B) a general summary of the allegations
13 alleged in the complaint,

14 “(C) an estimate of the total number of
15 plaintiffs joined in the complaint, if known,

16 “(D) the current status of the complaint, in-
17 cluding whether the class has been certified, and

18 “(E) the case numbers for the civil actions
19 in which discrimination (including retaliation)
20 has been found.”.

21 (f) *DATA TO BE POSTED BY THE EQUAL EMPLOYMENT*
22 *OPPORTUNITY COMMISSION.*—Section 302(b) of the *Notifi-*
23 *cation and Federal Employee Antidiscrimination and Re-*
24 *taliation Act of 2002 (5 U.S.C. 2301 note)* is amended by
25 striking “(10)” and inserting “(11)”.

1 (g) *NOTIFICATION AND FEDERAL EMPLOYEE ANTI-*
2 *DISCRIMINATION AND RETALIATION ACT OF 2002 AMEND-*
3 *MENTS.—*

4 (1) *NOTIFICATION REQUIREMENTS.—Title II of*
5 *the Notification and Federal Employee Antidiscrimi-*
6 *nation and Retaliation Act of 2002 (5 U.S.C. 2301*
7 *note) is amended by adding at the end the following:*

8 **“SEC. 207. COMPLAINT TRACKING.**

9 *“Not later than 1 year after the date of enactment of*
10 *the Elijah E. Cummings Federal Employee Antidiscrimi-*
11 *nation Act of 2019, each Federal agency shall establish a*
12 *system to track each complaint of discrimination arising*
13 *under section 2302(b)(1) of title 5, United States Code, and*
14 *adjudicated through the Equal Employment Opportunity*
15 *process from the filing of a complaint with the Federal*
16 *agency to resolution of the complaint, including whether a*
17 *decision has been made regarding disciplinary action as the*
18 *result of a finding of discrimination.*

19 **“SEC. 208. NOTATION IN PERSONNEL RECORD.**

20 *“If a Federal agency takes an adverse action covered*
21 *under section 7512 of title 5, United States Code, against*
22 *a Federal employee for an act of discrimination (including*
23 *retaliation) prohibited by a provision of law covered by*
24 *paragraph (1) or (2) of section 201(a), the agency shall,*
25 *after all appeals relating to that action have been exhausted,*

1 “(C) ensures the efficient and fair resolution
2 of complaints alleging discrimination (including
3 retaliation).

4 **“SEC. 402. NO LIMITATION ON ADVICE OR COUNSEL.**

5 “Nothing in this title shall prevent a Federal agency
6 or a subcomponent of a Federal agency, or the Department
7 of Justice, from providing advice or counsel to employees
8 of that agency (or subcomponent, as applicable) in the reso-
9 lution of a complaint.

10 **“SEC. 403. HEAD OF PROGRAM SUPERVISED BY HEAD OF**
11 **AGENCY.**

12 “*The head of each Federal agency’s Equal Employ-*
13 *ment Opportunity Program shall report directly to the head*
14 *of the agency.*

15 **“SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.**

16 “(a) *EEOC FINDINGS OF DISCRIMINATION.—*

17 “(1) *IN GENERAL.—Not later than 30 days after*
18 *the date on which the Equal Employment Oppor-*
19 *tunity Commission (referred to in this section as the*
20 *‘Commission’) receives, or should have received, a*
21 *Federal agency report required under section 203(c),*
22 *the Commission may refer the matter to which the re-*
23 *port relates to the Office of Special Counsel if the*
24 *Commission determines that the Federal agency did*

1 *not take appropriate action with respect to the find-*
2 *ing that is the subject of the report.*

3 “(2) *NOTIFICATIONS.—The Commission shall—*

4 “(A) *notify the applicable Federal agency if*
5 *the Commission refers a matter to the Office of*
6 *Special Counsel under paragraph (1); and*

7 “(B) *with respect to a fiscal year, include*
8 *in the Annual Report of the Federal Workforce*
9 *of the Commission covering that fiscal year—*

10 “(i) *the number of referrals made*
11 *under paragraph (1) during that fiscal*
12 *year; and*

13 “(ii) *a brief summary of each referral*
14 *described in clause (i).*

15 “(b) *REFERRALS TO SPECIAL COUNSEL.—The Office*
16 *of Special Counsel shall accept and review a referral from*
17 *the Commission under subsection (a)(1) for purposes of pur-*
18 *suing disciplinary action under the authority of the Office*
19 *against a Federal employee who commits an act of dis-*
20 *crimination (including retaliation).*

21 “(c) *NOTIFICATION.—The Office of Special Counsel*
22 *shall notify the Commission and the applicable Federal*
23 *agency in a case in which—*

24 “(1) *the Office of Special Counsel pursues dis-*
25 *ciplinary action under subsection (b); and*

1 “(2) the Federal agency imposes some form of
2 disciplinary action against a Federal employee who
3 commits an act of discrimination (including retalia-
4 tion).

5 “(d) *SPECIAL COUNSEL APPROVAL*.—A Federal agen-
6 cy may not take disciplinary action against a Federal em-
7 ployee for an alleged act of discrimination (including retal-
8 iation) referred by the Commission under this section, ex-
9 cept in accordance with the requirements of section 1214(f)
10 of title 5, United States Code.”.

11 (3) *CONFORMING AMENDMENTS*.—The table of
12 contents in section 1(b) of the Notification and Fed-
13 eral Employee Antidiscrimination and Retaliation
14 Act of 2002 (5 U.S.C. 2301 note) is amended—

15 (A) by inserting after the item relating to
16 section 206 the following:

“Sec. 207. Complaint tracking.

“Sec. 208. Notation in personnel record.”; and

17 (B) by adding at the end the following:

“TITLE IV—PROCESSING AND REFERRAL

“Sec. 401. Processing and resolution of complaints.

“Sec. 402. No limitation on advice or counsel.

“Sec. 403. Head of Program supervised by head of agency.

“Sec. 404. Referrals of findings of discrimination.”.

18 (h) *NONDISCLOSURE AGREEMENT LIMITATION*.—Sec-
19 tion 2302(b)(13) of title 5, United States Code, is amend-
20 ed—

1 (1) by striking “agreement does not” and insert-
2 ing the following: “agreement—

3 “(A) does not”;

4 (2) in subparagraph (A), as so designated, by in-
5 serting “or the Office of Special Counsel” after “In-
6 spector General”; and

7 (3) by adding at the end the following:

8 “(B) prohibits or restricts an employee or
9 applicant for employment from disclosing to
10 Congress, the Special Counsel, the Inspector Gen-
11 eral of an agency, or any other agency compo-
12 nent responsible for internal investigation or re-
13 view any information that relates to any viola-
14 tion of any law, rule, or regulation, or mis-
15 management, a gross waste of funds, an abuse of
16 authority, or a substantial and specific danger
17 to public health or safety, or any other whistle-
18 blower protection; or”.

19 ***Subtitle F—Studies and Reports***

20 ***SEC. 6061. MARITIME SECURITY AND DOMAIN AWARENESS.***

21 (a) *PROGRESS REPORT ON MARITIME SECURITY.*—

22 (1) *IN GENERAL.*—Not later than 180 days after
23 the date of the enactment of this Act, the Secretary of
24 Defense, in coordination with the Secretary of State,
25 the Secretary of the Department in which the Coast

1 *Guard is operating, and the heads of other appro-*
2 *priate Federal agencies, shall submit to the congres-*
3 *sional defense committees a report on the steps taken*
4 *since December 20, 2019, to make further use of the*
5 *following mechanisms to combat IUU fishing:*

6 *(A) Inclusion of counter-IUU fishing in ex-*
7 *isting shiprider agreements to which the United*
8 *States is a party.*

9 *(B) Entry into shiprider agreements that*
10 *include counter-IUU fishing with priority flag*
11 *states and countries in priority regions with*
12 *which the United States does not already have*
13 *such agreements.*

14 *(C) Inclusion of counter-IUU fishing in the*
15 *mission of the Combined Maritime Forces.*

16 *(D) Inclusion of counter-IUU fishing exer-*
17 *cises in the annual at-sea exercises conducted by*
18 *the Department of Defense, in coordination with*
19 *the United States Coast Guard.*

20 *(E) Development of partnerships similar to*
21 *the Oceania Maritime Security Initiative and*
22 *the Africa Maritime Law Enforcement Partner-*
23 *ship in other priority regions.*

24 *(2) ELEMENT.—The report required by para-*
25 *graph (1) shall include a description of specific steps*

1 *taken by the Secretary of the Navy with respect to*
2 *each mechanism described in paragraph (1), includ-*
3 *ing a detailed description of any security cooperation*
4 *engagement undertaken to combat IUU fishing by*
5 *such mechanisms and resulting coordination between*
6 *the Department of the Navy and the Coast Guard.*

7 **(b) ASSESSMENT OF SERVICE COORDINATION ON MAR-**
8 **ITIME DOMAIN AWARENESS.—**

9 **(1) IN GENERAL.—***Not later than 90 days after*
10 *the date of the enactment of this Act, the Secretary of*
11 *the Navy shall enter into an agreement with the Sec-*
12 *retary of the department in which the Coast Guard*
13 *is operating, in consultation with the Secretary of*
14 *Commerce, to assess the available commercial solu-*
15 *tions for collecting, sharing, and disseminating*
16 *among United States maritime services and partner*
17 *countries maritime domain awareness information*
18 *relating to illegal maritime activities, including IUU*
19 *fishing.*

20 **(2) ELEMENTS.—***The assessment carried out*
21 *pursuant to an agreement under paragraph (1)*
22 *shall—*

23 **(A)** *build on the ongoing Coast Guard as-*
24 *essment related to autonomous vehicles;*

1 (B) consider appropriate commercially and
2 academically available technological solutions;
3 and

4 (C) consider any limitation related to af-
5 fordability, exportability, maintenance, and
6 sustainment requirements and any other factor
7 that may constrain the suitability of such solu-
8 tions for use in a joint and combined environ-
9 ment, including the potential provision of such
10 solutions to one or more partner countries.

11 (3) *SUBMITTAL TO CONGRESS.*—Not later than
12 one year after entering into an agreement under
13 paragraph (1), the Secretary of the Navy shall submit
14 to the Committee on Armed Services, the Committee
15 on Commerce, Science, and Transportation, and the
16 Committee on Appropriations of the Senate and the
17 Committee on Armed Services, the Committee on Nat-
18 ural Resources, the Committee on Transportation and
19 Infrastructure, and the Committee on Appropriations
20 of the House of Representatives the assessment pre-
21 pared in accordance with the agreement.

22 (c) *REPORT ON USE OF FISHING FLEETS BY FOREIGN*
23 *GOVERNMENTS.*—

24 (1) *IN GENERAL.*—Not later than 180 days after
25 the date of the enactment of this Act, the Director of

1 *the Office of Naval Intelligence shall submit to the*
2 *Committee on Armed Services, the Committee on*
3 *Commerce, Science, and Transportation, and the*
4 *Committee on Appropriations of the Senate and the*
5 *Committee on Armed Services, the Committee on Nat-*
6 *ural Resources, the Committee on Transportation and*
7 *Infrastructure, and the Committee on Appropriations*
8 *of the House of Representatives a report on the use by*
9 *governments of foreign countries of distant-water fish-*
10 *ing fleets as extensions of the official maritime secu-*
11 *rity forces of such countries.*

12 (2) *ELEMENT.—The report required by para-*
13 *graph (1) shall include the following:*

14 (A) *An analysis of the manner in which*
15 *fishing fleets are leveraged in support of the*
16 *naval operations and policies of foreign countries*
17 *more generally.*

18 (B) *A consideration of—*

19 (i) *threats posed, on a country-by-*
20 *country basis, to the fishing vessels and*
21 *other vessels of the United States and part-*
22 *ner countries;*

23 (ii) *risks to Navy and Coast Guard op-*
24 *erations of the United States, and the naval*

1 *and coast guard operations of partner coun-*
2 *tries; and*

3 (iii) *the broader challenge to the inter-*
4 *ests of the United States and partner coun-*
5 *tries.*

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

9 (d) *DEFINITIONS.*—*In this section, any term that is*
10 *also used in the Maritime SAFE Act (Public Law 116–*
11 *92) shall have the meaning given such term in that Act.*

12 **SEC. 6062. REPORT ON PANDEMIC PREPAREDNESS AND**
13 **PLANNING OF THE NAVY.**

14 *Not later than 120 days after the date of the enactment*
15 *of this Act, the Secretary of the Navy shall submit to the*
16 *congressional defense committees a report containing a de-*
17 *scription of the plans of the Navy to prepare for and re-*
18 *spond to future pandemics, including future outbreaks of*
19 *the Coronavirus Disease 2019 (COVID–19). The report*
20 *shall include a written description of plans, including any*
21 *necessary corresponding budgetary actions, for the fol-*
22 *lowing:*

23 (1) *Efforts to prevent and mitigate the impacts*
24 *of future pandemics at both private and public ship-*
25 *yards, and to protect the health and safety of both*

1 *military personnel and civilian workers at such ship-*
2 *yards.*

3 (2) *Protocol and mitigation strategies once an*
4 *outbreak of a highly contagious illness occurs aboard*
5 *a Navy vessel while underway.*

6 (3) *Development and adoption of technologies*
7 *and protocols to prevent and mitigate the spread of*
8 *future pandemics aboard Navy ships and among*
9 *Navy personnel, including technologies and protocols*
10 *in connection with the following:*

11 (A) *Artificial intelligence and data-driven*
12 *infectious disease modeling and interventions.*

13 (B) *Shipboard airflow management and*
14 *disinfectant technologies.*

15 (C) *Personal protective equipment, sensors,*
16 *and diagnostic systems.*

17 (D) *Minimally crewed and autonomous*
18 *supply vehicles.*

19 **SEC. 6063. STUDY AND REPORT ON THE AFFORDABILITY OF**
20 **INSULIN.**

21 *The Secretary of Health and Human Services, acting*
22 *through the Assistant Secretary for Planning and Evalua-*
23 *tion, shall—*

24 (1) *conduct a study that examines, for each type*
25 *or classification of diabetes (including type 1 diabe-*

1 *tes, type 2 diabetes, gestational diabetes, and other*
2 *conditions causing reliance on insulin), the effect of*
3 *the affordability of insulin on—*

4 *(A) adherence to insulin prescriptions;*

5 *(B) rates of diabetic ketoacidosis;*

6 *(C) downstream impacts of insulin adher-*
7 *ence, including rates of dialysis treatment and*
8 *end-stage renal disease;*

9 *(D) spending by Federal health programs*
10 *on acute episodes that could have been averted by*
11 *adhering to an insulin prescription; and*

12 *(E) other factors, as appropriate, to under-*
13 *stand the impacts of insulin affordability on*
14 *health outcomes, Federal Government spending*
15 *(including under the Medicare program under*
16 *title XVIII of the Social Security Act (42 U.S.C.*
17 *1395 et seq.) and the Medicaid program under*
18 *title XIX of the Social Security Act (42 U.S.C.*
19 *1396 et seq.)), and insured and uninsured indi-*
20 *viduals with diabetes; and*

21 *(2) not later than 2 years after the date of enact-*
22 *ment of this Act, submit to Congress a report on the*
23 *study conducted under paragraph (1).*

1 ***Subtitle G—Other Matters***

2 **SEC. 6081. MODIFICATION TO FIRST DIVISION MONUMENT.**

3 (a) *AUTHORIZATION.*—*The Society of the First Infan-*
4 *try Division may make modifications to the First Division*
5 *Monument located on Federal land in President’s Park in*
6 *the District of Columbia to honor the dead of the First In-*
7 *fantry Division, United States Forces, in—*

8 (1) *Operation Desert Storm;*

9 (2) *Operation Iraqi Freedom and New Dawn;*

10 *and*

11 (3) *Operation Enduring Freedom.*

12 (b) *MODIFICATIONS.*—*Modifications to the First Divi-*
13 *sion Monument may include construction of additional*
14 *plaques and stone plinths on which to put plaques.*

15 (c) *APPLICABILITY OF COMMEMORATIVE WORKS*
16 *ACT.*—*Chapter 89 of title 40, United States Code (com-*
17 *monly known as the “Commemorative Works Act”), shall*
18 *apply to the design and placement of the commemorative*
19 *elements authorized by this section, except that subsections*
20 *(b) and (c) of section 8903 shall not apply.*

21 (d) *COLLABORATION.*—*The First Infantry Division of*
22 *the Department of the Army shall collaborate with the Sec-*
23 *retary of Defense to provide to the Society of the First In-*
24 *fantry Division the list of names to be added to the First*
25 *Division Monument in accordance with subsection (a).*

1 *ture assignee, successor, or purchaser) subject to the*
2 *authorization and order described in subsection (a) to*
3 *provide reimbursement to the Department of Defense,*
4 *only to the extent provided in appropriations Acts,*
5 *for the covered costs and eligible reimbursable costs*
6 *submitted and certified to the congressional defense*
7 *committees under such subsection.*

8 *“(2) USE OF FUNDS.—The Secretary shall use*
9 *any funds received under this subsection, to the extent*
10 *and in such amounts as are provided in advance in*
11 *appropriations Acts, for covered costs described in*
12 *subsection (b) and the range of eligible reimbursable*
13 *costs identified under subsection (a)(1).*

14 *“(3) REPORT.—Not later than 90 days after the*
15 *date on which the Secretary establishes the process re-*
16 *quired by paragraph (1), the Secretary shall submit*
17 *to the congressional defense committees a report on*
18 *such process.*

19 *“(g) GOOD FAITH.—The execution of the responsibil-*
20 *ities of this section by the Department of Defense shall be*
21 *considered to be good faith actions pursuant to paragraph*
22 *104 of the Order and Authorization (FCC 20–48) described*
23 *in subsection (a).”.*

1 **SEC. 6083. DIESEL EMISSIONS REDUCTION.**

2 (a) *REAUTHORIZATION OF DIESEL EMISSIONS RE-*
 3 *DUCTION PROGRAM.*—Section 797(a) of the Energy Policy
 4 Act of 2005 (42 U.S.C. 16137(a)) is amended by striking
 5 “2016” and inserting “2024”.

6 (b) *RECOGNIZING DIFFERENCES IN DIESEL VEHICLE,*
 7 *ENGINE, EQUIPMENT, AND FLEET USE.*—

8 (1) *NATIONAL GRANT, REBATE, AND LOAN PRO-*
 9 *GRAMS.*—Section 792(c)(4)(D) of the Energy Policy
 10 Act of 2005 (42 U.S.C. 16132(c)(4)(D)) is amended
 11 by inserting “, recognizing differences in typical vehi-
 12 cle, engine, equipment, and fleet use throughout the
 13 United States” before the semicolon.

14 (2) *STATE GRANT, REBATE, AND LOAN PRO-*
 15 *GRAMS.*—Section 793(b)(1) of the Energy Policy Act
 16 of 2005 (42 U.S.C. 16133(b)(1)) is amended—

17 (A) in subparagraph (B), by striking “;
 18 and” and inserting a semicolon; and

19 (B) by adding at the end the following:

20 “(D) the recognition, for purposes of imple-
 21 menting this section, of differences in typical ve-
 22 hicle, engine, equipment, and fleet use throughout
 23 the United States, including expected useful life;
 24 and”.

25 (c) *REALLOCATION OF UNUSED STATE FUNDS.*—Sec-
 26 tion 793(c)(2)(C) of the Energy Policy Act of 2005 (42

1 *U.S.C. 16133(c)(2)(C)* is amended beginning in the matter
 2 preceding clause (i) by striking “to each remaining” and
 3 all that follows through “this paragraph” in clause (ii) and
 4 inserting “to carry out section 792”.

5 **SEC. 6084. UTILIZING SIGNIFICANT EMISSIONS WITH INNO-**
 6 **VATIVE TECHNOLOGIES.**

7 (a) *SHORT TITLE.*—This section may be cited as the
 8 “Utilizing Significant Emissions with Innovative Tech-
 9 nologies Act” or the “USE IT Act”.

10 (b) *RESEARCH, INVESTIGATION, TRAINING, AND*
 11 *OTHER ACTIVITIES.*—Section 103 of the Clean Air Act (42
 12 *U.S.C. 7403*) is amended—

13 (1) in subsection (c)(3), in the first sentence of
 14 the matter preceding subparagraph (A), by striking
 15 “precursors” and inserting “precursors”; and

16 (2) in subsection (g)—

17 (A) by redesignating paragraphs (1)
 18 through (4) as subparagraphs (A) through (D),
 19 respectively, and indenting appropriately;

20 (B) in the undesignated matter following
 21 subparagraph (D) (as so redesignated)—

22 (i) in the second sentence, by striking
 23 “The Administrator” and inserting the fol-
 24 lowing:

1 “(5) *COORDINATION AND AVOIDANCE OF DUPLI-*
2 *CATION.—The Administrator*”; and

3 (ii) *in the first sentence, by striking*

4 *“Nothing” and inserting the following:*

5 “(4) *EFFECT OF SUBSECTION.—Nothing*”;

6 (C) *in the matter preceding subparagraph*

7 (A) *(as so redesignated)—*

8 (i) *in the third sentence, by striking*

9 *“Such program” and inserting the fol-*
10 *lowing:*

11 “(3) *PROGRAM INCLUSIONS.—The program*
12 *under this subsection*”;

13 (ii) *in the second sentence—*

14 (I) *by inserting “States, institu-*
15 *tions of higher education,” after “sci-*
16 *entists,”; and*

17 (II) *by striking “Such strategies*
18 *and technologies shall be developed”*
19 *and inserting the following:*

20 “(2) *PARTICIPATION REQUIREMENT.—Such*
21 *strategies and technologies described in paragraph (1)*
22 *shall be developed*”; and

23 (iii) *in the first sentence, by striking*

24 *“In carrying out” and inserting the fol-*
25 *lowing:*

1 “(1) *IN GENERAL.*—*In carrying out*”; and

2 (D) *by adding at the end the following:*

3 “(6) *CERTAIN CARBON DIOXIDE ACTIVITIES.*—

4 “(A) *IN GENERAL.*—*In carrying out para-*
5 *graph (3)(A) with respect to carbon dioxide, the*
6 *Administrator shall carry out the activities de-*
7 *scribed in each of subparagraphs (B), (C), (D),*
8 *and (E).*

9 “(B) *DIRECT AIR CAPTURE RESEARCH.*—

10 “(i) *DEFINITIONS.*—*In this subpara-*
11 *graph:*

12 “(I) *BOARD.*—*The term ‘Board’*
13 *means the Direct Air Capture Tech-*
14 *nology Advisory Board established by*
15 *clause (iii)(I).*

16 “(II) *DILUTE.*—*The term ‘dilute’*
17 *means a concentration of less than 1*
18 *percent by volume.*

19 “(III) *DIRECT AIR CAPTURE.*—

20 “(aa) *IN GENERAL.*—*The*
21 *term ‘direct air capture’, with re-*
22 *spect to a facility, technology, or*
23 *system, means that the facility,*
24 *technology, or system uses carbon*

1 *capture equipment to capture car-*
2 *bon dioxide directly from the air.*

3 “(bb) *EXCLUSION.*—*The term*
4 *‘direct air capture’ does not in-*
5 *clude any facility, technology, or*
6 *system that captures carbon diox-*
7 *ide—*

8 “(AA) *that is delib-*
9 *erately released from a natu-*
10 *rally occurring subsurface*
11 *spring; or*

12 “(BB) *using natural*
13 *photosynthesis.*

14 “(IV) *INTELLECTUAL PROP-*
15 *ERTY.*—*The term ‘intellectual property’*
16 *means—*

17 “(aa) *an invention that is*
18 *patentable under title 35, United*
19 *States Code; and*

20 “(bb) *any patent on an in-*
21 *vention described in item (aa).*

22 “(ii) *TECHNOLOGY PRIZES.*—

23 “(I) *IN GENERAL.*—*Not later than*
24 *1 year after the date of enactment of*
25 *the USE IT Act, the Administrator, in*

1 *consultation with the Secretary of En-*
2 *ergy, shall establish a program to pro-*
3 *vide, and shall provide, financial*
4 *awards on a competitive basis for di-*
5 *rect air capture from media in which*
6 *the concentration of carbon dioxide is*
7 *dilute.*

8 “(II) *DUTIES.*—*In carrying out*
9 *this clause, the Administrator shall—*

10 “(aa) *subject to subclause*
11 (III), *develop specific require-*
12 *ments for—*

13 “(AA) *the competition*
14 *process; and*

15 “(BB) *the demonstra-*
16 *tion of performance of ap-*
17 *proved projects;*

18 “(bb) *offer financial awards*
19 *for a project designed—*

20 “(AA) *to the maximum*
21 *extent practicable, to capture*
22 *more than 10,000 tons of car-*
23 *bon dioxide per year; and*

24 “(BB) *to operate in a*
25 *manner that would be com-*

1 *mercially viable in the fore-*
2 *seeable future (as determined*
3 *by the Board); and*

4 *“(cc) to the maximum extent*
5 *practicable, make financial*
6 *awards to geographically diverse*
7 *projects, including at least—*

8 *“(AA) 1 project in a*
9 *coastal State; and*

10 *“(BB) 1 project in a*
11 *rural State.*

12 *“(III) PUBLIC PARTICIPATION.—*
13 *In carrying out subclause (II)(aa), the*
14 *Administrator shall—*

15 *“(aa) provide notice of and,*
16 *for a period of not less than 60*
17 *days, an opportunity for public*
18 *comment on, any draft or pro-*
19 *posed version of the requirements*
20 *described in subclause (II)(aa);*
21 *and*

22 *“(bb) take into account pub-*
23 *lic comments received in devel-*
24 *oping the final version of those re-*
25 *quirements.*

1 “(iii) *DIRECT AIR CAPTURE TECH-*
2 *NOLOGY ADVISORY BOARD.*—

3 “(I) *ESTABLISHMENT.*—*There is*
4 *established an advisory board to be*
5 *known as the ‘Direct Air Capture*
6 *Technology Advisory Board’.*

7 “(II) *COMPOSITION.*—*The Board*
8 *shall be composed of 9 members ap-*
9 *pointed by the Administrator, who*
10 *shall provide expertise in—*

11 “(aa) *climate science;*

12 “(bb) *physics;*

13 “(cc) *chemistry;*

14 “(dd) *biology;*

15 “(ee) *engineering;*

16 “(ff) *economics;*

17 “(gg) *business management;*

18 *and*

19 “(hh) *such other disciplines*
20 *as the Administrator determines*
21 *to be necessary to achieve the pur-*
22 *poses of this subparagraph.*

23 “(III) *TERM; VACANCIES.*—

1 “(aa) *TERM.*—A member of
2 the Board shall serve for a term of
3 6 years.

4 “(bb) *VACANCIES.*—A va-
5 cancy on the Board—

6 “(AA) shall not affect
7 the powers of the Board; and

8 “(BB) shall be filled in
9 the same manner as the
10 original appointment was
11 made.

12 “(IV) *INITIAL MEETING.*—Not
13 later than 30 days after the date on
14 which all members of the Board have
15 been appointed, the Board shall hold
16 the initial meeting of the Board.

17 “(V) *MEETINGS.*—The Board
18 shall meet at the call of the Chair-
19 person or on the request of the Admin-
20 istrator.

21 “(VI) *QUORUM.*—A majority of
22 the members of the Board shall con-
23 stitute a quorum, but a lesser number
24 of members may hold hearings.

1 “(VII) *CHAIRPERSON AND VICE*
2 *CHAIRPERSON.—The Board shall select*
3 *a Chairperson and Vice Chairperson*
4 *from among the members of the Board.*

5 “(VIII) *COMPENSATION.—Each*
6 *member of the Board may be com-*
7 *pensated at not to exceed the daily*
8 *equivalent of the annual rate of basic*
9 *pay in effect for a position at level V*
10 *of the Executive Schedule under section*
11 *5316 of title 5, United States Code, for*
12 *each day during which the member is*
13 *engaged in the actual performance of*
14 *the duties of the Board.*

15 “(IX) *DUTIES.—The Board shall*
16 *advise the Administrator on carrying*
17 *out the duties of the Administrator*
18 *under this subparagraph.*

19 “(X) *FACA.—The Federal Advi-*
20 *sory Committee Act (5 U.S.C. App.)*
21 *shall apply to the Board.*

22 “(iv) *INTELLECTUAL PROPERTY.—*

23 “(I) *IN GENERAL.—As a condi-*
24 *tion of receiving a financial award*
25 *under this subparagraph, an applicant*

1 shall agree to vest the intellectual prop-
2 erty of the applicant derived from the
3 technology in 1 or more entities that
4 are incorporated in the United States.

5 “(II) RESERVATION OF LI-
6 CENSE.—*The United States—*

7 “(aa) may reserve a non-
8 exclusive, nontransferable, irrev-
9 ocable, paid-up license, to have
10 practiced for or on behalf of the
11 United States, in connection with
12 any intellectual property de-
13 scribed in subclause (I); but

14 “(bb) shall not, in the exer-
15 cise of a license reserved under
16 item (aa), publicly disclose pro-
17 prietary information relating to
18 the license.

19 “(III) TRANSFER OF TITLE.—
20 *Title to any intellectual property de-*
21 *scribed in subclause (I) shall not be*
22 *transferred or passed, except to an en-*
23 *tity that is incorporated in the United*
24 *States, until the expiration of the first*

1 *patent obtained in connection with the*
2 *intellectual property.*

3 “(v) *AUTHORIZATION OF APPROPRIA-*
4 *TIONS.—*

5 “(I) *IN GENERAL.—Of the*
6 *amounts authorized to be appropriated*
7 *for the Environmental Protection*
8 *Agency, \$35,000,000 shall be available*
9 *to carry out this subparagraph, to re-*
10 *main available until expended.*

11 “(II) *REQUIREMENT.—Research*
12 *carried out using amounts made avail-*
13 *able under subclause (I) may not du-*
14 *plicate research funded by the Depart-*
15 *ment of Energy.*

16 “(vi) *TERMINATION OF AUTHORITY.—*
17 *The Board and all authority provided*
18 *under this subparagraph shall terminate*
19 *not later than 10 years after the date of en-*
20 *actment of the USE IT Act.*

21 “(C) *CARBON DIOXIDE UTILIZATION RE-*
22 *SEARCH.—*

23 “(i) *DEFINITION OF CARBON DIOXIDE*
24 *UTILIZATION.—In this subparagraph, the*
25 *term ‘carbon dioxide utilization’ refers to*

1 *technologies or approaches that lead to the*
2 *use of carbon dioxide—*

3 *“(I) through the fixation of carbon*
4 *dioxide through photosynthesis or*
5 *chemosynthesis, such as through the*
6 *growing of algae or bacteria;*

7 *“(II) through the chemical conver-*
8 *sion of carbon dioxide to a material or*
9 *chemical compound in which the car-*
10 *bon dioxide is securely stored; or*

11 *“(III) through the use of carbon*
12 *dioxide for any other purpose for*
13 *which a commercial market exists, as*
14 *determined by the Administrator.*

15 *“(ii) PROGRAM.—The Administrator,*
16 *in consultation with the Secretary of En-*
17 *ergy, shall carry out a research and devel-*
18 *opment program for carbon dioxide utiliza-*
19 *tion to promote existing and new tech-*
20 *nologies that transform carbon dioxide gen-*
21 *erated by industrial processes into a prod-*
22 *uct of commercial value, or as an input to*
23 *products of commercial value.*

24 *“(iii) TECHNICAL AND FINANCIAL AS-*
25 *SISTANCE.—Not later than 2 years after the*

1 *date of enactment of the USE IT Act, in*
2 *carrying out this subsection, the Adminis-*
3 *trator, in consultation with the Secretary of*
4 *Energy, shall support research and infra-*
5 *structure activities relating to carbon diox-*
6 *ide utilization by providing technical assist-*
7 *ance and financial assistance in accordance*
8 *with clause (iv).*

9 “(iv) *ELIGIBILITY.*—*To be eligible to*
10 *receive technical assistance and financial*
11 *assistance under clause (iii), a carbon diox-*
12 *ide utilization project shall—*

13 “(I) *have access to an emissions*
14 *stream generated by a stationary*
15 *source within the United States that is*
16 *capable of supplying not less than 250*
17 *metric tons per day of carbon dioxide*
18 *for research;*

19 “(II) *have access to adequate*
20 *space for a laboratory and equipment*
21 *for testing small-scale carbon dioxide*
22 *utilization technologies, with onsite ac-*
23 *cess to larger test bays for scale-up;*
24 *and*

1 “(III) *have existing partnerships*
2 *with institutions of higher education,*
3 *private companies, States, or other*
4 *government entities.*

5 “(v) *COORDINATION.—In supporting*
6 *carbon dioxide utilization projects under*
7 *this paragraph, the Administrator shall*
8 *consult with the Secretary of Energy, and,*
9 *as appropriate, with the head of any other*
10 *relevant Federal agency, States, the private*
11 *sector, and institutions of higher education*
12 *to develop methods and technologies to ac-*
13 *count for the carbon dioxide emissions*
14 *avoided by the carbon dioxide utilization*
15 *projects.*

16 “(vi) *AUTHORIZATION OF APPROPRIA-*
17 *TIONS.—*

18 “(I) *IN GENERAL.—Of the*
19 *amounts authorized to be appropriated*
20 *for the Environmental Protection*
21 *Agency, \$50,000,000 shall be available*
22 *to carry out this subparagraph, to re-*
23 *main available until expended.*

24 “(II) *REQUIREMENT.—Research*
25 *carried out using amounts made avail-*

1 *able under subclause (I) may not du-*
2 *plicate research funded by the Depart-*
3 *ment of Energy.*

4 “(D) *DEEP SALINE FORMATION REPORT.*—

5 “(i) *DEFINITION OF DEEP SALINE FOR-*
6 *MATION.*—

7 “(I) *IN GENERAL.*—*In this sub-*
8 *paragraph, the term ‘deep saline for-*
9 *mation’ means a formation of sub-*
10 *surface geographically extensive sedi-*
11 *mentary rock layers saturated with*
12 *waters or brines that have a high total*
13 *dissolved solids content and that are*
14 *below the depth where carbon dioxide*
15 *can exist in the formation as a super-*
16 *critical fluid.*

17 “(II) *CLARIFICATION.*—*In this*
18 *subparagraph, the term ‘deep saline*
19 *formation’ does not include oil and gas*
20 *reservoirs.*

21 “(ii) *REPORT.*—*In consultation with*
22 *the Secretary of Energy, and, as appro-*
23 *priate, with the head of any other relevant*
24 *Federal agency and relevant stakeholders,*
25 *not later than 1 year after the date of enact-*

1 *ment of the USE IT Act, the Administrator*
2 *shall prepare, submit to Congress, and make*
3 *publicly available a report that includes—*

4 *“(I) a comprehensive identifica-*
5 *tion of potential risks and benefits to*
6 *project developers associated with in-*
7 *creased storage of carbon dioxide cap-*
8 *tured from stationary sources in deep*
9 *saline formations, using existing re-*
10 *search;*

11 *“(II) recommendations, if any, for*
12 *managing the potential risks identified*
13 *under subclause (I), including poten-*
14 *tial risks unique to public land; and*

15 *“(III) recommendations, if any,*
16 *for Federal legislation or other policy*
17 *changes to mitigate any potential risks*
18 *identified under subclause (I).*

19 *“(E) REPORT ON CARBON DIOXIDE NON-*
20 *REGULATORY STRATEGIES AND TECH-*
21 *NOLOGIES.—*

22 *“(i) IN GENERAL.—Not less frequently*
23 *than once every 2 years, the Administrator*
24 *shall submit to the Committee on Environ-*
25 *ment and Public Works of the Senate and*

1 *the Committee on Energy and Commerce of*
2 *the House of Representatives a report that*
3 *describes—*

4 “(I) *the recipients of assistance*
5 *under subparagraphs (B) and (C); and*

6 “(II) *a plan for supporting addi-*
7 *tional nonregulatory strategies and*
8 *technologies that could significantly*
9 *prevent carbon dioxide emissions or re-*
10 *duce carbon dioxide levels in the air,*
11 *in conjunction with other Federal*
12 *agencies.*

13 “(ii) *INCLUSIONS.—The plan sub-*
14 *mitted under clause (i) shall include—*

15 “(I) *a methodology for evaluating*
16 *and ranking technologies based on the*
17 *ability of the technologies to cost effec-*
18 *tively reduce carbon dioxide emissions*
19 *or carbon dioxide levels in the air; and*

20 “(II) *a description of any nonair-*
21 *related environmental or energy con-*
22 *siderations regarding the technologies.*

23 “(F) *GAO REPORT.—The Comptroller Gen-*
24 *eral of the United States shall submit to Con-*
25 *gress a report that—*

1 “(i) identifies all Federal grant pro-
2 grams in which a purpose of a grant under
3 the program is to perform research on car-
4 bon capture and utilization technologies, in-
5 cluding direct air capture technologies; and

6 “(ii) examines the extent to which the
7 Federal grant programs identified pursuant
8 to clause (i) overlap or are duplicative.”.

9 (c) *REPORT.*—Not later than 1 year after the date of
10 enactment of this Act, the Administrator of the Environ-
11 mental Protection Agency (referred to in this section as the
12 “Administrator”) shall submit to Congress a report describ-
13 ing how funds appropriated to the Administrator during
14 the 5 most recent fiscal years have been used to carry out
15 section 103 of the Clean Air Act (42 U.S.C. 7403), includ-
16 ing a description of—

17 (1) the amount of funds used to carry out spe-
18 cific provisions of that section; and

19 (2) the practices used by the Administrator to
20 differentiate funding used to carry out that section, as
21 compared to funding used to carry out other provi-
22 sions of law.

23 (d) *INCLUSION OF CARBON CAPTURE INFRASTRUC-*
24 *TURE PROJECTS.*—Section 41001(6) of the FAST Act (42
25 U.S.C. 4370m(6)) is amended—

1 (1) *in subparagraph (A)—*

2 (A) *in the matter preceding clause (i), by*
3 *inserting “carbon capture,” after “manufac-*
4 *turing,”;*

5 (B) *in clause (i)(III), by striking “or” at*
6 *the end;*

7 (C) *by redesignating clause (ii) as clause*
8 *(iii); and*

9 (D) *by inserting after clause (i) the fol-*
10 *lowing:*

11 *“(ii) is covered by a programmatic*
12 *plan or environmental review developed for*
13 *the primary purpose of facilitating develop-*
14 *ment of carbon dioxide pipelines; or”;* and

15 (2) *by adding at the end the following:*

16 “(C) *INCLUSION.—For purposes of subpara-*
17 *graph (A), construction of infrastructure for car-*
18 *bon capture includes construction of—*

19 *“(i) any facility, technology, or system*
20 *that captures, utilizes, or sequesters carbon*
21 *dioxide emissions, including projects for di-*
22 *rect air capture (as defined in paragraph*
23 *(6)(B)(i) of section 103(g) of the Clean Air*
24 *Act (42 U.S.C. 7403(g)); and*

25 *“(ii) carbon dioxide pipelines.”.*

1 (e) *DEVELOPMENT OF CARBON CAPTURE, UTILIZA-*
2 *TION, AND SEQUESTRATION REPORT, PERMITTING GUID-*
3 *ANCE, AND REGIONAL PERMITTING TASK FORCE.—*

4 (1) *DEFINITIONS.—In this subsection:*

5 (A) *CARBON CAPTURE, UTILIZATION, AND*
6 *SEQUESTRATION PROJECTS.—The term “carbon*
7 *capture, utilization, and sequestration projects”*
8 *includes projects for direct air capture (as de-*
9 *defined in paragraph (6)(B)(i) of section 103(g) of*
10 *the Clean Air Act (42 U.S.C. 7403(g)).*

11 (B) *EFFICIENT, ORDERLY, AND RESPON-*
12 *SIBLE.—The term “efficient, orderly, and respon-*
13 *sible” means, with respect to development or the*
14 *permitting process for carbon capture, utiliza-*
15 *tion, and sequestration projects and carbon diox-*
16 *ide pipelines, a process that is completed in an*
17 *expeditious manner while maintaining environ-*
18 *mental, health, and safety protections.*

19 (2) *REPORT.—*

20 (A) *IN GENERAL.—Not later than 180 days*
21 *after the date of enactment of this Act, the Chair*
22 *of the Council on Environmental Quality (re-*
23 *ferred to in this section as the “Chair”), in con-*
24 *sultation with the Administrator of the Environ-*
25 *mental Protection Agency, the Secretary of En-*

1 *ergy, the Secretary of the Interior, the Executive*
2 *Director of the Federal Permitting Improvement*
3 *Council, and the head of any other relevant Fed-*
4 *eral agency (as determined by the President),*
5 *shall prepare a report that—*

6 *(i) compiles all existing relevant Fed-*
7 *eral permitting and review information and*
8 *resources for project applicants, agencies,*
9 *and other stakeholders interested in the de-*
10 *ployment of carbon capture, utilization, and*
11 *sequestration projects and carbon dioxide*
12 *pipelines, including—*

13 *(I) the appropriate points of*
14 *interaction with Federal agencies;*

15 *(II) clarification of the permitting*
16 *responsibilities and authorities among*
17 *Federal agencies; and*

18 *(III) best practices and templates*
19 *for permitting;*

20 *(ii) inventories current or emerging ac-*
21 *tivities that transform captured carbon di-*
22 *oxide into a product of commercial value, or*
23 *as an input to products of commercial*
24 *value;*

1 (iii) inventories existing initiatives
2 and recent publications that analyze or
3 identify priority carbon dioxide pipelines
4 needed to enable efficient, orderly, and re-
5 sponsible development of carbon capture,
6 utilization, and sequestration projects at in-
7 creased scale;

8 (iv) identifies gaps in the current Fed-
9 eral regulatory framework for the deploy-
10 ment of carbon capture, utilization, and se-
11 questration projects and carbon dioxide
12 pipelines; and

13 (v) identifies Federal financing mecha-
14 nisms available to project developers.

15 (B) SUBMISSION; PUBLICATION.—The Chair
16 shall—

17 (i) submit the report under subpara-
18 graph (A) to the Committee on Environ-
19 ment and Public Works of the Senate and
20 the Committee on Energy and Commerce of
21 the House of Representatives; and

22 (ii) as soon as practicable, make the
23 report publicly available.

24 (3) GUIDANCE.—

1 (A) *IN GENERAL.*—*After submission of the*
2 *report under paragraph (2)(B), but not later*
3 *than 1 year after the date of enactment of this*
4 *Act, the Chair shall submit guidance consistent*
5 *with that report to all relevant Federal agencies*
6 *that—*

7 (i) *facilitates reviews associated with*
8 *the deployment of carbon capture, utiliza-*
9 *tion, and sequestration projects and carbon*
10 *dioxide pipelines; and*

11 (ii) *supports the efficient, orderly, and*
12 *responsible development of carbon capture,*
13 *utilization, and sequestration projects and*
14 *carbon dioxide pipelines.*

15 (B) *REQUIREMENTS.*—

16 (i) *IN GENERAL.*—*The guidance under*
17 *subparagraph (A) shall address require-*
18 *ments under—*

19 (I) *the National Environmental*
20 *Policy Act of 1969 (42 U.S.C. 4321 et*
21 *seq.);*

22 (II) *the Federal Water Pollution*
23 *Control Act (33 U.S.C. 1251 et seq.);*

24 (III) *the Clean Air Act (42 U.S.C.*
25 *7401 et seq.);*

1 (IV) *the Safe Drinking Water Act*
2 (42 U.S.C. 300f et seq.);

3 (V) *the Endangered Species Act of*
4 1973 (16 U.S.C. 1531 et seq.);

5 (VI) *division A of subtitle III of*
6 *title 54, United States Code (formerly*
7 *known as the “National Historic Pres-*
8 *ervation Act”);*

9 (VII) *the Migratory Bird Treaty*
10 *Act (16 U.S.C. 703 et seq.);*

11 (VIII) *the Act of June 8, 1940 (16*
12 *U.S.C. 668 et seq.) (commonly known*
13 *as the “Bald and Golden Eagle Protec-*
14 *tion Act”); and*

15 (IX) *any other Federal law that*
16 *the Chair determines to be appro-*
17 *priate.*

18 (ii) *ENVIRONMENTAL REVIEWS.—The*
19 *guidance under subparagraph (A) shall in-*
20 *clude direction to States and other inter-*
21 *ested parties for the development of pro-*
22 *grammatic environmental reviews under the*
23 *National Environmental Policy Act of 1969*
24 *(42 U.S.C. 4321 et seq.) for carbon capture,*

1 *utilization, and sequestration projects and*
2 *carbon dioxide pipelines.*

3 (iii) *PUBLIC INVOLVEMENT.—The*
4 *guidance under subparagraph (A) shall be*
5 *subject to the public notice, comment, and*
6 *solicitation of information procedures under*
7 *section 1506.6 of title 40, Code of Federal*
8 *Regulations (or a successor regulation).*

9 (C) *SUBMISSION; PUBLICATION.—The Chair*
10 *shall—*

11 (i) *submit the guidance under subpara-*
12 *graph (A) to the Committee on Environ-*
13 *ment and Public Works of the Senate and*
14 *the Committee on Energy and Commerce of*
15 *the House of Representatives; and*

16 (ii) *as soon as practicable, make the*
17 *guidance publicly available.*

18 (D) *EVALUATION.—The Chair shall—*

19 (i) *periodically evaluate the reports of*
20 *the task forces under paragraph (4)(E) and,*
21 *as necessary, revise the guidance under sub-*
22 *paragraph (A); and*

23 (ii) *each year, submit to the Committee*
24 *on Environment and Public Works of the*
25 *Senate, the Committee on Energy and Com-*

1 *merce of the House of Representatives, and*
2 *relevant Federal agencies a report that de-*
3 *scribes any recommendations for legislation,*
4 *rules, revisions to rules, or other policies*
5 *that would address the issues identified by*
6 *the task forces under paragraph (4)(E).*

7 (4) *TASK FORCE.—*

8 (A) *ESTABLISHMENT.—Not later than 18*
9 *months after the date of enactment of this Act,*
10 *the Chair shall establish not less than 2 task*
11 *forces, which shall each cover a different geo-*
12 *graphical area with differing demographic, land*
13 *use, or geological issues—*

14 (i) *to identify permitting and other*
15 *challenges and successes that permitting au-*
16 *thorities and project developers and opera-*
17 *tors face; and*

18 (ii) *to improve the performance of the*
19 *permitting process and regional coordina-*
20 *tion for the purpose of promoting the effi-*
21 *cient, orderly, and responsible development*
22 *of carbon capture, utilization, and seques-*
23 *tration projects and carbon dioxide pipe-*
24 *lines.*

25 (B) *MEMBERS AND SELECTION.—*

- 1 (i) *IN GENERAL.*—*The Chair shall—*
- 2 (I) *develop criteria for the selec-*
- 3 tion of members to each task force; and
- 4 (II) *select members for each task*
- 5 *force in accordance with subclause (I)*
- 6 *and clause (ii).*
- 7 (ii) *MEMBERS.*—*Each task force—*
- 8 (I) *shall include not less than 1*
- 9 *representative of each of—*
- 10 (aa) *the Environmental Pro-*
- 11 *tection Agency;*
- 12 (bb) *the Department of En-*
- 13 *ergy;*
- 14 (cc) *the Department of the*
- 15 *Interior;*
- 16 (dd) *any other Federal agen-*
- 17 *cy the Chair determines to be ap-*
- 18 *propriate;*
- 19 (ee) *any State that requests*
- 20 *participation in the geographical*
- 21 *area covered by the task force;*
- 22 (ff) *developers or operators of*
- 23 *carbon capture, utilization, and*
- 24 *sequestration projects or carbon*
- 25 *dioxide pipelines; and*

1 *(gg) nongovernmental mem-*
2 *bership organizations, the pri-*
3 *mary mission of which concerns*
4 *protection of the environment; and*

5 *(II) at the request of a Tribal or*
6 *local government, may include a rep-*
7 *resentative of—*

8 *(aa) not less than 1 local*
9 *government in the geographical*
10 *area covered by the task force; and*

11 *(bb) not less than 1 Tribal*
12 *government in the geographical*
13 *area covered by the task force.*

14 *(C) MEETINGS.—*

15 *(i) IN GENERAL.—Each task force shall*
16 *meet not less than twice each year.*

17 *(ii) JOINT MEETING.—To the max-*
18 *imum extent practicable, the task forces*
19 *shall meet collectively not less than once*
20 *each year.*

21 *(D) DUTIES.—Each task force shall—*

22 *(i) inventory existing or potential Fed-*
23 *eral and State approaches to facilitate re-*
24 *views associated with the deployment of car-*
25 *bon capture, utilization, and sequestration*

1 *projects and carbon dioxide pipelines, in-*
2 *cluding best practices that—*

3 *(I) avoid duplicative reviews;*

4 *(II) engage stakeholders early in*
5 *the permitting process; and*

6 *(III) make the permitting process*
7 *efficient, orderly, and responsible;*

8 *(ii) develop common models for State-*
9 *level carbon dioxide pipeline regulation and*
10 *oversight guidelines that can be shared with*
11 *States in the geographical area covered by*
12 *the task force;*

13 *(iii) provide technical assistance to*
14 *States in the geographical area covered by*
15 *the task force in implementing regulatory*
16 *requirements and any models developed*
17 *under clause (ii);*

18 *(iv) inventory current or emerging ac-*
19 *tivities that transform captured carbon di-*
20 *oxide into a product of commercial value, or*
21 *as an input to products of commercial*
22 *value;*

23 *(v) identify any priority carbon diox-*
24 *ide pipelines needed to enable efficient, or-*
25 *derly, and responsible development of car-*

1 *bon capture, utilization, and sequestration*
2 *projects at increased scale;*

3 *(vi) identify gaps in the current Fed-*
4 *eral and State regulatory framework and in*
5 *existing data for the deployment of carbon*
6 *capture, utilization, and sequestration*
7 *projects and carbon dioxide pipelines;*

8 *(vii) identify Federal and State fi-*
9 *nancing mechanisms available to project de-*
10 *velopers; and*

11 *(viii) develop recommendations for rel-*
12 *evant Federal agencies on how to develop*
13 *and research technologies that—*

14 *(I) can capture carbon dioxide;*

15 *and*

16 *(II) would be able to be deployed*
17 *within the region covered by the task*
18 *force, including any projects that have*
19 *received technical or financial assist-*
20 *ance for research under paragraph (6)*
21 *of section 103(g) of the Clean Air Act*
22 *(42 U.S.C. 7403(g)).*

23 *(E) REPORT.—Each year, each task force*
24 *shall prepare and submit to the Chair and to the*
25 *other task forces a report that includes—*

1 (i) any recommendations for improve-
2 ments in efficient, orderly, and responsible
3 issuance or administration of Federal per-
4 mits and other Federal authorizations re-
5 quired under a law described in paragraph
6 (3)(B)(i); and

7 (ii) any other nationally relevant in-
8 formation that the task force has collected in
9 carrying out the duties under subparagraph
10 (D).

11 (F) *EVALUATION*.—Not later than 5 years
12 after the date of enactment of this Act, the Chair
13 shall—

14 (i) reevaluate the need for the task
15 forces; and

16 (ii) submit to Congress a recommenda-
17 tion as to whether the task forces should
18 continue.

19 **SEC. 6085. LEGAL ASSISTANCE FOR VETERANS AND SUR-**
20 **VIVING SPOUSES AND DEPENDENTS.**

21 (a) *AVAILABILITY OF LEGAL ASSISTANCE AT FACILI-*
22 *TIES OF DEPARTMENT OF VETERANS AFFAIRS.*—

23 (1) *IN GENERAL.*—Chapter 59 of title 38, United
24 States Code, is amended by adding at the end the fol-
25 lowing new section:

1 **“§ 5906. Availability of legal assistance at Department**
2 **facilities**

3 “(a) *IN GENERAL.*—Not less frequently than three
4 times each year, the Secretary shall facilitate the provision
5 by a qualified legal assistance clinic of pro bono legal assist-
6 ance described in subsection (c) to eligible individuals at
7 not fewer than one medical center of the Department of Vet-
8 erans Affairs, or such other facility of the Department as
9 the Secretary considers appropriate, in each State.

10 “(b) *ELIGIBLE INDIVIDUALS.*—For purposes of this
11 section, an eligible individual is—

12 “(1) any veteran;

13 “(2) any surviving spouse; or

14 “(3) any child of a veteran who has died.

15 “(c) *PRO BONO LEGAL ASSISTANCE DESCRIBED.*—The
16 pro bono legal assistance described in this subsection is the
17 following:

18 “(1) Legal assistance with any program admin-
19 istered by the Secretary.

20 “(2) Legal assistance associated with—

21 “(A) improving the status of a military dis-
22 charge or characterization of service in the
23 Armed Forces, including through a discharge re-
24 view board; or

1 “(B) seeking a review of a military record
2 before a board of correction for military or naval
3 records.

4 “(3) Such other legal assistance as the Sec-
5 retary—

6 “(A) considers appropriate; and

7 “(B) determines may be needed by eligible
8 individuals.

9 “(d) *LIMITATION ON USE OF FACILITIES.*—Space in
10 a medical center or facility designated under subsection (a)
11 shall be reserved for and may only be used by the following,
12 subject to review and removal from participation by the
13 Secretary:

14 “(1) A veterans service organization or other
15 nonprofit organization.

16 “(2) A legal assistance clinic associated with an
17 accredited law school.

18 “(3) A legal services organization.

19 “(4) A bar association.

20 “(5) Such other attorneys and entities as the
21 Secretary considers appropriate.

22 “(e) *LEGAL ASSISTANCE IN RURAL AREAS.*—In car-
23 rying out this section, the Secretary shall ensure that pro
24 bono legal assistance is provided under subsection (a) in
25 rural areas.

1 “(f) *DEFINITION OF VETERANS SERVICE ORGANIZA-*
2 *TION.*—*The term ‘veterans service organization’ means any*
3 *organization recognized by the Secretary for the representa-*
4 *tion of veterans under section 5902 of this title.”.*

5 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
6 *tions at the beginning of chapter 59 of such title is*
7 *amended by adding at the end the following new item:*
8 *“5906. Availability of legal assistance at Department facilities.”.*

8 (b) *PILOT PROGRAM TO ESTABLISH AND SUPPORT*
9 *LEGAL ASSISTANCE CLINICS.*—

10 (1) *PILOT PROGRAM REQUIRED.*—

11 (A) *IN GENERAL.*—*Not later than one year*
12 *after the date of the enactment of this Act, the*
13 *Secretary of Veterans Affairs shall establish a*
14 *pilot program to assess the feasibility and advis-*
15 *ability of awarding grants to eligible entities to*
16 *establish new legal assistance clinics, or enhance*
17 *existing legal assistance clinics or other pro bono*
18 *efforts, for the provision of pro bono legal assist-*
19 *ance described in subsection (c) of section 5906*
20 *of title 38, United States Code, as added by sub-*
21 *section (a), on a year-round basis to individuals*
22 *who served in the Armed Forces, including indi-*
23 *viduals who served in a reserve component of the*
24 *Armed Forces, and who were discharged or re-*
25 *leased therefrom, regardless of the conditions of*

1 *such discharge or release, at locations other than*
2 *medical centers and facilities described in sub-*
3 *section (a) of such section.*

4 (B) *RULE OF CONSTRUCTION.*—*Nothing in*
5 *subparagraph (A) shall be construed to limit or*
6 *affect—*

7 (i) *the provision of pro bono legal as-*
8 *stance to eligible individuals at medical*
9 *centers and facilities of the Department of*
10 *Veterans Affairs under section 5906(a) of*
11 *title 38, United States Code, as added by*
12 *subsection (a); or*

13 (ii) *any other legal assistance provided*
14 *pro bono at medical centers or facilities of*
15 *the Department as of the date of the enact-*
16 *ment of this Act.*

17 (2) *ELIGIBLE ENTITIES.*—*For purposes of the*
18 *pilot program, an eligible entity is—*

19 (A) *a veterans service organization or other*
20 *nonprofit organization specifically focused on as-*
21 *sisting veterans;*

22 (B) *an entity specifically focused on assist-*
23 *ing veterans and associated with an accredited*
24 *law school;*

1 (C) a legal services organization or bar as-
2 sociation; or

3 (D) such other type of entity as the Sec-
4 retary considers appropriate for purposes of the
5 pilot program.

6 (3) *LOCATIONS.*—The Secretary shall ensure that
7 at least one grant is awarded under paragraph (1)(A)
8 to at least one eligible entity in each State, if the Sec-
9 retary determines that there is such an entity in a
10 State that has applied for, and meets requirements for
11 the award of, such a grant.

12 (4) *DURATION.*—The Secretary shall carry out
13 the pilot program during the five-year period begin-
14 ning on the date on which the Secretary establishes
15 the pilot program.

16 (5) *APPLICATION.*—An eligible entity seeking a
17 grant under the pilot program shall submit to the
18 Secretary an application therefore at such time, in
19 such manner, and containing such information as the
20 Secretary may require.

21 (6) *SELECTION.*—The Secretary shall select eligi-
22 ble entities who submit applications under paragraph
23 (5) for the award of grants under the pilot program
24 using a competitive process that takes into account
25 the following:

1 (A) *Capacity of the applicant entity to*
2 *serve veterans and ability of the entity to provide*
3 *sound legal advice.*

4 (B) *Demonstrated need of the veteran popu-*
5 *lation the applicant entity would serve.*

6 (C) *Demonstrated need of the applicant en-*
7 *tity for assistance from the grants.*

8 (D) *Geographic diversity of applicant enti-*
9 *ties.*

10 (E) *Such other criteria as the Secretary*
11 *considers appropriate.*

12 (7) *GRANTEE REPORTS.—Each recipient of a*
13 *grant under the pilot program shall, in accordance*
14 *with such criteria as the Secretary may establish,*
15 *submit to the Secretary a report on the activities of*
16 *the recipient and how the grant amounts were used.*

17 (c) *REVIEW OF PRO BONO ELIGIBILITY OF FEDERAL*
18 *WORKERS.—*

19 (1) *IN GENERAL.—The Secretary shall, in con-*
20 *sultation with the Attorney General and the Director*
21 *of the Office of Government Ethics, conduct a review*
22 *of the rules and regulations governing the cir-*
23 *cumstances under which attorneys employed by the*
24 *Federal Government can provide pro bono legal as-*
25 *sistance.*

1 (2) *RECOMMENDATIONS.*—*In conducting the re-*
2 *view required by paragraph (1), the Secretary shall*
3 *develop recommendations for such legislative or ad-*
4 *ministrative action as the Secretary considers appro-*
5 *priate to facilitate greater participation by Federal*
6 *employees in pro bono legal and other volunteer serv-*
7 *ices for veterans.*

8 (3) *SUBMITTAL TO CONGRESS.*—*Not later than*
9 *one year after the date of the enactment of this Act,*
10 *the Secretary shall submit to the appropriate commit-*
11 *tees of Congress—*

12 (A) *the findings of the Secretary with re-*
13 *spect to the review conducted under paragraph*
14 *(1); and*

15 (B) *the recommendations developed by the*
16 *Secretary under paragraph (2).*

17 (d) *REPORT.*—*Not later than 180 days after the date*
18 *of the enactment of this Act, the Secretary shall submit to*
19 *the appropriate committees of Congress a report on the sta-*
20 *tus of the implementation of this section.*

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

22 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—
23 *The term “appropriate committees of Congress”*
24 *means—*

1 (A) *the Committee on Veterans' Affairs and*
2 *the Committee on Appropriations of the Senate;*
3 *and*

4 (B) *the Committee on Veterans' Affairs and*
5 *the Committee on Appropriations of the House of*
6 *Representatives.*

7 (2) *VETERANS SERVICE ORGANIZATION.—The*
8 *term “veterans service organization” means any orga-*
9 *nization recognized by the Secretary for the represen-*
10 *tation of veterans under section 5902 of title 38,*
11 *United States Code.*

12 **SEC. 6086. SILVER STAR SERVICE BANNER DAY.**

13 (a) *FINDINGS.—Congress finds the following:*

14 (1) *Congress is committed to honoring the sac-*
15 *rifices of wounded and ill members of the Armed*
16 *Forces.*

17 (2) *The Silver Star Service Banner recognizes*
18 *the members of the Armed Forces and veterans who*
19 *were wounded or became ill while serving in combat*
20 *for the United States.*

21 (3) *The sacrifices made by members of the Armed*
22 *Forces and veterans on behalf of the United States*
23 *should never be forgotten.*

24 (4) *May 1 is an appropriate date to designate*
25 *as “Silver Star Service Banner Day”.*

1 **(b) DESIGNATION.**—

2 **(1) IN GENERAL.**—Chapter 1 of title 36, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 146. Silver Star Service Banner Day**

6 **“(a) DESIGNATION.**—May 1 is Silver Star Service
7 Banner Day.

8 **“(b) PROCLAMATION.**—The President is requested to
9 issue each year a proclamation calling on the people of the
10 United States to observe Silver Star Service Banner Day
11 with appropriate programs, ceremonies, and activities.”.

12 **(2) CLERICAL AMENDMENT.**—The table of sec-
13 tions at the beginning of chapter 1 of such title is
14 amended by inserting after the item relating to sec-
15 tion 145 the following:

“146. Silver Star Service Banner Day.”.

16 **SEC. 6087. ESTABLISHED PROGRAM TO STIMULATE COM-**
17 **PETITIVE RESEARCH.**

18 Section 2203(b) of the Energy Policy Act of 1992 (42
19 U.S.C. 13503(b)) is amended by striking paragraph (3) and
20 inserting the following:

21 **“(3) ESTABLISHED PROGRAM TO STIMULATE**
22 **COMPETITIVE RESEARCH.**—

23 **“(A) DEFINITIONS.**—In this paragraph:

24 **“(i) ELIGIBLE JURISDICTION.**—The
25 term ‘eligible jurisdiction’ means a State

1 that is determined to be eligible for a grant
2 under this paragraph in accordance with
3 subparagraph (D).

4 “(ii) *EPSCoR*.—The term ‘*EPSCoR*’
5 means the *Established Program to Stimu-*
6 *late Competitive Research* operated under
7 subparagraph (B).

8 “(iii) *NATIONAL LABORATORY*.—The
9 term ‘*National Laboratory*’ has the meaning
10 given the term in section 2 of the *Energy*
11 *Policy Act of 2005* (42 U.S.C. 15801).

12 “(iv) *STATE*.—The term ‘*State*’
13 means—

14 “(I) a *State*;

15 “(II) the *District of Columbia*;

16 “(III) the *Commonwealth of Puer-*
17 *to Rico*;

18 “(IV) *Guam*; and

19 “(V) the *United States Virgin Is-*
20 *lands*.

21 “(B) *PROGRAM OPERATION*.—The *Secretary*
22 shall operate an *Established Program to Stimu-*
23 *late Competitive Research*.

24 “(C) *OBJECTIVES*.—The objectives of
25 *EPSCoR* shall be—

1 “(i) to increase the number of research-
2 ers in eligible jurisdictions, especially at in-
3 stitutions of higher education, capable of
4 performing nationally competitive science
5 and engineering research in support of the
6 mission of the Department of Energy in the
7 areas of applied energy research, environ-
8 mental management, and basic science;

9 “(ii) to improve science and engineer-
10 ing research and education programs at in-
11 stitutions of higher education in eligible ju-
12 risdictions and enhance the capabilities of
13 eligible jurisdictions to develop, plan, and
14 execute research that is competitive, includ-
15 ing through investing in research equipment
16 and instrumentation; and

17 “(iii) to increase the probability of
18 long-term growth of competitive funding to
19 eligible jurisdictions.

20 “(D) *ELIGIBLE JURISDICTIONS.*—

21 “(i) *IN GENERAL.*—The Secretary may
22 establish criteria for determining whether a
23 State is eligible for a grant under this
24 paragraph.

1 “(ii) *REQUIREMENT.*—*Except as pro-*
2 *vided in clause (iii), in establishing criteria*
3 *under clause (i), the Secretary shall ensure*
4 *that a State is eligible for a grant under*
5 *this paragraph if the State, as determined*
6 *by the Secretary, is a State that—*

7 “(I) *historically has received rel-*
8 *atively little Federal research and de-*
9 *velopment funding; and*

10 “(II) *has demonstrated a commit-*
11 *ment—*

12 “(aa) *to develop the research*
13 *bases in the State; and*

14 “(bb) *to improve science and*
15 *engineering research and edu-*
16 *cation programs at institutions of*
17 *higher education in the State.*

18 “(iii) *ELIGIBILITY UNDER NSF*
19 *EPSCOR.*—*At the election of the Secretary,*
20 *or if the Secretary determines not to estab-*
21 *lish criteria under clause (i), a State is eli-*
22 *gible for a grant under this paragraph if*
23 *the State is eligible to receive funding under*
24 *the Established Program to Stimulate Com-*

1 *petitive Research of the National Science*
2 *Foundation.*

3 “(E) GRANTS IN AREAS OF APPLIED EN-
4 *ERGY RESEARCH, ENVIRONMENTAL MANAGE-*
5 *MENT, AND BASIC SCIENCE.—*

6 “(i) IN GENERAL.—EPSCoR shall
7 *make grants to eligible jurisdictions to*
8 *carry out and support applied energy re-*
9 *search and research in all areas of environ-*
10 *mental management and basic science spon-*
11 *sored by the Department of Energy, includ-*
12 *ing—*

13 “(I) *energy efficiency, fossil en-*
14 *ergy, renewable energy, and other ap-*
15 *plied energy research;*

16 “(II) *electricity delivery research;*

17 “(III) *cybersecurity, energy secu-*
18 *rity, and emergency response;*

19 “(IV) *environmental management;*

20 *and*

21 “(V) *basic science research.*

22 “(ii) ACTIVITIES.—EPSCoR shall
23 *make grants under this subparagraph for*
24 *activities consistent with the objectives de-*
25 *scribed in subparagraph (C) in the areas of*

1 *applied energy research, environmental*
2 *management, and basic science described in*
3 *clause (i), including—*

4 “(I) to support research that is
5 carried out in partnership with the
6 National Laboratories;

7 “(II) to provide for graduate
8 traineeships;

9 “(III) to support research by
10 early career faculty; and

11 “(IV) to improve research capa-
12 bilities through biennial research im-
13 plementation grants.

14 “(iii) NO COST SHARING.—EPSCoR
15 shall not impose any cost-sharing require-
16 ment with respect to a grant made under
17 this subparagraph, but may require letters
18 of commitment from National Laboratories.

19 “(F) OTHER ACTIVITIES.—EPSCoR may
20 carry out such activities as may be necessary to
21 meet the objectives described in subparagraph (C)
22 in the areas of applied energy research, environ-
23 mental management, and basic science described
24 in subparagraph (E)(i).

25 “(G) PROGRAM IMPLEMENTATION.—

1 “(i) *IN GENERAL.*—Not later than 270
2 *days after the date of enactment of the Na-*
3 *tional Defense Authorization Act for Fiscal*
4 *Year 2021, the Secretary shall submit to the*
5 *Committees on Energy and Natural Re-*
6 *sources and Appropriations of the Senate*
7 *and the Committees on Energy and Com-*
8 *merce and Appropriations of the House of*
9 *Representatives a plan describing how the*
10 *Secretary shall implement EPSCoR.*

11 “(ii) *CONTENTS OF PLAN.*—The plan
12 *described in clause (i) shall include a de-*
13 *scription of—*

14 “(I) *the management structure of*
15 *EPSCoR, which shall ensure that all*
16 *research areas and activities described*
17 *in this paragraph are incorporated*
18 *into EPSCoR;*

19 “(II) *efforts to conduct outreach to*
20 *inform eligible jurisdictions and fac-*
21 *ulty of changes to, and opportunities*
22 *under, EPSCoR;*

23 “(III) *how EPSCoR plans to in-*
24 *crease engagement with eligible juris-*
25 *dictions, faculty, and State committees,*

1 *including by holding regular work-*
2 *shops, to increase participation in*
3 *EPSCoR; and*

4 “(IV) *any other issues relating to*
5 *EPSCoR that the Secretary determines*
6 *appropriate.*

7 “(H) *PROGRAM EVALUATION.—*

8 “(i) *IN GENERAL.—Not later than 5*
9 *years after the date of enactment of the Na-*
10 *tional Defense Authorization Act for Fiscal*
11 *Year 2021, the Secretary shall contract with*
12 *a federally funded research and development*
13 *center, the National Academy of Sciences, or*
14 *a similar organization to carry out an as-*
15 *essment of the effectiveness of EPSCoR, in-*
16 *cluding an assessment of—*

17 “(I) *the tangible progress made*
18 *towards achieving the objectives de-*
19 *scribed in subparagraph (C);*

20 “(II) *the impact of research sup-*
21 *ported by EPSCoR on the mission of*
22 *the Department of Energy; and*

23 “(III) *any other issues relating to*
24 *EPSCoR that the Secretary determines*
25 *appropriate.*

1 “(ii) *LIMITATION.*—*The organization*
2 *with which the Secretary contracts under*
3 *clause (i) shall not be a National Labora-*
4 *tory.*

5 “(iii) *REPORT.*—*Not later than 6*
6 *years after the date of enactment of the Na-*
7 *tional Defense Authorization Act for Fiscal*
8 *Year 2021, the Secretary shall submit to the*
9 *Committees on Energy and Natural Re-*
10 *sources and Appropriations of the Senate*
11 *and the Committees on Energy and Com-*
12 *merce and Appropriations of the House of*
13 *Representatives a report describing the re-*
14 *sults of the assessment carried out under*
15 *clause (i), including recommendations for*
16 *improvements that would enable the Sec-*
17 *retary to achieve the objectives described in*
18 *subparagraph (C).”.*

19 **SEC. 6088. SUBPOENA AUTHORITY.**

20 (a) *IN GENERAL.*—*Section 2209 of the Homeland Se-*
21 *curity Act of 2002 (6 U.S.C. 659) is amended—*

22 (1) *in subsection (a)—*

23 (A) *in paragraph (5), by striking “and” at*
24 *the end;*

1 (B) by redesignating paragraph (6) as
2 paragraph (7); and

3 (C) by inserting after paragraph (5) the fol-
4 lowing:

5 “(6) the term ‘security vulnerability’ has the
6 meaning given that term in section 102(17) of the Cy-
7 bersecurity Information Sharing Act of 2015 (6
8 U.S.C. 1501(17)); and”;

9 (2) in subsection (c)—

10 (A) in paragraph (10), by striking “and”
11 at the end;

12 (B) in paragraph (11), by striking the pe-
13 riod at the end and inserting “; and”; and

14 (C) by adding at the end the following:

15 “(12) detecting, identifying, and receiving infor-
16 mation about security vulnerabilities relating to crit-
17 ical infrastructure in the information systems and de-
18 vices for a cybersecurity purpose, as defined in section
19 102 of the Cybersecurity Information Sharing Act of
20 2015 (6 U.S.C. 1501).”; and

21 (3) by adding at the end the following:

22 “(o) *SUBPOENA AUTHORITY*.—

23 “(1) *DEFINITION*.—In this subsection, the term
24 ‘covered device or system’—

1 “(A) means a device or system commonly
2 used to perform industrial, commercial, sci-
3 entific, or governmental functions or processes
4 that relate to critical infrastructure, including
5 operational and industrial control systems, dis-
6 tributed control systems, and programmable logic
7 controllers; and

8 “(B) does not include personal devices and
9 systems, such as consumer mobile devices, home
10 computers, residential wireless routers, or resi-
11 dential internet enabled consumer devices.

12 “(2) *AUTHORITY.*—

13 “(A) *IN GENERAL.*—If the Director identi-
14 fies a system connected to the internet with a
15 specific security vulnerability and has reason to
16 believe that the security vulnerability relates to
17 critical infrastructure and affects a covered de-
18 vice or system, and the Director is unable to
19 identify the entity at risk that owns or operates
20 the covered device or system, the Director may
21 issue a subpoena for the production of informa-
22 tion necessary to identify and notify the entity
23 at risk, in order to carry out a function author-
24 ized under subsection (c)(12).

1 “(B) *LIMIT ON INFORMATION.*—A subpoena
2 issued under the authority under subparagraph
3 (A) may seek information—

4 “(i) only in the categories set forth in
5 subparagraphs (A), (B), (D), and (E) of
6 section 2703(c)(2) of title 18, United States
7 Code; and

8 “(ii) for not more than 20 covered de-
9 vices or systems.

10 “(C) *LIABILITY PROTECTIONS FOR DIS-*
11 *CLOSING PROVIDERS.*—The provisions of section
12 2703(e) of title 18, United States Code, shall
13 apply to any subpoena issued under the author-
14 ity under subparagraph (A).

15 “(3) *COORDINATION.*—

16 “(A) *IN GENERAL.*—If the Director decides
17 to exercise the subpoena authority under this
18 subsection, and in the interest of avoiding inter-
19 ference with ongoing law enforcement investiga-
20 tions, the Director shall coordinate the issuance
21 of any such subpoena with the Department of
22 Justice, including the Federal Bureau of Inves-
23 tigation, pursuant to inter-agency procedures
24 which the Director, in coordination with the At-
25 torney General, shall develop not later than 60

1 *days after the date of enactment of this sub-*
2 *section.*

3 “(B) *CONTENTS.*—*The inter-agency proce-*
4 *dures developed under this paragraph shall pro-*
5 *vide that a subpoena issued by the Director*
6 *under this subsection shall be—*

7 “(i) *issued in order to carry out a*
8 *function described in subsection (c)(12); and*

9 “(ii) *subject to the limitations under*
10 *this subsection.*

11 “(4) *NONCOMPLIANCE.*—*If any person, partner-*
12 *ship, corporation, association, or entity fails to com-*
13 *ply with any duly served subpoena issued under this*
14 *subsection, the Director may request that the Attorney*
15 *General seek enforcement of the subpoena in any judi-*
16 *cial district in which such person, partnership, cor-*
17 *poration, association, or entity resides, is found, or*
18 *transacts business.*

19 “(5) *NOTICE.*—*Not later than 7 days after the*
20 *date on which the Director receives information ob-*
21 *tained through a subpoena issued under this sub-*
22 *section, the Director shall notify any entity identified*
23 *by information obtained under the subpoena regard-*
24 *ing the subpoena and the identified vulnerability.*

25 “(6) *AUTHENTICATION.*—

1 “(A) *IN GENERAL.*—*Any subpoena issued*
2 *by the Director under this subsection shall be au-*
3 *thenticated with a cryptographic digital signa-*
4 *ture of an authorized representative of the Agen-*
5 *cy, or other comparable successor technology,*
6 *that allows the Agency to demonstrate that the*
7 *subpoena was issued by the Agency and has not*
8 *been altered or modified since it was issued by*
9 *the Agency.*

10 “(B) *INVALID IF NOT AUTHENTICATED.*—
11 *Any subpoena issued by the Director under this*
12 *subsection that is not authenticated in accord-*
13 *ance with subparagraph (A) shall not be consid-*
14 *ered to be valid by the recipient of the subpoena.*

15 “(7) *PROCEDURES.*—*Not later than 90 days*
16 *after the date of enactment of this subsection, the Di-*
17 *rector shall establish internal procedures and associ-*
18 *ated training, applicable to employees and operations*
19 *of the Agency, regarding subpoenas issued under this*
20 *subsection, which shall address—*

21 “(A) *the protection of and restriction on*
22 *dissemination of nonpublic information obtained*
23 *through a subpoena issued under this subsection,*
24 *including a requirement that the Agency shall*
25 *not disseminate nonpublic information obtained*

1 *through a subpoena issued under this subsection*
2 *that identifies the party that is subject to the*
3 *subpoena or the entity at risk identified by in-*
4 *formation obtained, except that the Agency may*
5 *share the nonpublic information of the entity at*
6 *risk with another the Department of Justice for*
7 *the purpose of enforcing the subpoena in accord-*
8 *ance with paragraph (4) or with a Federal agen-*
9 *cy if—*

10 *“(i) the Agency identifies or is notified*
11 *of a cybersecurity incident involving the en-*
12 *tity, which relates to the vulnerability*
13 *which led to the issuance of the subpoena;*

14 *“(ii) the Director determines that shar-*
15 *ing the nonpublic information with another*
16 *Federal agency is necessary to allow that*
17 *Federal agency to take a law enforcement or*
18 *national security action, subject to the*
19 *interagency procedures under paragraph*
20 *(3)(A), or actions related to mitigating or*
21 *otherwise resolving such incident;*

22 *“(iii) the entity to which the informa-*
23 *tion pertains is notified of the Director’s de-*
24 *termination, to the extent practicable con-*
25 *sistent with national security or law en-*

1 *forcement interests, subject to the inter-*
2 *agency procedures under paragraph (3)(A);*
3 *and*

4 “(iv) *the entity consents, except that*
5 *the entity’s consent shall not be required if*
6 *another Federal agency identifies the entity*
7 *to the Agency in connection with a sus-*
8 *pected cybersecurity incident;*

9 “(B) *the restriction on the use of informa-*
10 *tion obtained through the subpoena for a cyberse-*
11 *curity purpose, as defined in section 102 of the*
12 *Cybersecurity Information Sharing Act of 2015*
13 *(6 U.S.C. 1501);*

14 “(C) *the retention and destruction of non-*
15 *public information obtained through a subpoena*
16 *issued under this subsection, including—*

17 “(i) *destruction of information ob-*
18 *tained through the subpoena that the Direc-*
19 *tor determines is unrelated to critical infra-*
20 *structure immediately upon providing no-*
21 *tice to the entity pursuant to paragraph*
22 *(5); and*

23 “(ii) *destruction of any personally*
24 *identifiable information not later than 6*
25 *months after the date on which the Director*

1 *receives information obtained through the*
2 *subpoena, unless otherwise agreed to by the*
3 *individual identified by the subpoena re-*
4 *spondent;*

5 “(D) *the processes for providing notice to*
6 *each party that is subject to the subpoena and*
7 *each entity identified by information obtained*
8 *under a subpoena issued under this subsection;*

9 “(E) *the processes and criteria for con-*
10 *ducting critical infrastructure security risk as-*
11 *sessments to determine whether a subpoena is*
12 *necessary prior to being issued under this sub-*
13 *section; and*

14 “(F) *the information to be provided to an*
15 *entity at risk at the time of the notice of the vul-*
16 *nerability, which shall include—*

17 “(i) *a discussion or statement that re-*
18 *sponding to, or subsequent engagement with,*
19 *the Agency, is voluntary; and*

20 “(ii) *to the extent practicable, informa-*
21 *tion regarding the process through which*
22 *the Director identifies security*
23 *vulnerabilities.*

24 “(8) *LIMITATION ON PROCEDURES.—The inter-*
25 *nal procedures established under paragraph (7) may*

1 *not require an owner or operator of critical infra-*
2 *structure to take any action as a result of a notice*
3 *of vulnerability made pursuant to this Act.*

4 “(9) *REVIEW OF PROCEDURES.*—*Not later than*
5 *1 year after the date of enactment of this subsection,*
6 *the Privacy Officer of the Agency shall—*

7 “(A) *review the procedures developed by the*
8 *Director under paragraph (7) to ensure that—*

9 “(i) *the procedures are consistent with*
10 *fair information practices; and*

11 “(ii) *the operations of the Agency com-*
12 *ply with the procedures; and*

13 “(B) *notify the Committee on Homeland*
14 *Security and Governmental Affairs of the Senate*
15 *and the Committee on Homeland Security of the*
16 *House of Representatives of the results of the re-*
17 *view.*

18 “(10) *PUBLICATION OF INFORMATION.*—*Not later*
19 *than 120 days after establishing the internal proce-*
20 *dures under paragraph (7), the Director shall publish*
21 *information on the website of the Agency regarding*
22 *the subpoena process under this subsection, including*
23 *regarding—*

24 “(A) *the purpose for subpoenas issued under*
25 *this subsection;*

1 “(B) the subpoena process;

2 “(C) the criteria for the critical infrastruc-
3 ture security risk assessment conducted prior to
4 issuing a subpoena;

5 “(D) policies and procedures on retention
6 and sharing of data obtained by subpoena;

7 “(E) guidelines on how entities contacted by
8 the Director may respond to notice of a sub-
9 poena; and

10 “(F) the procedures and policies of the
11 Agency developed under paragraph (7).

12 “(11) ANNUAL REPORTS.—The Director shall an-
13 nually submit to the Committee on Homeland Secu-
14 rity and Governmental Affairs of the Senate and the
15 Committee on Homeland Security of the House of
16 Representatives a report (which may include a classi-
17 fied annex but with the presumption of declassifica-
18 tion) on the use of subpoenas under this subsection by
19 the Director, which shall include—

20 “(A) a discussion of—

21 “(i) the effectiveness of the use of sub-
22 poenas to mitigate critical infrastructure se-
23 curity vulnerabilities;

1 “(ii) the critical infrastructure security
2 risk assessment process conducted for sub-
3 poenas issued under this subsection;

4 “(iii) the number of subpoenas issued
5 under this subsection by the Director during
6 the preceding year;

7 “(iv) to the extent practicable, the
8 number of vulnerable covered devices or sys-
9 tems mitigated under this subsection by the
10 Agency during the preceding year; and

11 “(v) the number of entities notified by
12 the Director under this subsection, and their
13 response, during the previous year; and

14 “(B) for each subpoena issued under this
15 subsection—

16 “(i) the source of the security vulner-
17 ability detected, identified, or received by
18 the Director;

19 “(ii) the steps taken to identify the en-
20 tity at risk prior to issuing the subpoena;
21 and

22 “(iii) a description of the outcome of
23 the subpoena, including discussion on the
24 resolution or mitigation of the critical in-
25 frastructure security vulnerability.

1 “(12) *PUBLICATION OF THE ANNUAL REPORTS.*—
2 *The Director shall publish a version of the annual re-*
3 *port required by paragraph (11) on the website of the*
4 *Agency, which shall, at a minimum, include the find-*
5 *ings described in clauses (iii), (iv) and (v) of para-*
6 *graph (11)(A).*

7 “(13) *PROHIBITION ON USE OF INFORMATION*
8 *FOR UNAUTHORIZED PURPOSES.*—*Any information*
9 *obtained pursuant to a subpoena issued under this*
10 *subsection shall not be provided to any other Federal*
11 *agency for any purpose other than a cybersecurity*
12 *purpose, as defined in section 102 of the Cybersecu-*
13 *rity Information Sharing Act of 2015 (6 U.S.C.*
14 *1501) or for the purpose of enforcing a subpoena*
15 *under paragraph (4).”.*

16 ***(b) RULES OF CONSTRUCTION.***—

17 ***(1) PROHIBITION ON NEW REGULATORY AUTHOR-***
18 ***ITY.***—*Nothing in this section or the amendments*
19 *made by this section shall be construed to grant the*
20 *Secretary of Homeland Security (in this subsection*
21 *referred to as the “Secretary”), or another Federal*
22 *agency, any authority to promulgate regulations or*
23 *set standards relating to the cybersecurity of private*
24 *sector critical infrastructure that was not in effect on*
25 *the day before the date of enactment of this Act.*

1 (2) *PRIVATE ENTITIES.*—*Nothing in this section*
2 *or the amendments made by this section shall be con-*
3 *strued to require any private entity—*

4 (A) *to request assistance from the Sec-*
5 *retary; or*

6 (B) *that requested such assistance from the*
7 *Secretary to implement any measure or rec-*
8 *ommendation suggested by the Secretary.*

9 **SEC. 6089. THAD COCHRAN HEADQUARTERS BUILDING.**

10 (a) *IN GENERAL.*—*The headquarters building of the*
11 *Engineer Research and Development Center of the Corps*
12 *of Engineers located at 3909 Halls Ferry Road in Vicks-*
13 *burg, Mississippi, shall be known and designated as the*
14 *“Thad Cochran Headquarters Building”.*

15 (b) *REFERENCES.*—*Any reference in a law, map, regu-*
16 *lation, document, paper, or other record of the United*
17 *States to the building referred to in subsection (a) shall be*
18 *deemed to be a reference to the “Thad Cochran Head-*
19 *quarters Building”.*

1 **SEC. 6090. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES REPORT ON HANDLING BY DEPART-**
3 **MENT OF VETERANS AFFAIRS OF DISABILITY-**
4 **RELATED BENEFITS CLAIMS BY VETERANS**
5 **WITH TYPE 1 DIABETES WHO WERE EXPOSED**
6 **TO A HERBICIDE AGENT.**

7 *The Comptroller General of the United States shall*
8 *submit to Congress a report evaluating how the Department*
9 *of Veterans Affairs has handled claims for disability-related*
10 *benefits under laws administered by the Secretary of Vet-*
11 *erans Affairs of veterans with type 1 diabetes who have been*
12 *exposed to a herbicide agent (as defined in section*
13 *1116(a)(3) of title 38, United States Code).*

14 **SEC. 6091. SPECIAL RULES FOR CERTAIN MONTHLY WORK-**
15 **ERS' COMPENSATION PAYMENTS AND OTHER**
16 **PAYMENTS FOR FEDERAL GOVERNMENT PER-**
17 **SONNEL UNDER CHIEF OF MISSION AUTHOR-**
18 **ITY.**

19 *Section 901 of title IX of division J of the Further*
20 *Consolidated Appropriations Act, 2020 (Public Law 116-*
21 *94) is amended—*

22 *(1) in subsection (a), by inserting “or other des-*
23 *ignated heads of Federal agencies” after “The Sec-*
24 *retary of State”; and*

25 *(2) in subsection (e)(2), by striking “Department*
26 *of State” and inserting “Federal Government”.*

1 ***Subtitle H—Industries of the Future***

2 **SEC. 6094A. SHORT TITLE.**

3 *This subtitle may be cited as the “Industries of the*
4 *Future Act of 2020”.*

5 **SEC. 6094B. REPORT ON FEDERAL RESEARCH AND DEVEL-**
6 **OPMENT FOCUSED ON INDUSTRIES OF THE**
7 **FUTURE.**

8 (a) *IN GENERAL.*—Not later than 120 days after the
9 date of the enactment of this Act, the Director of the Office
10 of Science and Technology Policy shall submit to Congress
11 a report on research and development investments, infra-
12 structure, and workforce development investments of the
13 Federal Government that enable continued United States
14 leadership in industries of the future.

15 (b) *CONTENTS.*—The report submitted under sub-
16 section (a) shall include the following:

17 (1) *A definition, for purposes of this Act, of the*
18 *term “industries of the future” that includes emerging*
19 *technologies.*

20 (2) *An assessment of the current baseline of in-*
21 *vestments in civilian research and development in-*
22 *vestments of the Federal Government in the industries*
23 *of the future.*

1 (3) *A plan to double such baseline investments in*
2 *artificial intelligence and quantum information*
3 *science by fiscal year 2022.*

4 (4) *A detailed plan to increase investments de-*
5 *scribed in paragraph (2) in industries of the future*
6 *to \$10,000,000,000 per year by fiscal year 2025.*

7 (5) *A plan to leverage investments described in*
8 *paragraphs (2), (3), and (4) in industries of the fu-*
9 *ture to elicit complimentary investments by non-Fed-*
10 *eral entities to the greatest extent practicable.*

11 (6) *Proposed legislation to implement such*
12 *plans.*

13 **SEC. 6094C. INDUSTRIES OF THE FUTURE COORDINATION**
14 **COUNCIL.**

15 (a) *ESTABLISHMENT.—*

16 (1) *IN GENERAL.—The President shall establish*
17 *or designate a council to advise the Director of the Of-*
18 *ice of Science and Technology Policy on matters rel-*
19 *evant to the Director and the industries of the future.*

20 (2) *DESIGNATION.—The council established or*
21 *designated under paragraph (1) shall be known as the*
22 *“Industries of the Future Coordination Council” (in*
23 *this section the “Council”).*

24 (b) *MEMBERSHIP.—*

1 (1) *COMPOSITION.*—*The Council shall be com-*
2 *posed of members from the Federal Government as fol-*
3 *lows:*

4 (A) *One member appointed by the Director.*

5 (B) *A chairperson of the Select Committee*
6 *on Artificial Intelligence of the National Science*
7 *and Technology Council.*

8 (C) *A chairperson of the Subcommittee on*
9 *Advanced Manufacturing of the National Science*
10 *and Technology Council.*

11 (D) *A chairperson of the Subcommittee on*
12 *Quantum Information Science of the National*
13 *Science and Technology Council.*

14 (E) *Such other members as the President*
15 *considers appropriate.*

16 (2) *CHAIRPERSON.*—*The member appointed to*
17 *the Council under paragraph (1)(A) shall serve as the*
18 *chairperson of the Council.*

19 (c) *DUTIES.*—*The duties of the Council are as follows:*

20 (1) *To provide the Director with advice on ways*
21 *in which in the Federal Government can ensure the*
22 *United States continues to lead the world in devel-*
23 *oping emerging technologies that improve the quality*
24 *of life of the people of the United States, increase eco-*
25 *nomic competitiveness of the United States, and*

1 *strengthen the national security of the United States,*
2 *including identification of the following:*

3 *(A) Investments required in fundamental*
4 *research and development, infrastructure, and*
5 *workforce development of the United States work-*
6 *ers who will support the industries of the future.*

7 *(B) Actions necessary to create and further*
8 *develop the workforce that will support the in-*
9 *dustries of the future.*

10 *(C) Actions required to leverage the strength*
11 *of the research and development ecosystem of the*
12 *United States, which includes academia, indus-*
13 *try, and nonprofit organizations.*

14 *(D) Ways that the Federal Government can*
15 *consider leveraging existing partnerships and*
16 *creating new partnerships and other multisector*
17 *collaborations to advance the industries of the fu-*
18 *ture.*

19 *(2) To provide the Director with advice on mat-*
20 *ters relevant to the report required by section 6092B.*

21 *(d) COORDINATION.—The Council shall coordinate*
22 *with and utilize relevant existing National Science and*
23 *Technology Council committees to the maximum extent fea-*
24 *sible in order to minimize duplication of effort.*

1 (e) *SUNSET*.—*The Council shall terminate on the date*
 2 *that is 6 years after the date of the enactment of this Act.*

3 ***Subtitle I—READI Act***

4 **SEC. 6096. SHORT TITLE.**

5 *This subtitle may be cited as the “Reliable Emergency*
 6 *Alert Distribution Improvement Act of 2020” or “READI*
 7 *Act”.*

8 **SEC. 6096A. DEFINITIONS.**

9 *In this subtitle—*

10 (1) *the term “Administrator” means the Admin-*
 11 *istrator of the Federal Emergency Management Agen-*
 12 *cy;*

13 (2) *the term “Commission” means the Federal*
 14 *Communications Commission;*

15 (3) *the term “Emergency Alert System” means*
 16 *the national public warning system, the rules for*
 17 *which are set forth in part 11 of title 47, Code of Fed-*
 18 *eral Regulations (or any successor regulation); and*

19 (4) *the term “Wireless Emergency Alerts Sys-*
 20 *tem” means the wireless national public warning sys-*
 21 *tem established under the Warning, Alert, and Re-*
 22 *sponse Network Act (47 U.S.C. 1201 et seq.), the rules*
 23 *for which are set forth in part 10 of title 47, Code*
 24 *of Federal Regulations (or any successor regulation).*

1 **SEC. 6096B. WIRELESS EMERGENCY ALERTS SYSTEM OF-**
 2 **FERINGS.**

3 (a) *AMENDMENT.*—Section 602(b)(2)(E) of the Warn-
 4 *ing, Alert, and Response Network Act (47 U.S.C.*
 5 *1201(b)(2)(E)) is amended—*

6 (1) *by striking the second and third sentences;*
 7 *and*

8 (2) *by striking “other than an alert issued by the*
 9 *President.” and inserting the following: “other than*
 10 *an alert issued by—*

11 *“(i) the President; or*

12 *“(ii) the Administrator of the Federal*
 13 *Emergency Management Agency.”.*

14 (b) *REGULATIONS.*—*Not later than 180 days after the*
 15 *date of enactment of this Act, the Commission, in consulta-*
 16 *tion with the Administrator, shall adopt regulations to im-*
 17 *plement the amendment made by subsection (a)(2).*

18 **SEC. 6096C. STATE EMERGENCY ALERT SYSTEM PLANS AND**
 19 **EMERGENCY COMMUNICATIONS COMMIT-**
 20 **TEES.**

21 (a) *DEFINITIONS.*—*In this section—*

22 (1) *the term “SECC” means a State Emergency*
 23 *Communications Committee;*

24 (2) *the term “State” means any State of the*
 25 *United States, the District of Columbia, the Common-*
 26 *wealth of Puerto Rico, the United States Virgin Is-*

1 *lands, Guam, American Samoa, the Commonwealth of*
2 *the Northern Mariana Islands, and any possession of*
3 *the United States; and*

4 (3) *the term “State EAS Plan” means a State*
5 *Emergency Alert System Plan.*

6 (b) *STATE EMERGENCY COMMUNICATIONS COM-*
7 *MITTEE.—Not later than 180 days after the date of enact-*
8 *ment of this Act, the Commission shall adopt regulations*
9 *that—*

10 (1) *encourage the chief executive of each State—*

11 (A) *to establish an SECC if the State does*
12 *not have an SECC; or*

13 (B) *if the State has an SECC, to review the*
14 *composition and governance of the SECC;*

15 (2) *provide that—*

16 (A) *each SECC, not less frequently than an-*
17 *nually, shall—*

18 (i) *meet to review and update its State*
19 *EAS Plan;*

20 (ii) *certify to the Commission that the*
21 *SECC has met as required under clause (i);*

22 *and*

23 (iii) *submit to the Commission an up-*
24 *dated State EAS Plan; and*

1 *system”) while maintaining the integrity of the public alert*
2 *and warning system, including—*

3 *(1) guidance on the categories of public emer-*
4 *gencies and appropriate circumstances that warrant*
5 *an alert and warning from State, Tribal, and local*
6 *governments using the public alert and warning sys-*
7 *tem;*

8 *(2) the procedures for State, Tribal, and local*
9 *government officials to authenticate civil emergencies*
10 *and initiate, modify, and cancel alerts transmitted*
11 *through the public alert and warning system, includ-*
12 *ing protocols and technology capabilities for—*

13 *(A) the initiation, or prohibition on the ini-*
14 *tiation, of alerts by a single authorized or unau-*
15 *thorized individual;*

16 *(B) testing a State, Tribal, or local govern-*
17 *ment incident management and warning tool*
18 *without accidentally initiating an alert through*
19 *the public alert and warning system; and*

20 *(C) steps a State, Tribal, or local govern-*
21 *ment official should take to mitigate the possi-*
22 *bility of the issuance of a false alert through the*
23 *public alert and warning system;*

24 *(3) the standardization, functionality, and inter-*
25 *operability of incident management and warning*

1 *tools used by State, Tribal, and local governments to*
2 *notify the public of an emergency through the public*
3 *alert and warning system;*

4 *(4) the annual training and recertification of*
5 *emergency management personnel on requirements for*
6 *originating and transmitting an alert through the*
7 *public alert and warning system;*

8 *(5) the procedures, protocols, and guidance con-*
9 *cerning the protective action plans that State, Tribal,*
10 *and local governments should issue to the public fol-*
11 *lowing an alert issued under the public alert and*
12 *warning system;*

13 *(6) the procedures, protocols, and guidance con-*
14 *cerning the communications that State, Tribal, and*
15 *local governments should issue to the public following*
16 *a false alert issued under the public alert and warn-*
17 *ing system;*

18 *(7) a plan by which State, Tribal, and local gov-*
19 *ernment officials may, during an emergency, contact*
20 *each other as well as Federal officials and partici-*
21 *pants in the Emergency Alert System and the Wire-*
22 *less Emergency Alerts System, when appropriate and*
23 *necessary, by telephone, text message, or other means*
24 *of communication regarding an alert that has been*
25 *distributed to the public; and*

1 (8) *any other procedure the Administrator con-*
2 *siders appropriate for maintaining the integrity of*
3 *and providing for public confidence in the public*
4 *alert and warning system.*

5 (b) *COORDINATION WITH NATIONAL ADVISORY COUN-*
6 *CIL REPORT.—The Administrator shall ensure that the*
7 *guidance developed under subsection (a) does not conflict*
8 *with recommendations made for improving the public alert*
9 *and warning system provided in the report submitted by*
10 *the National Advisory Council under section 2(b)(7)(B) of*
11 *the Integrated Public Alert and Warning System Mod-*
12 *ernization Act of 2015 (Public Law 114–143; 130 Stat.*
13 *332).*

14 (c) *PUBLIC CONSULTATION.—In developing the guid-*
15 *ance under subsection (a), the Administrator shall ensure*
16 *appropriate public consultation and, to the extent prac-*
17 *ticable, coordinate the development of the guidance with*
18 *stakeholders of the public alert and warning system, includ-*
19 *ing—*

20 (1) *appropriate personnel from Federal agencies,*
21 *including the National Institute of Standards and*
22 *Technology, the Federal Emergency Management*
23 *Agency, and the Commission;*

24 (2) *representatives of State and local govern-*
25 *ments and emergency services personnel, who shall be*

1 *selected from among individuals nominated by na-*
2 *tional organizations representing those governments*
3 *and personnel;*

4 (3) *representatives of federally recognized Indian*
5 *Tribes and national Indian organizations;*

6 (4) *communications service providers;*

7 (5) *vendors, developers, and manufacturers of*
8 *systems, facilities, equipment, and capabilities for the*
9 *provision of communications services;*

10 (6) *third-party service bureaus;*

11 (7) *the national organization representing the li-*
12 *censeses and permittees of noncommercial broadcast*
13 *television stations;*

14 (8) *technical experts from the broadcasting in-*
15 *dustry, including representatives of both the non-com-*
16 *mercial and commercial radio broadcast industries*
17 *and non-commercial and commercial television broad-*
18 *cast industries;*

19 (9) *educators from the Emergency Management*
20 *Institute; and*

21 (10) *other individuals with technical expertise as*
22 *the Administrator determines appropriate.*

23 (d) *INAPPLICABILITY OF FACA.*—*The Federal Advi-*
24 *sory Committee Act (5 U.S.C. App.) shall not apply to the*
25 *public consultation with stakeholders under subsection (c).*

1 (e) *RULE OF CONSTRUCTION.*—Nothing in subsection
2 (a) shall be construed to amend, supplement, or abridge the
3 authority of the Commission under the Communications
4 Act of 1934 (47 U.S.C. 151 et seq.) or in any other manner
5 give the Administrator authority over communications
6 service providers participating in the Emergency Alert Sys-
7 tem or the Wireless Emergency Alerts System.

8 **SEC. 6096E. FALSE ALERT REPORTING.**

9 Not later than 180 days after the date of enactment
10 of this Act, the Commission, in consultation with the Ad-
11 ministrator, shall complete a rulemaking proceeding to es-
12 tablish a system to receive from the Administrator or State,
13 Tribal, or local governments reports of false alerts under
14 the Emergency Alert System or the Wireless Emergency
15 Alerts System for the purpose of recording such false alerts
16 and examining their causes.

17 **SEC. 6096F. REPEATING EMERGENCY ALERT SYSTEM MES-**
18 **SAGES FOR NATIONAL SECURITY.**

19 (a) *IN GENERAL.*—Not later than 180 days after the
20 date of enactment of this Act, the Commission, in consulta-
21 tion with the Administrator, shall complete a rulemaking
22 proceeding to modify the Emergency Alert System to pro-
23 vide for repeating Emergency Alert System messages while
24 an alert remains pending that is issued by—

25 (1) the President;

1 (2) *the Administrator; or*

2 (3) *any other entity under specified cir-*
3 *cumstances as determined by the Commission, in con-*
4 *sultation with the Administrator.*

5 **(b) SCOPE OF RULEMAKING.**—*Subsection (a)—*

6 (1) *shall apply to warnings of national security*
7 *events, meaning emergencies of national significance,*
8 *such as a missile threat, terror attack, or other act of*
9 *war; and*

10 (2) *shall not apply to more typical warnings,*
11 *such as a weather alert, AMBER Alert, or disaster*
12 *alert.*

13 **SEC. 6096G. INTERNET AND ONLINE STREAMING SERVICES**

14 **EMERGENCY ALERT EXAMINATION.**

15 (a) **STUDY.**—*Not later than 180 days after the date*
16 *of enactment of this Act, and after providing public notice*
17 *and opportunity for comment, the Commission shall com-*
18 *plete an inquiry to examine the feasibility of updating the*
19 *Emergency Alert System to enable or improve alerts to con-*
20 *sumers provided through the internet, including through*
21 *streaming services.*

22 (b) **REPORT.**—*Not later than 90 days after completing*
23 *the inquiry under subsection (a), the Commission shall sub-*
24 *mit a report on the findings and conclusions of the inquiry*
25 *to—*

1 (1) *the Committee on Commerce, Science, and*
2 *Transportation of the Senate; and*

3 (2) *the Committee on Energy and Commerce of*
4 *the House of Representatives.*

5 **TITLE LXII—MATTERS RELATING**
6 **TO FOREIGN NATIONS**

7 **Subtitle B—Matters Relating to**
8 ***Afghanistan and Pakistan***

9 **SEC. 6211. CONGRESSIONAL OVERSIGHT OF UNITED**
10 **STATES TALKS WITH TALIBAN OFFICIALS AND**
11 **AFGHANISTAN’S COMPREHENSIVE PEACE**
12 **PROCESS.**

13 (a) *DEFINITIONS.—In this section:*

14 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
15 *TEES.—The term “appropriate congressional commit-*
16 *tees” means—*

17 (A) *the Committee on Foreign Relations, the*
18 *Committee on Armed Services, and the Select*
19 *Committee on Intelligence of the Senate; and*

20 (B) *the Committee on Foreign Affairs, the*
21 *Committee on Armed Services, and the Perma-*
22 *nent Select Committee on Intelligence of the*
23 *House of Representatives.*

24 (2) *GOVERNMENT OF AFGHANISTAN.—The term*
25 *“Government of Afghanistan” means the Government*

1 *of the Islamic Republic of Afghanistan and its agen-*
2 *cies, instrumentalities, and controlled entities.*

3 (3) *THE TALIBAN.*—*The term “the Taliban”*—

4 (A) *refers to the organization that refers to*
5 *itself as the “Islamic Emirate of Afghanistan”,*
6 *that was founded by Mohammed Omar, and that*
7 *is currently led by Mawlawi Hibatullah*
8 *Akhundzada; and*

9 (B) *includes subordinate organizations,*
10 *such as the Haqqani Network, and any successor*
11 *organization.*

12 (4) *FEBRUARY 29 AGREEMENT.*—*The term “Feb-*
13 *ruary 29 Agreement” refers to the political arrange-*
14 *ment between the United States and the Taliban ti-*
15 *tled “Agreement for Bringing Peace to Afghanistan*
16 *Between the Islamic Emirate of Afghanistan which is*
17 *not recognized by the United States as a state and is*
18 *known as the Taliban and the United States of Amer-*
19 *ica” signed at Doha, Qatar February 29, 2020.*

20 (b) *OVERSIGHT OF PEACE PROCESS AND OTHER*
21 *AGREEMENTS.*—

22 (1) *TRANSMISSION TO CONGRESS OF MATERIALS*
23 *RELEVANT TO THE FEBRUARY 29 AGREEMENT.*—*The*
24 *Secretary of State, in consultation with the Secretary*
25 *of Defense, shall continue to submit to the appro-*

1 *priate congressional committees materials relevant to*
2 *the February 29 Agreement.*

3 (2) *SUBMISSION TO CONGRESS OF ANY FUTURE*
4 *DEALS INVOLVING THE TALIBAN.—The Secretary of*
5 *State shall submit to the appropriate congressional*
6 *committees, within 5 days of conclusion and on an*
7 *ongoing basis thereafter, any future agreement or ar-*
8 *rangement involving the Taliban in any manner, as*
9 *well as materials relevant to any future agreement or*
10 *arrangement involving the Taliban in any manner.*

11 (3) *DEFINITIONS.—In this subsection, the terms*
12 *“materials relevant to the February 29 Agreement”*
13 *and “materials relevant to any future agreement or*
14 *arrangement” include all annexes, appendices, and*
15 *instruments for implementation of the February 29*
16 *Agreement or a future agreement or arrangement, as*
17 *well as any understandings or expectations related to*
18 *the Agreement or a future agreement or arrangement.*

19 (c) *REPORT AND BRIEFING ON VERIFICATION AND*
20 *COMPLIANCE.—*

21 (1) *IN GENERAL.—*

22 (A) *REPORT.—Not later than 90 days after*
23 *the date of the enactment of this Act, and not less*
24 *frequently than once every 120 days thereafter,*
25 *the President shall submit to the appropriate*

1 *congressional committees a report verifying*
2 *whether the key tenets of the February 29 Agree-*
3 *ment, or future agreements, and accompanying*
4 *implementing frameworks are being preserved*
5 *and honored.*

6 *(B) BRIEFING.—At the time of each report*
7 *submitted under subparagraph (A), the Secretary*
8 *of State shall direct a Senate-confirmed Depart-*
9 *ment of State official and other appropriate offi-*
10 *cial to brief the appropriate congressional com-*
11 *mittees on the contents of the report. The Direc-*
12 *tor of National Intelligence shall also direct an*
13 *appropriate official to participate in the brief-*
14 *ing.*

15 *(2) ELEMENTS.—The report and briefing re-*
16 *quired under paragraph (1) shall include—*

17 *(A) an assessment—*

18 *(i) of the Taliban’s compliance with*
19 *counterterrorism guarantees, including*
20 *guarantees to deny safe haven and freedom*
21 *of movement to al-Qaeda and other terrorist*
22 *threats from operating on territory under*
23 *its influence; and*

24 *(ii) whether the United States intel-*
25 *ligence community has collected any intel-*

1 *ligence indicating the Taliban does not in-*
2 *tend to uphold its commitments;*

3 *(B) an assessment of Taliban actions*
4 *against terrorist threats to United States na-*
5 *tional security interests;*

6 *(C) an assessment of whether Taliban offi-*
7 *cials have made a complete, transparent, public,*
8 *and verifiable breaking of all ties with al-Qaeda;*

9 *(D) an assessment of the current relation-*
10 *ship between the Taliban and al-Qaeda, includ-*
11 *ing any interactions between members of the two*
12 *groups in Afghanistan, Pakistan, or other coun-*
13 *tries, and any change in Taliban conduct to-*
14 *wards al-Qaeda since February 29, 2020;*

15 *(E) an assessment of the relationship be-*
16 *tween the Taliban and any other terrorist group*
17 *that is assessed to threaten the security of the*
18 *United States or its allies, including any change*
19 *in conduct since February 29, 2020;*

20 *(F) an assessment of whether the Haqqani*
21 *Network has broken ties with al-Qaeda, and*
22 *whether the Haqqani Network's leader*
23 *Sirajuddin Haqqani remains part of the leader-*
24 *ship structure of the Taliban;*

1 (G) *an assessment of threats emanating*
2 *from Afghanistan against the United States*
3 *homeland and United States partners, and a de-*
4 *scription of how the United States Government*
5 *is responding to those threats;*

6 (H) *an assessment of intra-Afghan discus-*
7 *sions, political reconciliation, and progress to-*
8 *wards a political roadmap that seeks to serve all*
9 *Afghans;*

10 (I) *an assessment of the viability of any*
11 *intra-Afghan governing agreement;*

12 (J) *an assessment as to whether the terms*
13 *of any reduction in violence or ceasefire are*
14 *being met by all sides in the conflict;*

15 (K) *a detailed overview of any United*
16 *States and NATO presence remaining in Af-*
17 *ghanistan and any planned changes to such force*
18 *posture;*

19 (L) *an assessment of the status of human*
20 *rights, including the rights of women, minorities,*
21 *and youth;*

22 (M) *an assessment of the access of women,*
23 *minorities, and youth to education, justice, and*
24 *economic opportunities in Afghanistan;*

1 (N) an assessment of the status of the rule
2 of law and governance structures at the central,
3 provincial, and district levels of government;

4 (O) an assessment of the media and of the
5 press and civil society's operating space in Af-
6 ghanistan;

7 (P) an assessment of illicit narcotics pro-
8 duction in Afghanistan, its linkages to terrorism,
9 corruption, and instability, and policies to
10 counter illicit narcotics flows;

11 (Q) an assessment of corruption in Govern-
12 ment of Afghanistan institutions at the district,
13 provincial, and central levels of government;

14 (R) an assessment of the number of Taliban
15 and Afghan prisoners and any plans for the re-
16 lease of such prisoners from either side;

17 (S) an assessment of any malign Iranian,
18 Chinese, and Russian influence in Afghanistan;

19 (T) an assessment of how other regional ac-
20 tors, such as Pakistan, are engaging with Af-
21 ghanistan;

22 (U) a detailed overview of national-level ef-
23 forts to promote transitional justice, including
24 forensic efforts and documentation of war crimes,

1 *mass killings, or crimes against humanity, re-*
2 *dress to victims, and reconciliation activities;*

3 (V) *A detailed overview of United States*
4 *support for Government of Afghanistan and civil*
5 *society efforts to promote peace and justice at the*
6 *local level and how these efforts are informing*
7 *government-level policies and negotiations;*

8 (W) *an assessment of the progress made by*
9 *the Afghanistan Ministry of Interior and the Of-*
10 *fice of the Attorney General to address gross vio-*
11 *lations of human rights (GVHRs) by civilian se-*
12 *curity forces, Taliban, and non-government*
13 *armed groups, including—*

14 (i) *a breakdown of resources provided*
15 *by the Government of Afghanistan towards*
16 *these efforts; and*

17 (ii) *a summary of assistance provided*
18 *by the United States Government to support*
19 *these efforts; and*

20 (X) *an overview of civilian casualties*
21 *caused by the Taliban, non-government armed*
22 *groups, and Afghan National Defense and Secu-*
23 *rity Forces, including—*

1 (i) *an estimate of the number of de-*
2 *stroyed or severely damaged civilian struc-*
3 *tures;*

4 (ii) *a description of steps taken by the*
5 *Government of Afghanistan to minimize ci-*
6 *vilian casualties and other harm to civil-*
7 *ians and civilian infrastructure;*

8 (iii) *an assessment of the Government*
9 *of Afghanistan's capacity and mechanisms*
10 *for investigating reports of civilian casual-*
11 *ties; and*

12 (iv) *an assessment of the Government*
13 *of Afghanistan's efforts to hold local militias*
14 *accountable for civilian casualties.*

15 (3) *COUNTERTERRORISM STRATEGY.—In the*
16 *event that the Taliban does not meet its counterter-*
17 *rorism obligations under the February 29 Agreement,*
18 *the report and briefing required under this subsection*
19 *shall include information detailing the United States'*
20 *counterterrorism strategy in Afghanistan and Paki-*
21 *stan.*

22 (4) *FORM.—The report required under subpara-*
23 *graph (A) of paragraph (1) shall be submitted in un-*
24 *classified form, but may include a classified annex,*
25 *and the briefing required under subparagraph (B) of*

1 *such paragraph shall be conducted at the appropriate*
 2 *classification level.*

3 *(d) RULE OF CONSTRUCTION.—Nothing in this section*
 4 *shall prejudice whether a future deal involving the Taliban*
 5 *in any manner constitutes a treaty for purposes of Article*
 6 *II of the Constitution of the United States.*

7 *(e) SUNSET.—Except for subsections (b) and (d), the*
 8 *provisions of this section shall cease to be effective on the*
 9 *date that is 5 years after the date of the enactment of this*
 10 *Act.*

11 ***Subtitle D—Matters Relating to***
 12 ***Europe and the Russian Federation***

13 ***SEC. 6231. CLARIFICATION AND EXPANSION OF SANCTIONS***
 14 ***RELATING TO CONSTRUCTION OF NORD***
 15 ***STREAM 2 OR TURKSTREAM PIPELINE***
 16 ***PROJECTS.***

17 *(a) IN GENERAL.—Subsection (a)(1) of section 7503*
 18 *of the Protecting Europe’s Energy Security Act of 2019*
 19 *(title LXXV of Public Law 116–92) is amended—*

20 *(1) in subparagraph (A), by inserting “or pipe-*
 21 *laying activities” after “pipe-laying”; and*

22 *(2) in subparagraph (B)—*

23 *(A) in clause (i)—*

1 (i) by inserting “, or facilitated selling,
2 leasing, or providing,” after “provided”;
3 and

4 (ii) by striking “; or” and inserting a
5 semicolon;

6 (B) in clause (ii), by striking the period at
7 the end and inserting a semicolon; and

8 (C) by adding at the end the following:

9 “(iii) provided underwriting services
10 or insurance or reinsurance for those vessels;

11 “(iv) provided services or facilities for
12 technology upgrades or installation of weld-
13 ing equipment for, or retrofitting or teth-
14 ering of, those vessels; or

15 “(v) provided services for the testing,
16 inspection, or certification necessary for, or
17 associated with the operation of, the Nord
18 Stream 2 pipeline.”.

19 (b) *DEFINITIONS.*—Subsection (i) of such section is
20 amended—

21 (1) by redesignating paragraph (5) as para-
22 graph (6); and

23 (2) by inserting after paragraph (4) the fol-
24 lowing:

1 “(5) *PIPE-LAYING ACTIVITIES*.—The term ‘pipe-
2 *laying activities*’ means activities that facilitate pipe-
3 *laying, including site preparation, trenching, sur-*
4 *veying, placing rocks, backfilling, stringing, bending,*
5 *welding, coating, and lowering of pipe.*”

6 **SEC. 6235. SENSE OF SENATE ON ADMISSION OF UKRAINE**
7 **TO THE NORTH ATLANTIC TREATY ORGANIZA-**
8 **TION ENHANCED OPPORTUNITIES PARTNER-**
9 **SHIP PROGRAM.**

10 (a) *INEFFECTIVENESS OF SECTION 1235*.—Section
11 *1235 shall have no force or effect.*

12 (b) *FINDINGS*.—Congress makes the following findings:

13 (1) *On August 24, 1991, Ukraine became a free*
14 *and independent country after declaring its independ-*
15 *ence from the Soviet Union.*

16 (2) *The Russian Federation is required to re-*
17 *spect the independence, sovereignty, and territorial*
18 *integrity of Ukraine through its signed commitments*
19 *to the 1994 Budapest Memorandum, the 1975 Hel-*
20 *sinki Accords, and the Charter of the United Nations.*

21 (3) *On February 8, 1994, Ukraine was among*
22 *the first post-Soviet states to join the North Atlantic*
23 *Treaty Organization’s Partnership for Peace, and*
24 *Ukraine subsequently participated in numerous North*

1 *Atlantic Treaty Organization-led security assistance,*
2 *peacekeeping, counterterrorism, and maritime initiatives.*

3 (4) *The North Atlantic Treaty Organization and*
4 *Ukraine have continuously deepened their cooperation*
5 *through the establishment of—*

6 (A) *the North Atlantic Treaty Organiza-*
7 *tion-Ukraine Charter on a Distinctive Partner-*
8 *ship and the North Atlantic Treaty Organiza-*
9 *tion-Ukraine Commission in 1997;*

10 (B) *the North Atlantic Treaty Organiza-*
11 *tion-Ukraine Joint Working Group on Defense*
12 *Reform in 1998; and*

13 (C) *the North Atlantic Treaty Organiza-*
14 *tion-Ukraine Action Plan in 2002.*

15 (5) *In the Bucharest Summit Declaration of*
16 *April 2008, heads of state and governments of North*
17 *Atlantic Treaty Organization member countries de-*
18 *clared, “NATO welcomes Ukraine’s and Georgia’s*
19 *Euro-Atlantic aspirations for membership in NATO.*
20 *We agreed today that these countries will become*
21 *members of NATO.”.*

22 (6) *Beginning on November 21, 2013, and end-*
23 *ing on February 22, 2014, during a period that be-*
24 *came known as the Revolution of Dignity, the people*
25 *of Ukraine peacefully protested the decision of then*

1 *President Viktor Yanukovich to suspend the signing*
2 *of the Ukraine-European Union Association Agree-*
3 *ment, resulting in the unanimous removal from office*
4 *of Yanukovich by the Verkhovna Rada.*

5 *(7) On May 25, 2014, Peter Poroshenko was*
6 *elected democratically to become the President of*
7 *Ukraine based on a pro-European Union and pro-*
8 *North Atlantic Treaty Organization platform, which*
9 *laid the foundation for progress on the European*
10 *Union Association Agreement.*

11 *(8) In response to Ukraine's Revolution of Dig-*
12 *nity, the Russian Federation launched an overt and*
13 *covert military campaign against Ukraine, illegally*
14 *occupied Ukraine's Crimean Peninsula, and insti-*
15 *gated war in eastern Ukraine, resulting in the deaths*
16 *of approximately 14,000 Ukrainians.*

17 *(9) The Russian Federation's invasion and ille-*
18 *gal occupation of the Crimean Peninsula and instiga-*
19 *tion of conflict in eastern Ukraine in 2014 was wide-*
20 *ly viewed as an effort to stifle pro-democracy and*
21 *pro-Western developments across Ukraine in the wake*
22 *of the Revolution of Dignity.*

23 *(10) At the 2014 Wales Summit, the North At-*
24 *lantic Treaty Organization adopted the Enhanced*
25 *Opportunities Partnership Program as a component*

1 *of the North Atlantic Treaty Organization Partner-*
2 *ship Interoperability Initiative, which would “encour-*
3 *age, facilitate, and sustain” Ukraine’s contributions*
4 *to the North Atlantic Treaty Organization.*

5 *(11) In 2016, as a result of the Warsaw Summit,*
6 *the North Atlantic Treaty Organization pledged addi-*
7 *tional training and technical support for the military*
8 *forces of Ukraine and endorsed a comprehensive as-*
9 *sistance package that included “tailored capability*
10 *and capacity building measures . . . to enhance*
11 *Ukraine’s resilience against a wide array of threats,*
12 *including hybrid threats”.*

13 *(12) In 2017, in the face of continued Russian*
14 *Federation aggression in the eastern region of*
15 *Ukraine and the continued occupation of Crimea, the*
16 *Government of Ukraine rejected cooperation with the*
17 *Russian Federation and voted to make cooperation*
18 *with the North Atlantic Treaty Organization a for-*
19 *ign policy priority.*

20 *(13) On September 1, 2017, the Ukraine-Euro-*
21 *pean Union Association Agreement entered into force.*

22 *(14) On April 21, 2019, the new president of*
23 *Ukraine, Volodymyr Zelenskyy—*

24 *(A) reaffirmed to European Union and*
25 *North Atlantic Treaty Organization leaders that*

1 *Ukraine’s strategic course was to achieve full*
2 *membership in the European Union and the*
3 *North Atlantic Treaty Organization; and*

4 *(B) championed the adoption of an amend-*
5 *ment to the Constitution of Ukraine declaring*
6 *that the Government of Ukraine is responsible*
7 *for implementing such strategic course toward*
8 *membership in the European Union and the*
9 *North Atlantic Treaty Organization.*

10 *(15) In January 2020, the Government of*
11 *Ukraine requested that the North Atlantic Treaty Or-*
12 *ganization grant Ukraine the status of an Enhanced*
13 *Opportunities Partner.*

14 *(16) Since Ukraine’s Revolution of Dignity and*
15 *in recognition of the United States-Ukraine strategic*
16 *partnership, the United States has—*

17 *(A) provided Ukraine with more than*
18 *\$1,600,000,000 in security assistance, including*
19 *critical defense items;*

20 *(B) collaborated closely with the military*
21 *forces of Ukraine; and*

22 *(C) imposed strong sanctions on the Rus-*
23 *sian Federation in response to continued Rus-*
24 *sian Federation aggression in Ukraine.*

1 (17) *On June 12, 2020, the North Atlantic Trea-*
2 *ty Organization welcomed Ukraine into the Enhanced*
3 *Opportunities Partnership program, joining Aus-*
4 *tralia, Finland, Sweden, Georgia, and Jordan.*

5 (c) *SENSE OF SENATE.—It is the sense of the Senate*
6 *that the Senate—*

7 (1) *applauds the progress of Ukraine and the*
8 *Revolution of Dignity with respect to strengthening*
9 *the rule of law and combating corruption, aligning*
10 *with Euro-Atlantic norms and standards, and im-*
11 *proving Ukraine’s military combat readiness and*
12 *interoperability with the North Atlantic Treaty Orga-*
13 *nization;*

14 (2) *affirms the unwavering commitment of the*
15 *United States to—*

16 (A) *supporting the continued efforts of*
17 *Ukraine to implement democratic and free mar-*
18 *ket reforms;*

19 (B) *restoring the territorial integrity of*
20 *Ukraine; and*

21 (C) *providing additional lethal and non-*
22 *lethal security assistance to strengthen the de-*
23 *fense capabilities of Ukraine and to deter further*
24 *Russian Federation aggression;*

1 (3) condemns the Russian Federation’s ongoing
2 use of force and other malign activities against
3 Ukraine and renews its call on the Government of the
4 Russian Federation to immediately cease all activities
5 that seek to undermine Ukraine and destabilize Eu-
6 rope; and

7 (4) congratulates Ukraine on its inclusion in the
8 North Atlantic Treaty Organization Enhanced Op-
9 portunities Partnership program and on the estab-
10 lishment of a roadmap to full NATO accession for
11 Ukraine.

12 ***Subtitle E—Matters Relating to the***
13 ***Indo-Pacific Region***

14 ***SEC. 6251. PILOT PROGRAM TO IMPROVE CYBER COOPERA-***
15 ***TION WITH VIETNAM, THAILAND, AND INDO-***
16 ***NESIA.***

17 (a) *IN GENERAL.*—The Secretary of Defense, in con-
18 sultation with the Secretary of State, may establish a pilot
19 program in Vietnam, Thailand, and Indonesia—

20 (1) to enhance the cyber security, resilience, and
21 readiness of Vietnam, Thailand, and Indonesia; and

22 (2) to increase regional cooperation between the
23 United States and Vietnam, Thailand, and Indonesia
24 on cyber issues.

1 (b) *ELEMENTS.*—*The activities of the pilot program*
2 *under subsection (a) shall include the following:*

3 (1) *Provision of training to cybersecurity and*
4 *computer science professionals in Vietnam, Thailand,*
5 *and Indonesia.*

6 (2) *An expansion of the capacity of organiza-*
7 *tions involved in the training of such cybersecurity*
8 *and computer science professionals.*

9 (3) *The facilitation of regular policy dialogues*
10 *between and among the United States Government*
11 *and the governments of Vietnam, Thailand, and Indo-*
12 *nesia with respect to the development of infrastructure*
13 *to protect against cyber attacks.*

14 (4) *An evaluation of legal and other barriers to*
15 *reforms relevant to cybersecurity and technology in*
16 *Vietnam, Thailand, and Indonesia.*

17 (5) *A feasibility study on establishing a public-*
18 *private partnership to build cloud-computing capac-*
19 *ity in Vietnam, Thailand, and Indonesia and in*
20 *Southeast Asia more broadly.*

21 (6) *The development of cooperative exercises, to*
22 *be carried out in future years, to enhance collabora-*
23 *tion between the United States Government and the*
24 *governments of Vietnam, Thailand, and Indonesia.*

1 (c) *FUNDING.*—*The Secretary of Defense may enter*
2 *into cooperative agreements with entities that receive funds*
3 *under section 211 of the Vietnam Education Foundation*
4 *Act of 2000 (title II of division B of H.R. 5666, as enacted*
5 *by section 1(a)(4) of Public Law 106–554 and contained*
6 *in appendix D of that Act; 114 Stat. 2763A–254; 22 U.S.C.*
7 *2452 note), as added by section 7085 of the Consolidated*
8 *and Further Appropriations Act, 2015 (Public Law 113–*
9 *235; 128 Stat. 2685), to carry out the pilot program under*
10 *subsection (a).*

11 (d) *REPORTS.*—

12 (1) *DESIGN OF PILOT PROGRAM.*—*Not later than*
13 *June 1, 2021, the Secretary of Defense, in consulta-*
14 *tion with the Secretary of State, shall submit to the*
15 *appropriate committees of Congress a report on the*
16 *design of the pilot program under subsection (a).*

17 (2) *PROGRESS REPORT.*—*Not later than Decem-*
18 *ber 31, 2021, the Secretary of Defense, in consultation*
19 *with the Secretary of State, shall submit to the appro-*
20 *priate committees of Congress a report on the pilot*
21 *program under subsection (a) that includes—*

22 (A) *a description of the activities conducted*
23 *and the results of such activities; and*

1 (B) *an assessment of legal and other bar-*
2 *riers to reforms relevant to cybersecurity and*
3 *technology in Vietnam, Thailand, and Indonesia.*

4 (e) *AUTHORIZATION OF APPROPRIATIONS.—There is*
5 *authorized to be appropriated \$5,000,000 for fiscal year*
6 *2021 to carry out this section.*

7 (f) *OFFSET.—The amount authorized to be appro-*
8 *priated by this Act for operation and maintenance, Navy,*
9 *and available for SAG 1CCS for military information sup-*
10 *port operations, is hereby reduced by \$5,000,000.*

11 (g) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
12 *FINED.—In this section, the term “appropriate committees*
13 *of Congress” means—*

14 (1) *the Committee on Armed Services and the*
15 *Committee on Foreign Relations of the Senate; and*

16 (2) *the Committee on Armed Services and the*
17 *Committee on Foreign Affairs of the House of Rep-*
18 *resentatives.*

19 ***Subtitle F—Reports***

20 ***SEC. 6273. REPORT ON RISK TO PERSONNEL, EQUIPMENT,***
21 ***AND OPERATIONS DUE TO HUAWEI 5G ARCHI-***
22 ***TECTURE IN HOST COUNTRIES.***

23 *Section 1273 shall have no force or effect.*

1 ***Subtitle G—Other Matters***

2 **SEC. 6281. COMPARATIVE STUDIES ON DEFENSE BUDGET**
3 **TRANSPARENCY OF THE PEOPLE’S REPUBLIC**
4 **OF CHINA, THE RUSSIAN FEDERATION, AND**
5 **THE UNITED STATES.**

6 (a) *STUDIES REQUIRED.*—

7 (1) *DEPARTMENT OF DEFENSE STUDY.*—Not
8 later than 270 days after the date of the enactment
9 of this Act, the Secretary of Defense, acting through
10 the Director of the Defense Intelligence Agency, in
11 consultation with the Under Secretary of Defense
12 (Comptroller), the Director of the Office of Cost As-
13 sessment and Program Evaluation, the Director of the
14 Office of Net Assessment, the Assistant Secretary of
15 Defense for Indo-Pacific Security Affairs, and the As-
16 sistant Secretary of Defense for International Secu-
17 rity Affairs, shall complete a comparative study on
18 the defense budgets of the People’s Republic of China,
19 the Russian Federation, and the United States.

20 (2) *INDEPENDENT STUDY.*—

21 (A) *IN GENERAL.*—Not later than 90 days
22 after the date of the enactment of this Act, the
23 Secretary of Defense shall offer to enter into an
24 agreement with not more than two entities inde-
25 pendent of the Department to conduct a com-

1 *parative study on the defense budgets of the Peo-*
2 *ple’s Republic of China, the Russian Federation,*
3 *and the United States, to be completed not later*
4 *than 270 days after the date of the enactment of*
5 *this Act.*

6 (B) *FEDERALLY FUNDED RESEARCH AND*
7 *DEVELOPMENT CENTER.—Not fewer than one en-*
8 *tity described in subparagraph (A) shall be a*
9 *federally funded research and development cen-*
10 *ter.*

11 (b) *GOAL.—The goal of the studies required by sub-*
12 *section (a) shall be to develop a methodologically sound set*
13 *of assumptions to underpin a comparison of the defense*
14 *spending of the People’s Republic of China, the Russian*
15 *Federation, and the United States.*

16 (c) *ELEMENTS.—Each study required by subsection*
17 *(a) shall do the following:*

18 (1) *Develop consistent functional categories for*
19 *spending, including—*

20 (A) *defense-related research and develop-*
21 *ment;*

22 (B) *weapons procurement;*

23 (C) *operations and maintenance; and*

24 (D) *pay and benefits.*

1 (2) Consider the effects of purchasing power par-
2 ity and market exchange rates, particularly on non-
3 traded goods.

4 (3) Consider differences in the relative prices of
5 goods and labor within each subject country.

6 (4) Compare the costs of labor and benefits for
7 the defense workforce of each subject country.

8 (5) Account for discrepancies in the manner in
9 which each subject country accounts for certain func-
10 tional types of defense-related spending.

11 (6) Explicitly estimate the magnitude of omitted
12 spending from official defense budget information.

13 (7) Evaluate the adequacy of the United Nations
14 database on military expenditures.

15 (8) Exclude spending related to veterans' bene-
16 fits.

17 (d) *REPORT.*—Not later than 30 days after the date
18 on which the studies required by subsection (a) are com-
19 pleted, the Secretary of Defense shall submit to the Commit-
20 tees on Armed Services of the Senate and the House of Rep-
21 resentatives a report on the results of each study, together
22 with the views of the Secretary on each study.

23 (e) *FORM.*—The report required by subsection (d) shall
24 be submitted in unclassified form, but may include a classi-
25 fied annex.

1 **SEC. 6282. MODIFICATION TO INITIATIVE TO SUPPORT PRO-**
2 **TECTION OF NATIONAL SECURITY ACADEMIC**
3 **RESEARCHERS FROM UNDUE INFLUENCE**
4 **AND OTHER SECURITY THREATS.**

5 *Section 1286 of the John S. McCain National Defense*
6 *Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358*
7 *note) is amended—*

8 *(1) by redesignating subsection (f) as subsection*
9 *(g); and*

10 *(2) by adding after subsection (e) the following*
11 *new subsection (f):*

12 *“(f) DESIGNATION OF ACADEMIC LIAISON.—*

13 *“(1) IN GENERAL.—Not later than 180 days*
14 *after the date of the enactment of the National Defense*
15 *Authorization Act for Fiscal Year 2021, the Secretary,*
16 *acting through the Under Secretary of Defense for Re-*
17 *search and Engineering, shall designate an academic*
18 *liaison with principal responsibility for working with*
19 *the academic community to protect Department-spon-*
20 *sored academic research of concern from undue for-*
21 *ign influence.*

22 *“(2) QUALIFICATION.—The Secretary shall des-*
23 *ignate an individual under paragraph (1) who is an*
24 *official of the Office of the Under Secretary of Defense*
25 *for Research and Engineering.*

1 “(3) *DUTIES.*—*The duties of the academic liaison designated under paragraph (1) shall be as follows:*

2
3
4 “(A) *To serve as the liaison of the Department with the academic community.*

5
6 “(B) *To conduct annual outreach and education activities for the academic community on undue foreign influence and threats to Department-sponsored academic research of concern.*

7
8
9
10 “(C) *To coordinate and align academic security policies with Department component agencies, the Office of Science and Technology Policy, the intelligence community, Federal science agencies, and Federal regulatory agencies, including agencies involved in export controls.*

11
12
13
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16
17 “(D) *To the extent practicable, to coordinate on an annual basis with the intelligence community to share, not less frequently than annually, with the academic community unclassified information, including counterintelligence information, on threats from undue foreign influence.*

18
19
20
21
22
23 “(E) *Any other related responsibility, as determined by the Secretary in consultation with*

24

1 *the Under Secretary of Defense for Research and*
2 *Engineering.*

3 “(F) *Any other duty, as determined by the*
4 *Secretary.*”.

5 **SEC. 6283. SENSE OF SENATE ON UNITED STATES-ISRAEL**
6 **COOPERATION ON PRECISION-GUIDED MUNI-**
7 **TIONS.**

8 *It is the sense of the Senate that—*

9 (1) *the Department of Defense has cooperated ex-*
10 *tensively with Israel to assist in the procurement of*
11 *precision-guided munitions, and such cooperation*
12 *represents an important example of robust United*
13 *States support for Israel;*

14 (2) *to the extent practicable, the Secretary of De-*
15 *fense should take further measures to expedite deliv-*
16 *eries of precision-guided munitions to Israel; and*

17 (3) *regularized annual purchases of precision-*
18 *guided munitions by Israel, in accordance with exist-*
19 *ing requirements and practices regarding the export*
20 *of defense articles and defense services, coordinated*
21 *with the United States Air Force annual purchase of*
22 *precision-guided munitions, would enhance the secu-*
23 *rity of both the United States and Israel by—*

1 (A) promoting a more efficient use of de-
2 *defense resources by taking advantage of economies*
3 *of scale;*

4 (B) enabling the United States and Israel to
5 *address crisis requirements for precision-guided*
6 *munitions in a timely and flexible manner; and*

7 (C) encouraging the defense industrial base
8 *to maintain routine production lines of preci-*
9 *sion-guided munitions.*

10 **SEC. 6284. BLOCKING DEADLY FENTANYL IMPORTS.**

11 (a) *SHORT TITLE.*—*This section may be cited as the*
12 *“Blocking Deadly Fentanyl Imports Act”.*

13 (b) *DEFINITIONS.*—*Section 481(e) of the Foreign As-*
14 *sistance Act of 1961 (22 U.S.C. 2291(e)) is amended—*

15 (1) *in paragraph (2)—*

16 (A) *in the matter preceding subparagraph*
17 (A), *by striking “in which”;*

18 (B) *in subparagraph (A), by inserting “in*
19 *which” before “1,000”;*

20 (C) *in subparagraph (B)—*

21 (i) *by inserting “in which” before*
22 *“1,000”; and*

23 (ii) *by striking “or” at the end;*

24 (D) *in subparagraph (C)—*

1 (i) by inserting “in which” before
2 “5,000”; and

3 (ii) by inserting “or” after the semi-
4 colon; and

5 (E) by adding at the end the following:

6 “(D) that is a significant source of illicit
7 synthetic opioids significantly affecting the
8 United States;” and

9 (2) in paragraph (4)—

10 (A) in subparagraph (C), by striking “and”
11 at the end;

12 (B) in subparagraph (D), by adding “and”
13 at the end; and

14 (C) by adding at the end the following:

15 “(E) assistance that furthers the objectives
16 set forth in paragraphs (1) through (4) of section
17 664(b) of the Foreign Relations Authorization
18 Act, Fiscal Year 2003 (22 U.S.C. 2151n–2(b));

19 “(F) assistance to combat trafficking au-
20 thorized under the Victims of Trafficking and Vi-
21 olence Protection Act of 2000 (22 U.S.C. 7101 et
22 seq.); and

23 “(G) global health assistance authorized
24 under sections 104 through 104C of the Foreign

1 *Assistance Act of 1961 (22 U.S.C. 2151b through*
2 *22 U.S.C. 2151b-4).*”.

3 (c) *INTERNATIONAL NARCOTICS CONTROL STRATEGY*
4 *REPORT.*—*Section 489(a) of the Foreign Assistance Act of*
5 *1961 (22 U.S.C. 2291h(a)) is amended by adding at the*
6 *end the following:*

7 “(9) *A separate section that contains the fol-*
8 *lowing:*

9 “(A) *An identification of the countries, to*
10 *the extent feasible, that are the most significant*
11 *sources of illicit fentanyl and fentanyl analogues*
12 *significantly affecting the United States during*
13 *the preceding calendar year.*

14 “(B) *A description of the extent to which*
15 *each country identified pursuant to subpara-*
16 *graph (A) has cooperated with the United States*
17 *to prevent the articles or chemicals described in*
18 *subparagraph (A) from being exported from such*
19 *country to the United States.*

20 “(C) *A description of whether each country*
21 *identified pursuant to subparagraph (A) has*
22 *adopted and utilizes scheduling or other proce-*
23 *dures for illicit drugs that are similar in effect*
24 *to the procedures authorized under title II of the*
25 *Controlled Substances Act (21 U.S.C. 811 et seq.)*

1 *for adding drugs and other substances to the con-*
2 *trolled substances schedules;*

3 “(D) *A description of whether each country*
4 *identified pursuant to subparagraph (A) is fol-*
5 *lowing steps to prosecute individuals involved in*
6 *the illicit manufacture or distribution of con-*
7 *trolled substance analogues (as defined in section*
8 *102(32) of the Controlled Substances Act (21*
9 *U.S.C. 802(32)); and*

10 “(E) *A description of whether each country*
11 *identified pursuant to subparagraph (A) requires*
12 *the registration of tableting machines and encap-*
13 *sulating machines or other measures similar in*
14 *effect to the registration requirements set forth in*
15 *part 1310 of title 21, Code of Federal Regula-*
16 *tions, and has not made good faith efforts, in the*
17 *opinion of the Secretary, to improve regulation*
18 *of tableting machines and encapsulating ma-*
19 *chines.”.*

20 (d) *WITHHOLDING OF BILATERAL AND MULTILATERAL*
21 *ASSISTANCE.—*

22 (1) *IN GENERAL.—Section 490(a) of the Foreign*
23 *Assistance Act of 1961 (22 U.S.C. 2291j(a)) is*
24 *amended—*

1 (A) in paragraph (1), by striking “or coun-
2 try identified pursuant to clause (i) or (ii) of
3 section 489(a)(8)(A) of this Act” and inserting
4 “country identified pursuant to section
5 489(a)(8)(A), or country thrice identified during
6 a 5-year period pursuant to section
7 489(a)(9)(A)”; and

8 (B) in paragraph (2), by striking “or major
9 drug-transit country (as determined under sub-
10 section (h)) or country identified pursuant to
11 clause (i) or (ii) of section 489(a)(8)(A) of this
12 Act” and inserting “, major drug-transit coun-
13 try, country identified pursuant to section
14 489(a)(8)(A), or country thrice identified during
15 a 5-year period pursuant to section
16 489(a)(9)(A)”.

17 (2) *DESIGNATION OF ILLICIT FENTANYL COUN-*
18 *TRIES WITHOUT SCHEDULING PROCEDURES.*—Section
19 706(2) of the *Foreign Relations Authorization Act,*
20 *Fiscal Year 2003 (22 U.S.C. 2291j–1(2))* is amend-
21 ed—

22 (A) in the matter preceding subparagraph
23 (A), by striking “also”;

24 (B) in subparagraph (A)(ii), by striking
25 “and” at the end;

1 (C) by redesignating subparagraph (B) as
2 subparagraph (D);

3 (D) by inserting after subparagraph (A) the
4 following:

5 “(B) designate each country, if any, identi-
6 fied under section 489(a)(9) of the Foreign As-
7 sistance Act of 1961 (22 U.S.C. 2291h(a)(9))
8 that has failed to adopt and utilize scheduling
9 procedures for illicit drugs that are comparable
10 to the procedures authorized under title II of the
11 Controlled Substances Act (21 U.S.C. 811 et seq.)
12 for adding drugs and other substances to the con-
13 trolled substances schedules;” and

14 (E) in subparagraph (D), as redesignated,
15 by striking “so designated” and inserting “des-
16 ignated under subparagraph (A), (B), or (C)”.

17 (3) *DESIGNATION OF ILLICIT FENTANYL COUN-*
18 *TRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS*
19 *FOR THE MANUFACTURE OR DISTRIBUTION OF*
20 *FENTANYL ANALOGUES.—Section 706(2) of the For-*
21 *oreign Relations Authorization Act, Fiscal Year 2003*
22 *(22 U.S.C. 2291j–1(2)), as amended by paragraph*
23 *(2), is further amended by inserting after subpara-*
24 *graph (B) the following:*

1 “(C) designate each country, if any, identi-
 2 fied under section 489(a)(9) of the *Foreign As-*
 3 *istance Act of 1961* (22 U.S.C. 2291h(a)(9))
 4 that has not taken significant steps to prosecute
 5 individuals involved in the illicit manufacture
 6 or distribution of controlled substance analogues
 7 (as defined in section 102(32) of the *Controlled*
 8 *Substances Act* (21 U.S.C. 802(32));”.

9 (4) *LIMITATION ON ASSISTANCE FOR DES-*
 10 *IGNATED COUNTRIES.*—Section 706(3) of the *Foreign*
 11 *Relations Authorization Act, Fiscal Year 2003* (22
 12 U.S.C. 2291j–1(3)) is amended by striking “also des-
 13 ignated under paragraph (2) in the report” and in-
 14 serting “designated in the report under paragraph
 15 (2)(A) or thrice designated during a 5-year period in
 16 the report under subparagraph (B) or (C) of para-
 17 graph (2)”.

18 (5) *EXCEPTION TO THE LIMITATION ON ASSIST-*
 19 *ANCE.*—Section 706(5) of the *Foreign Relations Au-*
 20 *thorization Act, Fiscal Year 2003* (22 U.S.C. 2291j–
 21 1(5)) is amended—

22 (A) by redesignating subparagraph (C) as
 23 subparagraph (F);

24 (B) by inserting after subparagraph (B) the
 25 following:

1 “(C) Notwithstanding paragraph (3), assist-
2 ance to promote democracy (as described in sec-
3 tion 481(e)(4)(E) of the Foreign Assistance Act
4 of 1961 (22 U.S.C. 2291(e)(4)(E))) shall be pro-
5 vided to countries identified in a report under
6 paragraph (1) and designated under subpara-
7 graph (B) or (C) of paragraph (2), to the extent
8 such countries are otherwise eligible for such as-
9 sistance, regardless of whether the President re-
10 ports to the appropriate congressional commit-
11 tees in accordance with such paragraph.

12 “(D) Notwithstanding paragraph (3), as-
13 sistance to combat trafficking (as described in
14 section 481(e)(4)(F) of such Act) shall be pro-
15 vided to countries identified in a report under
16 paragraph (1) and designated under subpara-
17 graph (B) or (C) of paragraph (2), to the extent
18 such countries are otherwise eligible for such as-
19 sistance, regardless of whether the President re-
20 ports to the appropriate congressional commit-
21 tees in accordance with such paragraph.

22 “(E) Notwithstanding paragraph (3), global
23 health assistance (as described in section
24 481(e)(4)(G) of such Act) shall be provided to
25 countries identified in a report under paragraph

1 (1) and designated under subparagraph (B) or
2 (C) of paragraph (2), to the extent such countries
3 are otherwise eligible for such assistance, regard-
4 less of whether the President reports to the ap-
5 propriate congressional committees in accordance
6 with such paragraph”; and

7 (C) in subparagraph (F), as redesignated,
8 by striking “section clause (i) or (ii) of” and in-
9 serting “clause (i) or (ii) of section”.

10 (e) *EFFECTIVE DATE.*—The amendments made by this
11 section shall take effect on the date that is 90 days after
12 the date of the enactment of this Act.

13 **SEC. 6286. ESTABLISHMENT OF UNITED STATES-ISRAEL OP-**
14 **ERATIONS-TECHNOLOGY WORKING GROUP.**

15 The reference in section 1286(b)(5)(A) to the “Minister
16 of Defense of Israel” is deemed to refer to the “Secretary
17 of State and the Minister of Defense of Israel”.

18 **Subtitle H—United States-Israel**
19 **Security Assistance**

20 **SEC. 6290. SHORT TITLE.**

21 This subtitle may be cited as the “United States-Israel
22 Security Assistance Authorization Act of 2020”.

23 **SEC. 6290A. DEFINITION.**

24 In this subtitle, the term “appropriate congressional
25 committees” means—

1 (1) *the Committee on Foreign Relations of the*
2 *Senate;*

3 (2) *the Committee on Armed Services of the Sen-*
4 *ate;*

5 (3) *the Committee on Foreign Affairs of the*
6 *House of Representatives; and*

7 (4) *the Committee on Armed Services of the*
8 *House of Representatives.*

9 **CHAPTER 1—SECURITY ASSISTANCE FOR**
10 **ISRAEL**

11 **SEC. 6291. FINDINGS.**

12 *Congress makes the following findings:*

13 (1) *On September 14, 2016, the United States*
14 *and Israel signed a 10-year Memorandum of Under-*
15 *standing to reaffirm the importance of continuing an-*
16 *ual United States military assistance to Israel and*
17 *cooperative missile defense programs in a way that*
18 *enhances Israel’s security and strengthens the bilat-*
19 *eral relationship between the 2 countries.*

20 (2) *The 2016 Memorandum of Understanding re-*
21 *fects United States support of Foreign Military Fi-*
22 *nancing grant assistance to Israel over a 10-year pe-*
23 *riod beginning in fiscal year 2019 and ending in fis-*
24 *cal year 2028.*

1 (3) *The 2016 Memorandum of Understanding*
2 *also reflects United States support for funding for co-*
3 *operative programs to develop, produce, and procure*
4 *missile, rocket, and projectile defense capabilities dur-*
5 *ing such 10-year period at an average funding level*
6 *of \$500,000,000 per year, totaling \$5,000,000,000 for*
7 *such period.*

8 **SEC. 6292. STATEMENT OF POLICY.**

9 *It is the policy of the United States to provide assist-*
10 *ance to the Government of Israel for the development and*
11 *acquisition of advanced capabilities that Israel requires to*
12 *meet its security needs and to enhance United States capa-*
13 *bilities.*

14 **SEC. 6293. SECURITY ASSISTANCE FOR ISRAEL.**

15 *Section 513(c) of the Security Assistance Act of 2000*
16 *(Public Law 106–280; 114 Stat. 856) is amended—*

17 (1) *in paragraph (1), by striking “2002 and*
18 *2003” and inserting “2021, 2022, 2023, 2024, 2025,*
19 *2026, 2027, and 2028”;*

20 (2) *in paragraph (2), by striking “equal to—”*
21 *and all that follows and inserting “not less than*
22 *\$3,300,000,000.”; and*

23 (3) *by amending paragraph (3) to read as fol-*
24 *lows:*

1 “(3) *DISBURSEMENT OF FUNDS.*—Amounts au-
2 thorized to be available for Israel under paragraph
3 (1) and subsection (b)(1) for fiscal years 2021, 2022,
4 2023, 2024, 2025, 2026, 2027, and 2028 shall be dis-
5 bursed not later than 30 days after the date of the en-
6 actment of an Act making appropriations for the De-
7 partment of State, foreign operations, and related
8 programs for the respective fiscal year, or October 31
9 of the respective fiscal year, whichever is later.”.

10 **SEC. 6294. EXTENSION OF WAR RESERVES STOCKPILE AU-**
11 **THORITY.**

12 (a) *DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,*
13 *2005.*—Section 12001(d) of the Department of Defense Ap-
14 propriations Act, 2005 (Public Law 108–287; 118 Stat.
15 1011) is amended by striking “September 30, 2020” and
16 inserting “after September 30, 2025”.

17 (b) *FOREIGN ASSISTANCE ACT OF 1961.*—Section
18 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22
19 U.S.C. 2321h(b)(2)(A)) is amended by striking “2013,
20 2014, 2015, 2016, 2017, 2018, 2019, and 2020” and insert-
21 ing “2021, 2022, 2023, 2024, and 2025”.

22 **SEC. 6295. EXTENSION OF LOAN GUARANTEES TO ISRAEL.**

23 Chapter 5 of title I of the Emergency Wartime Supple-
24 mental Appropriations Act, 2003 (Public Law 108–11; 117

1 *Stat. 576) is amended under the heading “LOAN GUARAN-*
2 *TEES TO ISRAEL”*—

3 (1) *in the matter preceding the first proviso, by*
4 *striking “September 30, 2023” and inserting “Sep-*
5 *tember 30, 2025”;* and

6 (2) *in the second proviso, by striking “September*
7 *30, 2023” and inserting “September 30, 2025”.*

8 **SEC. 6296. TRANSFER OF PRECISION GUIDED MUNITIONS**
9 **TO ISRAEL.**

10 (a) *IN GENERAL.*—*Notwithstanding section 514 of the*
11 *Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the*
12 *President is authorized to transfer to Israel precision guid-*
13 *ed munitions from reserve stocks for Israel in such quan-*
14 *tities as may be necessary for legitimate self-defense of*
15 *Israel and is otherwise consistent with the purposes and*
16 *conditions for such transfers under the Arms Export Con-*
17 *trol Act (22 U.S.C. 2751 et seq.).*

18 (b) *CERTIFICATIONS.*—*Except in case of emergency, as*
19 *determined by the President, not later than 5 days before*
20 *making a transfer under subsection (a), the President shall*
21 *certify to the appropriate congressional committees that the*
22 *transfer of the precision guided munitions—*

23 (1) *does not affect the ability of the United*
24 *States to maintain a sufficient supply of precision*
25 *guided munitions;*

1 (2) *Israel has declared its unilateral adherence to*
2 *the Missile Technology Control Regime, the Australia*
3 *Group, and the Nuclear Suppliers Group.*

4 (3) *Israel is a party to—*

5 (A) *the Protocol for the Prohibition of the*
6 *Use in War of Asphyxiating, Poisonous or Other*
7 *Gases, and of Bacteriological Methods of War-*
8 *fare, signed at Geneva June 17, 1925 (commonly*
9 *known as the “Geneva Protocol”);*

10 (B) *the Convention on the Physical Protec-*
11 *tion of Nuclear Material, signed at Vienna and*
12 *New York March 3, 1980; and*

13 (C) *the Convention on Prohibitions or Re-*
14 *strictions on the Use of Certain Conventional*
15 *Weapons Which may be Deemed to be Exces-*
16 *sively Injurious or to Have Indiscriminate Ef-*
17 *fects, signed at Geneva October 10, 1980.*

18 (4) *Section 6(b) of the United States-Israel Stra-*
19 *tegic Partnership Act of 2014 (22 U.S.C. 8603 note)*
20 *directs the President, consistent with the commitments*
21 *of the United States under international agreements,*
22 *to take steps so that Israel may be included in the list*
23 *of countries eligible for the strategic trade authoriza-*
24 *tion exception under section 740.20(c)(1) of title 15,*
25 *Code of Federal Regulations, to the requirement for a*

1 *license for the export, re-export, or in-country transfer*
2 *of an item subject to controls under the Export Ad-*
3 *ministration Regulations.*

4 (b) *BRIEFING ON ELIGIBILITY FOR STRATEGIC TRADE*
5 *AUTHORIZATION EXCEPTION.*—*Not later than 120 days*
6 *after the date of the enactment of this Act, the President*
7 *shall brief the appropriate congressional committees by de-*
8 *scribing the steps taken to include Israel in the list of coun-*
9 *tries eligible for the strategic trade authorization exception*
10 *under section 740.20(c)(1) of title 15, Code of Federal Regu-*
11 *lations, as required under section 6(b) of the United States-*
12 *Israel Strategic Partnership Act of 2014 (Public Law 113-*
13 *296).*

14 **CHAPTER 2—ENHANCED UNITED STATES-**
15 **ISRAEL COOPERATION**

16 **SEC. 6299. UNITED STATES AGENCY FOR INTERNATIONAL**
17 **DEVELOPMENT MEMORANDA OF UNDER-**
18 **STANDING TO ENHANCE COOPERATION WITH**
19 **ISRAEL.**

20 (a) *FINDINGS.*—*Congress finds that the United States*
21 *Agency for International Development and Israel’s Agency*
22 *for International Development Cooperation signed memo-*
23 *randa of understanding in 2012, 2017, and 2019 to coordi-*
24 *nate the agencies’ respective efforts to promote common de-*
25 *velopment goals in third countries.*

1 (b) *SENSE OF CONGRESS REGARDING USAID POL-*
2 *ICY.—It is the sense of Congress that the Department of*
3 *State and the United States Agency for International De-*
4 *velopment should continue to cooperate with Israel to ad-*
5 *vance common development goals in third countries across*
6 *a wide variety of sectors, including energy, agriculture, food*
7 *security, democracy, human rights, governance, economic*
8 *growth, trade, education, environment, global health, water,*
9 *and sanitation.*

10 (c) *MEMORANDA OF UNDERSTANDING.—The Secretary*
11 *of State, acting through the Administrator of the United*
12 *States Agency for International Development, may enter*
13 *into memoranda of understanding with Israel to advance*
14 *common goals on energy, agriculture, food security, democ-*
15 *racy, human rights, governance, economic growth, trade,*
16 *education, environment, global health, water, and sanita-*
17 *tion, with a focus on strengthening mutual ties and co-*
18 *operation with nations throughout the world.*

19 **SEC. 6299A. COOPERATIVE PROJECTS AMONG THE UNITED**
20 **STATES, ISRAEL, AND DEVELOPING COUN-**
21 **TRIES.**

22 *Section 106 of the Foreign Assistance Act of 1961 (22*
23 *U.S.C. 2151d) is amended by striking subsections (e) and*
24 *(f) and inserting the following:*

1 “(e) There are authorized to be appropriated
2 \$2,000,000 for each of the fiscal years 2021 through 2025
3 to finance cooperative projects among the United States,
4 Israel, and developing countries that identify and support
5 local solutions to address sustainability challenges relating
6 to water resources, agriculture, and energy storage, includ-
7 ing—

8 “(1) establishing public-private partnerships;

9 “(2) supporting the identification, research, de-
10 velopment testing, and scaling of innovations that
11 focus on populations that are vulnerable to environ-
12 mental and resource-scarcity crises, such as subsist-
13 ence farming communities;

14 “(3) seed or transition-to-scale funding;

15 “(4) clear and appropriate branding and mark-
16 ing of United States funded assistance, in accordance
17 with section 641; and

18 “(5) accelerating demonstrations or applications
19 of local solutions to sustainability challenges, or the
20 further refinement, testing, or implementation of in-
21 novations that have previously effectively addressed
22 sustainability challenges.

23 “(f) Amounts appropriated pursuant to subsection (e)
24 shall be obligated in accordance with the memoranda of un-
25 derstanding referred to in subsections (a) and (c) of section

1 6299 of the United States-Israel Security Assistance Au-
2 thorization Act of 2020”.

3 **SEC. 6299B. JOINT COOPERATIVE PROGRAM RELATED TO**
4 **INNOVATION AND HIGH-TECH FOR THE MID-**
5 **DLE EAST REGION.**

6 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
7 *that—*

8 (1) *the United States should help foster coopera-*
9 *tion in the Middle East region by financing and, as*
10 *appropriate, cooperating in projects related to inno-*
11 *vation and advanced technologies; and*

12 (2) *projects referred to in paragraph (1)*
13 *should—*

14 (A) *contribute to development and the qual-*
15 *ity of life in the Middle East region through the*
16 *application of research and advanced technology;*
17 *and*

18 (B) *contribute to Arab-Israeli cooperation*
19 *by establishing strong working relationships that*
20 *last beyond the life of such projects.*

21 (b) *ESTABLISHMENT.*—*The Secretary of State, acting*
22 *through the Administrator of the United States Agency for*
23 *International Development, is authorized to seek to establish*
24 *a program between the United States and appropriate re-*
25 *gional partners to provide for cooperation in the Middle*

1 *East region by supporting projects related to innovation*
2 *and advanced technologies.*

3 *(c) PROJECT REQUIREMENTS.—Each project carried*
4 *out under the program established pursuant to subsection*
5 *(b)—*

6 *(1) shall include the participation of at least 1*
7 *entity from Israel and 1 entity from another regional*
8 *partner; and*

9 *(2) shall be conducted in a manner that appro-*
10 *priately protects sensitive information, intellectual*
11 *property, the national security interests of the United*
12 *States, and the national security interests of Israel.*

13 **SEC. 6299C. SENSE OF CONGRESS ON UNITED STATES-**
14 **ISRAEL ECONOMIC COOPERATION.**

15 *It is the sense of Congress that—*

16 *(1) the United States-Israel economic partner-*
17 *ship—*

18 *(A) has achieved great tangible and intan-*
19 *gible benefits to both countries; and*

20 *(B) is a foundational component of the*
21 *strong alliance;*

22 *(2) science and technology innovations present*
23 *promising new frontiers for United States-Israel eco-*
24 *nomics cooperation, particularly in light of wide-*

1 *spread drought, cybersecurity attacks, and other*
2 *major challenges impacting the United States; and*

3 *(3) the President should regularize and expand*
4 *existing forums of economic dialogue with Israel and*
5 *foster both public and private sector participation.*

6 **SEC. 6299D. COOPERATION ON DIRECTED ENERGY CAPA-**
7 **BILITIES.**

8 *(a) AUTHORITY.—*

9 *(1) IN GENERAL.—The Secretary of Defense,*
10 *with the concurrence of the Secretary of State, is au-*
11 *thorized to carry out research, development, test, and*
12 *evaluation activities, on a joint basis with Israel, to*
13 *establish directed energy capabilities that address*
14 *threats to the United States, deployed forces of the*
15 *United States, or Israel. Any activities carried out*
16 *under this paragraph shall be conducted in a manner*
17 *that appropriately protects sensitive information, in-*
18 *tellectual property, the national security interests of*
19 *the United States, and the national security interests*
20 *of Israel.*

21 *(2) REPORT.—The activities described in para-*
22 *graph (1) may be carried out after the Secretary of*
23 *Defense, with the concurrence of the Secretary of*
24 *State, submits a report to the appropriate congres-*
25 *sional committees that includes—*

1 (A) a memorandum of agreement between
2 the United States and Israel regarding sharing
3 of research and development costs for the capa-
4 bilities described in paragraph (1), and any sup-
5 porting documents; and

6 (B) a certification that the memorandum of
7 agreement referred to in subparagraph (A)—

8 (i) requires sharing of costs of projects,
9 including in-kind support, between the
10 United States and Israel;

11 (ii) establishes a framework to nego-
12 tiate the rights to any intellectual property
13 developed under the memorandum of agree-
14 ment; and

15 (iii) requires the United States Gov-
16 ernment to receive semiannual reports on
17 expenditure of funds, if any, by the Govern-
18 ment of Israel, including—

19 (I) a description of what the
20 funds have been used for and when
21 funds were expended; and

22 (II) the identification of entities
23 that expended such funds.

24 (b) SUPPORT IN CONNECTION WITH ACTIVITIES.—

1 (1) *IN GENERAL.*—*The Secretary of Defense,*
2 *with the concurrence of the Secretary of State, is au-*
3 *thorized to provide maintenance and sustainment*
4 *support to Israel for the directed energy capabilities*
5 *research, development, test, and evaluation activities*
6 *authorized under subsection (a)(1), including the in-*
7 *stallation of equipment that is necessary to carry out*
8 *such research, development, test, and evaluation.*

9 (2) *REPORT.*—*The support described in para-*
10 *graph (1) may not be provided until 15 days after the*
11 *date on which the Secretary of Defense, with the con-*
12 *currence of the Secretary of State, submits a report*
13 *to the appropriate congressional committees that de-*
14 *scribes in detail the support to be provided.*

15 (3) *MATCHING CONTRIBUTION.*—*The support de-*
16 *scribed in paragraph (1) may not be provided unless*
17 *the Secretary of Defense, with the concurrence of the*
18 *Secretary of State, certifies to the appropriate con-*
19 *gressional committees that the Government of Israel*
20 *will contribute to such support—*

21 (A) *an amount not less than the amount of*
22 *support to be so provided; or*

23 (B) *an amount that otherwise meets the best*
24 *efforts of Israel, as mutually agreed to by the*
25 *United States and Israel.*

1 (c) *SEMIANNUAL REPORT.*—*The Secretary of Defense,*
2 *with the concurrence of the Secretary of State, shall submit*
3 *a semiannual report to the appropriate congressional com-*
4 *mittees that includes the most recent semiannual report*
5 *provided by the Government of Israel to the United States*
6 *Government.*

7 **SEC. 6299E. PLANS TO PROVIDE ISRAEL WITH NECESSARY**
8 **DEFENSE ARTICLES AND SERVICES IN A CON-**
9 **TINGENCY.**

10 (a) *IN GENERAL.*—*The President shall establish and*
11 *update, as appropriate, plans to provide Israel with defense*
12 *articles and services that are determined by the Secretary*
13 *of Defense to be necessary for the defense of Israel in a con-*
14 *tingency.*

15 (b) *CONGRESSIONAL BRIEFING.*—*Not later than 1 year*
16 *after the date of the enactment of this Act, and annually*
17 *thereafter, the President shall brief the appropriate congres-*
18 *sional committees regarding the status of the plans required*
19 *under subsection (a).*

20 **SEC. 6299F. OTHER MATTERS OF COOPERATION.**

21 (a) *IN GENERAL.*—*Activities authorized under this*
22 *section shall be carried out with the concurrence of the Sec-*
23 *retary of State and aligned with the National Security*
24 *Strategy of the United States, the United States Govern-*
25 *ment Global Health Security Strategy, the Department of*

1 *State Integrated Country Strategies, the USAID Country*
2 *Development Cooperation Strategies, and any equivalent or*
3 *successor plans or strategies, as necessary and appropriate*

4 *(b) DEVELOPMENT OF HEALTH TECHNOLOGIES.—*

5 *(1) IN GENERAL.—There is authorized to be ap-*
6 *propriated to the Secretary of Health and Human*
7 *Services \$4,000,000 for each of the fiscal years 2021*
8 *through 2023 for a bilateral cooperative program with*
9 *the Government of Israel that awards grants for the*
10 *development of health technologies, including health*
11 *technologies listed in paragraph (2), subject to para-*
12 *graph (3), with an emphasis on collaboratively ad-*
13 *vancing the use of technology and personalized medi-*
14 *cine in relation to COVID–19.*

15 *(2) TYPES OF HEALTH TECHNOLOGIES.—The*
16 *health technologies described in this paragraph may*
17 *include technologies such as sensors, drugs and vac-*
18 *cinations, respiratory assist devices, diagnostic tests,*
19 *and telemedicine.*

20 *(3) RESTRICTIONS ON FUNDING.—Amounts ap-*
21 *propriated pursuant to paragraph (1) are subject to*
22 *a matching contribution from the Government of*
23 *Israel.*

24 *(4) OPTION FOR ESTABLISHING NEW PRO-*
25 *GRAM.—Amounts appropriated pursuant to para-*

1 *graph (1) may be expended for a bilateral program*
2 *with the Government of Israel that—*

3 *(A) is in existence on the day before the*
4 *date of the enactment of this Act for the purposes*
5 *described in paragraph (1); or*

6 *(B) is established after the date of the enact-*
7 *ment of this Act by the Secretary of Health and*
8 *Human Services, in consultation with the Sec-*
9 *retary of State, in accordance with the Agree-*
10 *ment between the Government of the United*
11 *States of America and the Government of the*
12 *State of Israel on Cooperation in Science and*
13 *Technology for Homeland Security Matters, done*
14 *at Jerusalem May 29, 2008 (or a successor*
15 *agreement), for the purposes described in para-*
16 *graph (1).*

17 *(c) COORDINATOR OF UNITED STATES–ISRAEL RE-*
18 *SEARCH AND DEVELOPMENT.—*

19 *(1) IN GENERAL.—The President may designate*
20 *the Assistant Secretary of State for the Bureau of*
21 *Oceans and International Environmental and Sci-*
22 *entific Affairs, or another appropriate Department of*
23 *State official, to act as Coordinator of United States-*
24 *Israel Research and Development (referred to in this*
25 *subsection as the “Coordinator”).*

1 (2) *AUTHORITIES AND DUTIES.*—*The Coordi-*
2 *nator, in conjunction with the heads of relevant Fed-*
3 *eral Government departments and agencies and in co-*
4 *ordination with the Israel Innovation Authority, may*
5 *oversee civilian science and technology programs on a*
6 *joint basis with Israel.*

7 (d) *OFFICE OF GLOBAL POLICY AND STRATEGY OF*
8 *THE FOOD AND DRUG ADMINISTRATION.*—

9 (1) *IN GENERAL.*—*It is the sense of Congress*
10 *that the Commissioner of the Food and Drug Admin-*
11 *istration should seek to explore collaboration with*
12 *Israel through the Office of Global Policy and Strat-*
13 *egy.*

14 (2) *REPORT.*—*Not later than 1 year after the*
15 *date of the enactment of this Act, the Commissioner,*
16 *acting through the head of the Office of Global Policy*
17 *and Strategy, shall submit a report describing the*
18 *benefits to the United States and to Israel of opening*
19 *an office in Israel for the Office of Global Policy and*
20 *Strategy to—*

21 (A) *the Committee on Foreign Relations of*
22 *the Senate;*

23 (B) *the Committee on Health, Education,*
24 *Labor, and Pensions of the Senate;*

1 (C) *the Committee on Foreign Affairs of the*
2 *House of Representatives; and*

3 (D) *the Committee on Energy and Com-*
4 *merce of the House of Representatives.*

5 (e) *UNITED STATES–ISRAEL ENERGY CENTER.—There*
6 *is authorized to be appropriated to the Secretary of Energy*
7 *\$4,000,000 for each of the fiscal years 2021 through 2023*
8 *to carry out the activities of the United States-Israel En-*
9 *ergy Center established pursuant to section 917(d) of the*
10 *Energy Independence and Security Act of 2007 (42 U.S.C.*
11 *17337(d)).*

12 (f) *UNITED STATES–ISRAEL BINATIONAL INDUSTRIAL*
13 *RESEARCH AND DEVELOPMENT FOUNDATION.—It is the*
14 *sense of Congress that grants to promote covered energy*
15 *projects conducted by, or in conjunction with, the United*
16 *States-Israel Binational Industrial Research and Develop-*
17 *ment Foundation should be funded at not less than*
18 *\$2,000,000 annually under section 917(b) of the Energy*
19 *Independence and Security Act of 2007 (42 U.S.C.*
20 *17337(b)).*

21 (g) *UNITED STATES–ISRAEL COOPERATION ON EN-*
22 *ERGY, WATER, HOMELAND SECURITY, AGRICULTURE, AND*
23 *ALTERNATIVE FUEL TECHNOLOGIES.—Section 7 of the*
24 *United States-Israel Strategic Partnership Act of 2014 (22*
25 *U.S.C. 8606) is amended by adding at the end the following:*

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
2 *are authorized to be appropriated to carry out this section*
3 *\$2,000,000 for each of the fiscal years 2021 through 2023.*”.

4 (h) *ANNUAL POLICY DIALOGUE.*—*It is the sense of*
5 *Congress that the Department of Transportation and*
6 *Israel’s Ministry of Transportation should engage in an an-*
7 *nual policy dialogue to implement the 2016 Memorandum*
8 *of Cooperation signed by the Secretary of Transportation*
9 *and the Israeli Minister of Transportation.*

10 (i) *COOPERATION ON SPACE EXPLORATION AND*
11 *SCIENCE INITIATIVES.*—*The Administrator of the National*
12 *Aeronautics and Space Administration shall continue to*
13 *work with the Israel Space Agency to identify and coopera-*
14 *tively pursue peaceful space exploration and science initia-*
15 *tives in areas of mutual interest, taking all appropriate*
16 *measures to protect sensitive information, intellectual prop-*
17 *erty, trade secrets, and economic interests of the United*
18 *States.*

19 (j) *RESEARCH AND DEVELOPMENT COOPERATION RE-*
20 *LATING TO DESALINATION TECHNOLOGY.*—*Not later than*
21 *1 year after the date of the enactment of this Act, the Direc-*
22 *tor of the Office of Science and Technology Policy shall sub-*
23 *mit a report that describes research and development co-*
24 *operation with international partners, such as the State of*
25 *Israel, in the area of desalination technology in accordance*

1 *with section 9(b)(3) of the Water Desalination Act of 1996*

2 *(42 U.S.C. 10301 note) to—*

3 *(1) the Committee on Foreign Relations of the*
4 *Senate;*

5 *(2) the Committee on Energy and Natural Re-*
6 *sources of the Senate;*

7 *(3) the Committee on Foreign Affairs of the*
8 *House of Representatives; and*

9 *(4) the Committee on Natural Resources of the*
10 *House of Representatives.*

11 *(k) RESEARCH AND TREATMENT OF POSTTRAUMATIC*
12 *STRESS DISORDER.—It is the sense of Congress that the*
13 *Secretary of Veterans Affairs should seek to explore collabo-*
14 *ration between the Mental Illness Research, Education and*
15 *Clinical Centers of Excellence and Israeli institutions with*
16 *expertise in researching and treating posttraumatic stress*
17 *disorder.*

1 **TITLE LXVI—STRATEGIC PRO-**
2 **GRAMS, CYBER, AND INTEL-**
3 **LIGENCE MATTERS**
4 **Subtitle B—Cyberspace Related**
5 **Matters**

6 **SEC. 6611. REPORT ON USE OF ENCRYPTION BY DEPART-**
7 **MENT OF DEFENSE NATIONAL SECURITY SYS-**
8 **TEMS.**

9 *Not later than 180 days after the date of the enactment*
10 *of this Act, the Secretary of Defense shall submit to the Con-*
11 *gress a report detailing the mission need and efficacy of*
12 *full disk encryption across Non-classified Internet Protocol*
13 *Router Network (NIPRNet) and Secretary Internet Protocol*
14 *Router Network (SIPRNet) endpoint computer systems.*
15 *Such report shall cover matters relating to cost, mission im-*
16 *pact, and implementation timeline.*

17 **SEC. 6612. GUIDANCE AND DIRECTION ON USE OF DIRECT**
18 **HIRING PROCESSES FOR ARTIFICIAL INTEL-**
19 **LIGENCE PROFESSIONALS AND OTHER DATA**
20 **SCIENCE AND SOFTWARE DEVELOPMENT**
21 **PERSONNEL.**

22 *(a) GUIDANCE REQUIRED.—Not later than 180 days*
23 *after the date of the enactment of this Act, the Secretary*
24 *of Defense shall issue guidance to the secretaries of the mili-*
25 *tary departments and the heads of the defense components*

1 *on improved use of the direct hiring processes for artificial*
2 *intelligence professionals and other data science and soft-*
3 *ware development personnel.*

4 (b) *OBJECTIVE.*—*The objective of the guidance issued*
5 *under subsection (a) shall be to ensure that organizational*
6 *leaders assume greater responsibility for the results of civil-*
7 *ian hiring of artificial intelligence professionals and other*
8 *data science and software development personnel.*

9 (c) *CONTENTS OF GUIDANCE.*—*At a minimum, the*
10 *guidance required by subsection (a) shall—*

11 (1) *instruct human resources professionals and*
12 *hiring authorities to utilize available direct hiring*
13 *authorities (including excepted service authorities) for*
14 *the hiring of artificial intelligence professionals and*
15 *other data science and software development per-*
16 *sonnel, to the maximum extent practicable;*

17 (2) *instruct hiring authorities, when using direct*
18 *hiring authorities, to prioritize utilization of panels*
19 *of subject matter experts over human resources profes-*
20 *sionals to assess applicant qualifications and deter-*
21 *mine which applicants are best qualified for a posi-*
22 *tion;*

23 (3) *authorize and encourage the use of ePortfolio*
24 *reviews to provide insight into the previous work of*
25 *applicants as a tangible demonstration of capabilities*

1 *and contribute to the assessment of applicant quali-*
2 *fications by subject matter experts; and*

3 *(4) encourage the use of referral bonuses for re-*
4 *ruitment and hiring of highly qualified artificial in-*
5 *telligence professionals and other data science and*
6 *software development personnel in accordance with*
7 *volume 451 of Department of Defense Instruction*
8 *1400.25.*

9 *(d) REPORT.—*

10 *(1) IN GENERAL.—Not later than one year after*
11 *the date on which the guidance is issued under sub-*
12 *section (a), the Secretary shall submit to the Com-*
13 *mittee on Armed Services of the Senate and the Com-*
14 *mittee on Armed Services of the House of Representa-*
15 *tives a report on the guidance issued pursuant to sub-*
16 *section (a).*

17 *(2) CONTENTS.—At a minimum, the report sub-*
18 *mitted under paragraph (1) shall address the fol-*
19 *lowing:*

20 *(A) The objectives of the guidance and the*
21 *manner in which the guidance seeks to achieve*
22 *those objectives.*

23 *(B) The effect of the guidance on the hiring*
24 *process for artificial intelligence professionals*

1 *and other data science and software development*
2 *personnel, including the effect on—*

3 *(i) hiring time;*

4 *(ii) the use of direct hiring authority;*

5 *(iii) the use of subject matter experts;*

6 *and*

7 *(iv) the quality of new hires, as as-*
8 *essed by hiring managers and organiza-*
9 *tional leaders.*

10 **SEC. 6613. CYBERSECURITY STATE COORDINATOR ACT.**

11 *(a) SHORT TITLE.—This section may be cited as the*
12 *“Cybersecurity State Coordinator Act of 2020”.*

13 *(b) CYBERSECURITY STATE COORDINATOR.—*

14 *(1) IN GENERAL.—Subtitle A of title XXII of the*
15 *Homeland Security Act of 2002 (6 U.S.C. 651 et seq.)*
16 *is amended—*

17 *(A) in section 2202(c) (6 U.S.C. 652(c))—*

18 *(i) in paragraph (10), by striking*
19 *“and” at the end;*

20 *(ii) by redesignating paragraph (11)*
21 *as paragraph (12); and*

22 *(iii) by inserting after paragraph (10)*
23 *the following:*

24 *“(11) appoint a Cybersecurity State Coordinator*
25 *in each State, as described in section 2215; and”;* and

1 (B) by adding at the end the following:

2 **“SEC. 2215. CYBERSECURITY STATE COORDINATOR.**

3 “(a) *APPOINTMENT.*—*The Director shall appoint an*
4 *employee of the Agency in each State, with the appropriate*
5 *cybersecurity qualifications and expertise, who shall serve*
6 *as the Cybersecurity State Coordinator.*

7 “(b) *DUTIES.*—*The duties of a Cybersecurity State Co-*
8 *ordinator appointed under subsection (a) shall include—*

9 “(1) *building strategic relationships across Fed-*
10 *eral and, on a voluntary basis, non-Federal entities*
11 *by advising on establishing governance structures to*
12 *facilitate the development and maintenance of secure*
13 *and resilient infrastructure;*

14 “(2) *servicing as a Federal cybersecurity risk ad-*
15 *visor and coordinating between Federal and, on a vol-*
16 *untary basis, non-Federal entities to support prepa-*
17 *ration, response, and remediation efforts relating to*
18 *cybersecurity risks and incidents;*

19 “(3) *facilitating the sharing of cyber threat in-*
20 *formation between Federal and, on a voluntary basis,*
21 *non-Federal entities to improve understanding of cy-*
22 *bersecurity risks and situational awareness of cyberse-*
23 *curity incidents;*

24 “(4) *raising awareness of the financial, tech-*
25 *nical, and operational resources available from the*

1 *Federal Government to non-Federal entities to in-*
2 *crease resilience against cyber threats;*

3 “(5) *supporting training, exercises, and plan-*
4 *ning for continuity of operations to expedite recovery*
5 *from cybersecurity incidents, including ransomware;*

6 “(6) *servng as a principal point of contact for*
7 *non-Federal entities to engage, on a voluntary basis,*
8 *with the Federal Government on preparing, man-*
9 *aging, and responding to cybersecurity incidents;*

10 “(7) *assisting non-Federal entities in developing*
11 *and coordinating vulnerability disclosure programs*
12 *consistent with Federal and information security in-*
13 *dustry standards; and*

14 “(8) *performing such other duties as determined*
15 *necessary by the Director to achieve the goal of man-*
16 *aging cybersecurity risks in the United States and re-*
17 *ducing the impact of cyber threats to non-Federal en-*
18 *tities.*

19 “(c) *FEEDBACK.—The Director shall consult with rel-*
20 *evant State and local officials regarding the appointment,*
21 *and State and local officials and other non-Federal entities*
22 *regarding the performance, of the Cybersecurity State Coor-*
23 *dinator of a State.”.*

24 (2) *OVERSIGHT.—The Director of the Cybersecu-*
25 *rity and Infrastructure Security Agency shall provide*

1 to the Committee on Homeland Security and Govern-
2 mental Affairs of the Senate and the Committee on
3 Homeland Security of the House of Representatives a
4 briefing on the placement and efficacy of the Cyberse-
5 curity State Coordinators appointed under section
6 2215 of the Homeland Security Act of 2002, as added
7 by paragraph (1)—

8 (A) not later than 1 year after the date of
9 enactment of this Act; and

10 (B) not later than 2 years after providing
11 the first briefing under this paragraph.

12 (3) *RULE OF CONSTRUCTION.*—Nothing in this
13 subsection or the amendments made by this subsection
14 shall be construed to affect or otherwise modify the
15 authority of Federal law enforcement agencies with
16 respect to investigations relating to cybersecurity in-
17 cidents.

18 (4) *TECHNICAL AND CONFORMING AMEND-*
19 *MENT.*—The table of contents in section 1(b) of the
20 Homeland Security Act of 2002 (Public Law 107–
21 296; 116 Stat. 2135) is amended by inserting after
22 the item relating to section 2214 the following:

“Sec. 2215. Cybersecurity State Coordinator.”.

1 **SEC. 6614. CYBERSECURITY ADVISORY COMMITTEE.**

2 (a) *SHORT TITLE.*—*This section may be cited as the*
3 *“Cybersecurity Advisory Committee Authorization Act of*
4 *2020”.*

5 (b) *IN GENERAL.*—*Subtitle A of title XXII of the*
6 *Homeland Security Act of 2002 (6 U.S.C. 651 et seq.), as*
7 *amended by section 6613 of this Act, is further amended*
8 *by adding at the end the following:*

9 **“SEC. 2216. CYBERSECURITY ADVISORY COMMITTEE.**

10 *“(a) ESTABLISHMENT.*—*The Secretary shall establish*
11 *within the Agency a Cybersecurity Advisory Committee (re-*
12 *ferred to in this section as the ‘Advisory Committee’).*

13 *“(b) DUTIES.—*

14 *“(1) IN GENERAL.—The Advisory Committee*
15 *shall advise, consult with, report to, and make rec-*
16 *ommendations to the Director, as appropriate, on the*
17 *development, refinement, and implementation of poli-*
18 *cies, programs, planning, and training pertaining to*
19 *the cybersecurity mission of the Agency.*

20 *“(2) RECOMMENDATIONS.—*

21 *“(A) IN GENERAL.—The Advisory Com-*
22 *mittee shall develop, at the request of the Direc-*
23 *tor, recommendations for improvements to ad-*
24 *vance the cybersecurity mission of the Agency*
25 *and strengthen the cybersecurity of the United*
26 *States.*

1 “(B) *RECOMMENDATIONS OF SUBCOMMIT-*
2 *TEES.—Recommendations agreed upon by sub-*
3 *committees established under subsection (d) for*
4 *any year shall be approved by the Advisory*
5 *Committee before the Advisory Committee sub-*
6 *mits to the Director the annual report under*
7 *paragraph (4) for that year.*

8 “(3) *PERIODIC REPORTS.—The Advisory Com-*
9 *mittee shall periodically submit to the Director—*

10 “(A) *reports on matters identified by the*
11 *Director; and*

12 “(B) *reports on other matters identified by*
13 *a majority of the members of the Advisory Com-*
14 *mittee.*

15 “(4) *ANNUAL REPORT.—*

16 “(A) *IN GENERAL.—The Advisory Com-*
17 *mittee shall submit to the Director an annual re-*
18 *port providing information on the activities,*
19 *findings, and recommendations of the Advisory*
20 *Committee, including its subcommittees, for the*
21 *preceding year.*

22 “(B) *PUBLICATION.—Not later than 180*
23 *days after the date on which the Director receives*
24 *an annual report for a year under subparagraph*
25 *(A), the Director shall publish a public version*

1 *of the report describing the activities of the Advi-*
2 *sory Committee and such related matters as*
3 *would be informative to the public during that*
4 *year, consistent with section 552(b) of title 5,*
5 *United States Code.*

6 “(5) *FEEDBACK.*—*Not later than 90 days after*
7 *receiving any recommendation submitted by the Advi-*
8 *sory Committee under paragraph (2), (3), or (4), the*
9 *Director shall respond in writing to the Advisory*
10 *Committee with feedback on the recommendation.*
11 *Such a response shall include—*

12 “(A) *with respect to any recommendation*
13 *with which the Director concurs, an action plan*
14 *to implement the recommendation; and*

15 “(B) *with respect to any recommendation*
16 *with which the Director does not concur, a jus-*
17 *tification for why the Director does not plan to*
18 *implement the recommendation.*

19 “(6) *CONGRESSIONAL NOTIFICATION.*—*Not less*
20 *frequently than once per year after the date of enact-*
21 *ment of this section, the Director shall provide to the*
22 *Committee on Homeland Security and Governmental*
23 *Affairs and the Committee on Appropriations of the*
24 *Senate and the Committee on Homeland Security and*
25 *the Committee on Appropriations of the House of*

1 *Representatives a briefing on feedback from the Advi-*
2 *sory Committee.*

3 “(7) *GOVERNANCE RULES.*—*The Director shall*
4 *establish rules for the structure and governance of the*
5 *Advisory Committee and all subcommittees estab-*
6 *lished under subsection (d).*

7 “(c) *MEMBERSHIP.*—

8 “(1) *APPOINTMENT.*—

9 “(A) *IN GENERAL.*—*Not later than 180*
10 *days after the date of enactment of the Cyberse-*
11 *curity Advisory Committee Authorization Act of*
12 *2020, the Director shall appoint the members of*
13 *the Advisory Committee.*

14 “(B) *COMPOSITION.*—*The membership of*
15 *the Advisory Committee shall consist of not more*
16 *than 35 individuals.*

17 “(C) *REPRESENTATION.*—

18 “(i) *IN GENERAL.*—*The membership of*
19 *the Advisory Committee shall—*

20 “(I) *consist of subject matter ex-*
21 *perts;*

22 “(II) *be geographically balanced;*
23 *and*

24 “(III) *include representatives of*
25 *State, local, and Tribal governments*

1 *and of a broad range of industries,*
2 *which may include the following:*

3 *“(aa) Defense.*

4 *“(bb) Education.*

5 *“(cc) Financial services and*
6 *insurance.*

7 *“(dd) Healthcare.*

8 *“(ee) Manufacturing.*

9 *“(ff) Media and entertain-*
10 *ment.*

11 *“(gg) Chemicals.*

12 *“(hh) Retail.*

13 *“(ii) Transportation.*

14 *“(jj) Energy.*

15 *“(kk) Information Tech-*
16 *nology.*

17 *“(ll) Communications.*

18 *“(mm) Other relevant fields*
19 *identified by the Director.*

20 *“(ii) PROHIBITION.—Not less than 1*
21 *member nor more than 3 members may rep-*
22 *resent any 1 category under clause (i)(III).*

23 *“(iii) PUBLICATION OF MEMBERSHIP*
24 *LIST.—The Advisory Committee shall pub-*
25 *lish its membership list on a publicly avail-*

1 *able website not less than once per fiscal*
2 *year and shall update the membership list*
3 *as changes occur.*

4 “(2) *TERM OF OFFICE.*—

5 “(A) *TERMS.*—*The term of each member of*
6 *the Advisory Committee shall be 2 years, except*
7 *that a member may continue to serve until a*
8 *successor is appointed.*

9 “(B) *REMOVAL.*—*The Director may review*
10 *the participation of a member of the Advisory*
11 *Committee and remove such member any time at*
12 *the discretion of the Director.*

13 “(C) *REAPPOINTMENT.*—*A member of the*
14 *Advisory Committee may be reappointed for an*
15 *unlimited number of terms.*

16 “(3) *PROHIBITION ON COMPENSATION.*—*The*
17 *members of the Advisory Committee may not receive*
18 *pay or benefits from the United States Government by*
19 *reason of their service on the Advisory Committee.*

20 “(4) *MEETINGS.*—

21 “(A) *IN GENERAL.*—*The Director shall re-*
22 *quire the Advisory Committee to meet not less*
23 *frequently than semiannually, and may convene*
24 *additional meetings as necessary.*

1 “(B) *PUBLIC MEETINGS.*—*At least one of*
2 *the meetings referred to in subparagraph (A)*
3 *shall be open to the public.*

4 “(C) *ATTENDANCE.*—*The Advisory Com-*
5 *mittee shall maintain a record of the persons*
6 *present at each meeting.*

7 “(5) *MEMBER ACCESS TO CLASSIFIED INFORMA-*
8 *TION.*—

9 “(A) *IN GENERAL.*—*Not later than 60 days*
10 *after the date on which a member is first ap-*
11 *pointed to the Advisory Committee and before*
12 *the member is granted access to any classified*
13 *information, the Director shall determine, for the*
14 *purposes of the Advisory Committee, if the mem-*
15 *ber should be restricted from reviewing, dis-*
16 *ussing, or possessing classified information.*

17 “(B) *ACCESS.*—*Access to classified mate-*
18 *rials shall be managed in accordance with Exec-*
19 *utive Order No. 13526 of December 29, 2009 (75*
20 *Fed. Reg. 707), or any subsequent corresponding*
21 *Executive Order.*

22 “(C) *PROTECTIONS.*—*A member of the Ad-*
23 *visory Committee shall protect all classified in-*
24 *formation in accordance with the applicable re-*

1 *quirements for the particular level of classifica-*
2 *tion of such information.*

3 “(D) *RULE OF CONSTRUCTION.*—*Nothing in*
4 *this paragraph shall be construed to affect the se-*
5 *curity clearance of a member of the Advisory*
6 *Committee or the authority of a Federal agency*
7 *to provide a member of the Advisory Committee*
8 *access to classified information.*

9 “(6) *CHAIRPERSON.*—*The Advisory Committee*
10 *shall select, from among the members of the Advisory*
11 *Committee—*

12 “(A) *a member to serve as chairperson of*
13 *the Advisory Committee; and*

14 “(B) *a member to serve as chairperson of*
15 *each subcommittee of the Advisory Committee es-*
16 *tablished under subsection (d).*

17 “(d) *SUBCOMMITTEES.*—

18 “(1) *IN GENERAL.*—*The Director shall establish*
19 *subcommittees within the Advisory Committee to ad-*
20 *dress cybersecurity issues, which may include the fol-*
21 *lowing:*

22 “(A) *Information exchange.*

23 “(B) *Critical infrastructure.*

24 “(C) *Risk management.*

25 “(D) *Public and private partnerships.*

1 “(2) *MEETINGS AND REPORTING.*—*Each sub-*
2 *committee shall meet not less frequently than semi-*
3 *annually, and submit to the Advisory Committee for*
4 *inclusion in the annual report required under sub-*
5 *section (b)(4) information, including activities, find-*
6 *ings, and recommendations, regarding subject matter*
7 *considered by the subcommittee.*

8 “(3) *SUBJECT MATTER EXPERTS.*—*The chair of*
9 *the Advisory Committee shall appoint members to*
10 *subcommittees and shall ensure that each member ap-*
11 *pointed to a subcommittee has subject matter exper-*
12 *tise relevant to the subject matter of the sub-*
13 *committee.”.*

14 “(c) *CLERICAL AMENDMENT.*—*The table of contents in*
15 *section 1(b) of the Homeland Security Act of 2002 (Public*
16 *Law 107–296; 116 Stat. 2135), as so amended, is further*
17 *amended by inserting after the item relating to section 2215*
18 *the following:*

 “*Sec. 2216. Cybersecurity Advisory Committee.*”.

19 **SEC. 6615. CYBERSECURITY EDUCATION AND TRAINING AS-**
20 **SISTANCE PROGRAM.**

21 “(a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
22 *that—*

23 (1) *the United States continues to face critical*
24 *shortages in the national cybersecurity workforce;*

1 (2) *the Cybersecurity and Infrastructure Security*
2 *Agency within the Department of Homeland Security*
3 *has the responsibility to manage cyber and*
4 *physical risks to our critical infrastructure, including*
5 *by ensuring a national workforce supply to support*
6 *cybersecurity through education, training, and capacity*
7 *development efforts;*

8 (3) *to reestablish the technology leadership, security,*
9 *and economic competitiveness of the United*
10 *States, the Cybersecurity and Infrastructure Security*
11 *Agency should create a sustainable pipeline by*
12 *strengthening K–12 cybersecurity outreach and edu-*
13 *cation nationwide.*

14 (b) *AUTHORITIES.*—*Section 2202(e)(1) of the Home-*
15 *land Security Act of 2002 (6 U.S.C. 652(e)(1)) is amended*
16 *by adding at the end the following:*

17 “(R) *To encourage and build cybersecurity*
18 *awareness and competency across the United*
19 *States and to develop, attract, and retain the cy-*
20 *bersecurity workforce necessary for the cybersecu-*
21 *rity related missions of the Department, includ-*
22 *ing by—*

23 “(i) *overseeing K–12 cybersecurity edu-*
24 *cation and awareness related programs at*
25 *the agency;*

1 “(ii) leading efforts to develop, attract,
2 and retain the cybersecurity workforce nec-
3 essary for the cybersecurity related missions
4 of the Department;

5 “(iii) encouraging and building cyber-
6 security awareness and competency across
7 the United States; and

8 “(iv) carrying out cybersecurity related
9 workforce development activities, including
10 through—

11 “(I) increasing the pipeline of fu-
12 ture cybersecurity professionals
13 through programs focused on K–12,
14 higher education, and non-traditional
15 students; and

16 “(II) building awareness of and
17 competency in cybersecurity across the
18 civilian Federal government work-
19 force.”.

20 (c) *EDUCATION, TRAINING, AND CAPACITY DEVELOP-*
21 *MENT.*—Section 2202(c) of the Homeland Security Act of
22 2002 (6 U.S.C. 652(c)) is amended—

23 (1) by redesignating paragraph (11) as para-
24 graph (12);

1 “(A) providing foundational cybersecurity
2 awareness and literacy;

3 “(B) encouraging cybersecurity career ex-
4 ploration; and

5 “(C) supporting the teaching of cybersecu-
6 rity skills at the K–12 levels.

7 “(b) REQUIREMENTS.—In carrying out CETAP, the
8 Director shall—

9 “(1) ensure that the program—

10 “(A) creates and disseminates K–12 cyberse-
11 curity-focused curricula and career awareness
12 materials;

13 “(B) conducts professional development ses-
14 sions for teachers;

15 “(C) develops resources for the teaching of
16 K–12 cybersecurity-focused curricula;

17 “(D) provides direct student engagement op-
18 portunities through camps and other program-
19 ming;

20 “(E) engages with local and State education
21 authorities to promote awareness of the program
22 and ensure that offerings align with State and
23 local standards;

1 “(F) integrates with existing post-secondary
2 education and workforce development programs
3 at the Department;

4 “(G) establishes and maintains national
5 standards for K–12 cyber education;

6 “(H) partners with cybersecurity and edu-
7 cation stakeholder groups to expand outreach;
8 and

9 “(I) any other activity the Director deter-
10 mines necessary to meet the purpose described in
11 subsection (a)(2); and

12 “(2) enable the deployment of CETAP nation-
13 wide, with special consideration for underserved pop-
14 ulations or communities.

15 “(c) BRIEFINGS.—

16 “(1) IN GENERAL.—Not later than 1 year after
17 the establishment of CETAP, and annually thereafter,
18 the Secretary shall brief the Committee on Homeland
19 Security and Governmental Affairs of the Senate and
20 the Committee on Homeland Security of the House of
21 Representatives on the program.

22 “(2) CONTENTS.—Each briefing conducted under
23 paragraph (1) shall include—

24 “(A) estimated figures on the number of stu-
25 dents reached and teachers engaged;

1 “(B) information on community outreach
2 and State engagement efforts;

3 “(C) information on new curricula offerings
4 and teacher training platforms; and

5 “(D) information on coordination with
6 post-secondary education and workforce develop-
7 ment programs at the Department.

8 “(d) *MISSION PROMOTION.*—The Director may use ap-
9 propriated amounts to purchase promotional and recogni-
10 tion items and marketing and advertising services to pub-
11 licize and promote the mission and services of the Agency,
12 support the activities of the Agency, and to recruit and re-
13 tain Agency personnel.”.

14 (e) *TECHNICAL AND CONFORMING AMENDMENT.*—The
15 table of contents in section 1(b) of the Homeland Security
16 Act of 2002 (Public Law 107–296; 116 Stat. 2135), as so
17 amended, is further amended by inserting after the item
18 relating to section 2216 the following:

 “Sec. 2217. *Cybersecurity Education and Training Programs.*”.

19 ***Subtitle C—Nuclear Forces***

20 ***SEC. 6651. REPORT ON ELECTROMAGNETIC PULSE HARD-***
21 ***ENING OF GROUND-BASED STRATEGIC DE-***
22 ***TERRENT WEAPONS SYSTEM.***

23 (a) *REPORT REQUIRED.*—Not later than 180 days
24 after the date of the enactment of this Act, the Secretary
25 of the Air Force shall submit to the congressional defense

1 *committees a report on establishing requirements and proto-*
2 *cols to ensure that the ground-based strategic deterrent*
3 *weapons system is hardened against electromagnetic pulses.*

4 (b) *ELEMENTS.—The report required by subsection (a)*
5 *shall include a description of the following:*

6 (1) *The testing protocols the ground-based stra-*
7 *tegic deterrent program will use for electromagnetic*
8 *pulse testing.*

9 (2) *How requirements for electromagnetic pulse*
10 *hardness will be integrated into the ground-based*
11 *strategic deterrent program.*

12 (3) *Plans for electromagnetic pulse verification*
13 *tests of the ground-based strategic deterrent weapons*
14 *system.*

15 (4) *Plans for electromagnetic pulse testing of*
16 *nonmissile components of the ground-based strategic*
17 *deterrent weapons system.*

18 (5) *Plans to sustain electromagnetic pulse quali-*
19 *fication of the ground-based strategic deterrent weap-*
20 *ons system.*

1 **TITLE LXVII—NUCLEAR ENERGY**
 2 **LEADERSHIP**

3 **SEC. 6701. ADVANCED NUCLEAR REACTOR RESEARCH AND**
 4 **DEVELOPMENT GOALS.**

5 (a) *IN GENERAL.*—*Subtitle E of title IX of the Energy*
 6 *Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended*
 7 *by adding at the end the following:*

8 **“SEC. 959A. ADVANCED NUCLEAR REACTOR RESEARCH AND**
 9 **DEVELOPMENT GOALS.**

10 “(a) *DEFINITIONS.*—*In this section:*

11 “(1) *ADVANCED NUCLEAR REACTOR.*—*The term*
 12 *‘advanced nuclear reactor’ means—*

13 “(A) *a nuclear fission reactor, including a*
 14 *prototype plant (as defined in sections 50.2 and*
 15 *52.1 of title 10, Code of Federal Regulations (or*
 16 *successor regulations)), with significant improve-*
 17 *ments compared to the most recent generation of*
 18 *fission reactors, including improvements such*
 19 *as—*

20 “(i) *additional inherent safety features;*

21 “(ii) *lower waste yields;*

22 “(iii) *improved fuel performance;*

23 “(iv) *increased tolerance to loss of fuel*
 24 *cooling;*

25 “(v) *enhanced reliability;*

1 “(vi) increased proliferation resistance;

2 “(vii) increased thermal efficiency;

3 “(viii) reduced consumption of cooling
4 water;

5 “(ix) the ability to integrate into elec-
6 tric applications and nonelectric applica-
7 tions;

8 “(x) modular sizes to allow for deploy-
9 ment that corresponds with the demand for
10 electricity; or

11 “(xi) operational flexibility to respond
12 to changes in demand for electricity and to
13 complement integration with intermittent
14 renewable energy; and

15 “(B) a fusion reactor.

16 “(2) *DEMONSTRATION PROJECT.*—The term
17 ‘demonstration project’ means an advanced nuclear
18 reactor operated in any manner, including as part of
19 the power generation facilities of an electric utility
20 system, for the purpose of demonstrating the suit-
21 ability for commercial application of the advanced
22 nuclear reactor.

23 “(b) *PURPOSE.*—The purpose of this section is to direct
24 the Secretary, as soon as practicable after the date of enact-
25 ment of this section, to advance the research and develop-

1 *ment of domestic advanced, affordable, and clean nuclear*
2 *energy by—*

3 “(1) *demonstrating different advanced nuclear*
4 *reactor technologies that could be used by the private*
5 *sector to produce—*

6 “(A) *emission-free power at a levelized cost*
7 *of electricity of \$60 per megawatt-hour or less;*

8 “(B) *heat for community heating, indus-*
9 *trial purposes, or synthetic fuel production;*

10 “(C) *remote or off-grid energy supply; or*

11 “(D) *backup or mission-critical power sup-*
12 *plies;*

13 “(2) *developing subgoals for nuclear energy re-*
14 *search programs that would accomplish the goals of*
15 *the demonstration projects carried out under sub-*
16 *section (c);*

17 “(3) *identifying research areas that the private*
18 *sector is unable or unwilling to undertake due to the*
19 *cost of, or risks associated with, the research; and*

20 “(4) *facilitating the access of the private sector—*

21 “(A) *to Federal research facilities and per-*
22 *sonnel; and*

23 “(B) *to the results of research relating to*
24 *civil nuclear technology funded by the Federal*
25 *Government.*

1 “(c) *DEMONSTRATION PROJECTS.*—

2 “(1) *IN GENERAL.*—*The Secretary shall, to the*
3 *maximum extent practicable—*

4 “(A) *enter into agreements to complete not*
5 *fewer than 2 demonstration projects by not later*
6 *than December 31, 2025; and*

7 “(B) *establish a program to enter into*
8 *agreements to complete 1 additional operational*
9 *demonstration project by not later than Decem-*
10 *ber 31, 2035.*

11 “(2) *REQUIREMENTS.*—*In carrying out dem-*
12 *onstration projects under paragraph (1), the Sec-*
13 *retary shall—*

14 “(A) *include diversity in designs for the ad-*
15 *vanced nuclear reactors demonstrated under this*
16 *section, including designs using various—*

17 “(i) *primary coolants;*

18 “(ii) *fuel types and compositions; and*

19 “(iii) *neutron spectra;*

20 “(B) *seek to ensure that—*

21 “(i) *the long-term cost of electricity or*
22 *heat for each design to be demonstrated*
23 *under this subsection is cost-competitive in*
24 *the applicable market;*

1 “(ii) the selected projects can meet the
2 deadline established in paragraph (1) to
3 demonstrate first-of-a-kind advanced nu-
4 clear reactor technologies, for which addi-
5 tional information shall be considered, in-
6 cluding—

7 “(I) the technology readiness level
8 of a proposed advanced nuclear reactor
9 technology;

10 “(II) the technical abilities and
11 qualifications of teams desiring to
12 demonstrate a proposed advanced nu-
13 clear reactor technology; and

14 “(III) the capacity to meet cost-
15 share requirements of the Department;

16 “(C) ensure that each evaluation of can-
17 didate technologies for the demonstration projects
18 is completed through an external review of pro-
19 posed designs, which review shall—

20 “(i) be conducted by a panel that in-
21 cludes not fewer than 1 representative of
22 each of—

23 “(I) an electric utility; and

24 “(II) an entity that uses high-
25 temperature process heat for manufac-

1 *turing or industrial processing, such as*
2 *a petrochemical company, a manufac-*
3 *turer of metals, or a manufacturer of*
4 *concrete;*

5 *“(ii) include a review of cost-competi-*
6 *tiveness and other value streams, together*
7 *with the technology readiness level, of each*
8 *design to be demonstrated under this sub-*
9 *section; and*

10 *“(iii) not be required for a demonstra-*
11 *tion project that receives no financial assist-*
12 *ance from the Department for construction*
13 *costs;*

14 *“(D) for federally funded demonstration*
15 *projects, enter into cost-sharing agreements with*
16 *private sector partners in accordance with sec-*
17 *tion 988 for the conduct of activities relating to*
18 *the research, development, and demonstration of*
19 *private-sector advanced nuclear reactor designs*
20 *under the program;*

21 *“(E) work with private sector partners to*
22 *identify potential sites, including Department-*
23 *owned sites, for demonstrations, as appropriate;*

24 *“(F) align specific activities carried out*
25 *under demonstration projects carried out under*

1 *this subsection with priorities identified through*
2 *direct consultations between—*

3 “(i) *the Department;*

4 “(ii) *National Laboratories;*

5 “(iii) *institutions of higher education;*

6 “(iv) *traditional end-users (such as*
7 *electric utilities);*

8 “(v) *potential end-users of new tech-*
9 *nologies (such as users of high-temperature*
10 *process heat for manufacturing processing,*
11 *including petrochemical companies, manu-*
12 *facturers of metals, or manufacturers of*
13 *concrete); and*

14 “(vi) *developers of advanced nuclear*
15 *reactor technology; and*

16 “(G) *seek to ensure that the demonstration*
17 *projects carried out under paragraph (1) do not*
18 *cause any delay in a deployment of an advanced*
19 *reactor by private industry and the Department*
20 *that is underway as of the date of enactment of*
21 *this section.*

22 “(3) *ADDITIONAL REQUIREMENTS.—In carrying*
23 *out demonstration projects under paragraph (1), the*
24 *Secretary shall—*

25 “(A) *identify candidate technologies that—*

1 “(i) are not developed sufficiently for
2 demonstration within the initial required
3 timeframe described in paragraph (1)(A);
4 but

5 “(ii) could be demonstrated within the
6 timeframe described in paragraph (1)(B);

7 “(B) identify technical challenges to the
8 candidate technologies identified in subpara-
9 graph (A);

10 “(C) support near-term research and devel-
11 opment to address the highest-risk technical chal-
12 lenges to the successful demonstration of a se-
13 lected advanced reactor technology, in accordance
14 with—

15 “(i) subparagraph (B); and

16 “(ii) the research and development ac-
17 tivities under sections 952 and 958;

18 “(D) establish such technology advisory
19 working groups as the Secretary determines to be
20 appropriate to advise the Secretary regarding
21 the technical challenges identified under sub-
22 paragraph (B) and the scope of research and de-
23 velopment programs to address the challenges, in
24 accordance with subparagraph (C), to be com-
25 prised of—

1 “(i) private-sector advanced nuclear
2 reactor technology developers;

3 “(ii) technical experts with respect to
4 the relevant technologies at institutions of
5 higher education; and

6 “(iii) technical experts at the National
7 Laboratories.

8 “(d) GOALS.—

9 “(1) IN GENERAL.—The Secretary shall establish
10 goals for research relating to advanced nuclear reac-
11 tors facilitated by the Department that support the
12 objectives of the program for demonstration projects
13 established under subsection (c).

14 “(2) COORDINATION.—In developing the goals
15 under paragraph (1), the Secretary shall coordinate,
16 on an ongoing basis, with members of private indus-
17 try to advance the demonstration of various designs
18 of advanced nuclear reactors.

19 “(3) REQUIREMENTS.—In developing the goals
20 under paragraph (1), the Secretary shall ensure
21 that—

22 “(A) research activities facilitated by the
23 Department to meet the goals developed under
24 this subsection are focused on key areas of nu-
25 clear research and deployment ranging from

1 *basic science to full-design development, safety*
2 *evaluation, and licensing;*

3 “(B) *research programs designed to meet the*
4 *goals emphasize—*

5 “(i) *resolving materials challenges re-*
6 *lating to extreme environments, including*
7 *extremely high levels of—*

8 “(I) *radiation fluence;*

9 “(II) *temperature;*

10 “(III) *pressure; and*

11 “(IV) *corrosion; and*

12 “(ii) *qualification of advanced fuels;*

13 “(C) *activities are carried out that address*
14 *near-term challenges in modeling and simulation*
15 *to enable accelerated design and licensing;*

16 “(D) *related technologies, such as tech-*
17 *nologies to manage, reduce, or reuse nuclear*
18 *waste, are developed;*

19 “(E) *nuclear research infrastructure is*
20 *maintained or constructed, such as—*

21 “(i) *currently operational research re-*
22 *actors at the National Laboratories and in-*
23 *stitutions of higher education;*

24 “(ii) *hot cell research facilities;*

1 “(iii) a versatile fast neutron source;
 2 and
 3 “(iv) a molten salt testing facility;
 4 “(F) basic knowledge of non-light water
 5 coolant physics and chemistry is improved;
 6 “(G) advanced sensors and control systems
 7 are developed; and
 8 “(H) advanced manufacturing and ad-
 9 vanced construction techniques and materials are
 10 investigated to reduce the cost of advanced nu-
 11 clear reactors.”.

12 (b) *TABLE OF CONTENTS.*—*The table of contents of the*
 13 *Energy Policy Act of 2005 (Public Law 109–58; 119 Stat.*
 14 *594; 132 Stat. 3160) is amended—*

15 (1) *in the item relating to section 917, by strik-*
 16 *ing “Efficiency”;*

17 (2) *in the items relating to each of sections 957,*
 18 *958, and 959 by inserting “Sec.” before the item*
 19 *number; and*

20 (3) *by inserting after the item relating to section*
 21 *959 the following:*

“Sec. 959A. *Advanced nuclear reactor research and development goals.*”.

22 **SEC. 6702. NUCLEAR ENERGY STRATEGIC PLAN.**

23 (a) *IN GENERAL.*—*Subtitle E of title IX of the Energy*
 24 *Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended*

1 *by section 6701(a)) is amended by adding at the end the*
2 *following:*

3 **“SEC. 959B. NUCLEAR ENERGY STRATEGIC PLAN.**

4 “(a) *IN GENERAL.*—*Not later than 180 days after the*
5 *date of enactment of this section, the Secretary shall submit*
6 *to the Committee on Energy and Natural Resources of the*
7 *Senate and the Committees on Energy and Commerce and*
8 *Science, Space, and Technology of the House of Representa-*
9 *tives a 10-year strategic plan for the Office of Nuclear En-*
10 *ergy of the Department, in accordance with this section.*

11 “(b) *REQUIREMENTS.*—

12 “(1) *COMPONENTS.*—*The strategic plan under*
13 *this section shall designate—*

14 “(A) *programs that support the planned ac-*
15 *complishment of—*

16 “(i) *the goals established under section*
17 *959A; and*

18 “(ii) *the demonstration programs iden-*
19 *tified under subsection (c) of that section;*
20 *and*

21 “(B) *programs that—*

22 “(i) *do not support the planned accom-*
23 *plishment of demonstration programs, or*
24 *the goals, referred to in subparagraph (A);*
25 *but*

1 “(ii) are important to the mission of
2 the Office of Nuclear Energy, as determined
3 by the Secretary.

4 “(2) PROGRAM PLANNING.—In developing the
5 strategic plan under this section, the Secretary shall
6 specify expected timelines for, as applicable—

7 “(A) the accomplishment of relevant objec-
8 tives under current programs of the Department;
9 or

10 “(B) the commencement of new programs to
11 accomplish those objectives.

12 “(c) UPDATES.—Not less frequently than once every 2
13 years, the Secretary shall submit to the Committee on En-
14 ergy and Natural Resources of the Senate and the Commit-
15 tees on Energy and Commerce and Science, Space, and
16 Technology of the House of Representatives an updated 10-
17 year strategic plan in accordance with subsection (b), which
18 shall identify, and provide a justification for, any major
19 deviation from a previous strategic plan submitted under
20 this section.”.

21 (b) TABLE OF CONTENTS.—The table of contents of the
22 Energy Policy Act of 2005 (Public Law 109–58; 119 Stat.
23 594; 132 Stat. 3160) (as amended by section 6701(b)(3))
24 is amended by inserting after the item relating to section
25 959A the following:

“Sec. 959B. Nuclear energy strategic plan.”.

1 **SEC. 6703. VERSATILE, REACTOR-BASED FAST NEUTRON**
 2 **SOURCE.**

3 *Section 955(c)(1) of the Energy Policy Act of 2005 (42*
 4 *U.S.C. 16275(c)(1)) is amended—*

5 *(1) in the paragraph heading, by striking “MIS-*
 6 *SION NEED” and inserting “AUTHORIZATION”; and*

7 *(2) in subparagraph (A), by striking “determine*
 8 *the mission need” and inserting “provide”.*

9 **SEC. 6704. ADVANCED NUCLEAR FUEL SECURITY PROGRAM.**

10 *(a) IN GENERAL.—Subtitle E of title IX of the Energy*
 11 *Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended*
 12 *by section 6702(a)) is amended by adding at the end the*
 13 *following:*

14 **“SEC. 960. ADVANCED NUCLEAR FUEL SECURITY PROGRAM.**

15 *“(a) DEFINITIONS.—In this section:*

16 *“(1) HALEU TRANSPORTATION PACKAGE.—The*
 17 *term ‘HALEU transportation package’ means a*
 18 *transportation package that is suitable for trans-*
 19 *porting high-assay, low-enriched uranium.*

20 *“(2) HIGH-ASSAY, LOW-ENRICHED URANIUM.—*
 21 *The term ‘high-assay, low-enriched uranium’ means*
 22 *uranium with an assay greater than 5 weight per-*
 23 *cent, but less than 20 weight percent, of the uranium-*
 24 *235 isotope.*

25 *“(3) HIGH-ENRICHED URANIUM.—The term*
 26 *‘high-enriched uranium’ means uranium with an*

1 *assay of 20 weight percent or more of the uranium-*
2 *235 isotope.*

3 “(b) *HIGH-ASSAY, LOW-ENRICHED URANIUM PRO-*
4 *GRAM FOR ADVANCED REACTORS.—*

5 “(1) *ESTABLISHMENT.—Not later than 1 year*
6 *after the date of enactment of this section, the Sec-*
7 *retary shall establish a program to make available*
8 *high-assay, low-enriched uranium, through contracts*
9 *for sale, resale, transfer, or lease, for use in commer-*
10 *cial or noncommercial advanced nuclear reactors.*

11 “(2) *NUCLEAR FUEL OWNERSHIP.—Each lease*
12 *under this subsection shall include a provision estab-*
13 *lishing that the high-assay, low-enriched uranium*
14 *that is the subject of the lease shall remain the prop-*
15 *erty of the Department, including with respect to re-*
16 *sponsibility for the storage, use, or final disposition*
17 *of all radioactive waste created by the irradiation,*
18 *processing, or purification of any leased high-assay,*
19 *low-enriched uranium.*

20 “(3) *QUANTITY.—In carrying out the program*
21 *under this subsection, the Secretary shall make avail-*
22 *able—*

23 “(A) *by December 31, 2022, high-assay,*
24 *low-enriched uranium containing not less than 2*
25 *metric tons of the uranium-235 isotope; and*

1 “(B) by December 31, 2025, high-assay,
2 low-enriched uranium containing not less than
3 10 metric tons of the uranium-235 isotope (as
4 determined including the quantities of the ura-
5 nium-235 isotope made available before Decem-
6 ber 31, 2022).

7 “(4) *FACTORS FOR CONSIDERATION.*—In car-
8 rying out the program under this subsection, the Sec-
9 retary shall take into consideration—

10 “(A) options for providing the high-assay,
11 low-enriched uranium under this subsection from
12 a stockpile of uranium owned by the Department
13 (including the National Nuclear Security Ad-
14 ministration), including—

15 “(i) fuel that—

16 “(I) directly meets the needs of an
17 end-user; but

18 “(II) has been previously used or
19 fabricated for another purpose;

20 “(ii) fuel that can meet the needs of an
21 end-user after removing radioactive or other
22 contaminants that resulted from a previous
23 use or fabrication of the fuel for research,
24 development, demonstration, or deployment
25 activities of the Department (including ac-

1 *tivities of the National Nuclear Security*
2 *Administration); and*

3 *“(iii) fuel from a high-enriched ura-*
4 *anium stockpile, which can be blended with*
5 *lower-assay uranium to become high-assay,*
6 *low-enriched uranium to meet the needs of*
7 *an end-user; and*

8 *“(B) requirements to support molybdenum-*
9 *99 production under the American Medical Iso-*
10 *topes Production Act of 2012 (Public Law 112–*
11 *239; 126 Stat. 2211).*

12 *“(5) LIMITATIONS.—*

13 *“(A) FINAL DISPOSITION OF RADIOACTIVE*
14 *WASTE.—The Secretary shall not barter or other-*
15 *wise sell or transfer uranium in any form in ex-*
16 *change for services relating to the final disposi-*
17 *tion of radioactive waste from uranium that is*
18 *the subject of a lease under this subsection.*

19 *“(B) NATIONAL SECURITY NEEDS.—The*
20 *Secretary shall only make available from De-*
21 *partment stockpiles under this subsection high-*
22 *assay, low-enriched uranium that is not needed*
23 *for national security.*

24 *“(6) SUNSET.—The program under this sub-*
25 *section shall terminate on the earlier of—*

1 “(A) *January 1, 2035; and*

2 “(B) *the date on which uranium enriched*
3 *up to, but not equal to, 20 weight percent can*
4 *be obtained in the commercial market from do-*
5 *mestic suppliers.*

6 “(c) *REPORT.—*

7 “(1) *IN GENERAL.—Not later than 180 days*
8 *after the date of enactment of this section, the Sec-*
9 *retary shall submit to the appropriate committees of*
10 *Congress a report that describes actions proposed to*
11 *be carried out by the Secretary—*

12 “(A) *under the program under subsection*
13 *(b); or*

14 “(B) *otherwise to enable the commercial use*
15 *of high-assay, low-enriched uranium.*

16 “(2) *COORDINATION AND STAKEHOLDER*
17 *INPUT.—In developing the report under this sub-*
18 *section, the Secretary shall seek input from—*

19 “(A) *the Nuclear Regulatory Commission;*

20 “(B) *the National Laboratories;*

21 “(C) *institutions of higher education;*

22 “(D) *producers of medical isotopes;*

23 “(E) *a diverse group of entities operating*
24 *in the nuclear energy industry; and*

1 “(F) a diverse group of technology devel-
2 opers.

3 “(3) *COST AND SCHEDULE ESTIMATES.*—The re-
4 port under this subsection shall include estimated
5 costs, budgets, and timeframes for enabling the use of
6 high-assay, low-enriched uranium.

7 “(4) *REQUIRED EVALUATIONS.*—The report
8 under this subsection shall evaluate—

9 “(A) the costs and actions required to estab-
10 lish and carry out the program under subsection
11 (b), including with respect to—

12 “(i) proposed preliminary terms for
13 the sale, resale, transfer, and leasing of
14 high-assay, low-enriched uranium (includ-
15 ing guidelines defining the roles and respon-
16 sibilities between the Department and the
17 purchaser, transfer recipient, or lessee); and

18 “(ii) the potential to coordinate with
19 purchasers, transfer recipients, and lessees
20 regarding—

21 “(I) fuel fabrication; and

22 “(II) fuel transport;

23 “(B) the potential sources and fuel forms
24 available to provide uranium for the program
25 under subsection (b);

1 “(C) options to coordinate the program
2 under subsection (b) with the operation of the
3 versatile reactor-based fast neutron source under
4 section 955(c)(1);

5 “(D) the ability of the domestic uranium
6 market to provide materials for advanced nu-
7 clear reactor fuel; and

8 “(E) any associated legal, regulatory, and
9 policy issues that should be addressed to enable—

10 “(i) the program under subsection (b);
11 and

12 “(ii) the establishment of a domestic
13 industry capable of providing high-assay,
14 low-enriched uranium for commercial and
15 noncommercial purposes, including with re-
16 spect to the needs of—

17 “(I) the Department;

18 “(II) the Department of Defense;

19 and

20 “(III) the National Nuclear Secu-
21 rity Administration.

22 “(d) *HALEU TRANSPORTATION PACKAGE RESEARCH*
23 *PROGRAM.*—

24 “(1) *IN GENERAL.*—As soon as practicable after
25 the date of enactment of this section, the Secretary

1 *shall establish a research, development, and dem-*
2 *onstration program under which the Secretary shall*
3 *provide financial assistance, on a competitive basis,*
4 *to establish the capability to transport high-assay,*
5 *low-enriched uranium.*

6 “(2) *REQUIREMENT.*—*The focus of the program*
7 *under this subsection shall be to establish 1 or more*
8 *HALEU transportation packages that can be certified*
9 *by the Nuclear Regulatory Commission to transport*
10 *high-assay, low-enriched uranium to the various fa-*
11 *ilities involved in producing or using nuclear fuel*
12 *containing high-assay, low-enriched uranium, such*
13 *as—*

14 “(A) *enrichment facilities;*

15 “(B) *fuel processing facilities;*

16 “(C) *fuel fabrication facilities; and*

17 “(D) *nuclear reactors.*”.

18 (b) *CLERICAL AMENDMENT.*—*The table of contents of*
19 *the Energy Policy Act of 2005 (Public Law 109–58; 119*
20 *Stat. 594; 132 Stat. 3160) (as amended by section 6702(b))*
21 *is amended by inserting after the item relating to section*
22 *959B the following:*

 “*Sec. 960. Advanced nuclear fuel security program.*”.

1 **SEC. 6705. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.**

2 *Section 313 of the Energy and Water Development and*
3 *Related Agencies Appropriations Act, 2009 (42 U.S.C.*
4 *16274a) is amended to read as follows:*

5 **“SEC. 313. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.**

6 *“(a) DEFINITIONS.—In this section:*

7 *“(1) ADVANCED NUCLEAR REACTOR.—The term*
8 *‘advanced nuclear reactor’ means—*

9 *“(A) a nuclear fission reactor, including a*
10 *prototype plant (as defined in sections 50.2 and*
11 *52.1 of title 10, Code of Federal Regulations (or*
12 *successor regulations)), with significant improve-*
13 *ments compared to the most recent generation of*
14 *fission reactors, including improvements such*
15 *as—*

16 *“(i) additional inherent safety features;*

17 *“(ii) lower waste yields;*

18 *“(iii) improved fuel performance;*

19 *“(iv) increased tolerance to loss of fuel*
20 *cooling;*

21 *“(v) enhanced reliability;*

22 *“(vi) increased proliferation resistance;*

23 *“(vii) increased thermal efficiency;*

24 *“(viii) reduced consumption of cooling*
25 *water;*

1 “(ix) the ability to integrate into elec-
2 tric applications and nonelectric applica-
3 tions;

4 “(x) modular sizes to allow for deploy-
5 ment that corresponds with the demand for
6 electricity; or

7 “(xi) operational flexibility to respond
8 to changes in demand for electricity and to
9 complement integration with intermittent
10 renewable energy; and

11 “(B) a fusion reactor.

12 “(2) *INSTITUTION OF HIGHER EDUCATION.*—The
13 term ‘institution of higher education’ has the meaning
14 given the term in section 101(a) of the Higher Edu-
15 cation Act of 1965 (20 U.S.C. 1001(a)).

16 “(3) *PROGRAM.*—The term ‘Program’ means the
17 University Nuclear Leadership Program established
18 under subsection (b).

19 “(b) *ESTABLISHMENT.*—The Secretary of Energy, the
20 Administrator of the National Nuclear Security Adminis-
21 tration, and the Chairman of the Nuclear Regulatory Com-
22 mission shall jointly establish a program, to be known as
23 the ‘University Nuclear Leadership Program’.

24 “(c) *USE OF FUNDS.*—

1 “(1) *IN GENERAL.*—*Except as provided in para-*
2 *graph (2), amounts made available to carry out the*
3 *Program shall be used to provide financial assistance*
4 *for scholarships, fellowships, and research and devel-*
5 *opment projects at institutions of higher education in*
6 *areas relevant to the programmatic mission of the ap-*
7 *licable Federal agency, with an emphasis on pro-*
8 *viding the financial assistance with respect to re-*
9 *search, development, demonstration, and deployment*
10 *activities for technologies relevant to advanced nu-*
11 *clear reactors, including relevant fuel cycle tech-*
12 *nologies.*

13 “(2) *EXCEPTION.*—*Notwithstanding paragraph*
14 *(1), amounts made available to carry out the Pro-*
15 *gram may be used to provide financial assistance for*
16 *a scholarship, fellowship, or multiyear research and*
17 *development project that does not align directly with*
18 *a programmatic mission of the applicable Federal*
19 *agency providing the financial assistance, if the activ-*
20 *ity for which assistance is provided would facilitate*
21 *the maintenance of the discipline of nuclear science or*
22 *engineering.*

23 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
24 *are authorized to be appropriated to carry out the Program*
25 *for fiscal year 2021 and each fiscal year thereafter—*

1 “(1) \$30,000,000 to the Secretary of Energy; and
 2 “(2) \$15,000,000 to the Nuclear Regulatory Com-
 3 mission.”.

4 **SEC. 6706. ADJUSTING STRATEGIC PETROLEUM RESERVE**
 5 **MANDATED DRAWDOWNS.**

6 (a) *BIPARTISAN BUDGET ACT OF 2015*.—Section
 7 403(a) of the Bipartisan Budget Act of 2015 (42 U.S.C.
 8 6241 note; Public Law 114–74) is amended—

9 (1) by striking paragraph (6);
 10 (2) by redesignating paragraphs (7) and (8) as
 11 paragraphs (6) and (7), respectively; and
 12 (3) in paragraph (7) (as so redesignated), by
 13 striking “10,000,000” and inserting “20,000,000”.

14 (b) *FIXING AMERICA’S SURFACE TRANSPORTATION*
 15 *ACT*.—Section 32204(a)(1) of the FAST Act (42 U.S.C.
 16 6241 note; Public Law 114–94) is amended—

17 (1) in subparagraph (B)—
 18 (A) by striking “16,000,000” and inserting
 19 “11,000,000”; and
 20 (B) by striking “2023” and inserting
 21 “2022”; and
 22 (2) in subparagraph (C), by striking
 23 “25,000,000” and inserting “30,000,000”.

24 (c) *AMERICA’S WATER INFRASTRUCTURE ACT OF*
 25 *2018*.—Section 3009(a)(1) of America’s Water Infrastruc-

1 *ture Act of 2018 (42 U.S.C. 6241 note; Public Law 115–*
2 *270) is amended by striking “2028” and inserting “2030.”*

3 *(d) BIPARTISAN BUDGET ACT OF 2018.—Section*
4 *30204(a)(1) of the Bipartisan Budget Act of 2018 (42*
5 *U.S.C. 6241 note; Public Law 115–123) is amended by*
6 *striking subparagraphs (A) through (C) and inserting the*
7 *following:*

8 *“(A) 7,500,000 barrels of crude oil during*
9 *fiscal year 2022;*

10 *“(B) 7,500,000 barrels of crude oil during*
11 *fiscal year 2024;*

12 *“(C) 15,000,000 barrels of crude oil during*
13 *fiscal year 2025;*

14 *“(D) 30,000,000 barrels of crude oil during*
15 *fiscal year 2029; and*

16 *“(E) 40,000,000 barrels of crude oil during*
17 *fiscal year 2030.”.*

18 *(e) RECONCILIATION ON THE BUDGET FOR 2018.—*
19 *Section 20003(a)(1) of Public Law 115–97 (42 U.S.C. 6241*
20 *note) is amended by striking “the period of fiscal years*
21 *2026 through 2027” and inserting “fiscal year 2030”.*

1 **TITLE LXXVIII—MILITARY CON-**
2 **STRUCTION AND GENERAL**
3 **PROVISIONS**

4 **Subtitle A—Military Construction**
5 **Program**

6 **SEC. 7801. MODIFICATION TO AUTHORITY FOR MILITARY**
7 **CONSTRUCTION PROJECTS FOR CHILD DE-**
8 **VELOPMENT CENTERS AT MILITARY INSTAL-**
9 **LATIONS.**

10 *Section 2809(b) of the National Defense Authorization*
11 *Act for Fiscal Year 2020 is amended—*

12 *(1) in paragraph (1), by inserting “and annu-*
13 *ally thereafter,” after “this Act,”; and*

14 *(2) in paragraph (2)—*

15 *(A) in subparagraph (A), by striking “the*
16 *report” and inserting “a report”; and*

17 *(B) in subparagraph (B), by inserting “in*
18 *which the project is included” before the period*
19 *at the end.*

20 **SEC. 7802. MODIFICATION OF CONSTRUCTION OF GROUND-**
21 **BASED STRATEGIC DETERRENT LAUNCH FA-**
22 **CILITIES AND LAUNCH CENTERS FOR THE**
23 **AIR FORCE.**

24 *Subsection (e) of section 2802 is deemed to read as fol-*
25 *lows:*

1 “(e) *FUNDING.*—

2 “(1) *IN GENERAL.*—Of the amount authorized to
3 be appropriated for fiscal year 2021 as specified in
4 the funding table in section 4601, the Secretary of the
5 Air Force may expend not more than \$15,000,000 for
6 the purposes of planning and design to support the
7 projects described in subsection (a).

8 “(2) *INCREASE.*—The amount authorized to be
9 appropriated for fiscal year 2021 for military con-
10 struction for the Air Force is hereby increased by
11 \$15,000,000, with the amount of the increase to be
12 designated to Air Force, Unspecified Worldwide Loca-
13 tions, Planning and Design.

14 “(3) *OFFSET.*—The amount authorized to be ap-
15 propriated for fiscal year 2021 for operation and
16 maintenance for the Army is hereby reduced by
17 \$15,000,000, with the amount of the reduction to be
18 derived from subactivity group 421, Servicewide
19 Transportation.”.

1 **Subtitle B—Military Family**
2 **Housing**

3 **SEC. 7821. INCLUSION OF ASSESSMENT OF PERFORMANCE**
4 **METRICS IN ANNUAL PUBLICATION ON USE**
5 **OF INCENTIVE FEES FOR PRIVATIZED MILI-**
6 **TARY HOUSING PROJECTS.**

7 (a) *IN GENERAL.*—Section 2891c of title 10, United
8 *States Code, is amended—*

9 (1) *by striking the section heading and inserting*
10 *the following: “**Transparency regarding fi-***
11 ***nances and performance metrics**”;*

12 (2) *in subsection (b)—*

13 (A) *in the subsection heading, by inserting*
14 *“PERFORMANCE METRICS AND” before “USE OF*
15 *INCENTIVE FEES”;*

16 (B) *in paragraph (1), by striking “publicly*
17 *accessible website, information” and inserting*
18 *“publicly accessible website—*

19 (A) *for each contract for the provision or man-*
20 *agement of housing units—*

21 (i) *an assessment of indicators underlying*
22 *the performance metrics under such contract to*
23 *ensure such indicators adequately measure the*
24 *condition and quality of the home or homes cov-*
25 *ered by the contract, including—*

1 “(I) resident satisfaction;
2 “(II) maintenance management;
3 “(III) project safety; and
4 “(IV) financial management; and
5 “(i) a detailed description of each indicator
6 assessed under subparagraph (A), including an
7 indication of—
8 “(I) the limitations of available survey
9 data;
10 “(II) how resident satisfaction and
11 maintenance management is calculated; and
12 “(III) whether data is missing; and
13 “(B) information”; and
14 (C) in paragraph (2), by striking “para-
15 graph (1)” and inserting “paragraph (1)(B)”.
16 (b) CLERICAL AMENDMENT.—The table of sections at
17 the beginning of subchapter V of chapter 169 of such title
18 is amended by striking the item relating to section 2891c
19 and inserting the following new item:

“2891c. Transparency regarding finances and performance metrics.”.

1 ***Subtitle D—Land Conveyances***

2 ***SEC. 7861. ESTABLISHMENT OF INTERAGENCY COMMITTEES***
 3 ***ON JOINT USE OF CERTAIN LAND WITH-***
 4 ***DRAWN FROM APPROPRIATION UNDER PUB-***
 5 ***LIC LAND LAWS.***

6 *(a) INTERAGENCY EXECUTIVE COMMITTEE ON JOINT*
 7 *USE BY DEPARTMENT OF THE NAVY AND DEPARTMENT OF*
 8 *THE INTERIOR OF NAVAL AIR STATION FALLON RANGES.—*
 9 *Section 3011(a) of the Military Lands Withdrawal Act of*
 10 *1999 (Public Law 106–65; 113 Stat. 885) is amended by*
 11 *adding at the end the following new paragraph:*

12 “(5) *INTERGOVERNMENTAL EXECUTIVE COM-*
 13 *MITTEE.—*

14 “(A) *ESTABLISHMENT.—The Secretary of*
 15 *the Navy and the Secretary of the Interior shall*
 16 *jointly establish, by memorandum of under-*
 17 *standing, an intergovernmental executive com-*
 18 *mittee (referred to in this paragraph as the ‘exec-*
 19 *utive committee’), for the purpose of exchanging*
 20 *views, information, and advice relating to the*
 21 *management of the natural and cultural re-*
 22 *sources of the land described in paragraph (2).*

23 “(B) *MEMORANDUM OF UNDERSTANDING.—*
 24 *The memorandum of understanding entered into*
 25 *under subparagraph (A) shall include—*

1 “(i) a description of the officials and
2 other individuals to be invited to partici-
3 pate as members in the executive committee
4 under subparagraph (C);

5 “(ii) a description of the duties of the
6 Chairperson and Vice Chairperson of the ex-
7 ecutive committee; and

8 “(iii) subject to subparagraphs (D)
9 and (E), a procedure for—

10 “(I) creating a forum to carry out
11 the purpose described in subparagraph
12 (A);

13 “(II) rotating the Chairperson of
14 the executive committee; and

15 “(III) scheduling regular meetings
16 of the executive committee.

17 “(C) *MEMBERSHIP.*—The executive com-
18 mittee shall be comprised of—

19 “(i) 1 representative of the Nevada De-
20 partment of Wildlife;

21 “(ii) 1 representative of the Nevada
22 Department of Conservation and Natural
23 Resources;

1 “(iii) 1 county commissioner from each
2 of Churchill, Lyon, Nye, Mineral, and Per-
3 shing Counties, Nevada;

4 “(iv) 1 representative of each Indian
5 tribe in the vicinity of the land described in
6 paragraph (2); and

7 “(v) not more than 3 members that the
8 Secretary of the Navy and the Secretary of
9 the Interior jointly determine would ad-
10 vance the goals and objectives of the execu-
11 tive committee.

12 “(D) CHAIRPERSON AND VICE CHAIR-
13 PERSON.—The members of the executive com-
14 mittee shall elect from among the members—

15 “(i) 1 member to serve as Chairperson
16 of the executive committee; and

17 “(ii) 1 member to serve as Vice Chair-
18 person of the executive committee.

19 “(E) MEETINGS.—

20 “(i) FREQUENCY.—The executive com-
21 mittee shall meet not less frequently than 3
22 times each calendar year.

23 “(ii) LOCATION.—The location of the
24 meetings of the executive committee shall ro-

1 *tate to facilitate ease of access for all mem-*
2 *bers of the executive committee.*

3 “(iii) *PUBLIC ACCESSIBILITY.—The*
4 *meetings of the executive committee shall—*

5 “(I) *be open to the public; and*

6 “(II) *serve as a forum for the pub-*
7 *lic to provide comments regarding the*
8 *natural and cultural resources of the*
9 *land described in paragraph (2).*

10 “(F) *CONDITIONS AND TERMS.—*

11 “(i) *IN GENERAL.—Each member of*
12 *the executive committee shall serve volun-*
13 *tarily and without compensation.*

14 “(ii) *TERM OF APPOINTMENT.—*

15 “(I) *IN GENERAL.—Except as pro-*
16 *vided in subclause (II)(bb), each mem-*
17 *ber of the executive committee shall be*
18 *appointed for a term of 4 years.*

19 “(II) *ORIGINAL MEMBERS.—Of*
20 *the members initially appointed to the*
21 *executive committee, the Secretary of*
22 *the Navy and the Secretary of the Inte-*
23 *rior shall select—*

24 “(aa) *1/2 to serve for a term*
25 *of 4 years; and*

1 “(bb) $\frac{1}{2}$ to serve for a term
2 of 2 years.

3 “(iii) *REAPPOINTMENT AND REPLACE-*
4 *MENT.—The Secretary of the Navy and the*
5 *Secretary of the Interior may reappoint or*
6 *replace, as appropriate, a member of the ex-*
7 *ecutive committee if—*

8 “(I) *the term of the member has*
9 *expired;*

10 “(II) *the member has resigned; or*

11 “(III) *the position held by the*
12 *member has changed to the extent that*
13 *the ability of the member to represent*
14 *the group or entity that the member*
15 *represents has been significantly af-*
16 *ected.*

17 “(G) *LIAISONS.—The Secretary of the Navy*
18 *and the Secretary of the Interior shall each ap-*
19 *point appropriate operational and land manage-*
20 *ment personnel of the Department of the Navy*
21 *and the Department of the Interior, respectively,*
22 *to serve as liaisons to the executive committee.”.*

23 (b) *JOINT ACCESS AND USE BY DEPARTMENT OF THE*
24 *AIR FORCE AND DEPARTMENT OF THE INTERIOR OF NE-*

1 *VADA TEST AND TRAINING RANGE AND DESERT NATIONAL*
2 *WILDLIFE REFUGE.*—

3 (1) *UNITED STATES FISH AND WILDLIFE SERV-*
4 *ICE AND DEPARTMENT OF THE AIR FORCE COORDINA-*
5 *TION.*—*Section 3011(b)(5) of the Military Lands*
6 *Withdrawal Act of 1999 (Public Law 106–65; 113*
7 *Stat. 887) is amended by adding at the end the fol-*
8 *lowing new subparagraph:*

9 “(G) *INTERAGENCY COMMITTEE.*—

10 “(i) *IN GENERAL.*—*The Secretary of*
11 *the Interior and the Secretary of the Air*
12 *Force shall jointly establish an interagency*
13 *committee (referred to in this subparagraph*
14 *as the ‘interagency committee’) to facilitate*
15 *coordination, manage public access needs*
16 *and requirements, and minimize potential*
17 *conflict between the Department of the Inte-*
18 *rior and the Department of the Air Force*
19 *with respect to joint operating areas within*
20 *the Desert National Wildlife Refuge.*

21 “(ii) *MEMBERSHIP.*—*The interagency*
22 *committee shall include only the following*
23 *members:*

1 “(I) *Representatives from the*
2 *United States Fish and Wildlife Serv-*
3 *ice.*

4 “(II) *Representatives from the De-*
5 *partment of the Air Force.*

6 “(III) *The Project Leader of the*
7 *Desert National Wildlife Refuge Com-*
8 *plex.*

9 “(IV) *The Commander of the Ne-*
10 *vada Test and Training Range, Nellis*
11 *Air Force Base.*

12 “(iii) *REPORT TO CONGRESS.—The*
13 *interagency committee shall biannually sub-*
14 *mit to the Committees on Armed Services,*
15 *Environment and Public Works, and En-*
16 *ergy and Natural Resources of the Senate*
17 *and the Committees on Armed Services and*
18 *Natural Resources of the House of Rep-*
19 *resentatives, and make available publicly*
20 *online, a report on the activities of the*
21 *interagency committee.”.*

22 (2) *INTERGOVERNMENTAL EXECUTIVE COM-*
23 *MITTEE.—Such section is further amended by adding*
24 *at the end the following new subparagraph:*

1 “(H) *INTERGOVERNMENTAL EXECUTIVE*
2 *COMMITTEE.*—

3 “(i) *ESTABLISHMENT.*—*The Secretary*
4 *of the Interior and the Secretary of the Air*
5 *Force shall jointly establish, by memo-*
6 *randum of understanding, an intergovern-*
7 *mental executive committee (referred to in*
8 *this subparagraph as the ‘executive com-*
9 *mittee’) in accordance with this subpara-*
10 *graph.*

11 “(ii) *PURPOSE.*—*The executive com-*
12 *mittee shall be established for the purposes*
13 *of—*

14 “(I) *exchanging views, informa-*
15 *tion, and advice relating to the man-*
16 *agement of the natural and cultural re-*
17 *sources of the lands withdrawn and re-*
18 *served by this section; and*

19 “(II) *discussing and making rec-*
20 *ommendations to the interagency com-*
21 *mittee established under subparagraph*
22 *(G) with respect to public access needs*
23 *and requirements.*

1 “(iii) *COMPOSITION.*—*The executive*
2 *committee shall comprise the following*
3 *members:*

4 “(I) *FEDERAL AGENCIES.*—*The*
5 *Secretary of the Interior and the Sec-*
6 *retary of the Air Force shall each ap-*
7 *point 1 representative from an inter-*
8 *ested Federal agency.*

9 “(II) *STATE GOVERNMENT.*—*The*
10 *Secretary of the Interior and the Sec-*
11 *retary of the Air Force shall jointly in-*
12 *voke 1 representative of the Nevada De-*
13 *partment of Wildlife.*

14 “(III) *LOCAL GOVERNMENTS.*—
15 *The Secretary of the Interior and the*
16 *Secretary of the Air Force shall jointly*
17 *invite 1 county commissioner of each*
18 *of Clark, Nye, and Lincoln Counties,*
19 *Nevada.*

20 “(IV) *TRIBAL GOVERNMENTS.*—
21 *The Secretary of the Interior and the*
22 *Secretary of the Air Force shall jointly*
23 *invite 1 representative of each Indian*
24 *tribe in the vicinity of the portions of*
25 *the joint use area of the Desert Na-*

1 *tional Wildlife Refuge where the Sec-*
2 *retary of the Interior exercises primary*
3 *jurisdiction.*

4 “(V) *PUBLIC.*—*The Secretary of*
5 *the Interior and the Secretary of the*
6 *Air Force shall jointly invite not more*
7 *than 3 private individuals who the*
8 *Secretary of the Interior and the Sec-*
9 *retary of the Air Force jointly deter-*
10 *mine would further the goals and objec-*
11 *tives of the executive committee.*

12 “(VI) *ADDITIONAL MEMBERS.*—
13 *The Secretary of the Interior and the*
14 *Secretary of the Air Force may des-*
15 *ignate such additional members as the*
16 *Secretary of the Interior and the Sec-*
17 *retary of the Air Force jointly deter-*
18 *mine to be appropriate.*

19 “(iv) *OPERATION.*—*The executive com-*
20 *mittee shall operate in accordance with the*
21 *terms set forth in the memorandum of un-*
22 *derstanding under clause (i), which shall*
23 *specify the officials or other individuals to*
24 *be invited to participate in the executive*
25 *committee in accordance with clause (iii).*

1 “(v) *PROCEDURES.*—*Subject to clauses*
2 *(vi) and (vii), the memorandum of under-*
3 *standing under clause (i) shall establish*
4 *procedures for—*

5 “(I) *creating a forum for carrying*
6 *out the purpose described in clause (ii);*

7 “(II) *rotating the Chairperson of*
8 *the executive committee; and*

9 “(III) *scheduling regular meet-*
10 *ings.*

11 “(vi) *CHAIRPERSON AND VICE CHAIR-*
12 *PERSON.*—

13 “(I) *IN GENERAL.*—*The members*
14 *of the executive committee shall elect*
15 *from among the members—*

16 “(aa) *1 member to serve as*
17 *the Chairperson of the executive*
18 *committee; and*

19 “(bb) *1 member to serve as*
20 *the Vice Chairperson of the execu-*
21 *tive committee.*

22 “(II) *DUTIES.*—*The duties of each*
23 *of the Chairperson and the Vice Chair-*
24 *person shall be included in the memo-*

1 *randum of understanding under clause*
2 *(i).*

3 “(vii) *MEETINGS.*—

4 “(I) *FREQUENCY.*—*The executive*
5 *committee shall meet not less fre-*
6 *quently than 3 times each calendar*
7 *year.*

8 “(II) *MEETING LOCATIONS.*—*Lo-*
9 *cations of meetings of the executive*
10 *committee shall rotate to facilitate ease*
11 *of access for all executive committee*
12 *members.*

13 “(III) *PUBLIC ACCESSIBILITY.*—
14 *Meetings of the executive committee*
15 *shall—*

16 “(aa) *be open to the public;*

17 *and*

18 “(bb) *provide a forum for the*
19 *public to provide comment regard-*
20 *ing the management of, and pub-*
21 *lic access to, the Nevada Test and*
22 *Training Range and the Desert*
23 *National Wildlife Refuge.*

24 “(viii) *CONDITIONS AND TERMS OF AP-*
25 *POINTMENT.*—

1 “(I) *IN GENERAL.*—*Each member*
2 *of the executive committee shall serve*
3 *voluntarily and without compensation.*

4 “(II) *TERM OF APPOINTMENT.*—

5 “(aa) *IN GENERAL.*—*Each*
6 *member of the executive committee*
7 *shall be appointed for a term of 4*
8 *years.*

9 “(bb) *ORIGINAL MEMBERS.*—
10 *Notwithstanding item (aa), the*
11 *Secretary of the Interior and the*
12 *Secretary of the Air Force shall*
13 *select—*

14 “(AA) *1/2 of the original*
15 *members of the executive*
16 *committee to serve for a term*
17 *of 4 years; and*

18 “(BB) *1/2 of the original*
19 *members of the executive*
20 *committee to serve for a term*
21 *of 2 years.*

22 “(III) *REAPPOINTMENT AND RE-*
23 *PLACEMENT.*—*The Secretary of the In-*
24 *terior and the Secretary of the Air*

1 *Force may reappoint or replace a*
2 *member of the executive committee if—*

3 “(aa) *the term of the member*
4 *has expired;*

5 “(bb) *the member has re-*
6 *signed; or*

7 “(cc) *the position held by the*
8 *member has changed to the extent*
9 *that the ability of the member to*
10 *represent the group or entity that*
11 *the member represents has been*
12 *significantly affected.*

13 “(ix) *LIAISONS.—The Secretary of the*
14 *Air Force and the Secretary of the Interior*
15 *shall each appoint appropriate operational*
16 *and land management personnel of the De-*
17 *partment of the Air Force and the Depart-*
18 *ment of the Interior, respectively, to partici-*
19 *pate in, and serve as liaisons to, the execu-*
20 *tive committee.”.*

21 **SEC. 7862. LEASE EXTENSION FOR BRYAN MULTI-SPORTS**
22 **COMPLEX, WAYNE COUNTY, NORTH CARO-**
23 **LINA.**

24 “(a) *AUTHORITY.—The Secretary of the Air Force may*
25 *extend to the City of Goldsboro the existing lease of the ap-*

1 *proximately 62-acre Bryan Multi-Sports Complex located*
2 *in Wayne County, North Carolina, for the purpose of oper-*
3 *ating a sports and recreation facility for the benefit of both*
4 *the Air Force and the community.*

5 (b) *DURATION.*—*At the option of the Secretary of the*
6 *Air Force, the lease entered into under this section may be*
7 *extended for up to 30 additional years with a total lease*
8 *period not to exceed 50 years.*

9 (c) *PAYMENTS UNDER THE LEASE.*—*The Secretary of*
10 *the Air Force may waive the requirement under section*
11 *2667(b)(4) of title 10, United States Code, with respect to*
12 *the lease entered into under this section if the Secretary de-*
13 *termines that the lease enhances the quality of life of mem-*
14 *bers of the Armed Forces.*

15 (d) *SENSE OF SENATE.*—*It is the Sense of the Senate*
16 *regarding the conditions governing the extension of the cur-*
17 *rent lease for the Bryan Multi-Sports Complex that—*

18 (1) *the Senate has determined it is in the best*
19 *interest of the community and the Air Force to extend*
20 *the lease at no cost;*

21 (2) *the current lease allowed the Air Force to*
22 *close their sports field on Seymour-Johnson Air Force*
23 *Base and resulted in a savings of \$15,000 per year*
24 *in utilities and grounds maintenance costs;*

1 **SEC. 9002. DEFINITIONS.**

2 *In this division:*

3 (1) *CONGRESSIONAL INTELLIGENCE COMMIT-*
4 *TEES.—The term “congressional intelligence commit-*
5 *tees” has the meaning given such term in section 3*
6 *of the National Security Act of 1947 (50 U.S.C.*
7 *3003).*

8 (2) *INTELLIGENCE COMMUNITY.—The term “in-*
9 *telligence community” has the meaning given such*
10 *term in such section.*

11 **TITLE XCI—INTELLIGENCE**
12 **ACTIVITIES**

13 **SEC. 9101. AUTHORIZATION OF APPROPRIATIONS.**

14 *Funds are hereby authorized to be appropriated for fis-*
15 *cal year 2021 for the conduct of the intelligence and intel-*
16 *ligence-related activities of the following elements of the*
17 *United States Government:*

18 (1) *The Office of the Director of National Intel-*
19 *ligence.*

20 (2) *The Central Intelligence Agency.*

21 (3) *The Department of Defense.*

22 (4) *The Defense Intelligence Agency.*

23 (5) *The National Security Agency.*

24 (6) *The Department of the Army, the Depart-*
25 *ment of the Navy, and the Department of the Air*
26 *Force.*

- 1 (7) *The Coast Guard.*
- 2 (8) *The Department of State.*
- 3 (9) *The Department of the Treasury.*
- 4 (10) *The Department of Energy.*
- 5 (11) *The Department of Justice.*
- 6 (12) *The Federal Bureau of Investigation.*
- 7 (13) *The Drug Enforcement Administration.*
- 8 (14) *The National Reconnaissance Office.*
- 9 (15) *The National Geospatial-Intelligence Agency.*
- 10 *cy.*
- 11 (16) *The Department of Homeland Security.*

12 **SEC. 9102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

13 (a) *SPECIFICATIONS OF AMOUNTS.*—*The amounts au-*
14 *thorized to be appropriated under section 9101 for the con-*
15 *duct of the intelligence activities of the elements listed in*
16 *paragraphs (1) through (16) of section 9101, are those speci-*
17 *fied in the classified Schedule of Authorizations prepared*
18 *to accompany this division.*

19 (b) *AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-*
20 *THORIZATIONS.*—

21 (1) *AVAILABILITY.*—*The classified Schedule of*
22 *Authorizations referred to in subsection (a) shall be*
23 *made available to the Committee on Appropriations*
24 *of the Senate, the Committee on Appropriations of the*
25 *House of Representatives, and to the President.*

1 (2) *DISTRIBUTION BY THE PRESIDENT.*—Subject
2 to paragraph (3), the President shall provide for suit-
3 able distribution of the classified Schedule of Author-
4 izations referred to in subsection (a), or of appro-
5 priate portions of such Schedule, within the executive
6 branch of the Federal Government.

7 (3) *LIMITS ON DISCLOSURE.*—The President
8 shall not publicly disclose the classified Schedule of
9 Authorizations or any portion of such Schedule ex-
10 cept—

11 (A) as provided in section 601(a) of the Im-
12 plementing Recommendations of the 9/11 Com-
13 mission Act of 2007 (50 U.S.C. 3306(a));

14 (B) to the extent necessary to implement the
15 budget; or

16 (C) as otherwise required by law.

17 **SEC. 9103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
18 **COUNT.**

19 (a) *AUTHORIZATION OF APPROPRIATIONS.*—There is
20 authorized to be appropriated for the Intelligence Commu-
21 nity Management Account of the Director of National Intel-
22 ligence for fiscal year 2021 the sum of \$731,200,000.

23 (b) *CLASSIFIED AUTHORIZATION OF APPROPRIA-*
24 *TIONS.*—In addition to amounts authorized to be appro-
25 priated for the Intelligence Community Management Ac-

1 *count by subsection (a), there are authorized to be appro-*
2 *priated for the Intelligence Community Management Ac-*
3 *count for fiscal year 2021 such additional amounts as are*
4 *specified in the classified Schedule of Authorizations re-*
5 *ferred to in section 9102(a).*

6 **TITLE XCII—CENTRAL INTEL-**
7 **LIGENCE AGENCY RETIRE-**
8 **MENT AND DISABILITY SYS-**
9 **TEM**

10 **SEC. 9201. AUTHORIZATION OF APPROPRIATIONS.**

11 *There is authorized to be appropriated for the Central*
12 *Intelligence Agency Retirement and Disability Fund*
13 *\$514,000,000 for fiscal year 2021.*

14 **TITLE XCIII—INTELLIGENCE**
15 **COMMUNITY MATTERS**
16 **Subtitle A—General Intelligence**
17 **Community Matters**

18 **SEC. 9301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
19 **ACTIVITIES.**

20 *The authorization of appropriations by this division*
21 *shall not be deemed to constitute authority for the conduct*
22 *of any intelligence activity which is not otherwise author-*
23 *ized by the Constitution or the laws of the United States.*

1 **SEC. 9302. INCREASE IN EMPLOYEE COMPENSATION AND**
2 **BENEFITS AUTHORIZED BY LAW.**

3 *Appropriations authorized by this division for salary,*
4 *pay, retirement, and other benefits for Federal employees*
5 *may be increased by such additional or supplemental*
6 *amounts as may be necessary for increases in such com-*
7 *penetration or benefits authorized by law.*

8 **SEC. 9303. CLARIFICATION OF AUTHORITIES AND RESPON-**
9 **SIBILITIES OF NATIONAL MANAGER FOR NA-**
10 **TIONAL SECURITY TELECOMMUNICATIONS**
11 **AND INFORMATION SYSTEMS SECURITY.**

12 *In carrying out the authorities and responsibilities of*
13 *the National Manager for National Security Telecommuni-*
14 *cations and Information Systems Security under National*
15 *Security Directive 42 (signed by the President on July 5,*
16 *1990), the National Manager shall not supervise, oversee,*
17 *or execute, either directly or indirectly, any aspect of the*
18 *National Intelligence Program.*

19 **SEC. 9304. CONTINUITY OF OPERATIONS PLANS FOR CER-**
20 **TAIN ELEMENTS OF THE INTELLIGENCE COM-**
21 **MUNITY IN THE CASE OF A NATIONAL EMER-**
22 **GENCY.**

23 (a) *DEFINITION OF COVERED NATIONAL EMER-*
24 *GENCY.—In this section, the term “covered national emer-*
25 *gency” means the following:*

1 (1) *A major disaster declared by the President*
2 *under section 401 of the Robert T. Stafford Disaster*
3 *Relief and Emergency Assistance Act (42 U.S.C.*
4 *5170).*

5 (2) *An emergency declared by the President*
6 *under section 501 of the Robert T. Stafford Disaster*
7 *Relief and Emergency Assistance Act (42 U.S.C.*
8 *5191).*

9 (3) *A national emergency declared by the Presi-*
10 *dent under the National Emergencies Act (50 U.S.C.*
11 *1601 et seq.).*

12 (4) *A public health emergency declared under*
13 *section 319 of the Public Health Service Act (42*
14 *U.S.C. 247d).*

15 (b) *IN GENERAL.—The Director of National Intel-*
16 *ligence, the Director of the Central Intelligence Agency, the*
17 *Director of the National Reconnaissance Office, the Director*
18 *of the Defense Intelligence Agency, the Director of the Na-*
19 *tional Security Agency, and the Director of the National*
20 *Geospatial-Intelligence Agency shall each establish con-*
21 *tinuity of operations plans for use in the case of covered*
22 *national emergencies for the element of the intelligence com-*
23 *munity concerned.*

24 (c) *SUBMISSION TO CONGRESS.—*

1 (1) *DIRECTOR OF NATIONAL INTELLIGENCE AND*
2 *DIRECTOR OF THE CENTRAL INTELLIGENCE AGEN-*
3 *CY.—Not later than 7 days after the date on which*
4 *a covered national emergency is declared, the Director*
5 *of National Intelligence and the Director of the Cen-*
6 *tral Intelligence Agency shall each submit to the con-*
7 *gressional intelligence committees the plan established*
8 *under subsection (b) for that emergency for the ele-*
9 *ment of the intelligence community concerned.*

10 (2) *DIRECTOR OF NATIONAL RECONNAISSANCE*
11 *OFFICE, DIRECTOR OF DEFENSE INTELLIGENCE AGEN-*
12 *CY, DIRECTOR OF NATIONAL SECURITY AGENCY, AND*
13 *DIRECTOR OF NATIONAL GEOSPATIAL-INTELLIGENCE*
14 *AGENCY.—Not later than 7 days after the date on*
15 *which a covered national emergency is declared, the*
16 *Director of the National Reconnaissance Office, the*
17 *Director of the Defense Intelligence Agency, the Direc-*
18 *tor of the National Security Agency, and the Director*
19 *of the National Geospatial-Intelligence Agency shall*
20 *each submit the plan established under subsection (b)*
21 *for that emergency for the element of the intelligence*
22 *community concerned to the following:*

23 (A) *The congressional intelligence commit-*
24 *tees.*

1 (B) *The Committee on Armed Services of*
2 *the Senate.*

3 (C) *The Committee on Armed Services of*
4 *the House of Representatives.*

5 (d) *UPDATES.—During a covered national emergency,*
6 *the Director of National Intelligence, the Director of the*
7 *Central Intelligence Agency, the Director of the National*
8 *Reconnaissance Office, the Director of the Defense Intel-*
9 *ligence Agency, the Director of the National Security Agen-*
10 *cy, and the Director of the National Geospatial-Intelligence*
11 *Agency shall each submit any updates to the plans sub-*
12 *mitted under subsection (c)—*

13 (1) *in accordance with that subsection; and*

14 (2) *in a timely manner consistent with section*
15 *501 of the National Security Act of 1947 (50 U.S.C.*
16 *3091).*

17 **SEC. 9305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL**
18 **III TO POSITION OF DIRECTOR OF NATIONAL**
19 **RECONNAISSANCE OFFICE.**

20 *Section 5314 of title 5, United States Code, is amended*
21 *by adding at the end the following:*

22 “*Director of the National Reconnaissance Of-*
23 *fice.*”.

1 **SEC. 9306. NATIONAL INTELLIGENCE UNIVERSITY.**

2 (a) *IN GENERAL.*—Title X of the National Security
3 Act of 1947 (50 U.S.C. 3191 et seq.) is amended by adding
4 at the end the following:

5 **“Subtitle D—National Intelligence**
6 **University**

7 **“SEC. 1031. TRANSFER DATE.**

8 “In this subtitle, the term ‘transfer date’ means the
9 date on which the National Intelligence University is trans-
10 ferred from the Defense Intelligence Agency to the Director
11 of National Intelligence under section 5324(a) of the Na-
12 tional Defense Authorization Act for Fiscal Year 2020 (Pub-
13 lic Law 116–92).

14 **“SEC. 1032. DEGREE-GRANTING AUTHORITY.**

15 “(a) *IN GENERAL.*—Beginning on the transfer date,
16 under regulations prescribed by the Director of National In-
17 telligence, the President of the National Intelligence Univer-
18 sity may, upon the recommendation of the faculty of the
19 University, confer appropriate degrees upon graduates who
20 meet the degree requirements.

21 “(b) *LIMITATION.*—A degree may not be conferred
22 under this section unless—

23 “(1) the Secretary of Education has rec-
24 ommended approval of the degree in accordance with
25 the Federal Policy Governing Granting of Academic
26 Degrees by Federal Agencies; and

1 “(2) *the University is accredited by the appro-*
2 *prate academic accrediting agency or organization to*
3 *award the degree, as determined by the Secretary of*
4 *Education.*

5 “(c) *CONGRESSIONAL NOTIFICATION REQUIRE-*
6 *MENTS.—*

7 “(1) *ACTIONS ON NONACCREDITATION.—Begin-*
8 *ning on the transfer date, the Director shall prompt-*
9 *ly—*

10 “(A) *notify the congressional intelligence*
11 *committees of any action by the Middle States*
12 *Commission on Higher Education, or other ap-*
13 *propriate academic accrediting agency or orga-*
14 *nization, to not accredit the University to award*
15 *any new or existing degree; and*

16 “(B) *submit to such committees a report*
17 *containing an explanation of any such action.*

18 “(2) *MODIFICATION OR REDESIGNATION OF DE-*
19 *GREE-GRANTING AUTHORITY.—Beginning on the*
20 *transfer date, upon any modification or redesignation*
21 *of existing degree-granting authority, the Director*
22 *shall submit to the congressional intelligence commit-*
23 *tees a report containing—*

24 “(A) *the rationale for the proposed modi-*
25 *fication or redesignation; and*

1 “(B) any subsequent recommendation of the
2 Secretary of Education with respect to the pro-
3 posed modification or redesignation.

4 **“SEC. 1033. FACULTY MEMBERS; EMPLOYMENT AND COM-
5 PENSATION.**

6 “(a) *AUTHORITY OF DIRECTOR.*—Beginning on the
7 transfer date, the Director of National Intelligence may em-
8 ploy as many professors, instructors, and lecturers at the
9 National Intelligence University as the Director considers
10 necessary.

11 “(b) *COMPENSATION OF FACULTY MEMBERS.*—The
12 compensation of persons employed under this section shall
13 be as prescribed by the Director.

14 “(c) *COMPENSATION PLAN.*—The Director shall pro-
15 vide each person employed as a professor, instructor, or lec-
16 turer at the University on the transfer date an opportunity
17 to elect to be paid under the compensation plan in effect
18 on the day before the transfer date (with no reduction in
19 pay) or under the authority of this section.

20 **“SEC. 1034. ACCEPTANCE OF FACULTY RESEARCH GRANTS.**

21 “The Director of National Intelligence may authorize
22 the President of the National Intelligence University to ac-
23 cept qualifying research grants in the same manner and
24 to the same degree as the President of the National Defense

1 *University under section 2165(e) of title 10, United States*
 2 *Code.*

3 **“SEC. 1035. CONTINUED APPLICABILITY OF THE FEDERAL**
 4 **ADVISORY COMMITTEE ACT TO THE BOARD**
 5 **OF VISITORS.**

6 *“The Federal Advisory Committee Act (5 U.S.C. App.)*
 7 *shall continue to apply to the Board of Visitors of the Na-*
 8 *tional Intelligence University on and after the transfer*
 9 *date.”.*

10 *(b) CONFORMING AMENDMENTS.—Section 5324 of the*
 11 *National Defense Authorization Act for Fiscal Year 2020*
 12 *(Public Law 116–92) is amended—*

13 *(1) in subsection (b)(1)(C), by striking “sub-*
 14 *section (e)(2)” and inserting “section 1032(b) of the*
 15 *National Security Act of 1947”;*

16 *(2) by striking subsections (e) and (f); and*

17 *(3) by redesignating subsections (g) and (h) as*
 18 *subsections (e) and (f), respectively.*

19 *(c) CLERICAL AMENDMENT.—The table of contents of*
 20 *the National Security Act of 1947 is amended by inserting*
 21 *after the item relating to section 1024 the following:*

“Subtitle D—National Intelligence University

“Sec. 1031. Transfer date.

“Sec. 1032. Degree-granting authority.

“Sec. 1033. Faculty members; employment and compensation.

“Sec. 1034. Acceptance of faculty research grants.

“Sec. 1035. Continued applicability of the Federal Advisory Committee Act to the
Board of Visitors.”.

1 **SEC. 9307. REQUIRING FACILITATION OF ESTABLISHMENT**
2 **OF SOCIAL MEDIA DATA AND THREAT ANAL-**
3 **YSIS CENTER.**

4 (a) *REQUIREMENT TO FACILITATE ESTABLISH-*
5 *MENT.*—Subsection (c)(1) of section 5323 of the National
6 *Defense Authorization Act for Fiscal Year 2020 (Public*
7 *Law 116–92) is amended, by striking “may” and inserting*
8 *“shall”.*

9 (b) *DEADLINE TO FACILITATE ESTABLISHMENT.*—
10 *Such subsection is further amended by striking “The Direc-*
11 *tor” and inserting “Not later than 180 days after the date*
12 *of the enactment of the Intelligence Authorization Act for*
13 *Fiscal Year 2021, the Director”.*

14 (c) *CONFORMING AMENDMENTS.*—

15 (1) *REPORTING.*—Subsection (d) of such section
16 *is amended—*

17 (A) *in the matter before paragraph (1), by*
18 *striking “If the Director” and all that follows*
19 *through “the Center, the” and inserting “The”;*
20 *and*

21 (B) *in paragraph (1), by striking “180*
22 *days after the date of the enactment of this Act”*
23 *and inserting “180 days after the date of the en-*
24 *actment of the Intelligence Authorization Act for*
25 *Fiscal Year 2021”.*

1 (2) *FUNDING.*—Subsection (f) of such section is
2 amended by striking “fiscal year 2020 and 2021” and
3 inserting “fiscal year 2021 and 2022”.

4 (3) *CLERICAL.*—Subsection (c) of such section is
5 amended—

6 (A) in the subsection heading, by striking
7 “AUTHORITY” and inserting “REQUIREMENT”;
8 and

9 (B) in paragraph (1), in the paragraph
10 heading, by striking “AUTHORITY” and inserting
11 “REQUIREMENT”.

12 **SEC. 9308. DATA COLLECTION ON ATTRITION IN INTEL-**
13 **LIGENCE COMMUNITY.**

14 (a) *STANDARDS FOR DATA COLLECTION.*—

15 (1) *IN GENERAL.*—Not later than 90 days after
16 the date of the enactment of this Act, the Director of
17 National Intelligence shall establish standards for col-
18 lecting data relating to attrition in the intelligence
19 community workforce across demographics, speciali-
20 ties, and length of service.

21 (2) *INCLUSION OF CERTAIN CANDIDATES.*—The
22 Director shall include, in the standards established
23 under paragraph (1), standards for collecting data
24 from candidates who accepted conditional offers of
25 employment but chose to withdraw from the hiring

1 *process before entering into service, including data*
2 *with respect to the reasons such candidates chose to*
3 *withdraw.*

4 *(b) COLLECTION OF DATA.—Not later than 120 days*
5 *after the date of the enactment of this Act, each element*
6 *of the intelligence community shall begin collecting data on*
7 *workforce and candidate attrition in accordance with the*
8 *standards established under subsection (a).*

9 *(c) ANNUAL REPORT.—Not later than 1 year after the*
10 *date of the enactment of this Act, and annually thereafter,*
11 *the Director shall submit to the congressional intelligence*
12 *committees a report on workforce and candidate attrition*
13 *in the intelligence community that includes—*

14 *(1) the findings of the Director based on the data*
15 *collected under subsection (b);*

16 *(2) recommendations for addressing any issues*
17 *identified in those findings; and*

18 *(3) an assessment of timeliness in processing hir-*
19 *ing applications of individuals previously employed*
20 *by an element of the intelligence community, con-*
21 *sistent with the Trusted Workforce 2.0 initiative spon-*
22 *sored by the Security Clearance, Suitability, and*
23 *Credentialing Performance Accountability Council.*

1 **SEC. 9309. LIMITATION ON DELEGATION OF RESPONSIBILITY FOR PROGRAM MANAGEMENT OF INFORMATION-SHARING ENVIRONMENT.**
2
3

4 (a) *IN GENERAL.*—Section 1016(b) of the Intelligence
5 Reform and Terrorism Prevention Act of 2004 (6 U.S.C.
6 485(b)), as amended by section 6402(a) of the National De-
7 fense Authorization Act for Fiscal Year 2020 (Public Law
8 116–92), is further amended—

9 (1) in paragraph (1), in the matter before sub-
10 paragraph (A), by striking “Director of National In-
11 telligence” and inserting “President”;

12 (2) in paragraph (2), by striking “Director of
13 National Intelligence” both places it appears and in-
14 serting “President”; and

15 (3) by adding at the end the following:

16 “(3) *DELEGATION.*—

17 “(A) *IN GENERAL.*—Subject to subpara-
18 graph (B), the President may delegate responsi-
19 bility for carrying out this subsection.

20 “(B) *LIMITATION.*—The President may not
21 delegate responsibility for carrying out this sub-
22 section to the Director of National Intelligence.”.

23 (b) *EFFECTIVE DATE.*—The amendments made by sub-
24 section (a) shall take effect on October 1, 2020.

1 **SEC. 9310. IMPROVEMENTS TO PROVISIONS RELATING TO**
 2 **INTELLIGENCE COMMUNITY INFORMATION**
 3 **TECHNOLOGY ENVIRONMENT.**

4 *Section 6312 of the National Defense Authorization*
 5 *Act for Fiscal Year 2020 (Public Law 116–92) is amended*
 6 *by striking subsections (e) through (i) and inserting the fol-*
 7 *lowing:*

8 “(e) *LONG-TERM ROADMAP.*—*Not later than 180 days*
 9 *after the date of the enactment of the Intelligence Authoriza-*
 10 *tion Act for Fiscal Year 2021, the Director of National In-*
 11 *telligence shall develop and maintain a long-term roadmap*
 12 *for the intelligence community information technology envi-*
 13 *ronment.*

14 “(f) *BUSINESS PLAN.*—*Not later than 180 days after*
 15 *the date of the enactment of the Intelligence Authorization*
 16 *Act for Fiscal Year 2021, the Director of National Intel-*
 17 *ligence shall develop and maintain a business plan to im-*
 18 *plement the long-term roadmap required by subsection (e).”.*

19 **SEC. 9311. REQUIREMENTS AND AUTHORITIES FOR DIREC-**
 20 **TOR OF THE CENTRAL INTELLIGENCE AGEN-**
 21 **CY TO IMPROVE EDUCATION IN SCIENCE,**
 22 **TECHNOLOGY, ENGINEERING, ARTS, AND**
 23 **MATHEMATICS.**

24 *The Central Intelligence Agency Act of 1949 (50 U.S.C.*
 25 *3501 et seq.) is amended by adding the following:*

1 **“SEC. 24. IMPROVEMENT OF EDUCATION IN SCIENCE, TECH-**
2 **NOLOGY, ENGINEERING, ARTS, AND MATHE-**
3 **MATICS.**

4 “(a) *DEFINITIONS.*—*In this section:*

5 “(1) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
6 *ty’ includes a department or agency of the Federal*
7 *Government, a State, a political subdivision of a*
8 *State, an individual, and a not-for-profit or other or-*
9 *ganization in the private sector.*

10 “(2) *EDUCATIONAL INSTITUTION.*—*The term*
11 *‘educational institution’ includes any public or pri-*
12 *vate elementary school or secondary school, institution*
13 *of higher education, college, university, or any other*
14 *profit or nonprofit institution that is dedicated to im-*
15 *proving science, technology, engineering, the arts,*
16 *mathematics, business, law, medicine, or other fields*
17 *that promote development and education relating to*
18 *science, technology, engineering, the arts, or mathe-*
19 *matics.*

20 “(3) *STATE.*—*The term ‘State’ means each of the*
21 *several States, the District of Columbia, the Common-*
22 *wealth of Puerto Rico, the Commonwealth of the*
23 *Northern Mariana Islands, and any other territory or*
24 *possession of the United States.*

25 “(b) *REQUIREMENTS.*—*The Director shall, on a con-*
26 *tinuing basis—*

1 “(1) identify actions that the Director may take
2 to improve education in the scientific, technology, en-
3 gineering, arts, and mathematics (known as
4 ‘STEAM’) skills necessary to meet the long-term na-
5 tional security needs of the United States for per-
6 sonnel proficient in such skills; and

7 “(2) establish and conduct programs to carry out
8 such actions.

9 “(c) *AUTHORITIES.*—

10 “(1) *IN GENERAL.*—The Director, in support of
11 educational programs in science, technology, engineer-
12 ing, the arts, and mathematics, may—

13 “(A) award grants to eligible entities;

14 “(B) provide cash awards and other items
15 to eligible entities;

16 “(C) accept voluntary services from eligible
17 entities;

18 “(D) support national competition judging,
19 other educational event activities, and associated
20 award ceremonies in connection with such edu-
21 cational programs; and

22 “(E) enter into one or more education part-
23 nership agreements with educational institutions
24 in the United States for the purpose of encour-
25 aging and enhancing study in science, tech-

1 *nology, engineering, the arts, and mathematics*
2 *disciplines at all levels of education.*

3 “(2) *EDUCATION PARTNERSHIP AGREEMENTS.—*

4 “(A) *NATURE OF ASSISTANCE PROVIDED.—*

5 *Under an education partnership agreement en-*
6 *tered into with an educational institution under*
7 *paragraph (1)(E), the Director may provide as-*
8 *stance to the educational institution by—*

9 “(i) *loaning equipment to the edu-*
10 *cational institution for any purpose and*
11 *duration in support of such agreement that*
12 *the Director considers appropriate;*

13 “(ii) *making personnel available to*
14 *teach science courses or to assist in the de-*
15 *velopment of science courses and materials*
16 *for the educational institution;*

17 “(iii) *providing sabbatical opportuni-*
18 *ties for faculty and internship opportunities*
19 *for students;*

20 “(iv) *involving faculty and students of*
21 *the educational institution in Agency*
22 *projects, including research and technology*
23 *transfer or transition projects;*

24 “(v) *cooperating with the educational*
25 *institution in developing a program under*

1 *which students may be given academic cred-*
2 *it for work on Agency projects, including re-*
3 *search and technology transfer for transi-*
4 *tion projects; and*

5 “(vi) *providing academic and career*
6 *advice and assistance to students of the edu-*
7 *cational institution.*

8 “(B) *PRIORITIES.—In entering into edu-*
9 *cation partnership agreements under paragraph*
10 *(1)(E), the Director shall prioritize entering into*
11 *education partnership agreements with the fol-*
12 *lowing:*

13 “(i) *Historically Black colleges and*
14 *universities and other minority-serving in-*
15 *stitutions, as described in section 371(a) of*
16 *the Higher Education Act of 1965 (20*
17 *U.S.C. 1067q(a)).*

18 “(ii) *Educational institutions serving*
19 *women, members of minority groups, and*
20 *other groups of individuals who tradition-*
21 *ally are involved in the science, technology,*
22 *engineering, arts, and mathematics profes-*
23 *sions in disproportionately low numbers.*

24 “(d) *DESIGNATION OF ADVISOR.—The Director shall*
25 *designate one or more individuals within the Agency to ad-*

1 *visé and assist the Director regarding matters relating to*
2 *science, technology, engineering, the arts, and mathematics*
3 *education and training.”.*

4 ***Subtitle B—Reports and Assess-***
5 ***ments Pertaining to Intelligence***
6 ***Community***

7 ***SEC. 9321. ASSESSMENT BY THE COMPTROLLER GENERAL***
8 ***OF THE UNITED STATES ON EFFORTS OF THE***
9 ***INTELLIGENCE COMMUNITY AND THE DE-***
10 ***PARTMENT OF DEFENSE TO IDENTIFY AND***
11 ***MITIGATE RISKS POSED TO THE INTEL-***
12 ***LIGENCE COMMUNITY AND THE DEPARTMENT***
13 ***BY THE USE OF DIRECT-TO-CONSUMER GE-***
14 ***NETIC TESTING BY THE GOVERNMENT OF***
15 ***THE PEOPLE’S REPUBLIC OF CHINA.***

16 *(a) ASSESSMENT REQUIRED.—The Comptroller Gen-*
17 *eral of the United States shall assess the efforts of the intel-*
18 *ligence community and the Department of Defense to iden-*
19 *tify and mitigate the risks posed to the intelligence commu-*
20 *nity and the Department by the use of direct-to-consumer*
21 *genetic testing by the Government of the People’s Republic*
22 *of China.*

23 *(b) REPORT REQUIRED.—*

24 *(1) DEFINITION OF UNITED STATES DIRECT-TO-*
25 *CONSUMER GENETIC TESTING COMPANY.—In this sub-*

1 *section, the term “United States direct-to-consumer*
2 *genetic testing company” means a private entity*
3 *that—*

4 *(A) carries out direct-to-consumer genetic*
5 *testing; and*

6 *(B) is organized under the laws of the*
7 *United States or any jurisdiction within the*
8 *United States.*

9 *(2) IN GENERAL.—Not later than 180 days after*
10 *the date of the enactment of this Act, the Comptroller*
11 *General shall submit to Congress, including the con-*
12 *gressional intelligence committees, the Committee on*
13 *Armed Services of the Senate, and the Committee on*
14 *Armed Services of the House of Representatives, a re-*
15 *port on the assessment required by subsection (a).*

16 *(3) ELEMENTS.—The report required by para-*
17 *graph (2) shall include the following:*

18 *(A) A description of key national security*
19 *risks and vulnerabilities associated with direct-*
20 *to-consumer genetic testing, including—*

21 *(i) how the Government of the People’s*
22 *Republic of China may be using data pro-*
23 *vided by personnel of the intelligence com-*
24 *munity and the Department through direct-*
25 *to-consumer genetic tests; and*

1 (ii) *how ubiquitous technical surveil-*
2 *lance may amplify those risks.*

3 (B) *An assessment of the extent to which the*
4 *intelligence community and the Department have*
5 *identified risks and vulnerabilities posed by di-*
6 *rect-to-consumer genetic testing and have sought*
7 *to mitigate such risks and vulnerabilities, or*
8 *have plans for such mitigation, including the ex-*
9 *tent to which the intelligence community has de-*
10 *termined—*

11 (i) *in which United States direct-to-*
12 *consumer genetic testing companies the Gov-*
13 *ernment of the People’s Republic of China*
14 *or entities owned or controlled by the Gov-*
15 *ernment of the People’s Republic of China*
16 *have an ownership interest; and*

17 (ii) *which United States direct-to-con-*
18 *sumer genetic testing companies may have*
19 *sold data to the Government of the People’s*
20 *Republic of China or entities owned or con-*
21 *trolled by the Government of the People’s*
22 *Republic of China.*

23 (C) *Such recommendations as the Comp-*
24 *troller General may have for action by the intel-*
25 *ligence community and the Department to im-*

1 *prove the identification and mitigation of risks*
2 *and vulnerabilities posed by the use of direct-to-*
3 *consumer genetic testing by the Government of*
4 *the People’s Republic of China.*

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

8 (c) *COOPERATION.*—*The heads of relevant elements of*
9 *the intelligence community and components of the Depart-*
10 *ment shall—*

11 (1) *fully cooperate with the Comptroller General*
12 *in conducting the assessment required by subsection*
13 (i); *and*

14 (2) *provide any information and data required*
15 *by the Comptroller General to conduct the assessment.*

16 **SEC. 9322. REPORT ON USE BY INTELLIGENCE COMMUNITY**
17 **OF HIRING FLEXIBILITIES AND EXPEDITED**
18 **HUMAN RESOURCES PRACTICES TO ASSURE**
19 **QUALITY AND DIVERSITY IN THE WORKFORCE**
20 **OF THE INTELLIGENCE COMMUNITY.**

21 (a) *IN GENERAL.*—*Not later than 180 days after the*
22 *date of the enactment of this Act, the Director of National*
23 *Intelligence shall submit to the congressional intelligence*
24 *committees a report on how elements of the intelligence com-*
25 *munity are exercising hiring flexibilities and expedited*

1 *human resources practices afforded under section 3326 of*
2 *title 5, United States Code, and subpart D of part 315 of*
3 *title 5, Code of Federal Regulations, or successor regulation,*
4 *to assure quality and diversity in the workforce of the intel-*
5 *ligence community.*

6 (b) *OBSTACLES.*—*The report submitted under sub-*
7 *section (a) shall include identification of any obstacles en-*
8 *countered by the intelligence community in exercising the*
9 *authorities described in such subsection.*

10 **SEC. 9323. REPORT ON SIGNALS INTELLIGENCE PRIORITIES**
11 **AND REQUIREMENTS.**

12 (a) *REPORT REQUIRED.*—*Not later than 30 days after*
13 *the date of the enactment of this Act, the Director of Na-*
14 *tional Intelligence shall submit to the congressional intel-*
15 *ligence committees a report on signals intelligence priorities*
16 *and requirements subject to Presidential Policy Directive*
17 *28.*

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

20 (1) *The implementation of the annual process for*
21 *advising the Director on signals intelligence priorities*
22 *and requirements described in section 3 of Presi-*
23 *dential Policy Directive 28.*

24 (2) *The signals intelligence priorities and re-*
25 *quirements as of the most recent annual process.*

1 (3) *The application of such priorities and re-*
2 *quirements to the signals intelligence collection efforts*
3 *of the intelligence community.*

4 (4) *The contents of the classified annex ref-*
5 *erenced in section 3 of Presidential Policy Directive*
6 *28.*

7 (c) *FORM.—The report submitted under subsection (a)*
8 *shall be submitted in unclassified form, but may include*
9 *a classified annex.*

10 **SEC. 9324. ASSESSMENT OF DEMAND FOR STUDENT LOAN**
11 **REPAYMENT PROGRAM BENEFIT.**

12 (a) *IN GENERAL.—Not later than 90 days after the*
13 *date of the enactment of this Act, the head of each element*
14 *of the intelligence community shall—*

15 (1) *calculate the number of personnel of that ele-*
16 *ment who qualify for a student loan repayment pro-*
17 *gram benefit;*

18 (2) *compare the number calculated under para-*
19 *graph (1) to the number of personnel who apply for*
20 *such a benefit;*

21 (3) *provide recommendations for how to struc-*
22 *ture such a program to optimize participation and*
23 *enhance the effectiveness of the benefit as a retention*
24 *tool, including with respect to the amount of the ben-*
25 *efit offered and the length of time an employee receiv-*

1 (2) *an identification of any shortfall between the*
2 *demand calculated under paragraph (1) and the child*
3 *care supported by such elements as of the date of the*
4 *report;*

5 (3) *an assessment of options for addressing any*
6 *such shortfall, including options for providing child*
7 *care at or near the workplaces of employees of such*
8 *elements;*

9 (4) *an identification of the advantages, dis-*
10 *advantages, security requirements, and costs associ-*
11 *ated with each such option;*

12 (5) *a plan to meet, by the date that is 5 years*
13 *after the date of the report—*

14 (A) *the demand calculated under paragraph*

15 (1); *or*

16 (B) *an alternative standard established by*
17 *the Director for child care available to employees*
18 *of such elements; and*

19 (6) *an assessment of needs of specific elements of*
20 *the intelligence community, including any Govern-*
21 *ment-provided child care that could be collocated with*
22 *a workplace of employees of such an element and any*
23 *available child care providers in the proximity of*
24 *such a workplace.*

1 (b) *ELEMENTS SPECIFIED.*—*The elements of the intel-*
2 *ligence community specified in this subsection are the fol-*
3 *lowing:*

4 (1) *The Central Intelligence Agency.*

5 (2) *The National Security Agency.*

6 (3) *The Defense Intelligence Agency.*

7 (4) *The National Geospatial-Intelligence Agency.*

8 (5) *The National Reconnaissance Office.*

9 (6) *The Office of the Director of National Intel-*
10 *ligence.*

11 **SEC. 9326. OPEN SOURCE INTELLIGENCE STRATEGIES AND**
12 **PLANS FOR THE INTELLIGENCE COMMUNITY.**

13 (a) *REQUIREMENT FOR SURVEY AND EVALUATION OF*
14 *CUSTOMER FEEDBACK.*—*Not later than 90 days after the*
15 *date of the enactment of this Act, the Director of National*
16 *Intelligence, in coordination with the head of each element*
17 *of the intelligence community, shall—*

18 (1) *conduct a survey of the open source intel-*
19 *ligence requirements, goals, monetary and property*
20 *investments, and capabilities for each element of the*
21 *intelligence community; and*

22 (2) *evaluate the usability and utility of the Open*
23 *Source Enterprise by soliciting customer feedback and*
24 *evaluating such feedback.*

1 **(b) REQUIREMENT FOR OVERALL STRATEGY AND FOR**
2 **INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING**
3 **USABILITY OF OPEN SOURCE ENTERPRISE, AND RISK**
4 **ANALYSIS OF CREATING OPEN SOURCE CENTER.**—Not later
5 than 180 days after the date of the enactment of this Act,
6 the Director, in coordination with the head of each element
7 of the intelligence community and using the findings of the
8 Director with respect to the survey conducted under sub-
9 section (a), shall—

10 (1) develop a strategy for open source intelligence
11 collection, analysis, and production that defines the
12 overarching goals, roles, responsibilities, and processes
13 for such collection, analysis, and production for the
14 intelligence community;

15 (2) develop a plan for improving usability and
16 utility of the Open Source Enterprise based on the
17 customer feedback solicited under subsection (a)(2);
18 and

19 (3) conduct a risk and benefit analysis of cre-
20 ating an open source center independent of any cur-
21 rent intelligence community element.

22 **(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA**
23 **REPOSITORY.**—Not later than 270 days after the date of
24 the enactment of this Act and using the findings of the Di-
25 rector with respect to the survey and evaluation conducted

1 *under subsection (a), the strategy and plan developed under*
2 *subsection (b), and the risk and benefit analysis conducted*
3 *under such subsection, the Director shall develop a plan for*
4 *a centralized data repository of open source intelligence that*
5 *enables all elements of the intelligence community—*

6 *(1) to use such repository for their specific re-*
7 *quirements; and*

8 *(2) to derive open source intelligence advantages.*

9 *(d) REQUIREMENT FOR COST-SHARING MODEL.—Not*
10 *later than 1 year after the date of the enactment of this*
11 *Act and using the findings of the Director with respect to*
12 *the survey and evaluation conducted under subsection (a),*
13 *the strategy and plan developed under subsection (b), the*
14 *risk and benefit analysis conducted under such subsection,*
15 *and the plan developed under subsection (c), the Director*
16 *shall develop a cost-sharing model that leverages the open*
17 *source intelligence investments of each element of the intel-*
18 *ligence community for the beneficial use of the entire intel-*
19 *ligence community.*

20 *(e) CONGRESSIONAL BRIEFING.—Not later than 1 year*
21 *after the date of the enactment of this Act, the Director of*
22 *National Intelligence, the Director of the Central Intel-*
23 *ligence Agency, the Director of the Defense Intelligence*
24 *Agency, the Director of the National Geospatial-Intelligence*
25 *Agency, and the Director of the National Security Agency*

1 *shall jointly brief the congressional intelligence committees*

2 *on—*

3 *(1) the strategy developed under paragraph (1)*
 4 *of subsection (b);*

5 *(2) the plan developed under paragraph (2) of*
 6 *such subsection;*

7 *(3) the plan developed under subsection (c); and*

8 *(4) the cost-sharing model developed under sub-*
 9 *section (d).*

10 **TITLE XCIV—SECURITY CLEAR-**
 11 **ANCES AND TRUSTED WORK-**
 12 **FORCE**

13 **SEC. 9401. EXCLUSIVITY, CONSISTENCY, AND TRANS-**
 14 **PARENCY IN SECURITY CLEARANCE PROCE-**
 15 **DURES, AND RIGHT TO APPEAL.**

16 *(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of*
 17 *the National Security Act of 1947 (50 U.S.C. 3161) is*
 18 *amended by adding at the end the following:*

19 *“(c) EXCLUSIVITY.—Except as provided in subsection*
 20 *(b) and subject to sections 801A and 801B, the procedures*
 21 *established pursuant to subsection (a) and promulgated and*
 22 *set forth under subpart A of title 32, Code of Federal Regu-*
 23 *lations, or successor regulations, shall be the exclusive proce-*
 24 *dures by which decisions about eligibility for access to clas-*
 25 *sified information are governed.”.*

1 (b) *TRANSPARENCY.*—Such section is further amended
2 by adding at the end the following:

3 “(d) *PUBLICATION.*—

4 “(1) *IN GENERAL.*—Not later than 180 days
5 after the date of the enactment of this subsection, the
6 President shall—

7 “(A) publish in the Federal Register the
8 procedures established pursuant to subsection
9 (a); or

10 “(B) submit to Congress a certification that
11 the procedures currently in effect that govern ac-
12 cess to classified information as described in sub-
13 section (a)—

14 “(i) are published in the Federal Reg-
15 ister; and

16 “(ii) comply with the requirements of
17 subsection (a).

18 “(2) *UPDATES.*—Whenever the President makes
19 a revision to a procedure established pursuant to sub-
20 section (a), the President shall publish such revision
21 in the Federal Register not later than 30 days before
22 the date on which the revision becomes effective.”.

23 (c) *CONSISTENCY.*—

1 (1) *IN GENERAL.*—*Title VIII of the National Se-*
2 *curity Act of 1947 (50 U.S.C. 3161 et seq.) is amend-*
3 *ed by inserting after section 801 the following:*

4 **“SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSI-**
5 **IFIED INFORMATION.**

6 “(a) *DEFINITIONS.*—*In this section:*

7 “(1) *AGENCY.*—*The term ‘agency’ has the mean-*
8 *ing given the term ‘Executive agency’ in section 105*
9 *of title 5, United States Code.*

10 “(2) *CLASSIFIED INFORMATION.*—*The term ‘clas-*
11 *sified information’ includes sensitive compartmented*
12 *information, restricted data, restricted handling in-*
13 *formation, and other compartmented information.*

14 “(3) *ELIGIBILITY FOR ACCESS TO CLASSIFIED*
15 *INFORMATION.*—*The term ‘eligibility for access to*
16 *classified information’ has the meaning given such*
17 *term in the procedures established pursuant to section*
18 *801(a).*

19 “(b) *IN GENERAL.*—*Each head of an agency that*
20 *makes a determination regarding eligibility for access to*
21 *classified information shall ensure that in making the deter-*
22 *mination, the head of the agency or any person acting on*
23 *behalf of the head of the agency—*

24 “(1) *does not violate any right or protection en-*
25 *shrined in the Constitution of the United States, in-*

1 *cluding rights articulated in the First, Fifth, and*
 2 *Fourteenth Amendments;*

3 “(2) *does not discriminate for or against an in-*
 4 *dividual on the basis of race, ethnicity, color, religion,*
 5 *sex, national origin, age, or handicap;*

6 “(3) *is not carrying out—*

7 “(A) *retaliation for political activities or*
 8 *beliefs; or*

9 “(B) *a coercion or reprisal described in sec-*
 10 *tion 2302(b)(3) of title 5, United States Code;*
 11 *and*

12 “(4) *does not violate section 3001(j)(1) of the In-*
 13 *telligence Reform and Terrorism Prevention Act of*
 14 *2004 (50 U.S.C. 3341(j)(1)).”*

15 (2) *CLERICAL AMENDMENT.—The table of con-*
 16 *tents in the matter preceding section 2 of the National*
 17 *Security Act of 1947 (50 U.S.C. 3002) is amended by*
 18 *inserting after the item relating to section 801 the fol-*
 19 *lowing:*

“*Sec. 801A. Decisions relating to access to classified information.*”

20 (d) *RIGHT TO APPEAL.—*

21 (1) *IN GENERAL.—Such title, as amended by*
 22 *subsection (c), is further amended by inserting after*
 23 *section 801A the following:*

24 **“SEC. 801B. RIGHT TO APPEAL.**

25 “(a) *DEFINITIONS.—In this section:*

1 “(1) *AGENCY*.—The term ‘agency’ has the mean-
2 ing given the term ‘Executive agency’ in section 105
3 of title 5, United States Code.

4 “(2) *COVERED PERSON*.—The term ‘covered per-
5 son’ means a person, other than the President and
6 Vice President, currently or formerly employed in, de-
7 tailed to, assigned to, or issued an authorized condi-
8 tional offer of employment for a position that requires
9 access to classified information by an agency, includ-
10 ing the following:

11 “(A) A member of the Armed Forces.

12 “(B) A civilian.

13 “(C) An expert or consultant with a con-
14 tractual or personnel obligation to an agency.

15 “(D) Any other category of person who acts
16 for or on behalf of an agency as determined by
17 the head of the agency.

18 “(3) *ELIGIBILITY FOR ACCESS TO CLASSIFIED*
19 *INFORMATION*.—The term ‘eligibility for access to
20 classified information’ has the meaning given such
21 term in the procedures established pursuant to section
22 801(a).

23 “(4) *NEED FOR ACCESS*.—The term ‘need for ac-
24 cess’ has such meaning as the President may define

1 *in the procedures established pursuant to section*
2 *801(a).*

3 “(5) *RECIPROCITY OF CLEARANCE.*—*The term*
4 *‘reciprocity of clearance’, with respect to a denial by*
5 *an agency, means that the agency, with respect to a*
6 *covered person—*

7 “(A) *failed to accept a security clearance*
8 *background investigation as required by para-*
9 *graph (1) of section 3001(d) of the Intelligence*
10 *Reform and Terrorism Prevention Act of 2004*
11 *(50 U.S.C. 3341(d));*

12 “(B) *failed to accept a transferred security*
13 *clearance background investigation required by*
14 *paragraph (2) of such section;*

15 “(C) *subjected the covered person to an ad-*
16 *ditional investigative or adjudicative require-*
17 *ment in violation of paragraph (3) of such sec-*
18 *tion; or*

19 “(D) *conducted an investigation in viola-*
20 *tion of paragraph (4) of such section.*

21 “(6) *SECURITY EXECUTIVE AGENT.*—*The term*
22 *‘Security Executive Agent’ means the officer serving*
23 *as the Security Executive Agent pursuant to section*
24 *803.*

25 “(b) *AGENCY REVIEW.*—

1 “(1) *IN GENERAL.*—Not later than 180 days
2 after the date of the enactment of the Intelligence Au-
3 thorization Act for Fiscal Year 2021, each head of an
4 agency shall, consistent with the interest of national
5 security, establish and publish in the Federal Register
6 a process by which a covered person to whom eligi-
7 bility for access to classified information was denied
8 or revoked by the agency or for whom reciprocity of
9 clearance was denied by the agency can appeal that
10 denial or revocation within the agency.

11 “(2) *ELEMENTS.*—The process required by para-
12 graph (1) shall include the following:

13 “(A) *In the case of a covered person to*
14 *whom eligibility for access to classified informa-*
15 *tion or reciprocity of clearance is denied or re-*
16 *voked by an agency, the following:*

17 “(i) *The head of the agency shall pro-*
18 *vide the covered person with a written—*

19 “(I) *detailed explanation of the*
20 *basis for the denial or revocation as the*
21 *head of the agency determines is con-*
22 *sistent with the interests of national se-*
23 *curity and as permitted by other ap-*
24 *plicable provisions of law; and*

1 “(II) notice of the right of the cov-
2 ered person to a hearing and appeal
3 under this subsection.

4 “(ii) Not later than 30 days after re-
5 ceiving a request from the covered person
6 for copies of the documents that formed the
7 basis of the agency’s decision to revoke or
8 deny, including the investigative file, the
9 head of the agency shall provide to the cov-
10 ered person copies of such documents as—

11 “(I) the head of the agency deter-
12 mines is consistent with the interests of
13 national security; and

14 “(II) permitted by other applica-
15 ble provisions of law, including—

16 “(aa) section 552 of title 5,
17 United States Code (commonly
18 known as the ‘Freedom of Infor-
19 mation Act’);

20 “(bb) section 552a of such
21 title (commonly known as the
22 ‘Privacy Act of 1974’); and

23 “(cc) such other provisions of
24 law relating to the protection of

1 *confidential sources and privacy*
2 *of individuals.*

3 “(iii)(I) *The covered person shall have*
4 *the opportunity to retain counsel or other*
5 *representation at the covered person’s ex-*
6 *pense.*

7 “(II) *Upon the request of the covered*
8 *person, and a showing that the ability to re-*
9 *view classified information is essential to*
10 *the resolution of an appeal under this sub-*
11 *section, counsel or other representation re-*
12 *tained under this clause shall be considered*
13 *for access to classified information for the*
14 *limited purposes of such appeal.*

15 “(iv)(I) *The head of the agency shall*
16 *provide the covered person an opportunity,*
17 *at a point in the process determined by the*
18 *agency head—*

19 “(aa) *to appear personally before*
20 *an adjudicative or other authority,*
21 *other than the investigating entity, and*
22 *to present to such authority relevant*
23 *documents, materials, and informa-*
24 *tion, including evidence that past*
25 *problems relating to the denial or rev-*

1 *ocation have been overcome or suffi-*
2 *ciently mitigated; and*

3 *“(bb) to call and cross-examine*
4 *witnesses before such authority, unless*
5 *the head of the agency determines that*
6 *calling and cross-examining witnesses*
7 *is not consistent with the interests of*
8 *national security.*

9 *“(II) The head of the agency shall*
10 *make, as part of the security record of the*
11 *covered person, a written summary, tran-*
12 *script, or recording of any appearance*
13 *under item (aa) of subclause (I) or of any*
14 *calling or cross-examining of witnesses*
15 *under item (bb) of such subclause.*

16 *“(v) On or before the date that is 30*
17 *days after the date on which the covered*
18 *person receives copies of documents under*
19 *clause (ii), the covered person may request*
20 *a hearing of the decision to deny or revoke*
21 *by filing a written appeal with the head of*
22 *the agency.*

23 *“(B) A requirement that each review of a*
24 *decision under this subsection is completed on*
25 *average not later than 180 days after the date on*

1 *which a hearing is requested under subpara-*
2 *graph (A)(v).*

3 “(3) *AGENCY REVIEW PANELS.*—

4 “(A) *IN GENERAL.*—*Each head of an agency*
5 *shall establish a panel to hear and review ap-*
6 *peals under this subsection.*

7 “(B) *MEMBERSHIP.*—

8 “(i) *COMPOSITION.*—*Each panel estab-*
9 *lished by the head of an agency under sub-*
10 *paragraph (A) shall be composed of at least*
11 *three employees of the agency selected by the*
12 *agency head, two of whom shall not be*
13 *members of the security field.*

14 “(ii) *TERMS.*—*A term of service on a*
15 *panel established by the head of an agency*
16 *under subparagraph (A) shall not exceed 2*
17 *years.*

18 “(C) *DECISIONS.*—

19 “(i) *WRITTEN.*—*Each decision of a*
20 *panel established under subparagraph (A)*
21 *shall be in writing and contain a justifica-*
22 *tion of the decision.*

23 “(ii) *CONSISTENCY.*—*Each head of an*
24 *agency that establishes a panel under sub-*
25 *paragraph (A) shall ensure that each deci-*

1 *sion of the panel is consistent with the in-*
2 *terests of national security and applicable*
3 *provisions of law.*

4 “(iii) *OVERTURN.*—*The head of an*
5 *agency may overturn a decision of the panel*
6 *if, not later than 30 days after the date on*
7 *which the panel issues the decision, the*
8 *agency head personally exercises the author-*
9 *ity granted by this clause to overturn such*
10 *decision.*

11 “(iv) *FINALITY.*—*Each decision of a*
12 *panel established under subparagraph (A)*
13 *or overturned pursuant to clause (iii) of*
14 *this subparagraph shall be final.*

15 “(D) *ACCESS TO CLASSIFIED INFORMA-*
16 *TION.*—*The head of an agency that establishes a*
17 *panel under subparagraph (A) shall afford access*
18 *to classified information to the members of the*
19 *panel as the agency head determines—*

20 “(i) *necessary for the panel to hear*
21 *and review an appeal under this subsection;*
22 *and*

23 “(ii) *consistent with the interests of*
24 *national security.*

25 “(4) *REPRESENTATION BY COUNSEL.*—

1 “(A) *IN GENERAL.*—Each head of an agency
2 shall ensure that, under this subsection, a covered
3 person appealing a decision of the head’s agency
4 under this subsection has an opportunity to re-
5 tain counsel or other representation at the cov-
6 ered person’s expense.

7 “(B) *ACCESS TO CLASSIFIED INFORMA-*
8 *TION.*—

9 “(i) *IN GENERAL.*—Upon the request of
10 a covered person appealing a decision of an
11 agency under this subsection and a showing
12 that the ability to review classified informa-
13 tion is essential to the resolution of the ap-
14 peal under this subsection, the head of the
15 agency shall sponsor an application by the
16 counsel or other representation retained
17 under this paragraph for access to classified
18 information for the limited purposes of such
19 appeal.

20 “(ii) *EXTENT OF ACCESS.*—Counsel or
21 another representative who is cleared for ac-
22 cess under this subparagraph may be af-
23 farded access to relevant classified materials
24 to the extent consistent with the interests of
25 national security.

1 “(5) *PUBLICATION OF DECISIONS.*—

2 “(A) *IN GENERAL.*—*Each head of an agency*
3 *shall publish each final decision on an appeal*
4 *under this subsection.*

5 “(B) *REQUIREMENTS.*—*In order to ensure*
6 *transparency, oversight by Congress, and mean-*
7 *ingful information for those who need to under-*
8 *stand how the clearance process works, each pub-*
9 *lication under subparagraph (A) shall be—*

10 “(i) *made in a manner that is con-*
11 *sistent with section 552 of title 5, United*
12 *States Code, as amended by the Electronic*
13 *Freedom of Information Act Amendments of*
14 *1996 (Public Law 104–231);*

15 “(ii) *published to explain the facts of*
16 *the case, redacting personally identifiable*
17 *information and sensitive program infor-*
18 *mation; and*

19 “(iii) *made available on a website that*
20 *is searchable by members of the public.*

21 “(c) *PERIOD OF TIME FOR THE RIGHT TO APPEAL.*—

22 “(1) *IN GENERAL.*—*Except as provided in para-*
23 *graph (2), any covered person who has been the sub-*
24 *ject of a decision made by the head of an agency to*
25 *deny or revoke eligibility for access to classified infor-*

1 *mation shall retain all rights to appeal under this*
2 *section until the conclusion of the appeals process*
3 *under this section.*

4 “(2) *WAIVER OF RIGHTS.—*

5 “(A) *PERSONS.—Any covered person may*
6 *voluntarily waive the covered person’s right to*
7 *appeal under this section and such waiver shall*
8 *be conclusive.*

9 “(B) *AGENCIES.—The head of an agency*
10 *may not require a covered person to waive the*
11 *covered person’s right to appeal under this sec-*
12 *tion for any reason.*

13 “(d) *WAIVER OF AVAILABILITY OF PROCEDURES FOR*
14 *NATIONAL SECURITY INTEREST.—*

15 “(1) *IN GENERAL.—If the head of an agency de-*
16 *termines that a procedure established under subsection*
17 *(b) cannot be made available to a covered person in*
18 *an exceptional case without damaging a national se-*
19 *curity interest of the United States by revealing clas-*
20 *sified information, such procedure shall not be made*
21 *available to such covered person.*

22 “(2) *FINALITY.—A determination under para-*
23 *graph (1) shall be final and conclusive and may not*
24 *be reviewed by any other official or by any court.*

25 “(3) *REPORTING.—*

1 “(A) *CASE-BY-CASE.*—

2 “(i) *IN GENERAL.*—*In each case in*
3 *which the head of an agency determines*
4 *under paragraph (1) that a procedure estab-*
5 *lished under subsection (b) cannot be made*
6 *available to a covered person, the agency*
7 *head shall, not later than 30 days after the*
8 *date on which the agency head makes such*
9 *determination, submit to the Security Exec-*
10 *utive Agent and to the congressional intel-*
11 *ligence committees a report stating the rea-*
12 *sons for the determination.*

13 “(ii) *FORM.*—*A report submitted*
14 *under clause (i) may be submitted in classi-*
15 *fied form as necessary.*

16 “(B) *ANNUAL REPORTS.*—

17 “(i) *IN GENERAL.*—*Not less frequently*
18 *than once each fiscal year, the Security Ex-*
19 *ecutive Agent shall submit to the congress-*
20 *ional intelligence committees a report on*
21 *the determinations made under paragraph*
22 *(1) during the previous fiscal year.*

23 “(ii) *CONTENTS.*—*Each report sub-*
24 *mitted under clause (i) shall include, for the*
25 *period covered by the report, the following:*

1 “(I) *The number of cases and rea-*
2 *sons for determinations made under*
3 *paragraph (1), disaggregated by agen-*
4 *cy.*

5 “(II) *Such other matters as the*
6 *Security Executive Agent considers ap-*
7 *propriate.*

8 “(e) *DENIALS AND REVOCATIONS UNDER OTHER PRO-*
9 *VISIONS OF LAW.—*

10 “(1) *RULE OF CONSTRUCTION.—Nothing in this*
11 *section shall be construed to limit or affect the respon-*
12 *sibility and power of the head of an agency to deny*
13 *or revoke eligibility for access to classified informa-*
14 *tion or to deny reciprocity of clearance in the interest*
15 *of national security.*

16 “(2) *DENIALS AND REVOCATION.—The power*
17 *and responsibility to deny or revoke eligibility for ac-*
18 *cess to classified information or to deny reciprocity of*
19 *clearance pursuant to any other provision of law or*
20 *Executive order may be exercised only when the head*
21 *of an agency determines that an applicable process es-*
22 *tablished under this section cannot be invoked in a*
23 *manner that is consistent with national security.*

1 “(3) *FINALITY.*—A determination under para-
2 graph (2) shall be final and conclusive and may not
3 be reviewed by any other official or by any court.

4 “(4) *REPORTING.*—

5 “(A) *CASE-BY-CASE.*—

6 “(i) *IN GENERAL.*—In each case in
7 which the head of an agency determines
8 under paragraph (2) that a determination
9 relating to a denial or revocation of eligi-
10 bility for access to classified information or
11 denial of reciprocity of clearance could not
12 be made pursuant to a process established
13 under this section, the agency head shall,
14 not later than 30 days after the date on
15 which the agency head makes such a deter-
16 mination under paragraph (2), submit to
17 the Security Executive Agent and to the
18 congressional intelligence committees a re-
19 port stating the reasons for the determina-
20 tion.

21 “(ii) *FORM.*—A report submitted
22 under clause (i) may be submitted in classi-
23 fied form as necessary.

24 “(B) *ANNUAL REPORTS.*—

1 “(i) *IN GENERAL.*—Not less frequently
2 than once each fiscal year, the Security Ex-
3 ecutive Agent shall submit to the congres-
4 sional intelligence committees a report on
5 the determinations made under paragraph
6 (2) during the previous fiscal year.

7 “(ii) *CONTENTS.*—Each report sub-
8 mitted under clause (i) shall include, for the
9 period covered by the report, the following:

10 “(I) *The number of cases and rea-*
11 *sons for determinations made under*
12 *paragraph (2), disaggregated by agen-*
13 *cy.*

14 “(II) *Such other matters as the*
15 *Security Executive Agent considers ap-*
16 *propriate.*

17 “(f) *RELATIONSHIP TO SUITABILITY.*—No person may
18 use a determination of suitability under part 731 of title
19 5, Code of Federal Regulations, or successor regulation, for
20 the purpose of denying a covered person the review pro-
21 ceedings of this section where there has been a denial or
22 revocation of eligibility for access to classified information
23 or a denial of reciprocity of clearance.

24 “(g) *PRESERVATION OF ROLES AND RESPONSIBIL-*
25 *ITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DE-*

1 *ENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in*
2 *this section shall be construed to diminish or otherwise af-*
3 *fect the procedures in effect on the day before the date of*
4 *the enactment of this Act for denial and revocation proce-*
5 *dures provided to individuals by Executive Order 10865 (50*
6 *U.S.C. 3161 note; relating to safeguarding classified infor-*
7 *mation within industry), or successor order, including those*
8 *administered through the Defense Office of Hearings and*
9 *Appeals of the Department of Defense under Department*
10 *of Defense Directive 5220.6, or successor directive.*

11 “(h) *RULE OF CONSTRUCTION RELATING TO CERTAIN*
12 *OTHER PROVISIONS OF LAW.—This section and the proc-*
13 *esses and procedures established under this section shall not*
14 *be construed to apply to paragraphs (6) and (7) of section*
15 *3001(j) of the Intelligence Reform and Terrorism Preven-*
16 *tion Act of 2004 (50 U.S.C. 3341(j)).”.*

17 (2) *CLERICAL AMENDMENT.—The table of con-*
18 *tents in the matter preceding section 2 of the National*
19 *Security Act of 1947 (50 U.S.C. 3002), as amended*
20 *by subsection (c), is further amended by inserting*
21 *after the item relating to section 801A the following:*

“Sec. 801B. *Right to appeal.*”.

1 **SEC. 9402. ESTABLISHING PROCESS PARITY FOR SECURITY**
2 **CLEARANCE REVOCATIONS.**

3 *Subparagraph (C) of section 3001(j)(4) of the Intel-*
4 *ligence Reform and Terrorism Prevention Act of 2004 (50*
5 *U.S.C. 3341(j)(4)) is amended to read as follows:*

6 “(C) *BURDENS OF PROOF.*—

7 “(i) *IN GENERAL.*—*Subject to clause*
8 *(iii), in determining whether the adverse se-*
9 *curity clearance or access determination*
10 *violated paragraph (1), the agency shall*
11 *find that paragraph (1) was violated if the*
12 *individual has demonstrated that a disclo-*
13 *sure described in paragraph (1) was a con-*
14 *tributing factor in the adverse security*
15 *clearance or access determination taken*
16 *against the individual.*

17 “(ii) *CIRCUMSTANTIAL EVIDENCE.*—*An*
18 *individual under clause (i) may dem-*
19 *onstrate that the disclosure was a contrib-*
20 *uting factor in the adverse security clear-*
21 *ance or access determination taken against*
22 *the individual through circumstantial evi-*
23 *dence, such as evidence that—*

24 “(I) *the official making the deter-*
25 *mination knew of the disclosure; and*

1 “(II) the determination occurred
2 within a period such that a reasonable
3 person could conclude that the disclo-
4 sure was a contributing factor in the
5 determination.

6 “(iii) DEFENSE.—In determining
7 whether the adverse security clearance or
8 access determination violated paragraph
9 (1), the agency shall not find that para-
10 graph (1) was violated if, after a finding
11 that a disclosure was a contributing factor,
12 the agency demonstrates by clear and con-
13 vincing evidence that it would have made
14 the same security clearance or access deter-
15 mination in the absence of such disclosure.”.

16 **SEC. 9403. FEDERAL POLICY ON SHARING OF DEROGATORY**
17 **INFORMATION PERTAINING TO CONTRACTOR**
18 **EMPLOYEES IN THE TRUSTED WORKFORCE.**

19 (a) POLICY REQUIRED.—Not later than 180 days after
20 the date of the enactment of this Act, the Security Executive
21 Agent, in coordination with the principal members of the
22 Performance Accountability Council and the Attorney Gen-
23 eral, shall issue a policy for the Federal Government on
24 sharing of derogatory information pertaining to contractor
25 employees engaged by the Federal Government.

1 (b) *CONSENT REQUIREMENT.*—

2 (1) *IN GENERAL.*—*The policy issued under sub-*
3 *section (a) shall require, as a condition of accepting*
4 *a security clearance with the Federal Government,*
5 *that a contractor employee provide prior written con-*
6 *sent for the Federal Government to share covered de-*
7 *rogatory information with the chief security officer of*
8 *the contractor employer that employs the contractor*
9 *employee.*

10 (2) *COVERED DEROGATORY INFORMATION.*—*For*
11 *purposes of this section, covered derogatory informa-*
12 *tion—*

13 (A) *is information that—*

14 (i) *contravenes National Security Ad-*
15 *judicative Guidelines as specified in Secu-*
16 *rity Executive Agent Directive 4 (10 C.F.R.*
17 *710 app. A), or any successor Federal pol-*
18 *icy;*

19 (ii) *a Federal Government agency cer-*
20 *tifies is accurate and reliable;*

21 (iii) *is relevant to a contractor's abil-*
22 *ity to protect against insider threats as re-*
23 *quired by section 1–202 of the National In-*
24 *dustrial Security Program Operating Man-*
25 *ual (NISPOM), or successor manual; and*

1 (iv) may have a bearing on the con-
2 tractor employee's suitability for a position
3 of public trust or to receive credentials to
4 access certain facilities of the Federal Gov-
5 ernment; and

6 (B) shall include any negative information
7 considered in the adjudicative process, including
8 information provided by the contractor employee
9 on forms submitted for the processing of the con-
10 tractor employee's security clearance.

11 (c) *ELEMENTS.*—The policy issued under subsection
12 (a) shall—

13 (1) require Federal agencies, except under excep-
14 tional circumstances specified by the Security Execu-
15 tive Agent, to share with the contractor employer of
16 a contractor employee engaged with the Federal Gov-
17 ernment the existence of potentially derogatory infor-
18 mation and which National Security Adjudicative
19 Guideline it falls under, with the exception that the
20 Security Executive Agent may waive such require-
21 ment in circumstances the Security Executive Agent
22 considers extraordinary;

23 (2) require that covered derogatory information
24 shared with a contractor employer as described in
25 subsection (b)(1) be used by the contractor employer

1 *exclusively for risk mitigation purposes under section*
2 *1–202 of the National Industrial Security Program*
3 *Operating Manual, or successor manual;*

4 (3) *require Federal agencies to share any mitiga-*
5 *tion measures in place to address the derogatory in-*
6 *formation;*

7 (4) *establish standards for timeliness for sharing*
8 *the derogatory information;*

9 (5) *specify the methods by which covered deroga-*
10 *tory information will be shared with the contractor*
11 *employer of the contractor employee;*

12 (6) *allow the contractor employee, within a spec-*
13 *ified timeframe, the right—*

14 (A) *to contest the accuracy and reliability*
15 *of covered derogatory information;*

16 (B) *to address or remedy any concerns*
17 *raised by the covered derogatory information;*
18 *and*

19 (C) *to provide documentation pertinent to*
20 *subparagraph (A) or (B) for an agency to place*
21 *in relevant security clearance databases;*

22 (7) *establish a procedure by which the contractor*
23 *employer of the contractor employee may consult with*
24 *the Federal Government prior to taking any remedial*
25 *action under section 1–202 of the National Industrial*

1 *Security Program Operating Manual, or successor*
2 *manual, to address the derogatory information the*
3 *Federal agency has provided;*

4 *(8) stipulate that the chief security officer of the*
5 *contractor employer is prohibited from sharing or dis-*
6 *cussing covered derogatory information with other*
7 *parties, including nonsecurity professionals at the*
8 *contractor employer; and*

9 *(9) require companies in the National Industrial*
10 *Security Program to comply with the policy.*

11 *(d) CONSIDERATION OF LESSONS LEARNED FROM IN-*
12 *FORMATION-SHARING PROGRAM FOR POSITIONS OF TRUST*
13 *AND SECURITY CLEARANCES.—In developing the policy*
14 *issued under subsection (a), the Director shall consider, to*
15 *the extent available, lessons learned from actions taken to*
16 *carry out section 6611(f) of the National Defense Authoriza-*
17 *tion Act for Fiscal Year 2020 (Public Law 116–92).*

1 **TITLE XCV—REPORTS AND**
2 **OTHER MATTERS**

3 **SEC. 9501. REPORT ON ATTEMPTS BY FOREIGN ADVER-**
4 **SARIES TO BUILD TELECOMMUNICATIONS**
5 **AND CYBERSECURITY EQUIPMENT AND SERV-**
6 **ICES FOR, OR TO PROVIDE SUCH EQUIPMENT**
7 **AND SERVICES TO, CERTAIN ALLIES OF THE**
8 **UNITED STATES.**

9 (a) *DEFINITIONS.—In this section:*

10 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*

11 *The term “appropriate committees of Congress”*
12 *means—*

13 (A) *the Committee on Armed Services and*
14 *the Select Committee on Intelligence of the Sen-*
15 *ate; and*

16 (B) *the Committee on Armed Services and*
17 *the Permanent Select Committee on Intelligence*
18 *of the House of Representatives.*

19 (2) *FIVE EYES COUNTRY.—The term “Five Eyes*
20 *country” means any of the following:*

21 (A) *Australia.*

22 (B) *Canada.*

23 (C) *New Zealand.*

24 (D) *The United Kingdom.*

25 (E) *The United States.*

1 (b) *REPORT REQUIRED.*—Not later than 90 days after
2 the date of the enactment of this Act, the Director of the
3 Central Intelligence Agency, the Director of the National
4 Security Agency, and the Director of the Defense Intel-
5 ligence Agency shall jointly submit to the appropriate com-
6 mittees of Congress a report on attempts by foreign adver-
7 saries to build telecommunications and cybersecurity equip-
8 ment and services for, or to provide such equipment and
9 services to, *Five Eyes* countries.

10 (c) *ELEMENTS.*—The report submitted under sub-
11 section (b) shall include the following:

12 (1) *An assessment of United States intelligence*
13 *sharing and intelligence and military force posture in*
14 *any Five Eyes country that currently uses or intends*
15 *to use telecommunications or cybersecurity equipment*
16 *or services provided by a foreign adversary of the*
17 *United States, including China and Russia.*

18 (2) *A description and assessment of mitigation*
19 *of any potential compromises or risks for any cir-*
20 *cumstance described in paragraph (1).*

21 (d) *FORM.*—The report required by subsection (b) shall
22 include an unclassified executive summary, and may in-
23 clude a classified annex.

1 **SEC. 9502. REPORT ON THREATS POSED BY USE BY FOR-**
2 **EIGN GOVERNMENTS AND ENTITIES OF COM-**
3 **MERCIALY AVAILABLE CYBER INTRUSION**
4 **AND SURVEILLANCE TECHNOLOGY.**

5 (a) *REPORT REQUIRED.*—Not later than 180 days
6 after the date of the enactment of this Act, the Director of
7 National Intelligence shall submit to the congressional intel-
8 ligence committees a report on the threats posed by the use
9 by foreign governments and entities of commercially avail-
10 able cyber intrusion and other surveillance technology.

11 (b) *CONTENTS.*—The report required by subsection (a)
12 shall include the following:

13 (1) *Matters relating to threats described in sub-*
14 *section (a) as they pertain to the following:*

15 (A) *The threat posed to United States per-*
16 *sons and persons inside the United States.*

17 (B) *The threat posed to United States per-*
18 *sonnel overseas.*

19 (C) *The threat posed to employees of the*
20 *Federal Government, including through both offi-*
21 *cial and personal accounts and devices.*

22 (2) *A description of which foreign governments*
23 *and entities pose the greatest threats from the use of*
24 *technology described in subsection (a) and the nature*
25 *of those threats.*

1 (3) *An assessment of the source of the commer-*
2 *cially available cyber intrusion and other surveillance*
3 *technology that poses the threats described in sub-*
4 *section (a), including whether such technology is*
5 *made by United States companies or companies in*
6 *the United States or by foreign companies.*

7 (4) *An assessment of actions taken, as of the date*
8 *of the enactment of this Act, by the Federal Govern-*
9 *ment and foreign governments to limit the export of*
10 *technology described in subsection (a) from the United*
11 *States or foreign countries to foreign governments and*
12 *entities in ways that pose the threats described in*
13 *such subsection.*

14 (5) *Matters relating to how the Federal Govern-*
15 *ment, Congress, and foreign governments can most ef-*
16 *fectively mitigate the threats described in subsection*
17 *(a), including matters relating to the following:*

18 (A) *Working with the technology and tele-*
19 *communications industry to identify and im-*
20 *prove the security of consumer software and*
21 *hardware used by United States persons and*
22 *persons inside the United States that is targeted*
23 *by commercial cyber intrusion and surveillance*
24 *software.*

25 (B) *Export controls.*

1 (C) *Diplomatic pressure.*

2 (D) *Trade agreements.*

3 (c) *FORM.—The report submitted under subsection (a)*
4 *shall be submitted in unclassified form, but may include*
5 *a classified annex.*

6 **SEC. 9503. REPORTS ON RECOMMENDATIONS OF THE**
7 **CYBERSPACE SOLARIUM COMMISSION.**

8 (a) *APPROPRIATE COMMITTEES OF CONGRESS.—In*
9 *this section, the term “appropriate committees of Congress”*
10 *means—*

11 (1) *the Committee on Armed Services, the Select*
12 *Committee on Intelligence, the Committee on Home-*
13 *land Security and Governmental Affairs, the Com-*
14 *mittee on Commerce, Science, and Transportation,*
15 *and the Committee on Energy and Natural Resources*
16 *of the Senate; and*

17 (2) *the Committee on Armed Services, the Per-*
18 *manent Select Committee on Intelligence, the Com-*
19 *mittee on Homeland Security, the Committee on*
20 *Science, Space, and Technology, and the Committee*
21 *on Energy and Commerce of the House of Representa-*
22 *tives.*

23 (b) *REPORTS REQUIRED.—Not later than 180 days*
24 *after the date of the enactment of this Act, each head of*
25 *an agency described in subsection (c) shall submit to the*

1 *appropriate committees of Congress a report on the rec-*
2 *ommendations included in the report issued by the Cyber-*
3 *space Solarium Commission under section 1652(k) of the*
4 *John S. McCain National Defense Authorization Act for*
5 *Fiscal Year 2019 (Public Law 115–232).*

6 (c) *AGENCIES DESCRIBED.—The agencies described in*
7 *this subsection are the following:*

8 (1) *The Office of the Director of National Intel-*
9 *ligence.*

10 (2) *The Department of Homeland Security.*

11 (3) *The Department of Energy.*

12 (4) *The Department of Commerce.*

13 (5) *The Department of Defense.*

14 (d) *CONTENTS.—Each report submitted under sub-*
15 *section (b) by the head of an agency described in subsection*
16 *(c) shall include the following:*

17 (1) *An evaluation of the recommendations in the*
18 *report described in subsection (b) that the agency*
19 *identifies as pertaining directly to the agency.*

20 (2) *A description of the actions taken, or the ac-*
21 *tions that the head of the agency may consider taking,*
22 *to implement any of the recommendations (including*
23 *a comprehensive estimate of requirements for appro-*
24 *priations to take such actions).*

1 **SEC. 9504. ASSESSMENT OF CRITICAL TECHNOLOGY**
2 **TRENDS RELATING TO ARTIFICIAL INTEL-**
3 **LIGENCE, MICROCHIPS, AND SEMICONDUCT-**
4 **TORS AND RELATED SUPPLY CHAINS.**

5 (a) *ASSESSMENT REQUIRED.*—Not later than 180
6 days after the date of the enactment of this Act, the Director
7 of National Intelligence shall complete a detailed assessment
8 of critical technology trends relating to artificial intel-
9 ligence, microchips, and semiconductors and related supply
10 chains.

11 (b) *ELEMENTS.*—The assessment required by sub-
12 section (a) shall include the following:

13 (1) *EXPORT CONTROLS.*—

14 (A) *IN GENERAL.*—An assessment of efforts
15 by partner countries to enact and implement ex-
16 port controls and other technology transfer meas-
17 ures with respect to artificial intelligence,
18 microchips, advanced manufacturing equipment,
19 and other artificial intelligence enabled tech-
20 nologies critical to United States supply chains.

21 (B) *IDENTIFICATION OF OPPORTUNITIES*
22 *FOR COOPERATION.*—The assessment under sub-
23 paragraph (A) shall identify opportunities for
24 further cooperation with international partners
25 on a multilateral and bilateral basis to strenght-

1 *en export control regimes and address technology*
2 *transfer threats.*

3 (2) *SEMICONDUCTOR SUPPLY CHAINS.—*

4 (A) *IN GENERAL.—An assessment of global*
5 *semiconductor supply chains, including areas to*
6 *reduce United States vulnerabilities and maxi-*
7 *mize points of leverage.*

8 (B) *ANALYSIS OF POTENTIAL EFFECTS.—*
9 *The assessment under subparagraph (A) shall in-*
10 *clude an analysis of the potential effects of sig-*
11 *nificant geopolitical shifts, including those re-*
12 *lated to Taiwan.*

13 (C) *IDENTIFICATION OF OPPORTUNITIES*
14 *FOR DIVERSIFICATION.—The assessment under*
15 *subparagraph (A) shall also identify opportuni-*
16 *ties for diversification of United States supply*
17 *chains, including an assessment of cost, chal-*
18 *lenges, and opportunities to diversify manufac-*
19 *turing capabilities on a multinational basis.*

20 (3) *COMPUTING POWER.—An assessment of*
21 *trends relating to computing power and the effect of*
22 *such trends on global artificial intelligence develop-*
23 *ment and implementation, in consultation with the*
24 *Director of the Intelligence Advanced Research*
25 *Projects Activity, the Director of the Defense Ad-*

1 *vanced Research Projects Agency, and the Director of*
2 *the National Institute of Standards and Technology,*
3 *including forward-looking assessments of how com-*
4 *puting resources may affect United States national*
5 *security, innovation, and implementation relating to*
6 *artificial intelligence.*

7 *(c) REPORT.—*

8 *(1) DEFINITION OF APPROPRIATE COMMITTEES*
9 *OF CONGRESS.—In this subsection, the term “appro-*
10 *priate committees of Congress” means—*

11 *(A) the Select Committee on Intelligence, the*
12 *Committee on Armed Services, the Committee on*
13 *Banking, Housing, and Urban Affairs, and the*
14 *Committee on Foreign Relations of the Senate;*
15 *and*

16 *(B) the Permanent Select Committee on In-*
17 *telligence, the Committee on Armed Services, the*
18 *Committee on Financial Services, and the Com-*
19 *mittee on Foreign Affairs of the House of Rep-*
20 *resentatives.*

21 *(2) IN GENERAL.—Not later than 180 days after*
22 *the date of the enactment of this Act, the Director*
23 *shall submit to the appropriate committees of Con-*
24 *gress a report on the findings of the Director with re-*

1 *spect to the assessment completed under subsection*
2 *(a).*

3 *(3) FORM.—The report submitted under para-*
4 *graph (2) shall be submitted in unclassified form, but*
5 *may include a classified annex.*

6 **SEC. 9505. COMBATING CHINESE INFLUENCE OPERATIONS**
7 **IN THE UNITED STATES AND STRENGTH-**
8 **ENING CIVIL LIBERTIES PROTECTIONS.**

9 *(a) UPDATES TO ANNUAL REPORTS ON INFLUENCE*
10 *OPERATIONS AND CAMPAIGNS IN THE UNITED STATES BY*
11 *THE CHINESE COMMUNIST PARTY.—Section 1107(b) of the*
12 *National Security Act of 1947 (50 U.S.C. 3237(b)) is*
13 *amended—*

14 *(1) by redesignating paragraph (8) as para-*
15 *graph (9); and*

16 *(2) by inserting after paragraph (7) the fol-*
17 *lowing:*

18 *“(8) An identification of influence activities and*
19 *operations employed by the Chinese Communist Party*
20 *against the United States science and technology sec-*
21 *tors, specifically employees of the United States Gov-*
22 *ernment, researchers, scientists, and students in the*
23 *science and technology sector in the United States.”.*

24 *(b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION*
25 *TO INCREASE PUBLIC AWARENESS AND DETECTION OF IN-*

1 *FLUENCE ACTIVITIES BY THE GOVERNMENT OF THE PEO-*
2 *PLE'S REPUBLIC OF CHINA.—*

3 (1) *PLAN REQUIRED.—Not later than 90 days*
4 *after the date of the enactment of this Act, the Direc-*
5 *tor of the Federal Bureau of Investigation shall sub-*
6 *mit to the congressional intelligence committees a*
7 *plan—*

8 (A) *to increase public awareness of influ-*
9 *ence activities by the Government of the People's*
10 *Republic of China; and*

11 (B) *to publicize mechanisms that members*
12 *of the public can use—*

13 (i) *to detect such activities; and*

14 (ii) *to report such activities to the Bu-*
15 *reau.*

16 (2) *CONSULTATION.—In carrying out paragraph*
17 *(1), the Director shall consult with the following:*

18 (A) *The Director of the Office of Science*
19 *and Technology Policy.*

20 (B) *Such other stakeholders outside the in-*
21 *telligence community, including professional as-*
22 *sociations, institutions of higher education, busi-*
23 *nesses, and civil rights and multicultural organi-*
24 *zations, as the Director determines relevant.*

1 (c) *RECOMMENDATIONS OF THE FEDERAL BUREAU OF*
2 *INVESTIGATION TO STRENGTHEN RELATIONSHIPS AND*
3 *BUILD TRUST WITH COMMUNITIES OF INTEREST.*—

4 (1) *IN GENERAL.*—*The Director of the Federal*
5 *Bureau of Investigation, in consultation with the As-*
6 *stant Attorney General for the Civil Rights Division*
7 *and the Chief Privacy and Civil Liberties Officer of*
8 *the Department of Justice, shall develop recommenda-*
9 *tions to strengthen relationships with communities*
10 *targeted by influence activities of the Government of*
11 *the People’s Republic of China and build trust with*
12 *such communities through local and regional grass-*
13 *roots outreach.*

14 (2) *SUBMITTAL TO CONGRESS.*—*Not later than 1*
15 *year after the date of the enactment of this Act, the*
16 *Director shall submit to Congress the recommenda-*
17 *tions developed under paragraph (1).*

18 (d) *TECHNICAL CORRECTIONS.*—*The National Secu-*
19 *rity Act of 1947 (50 U.S.C. 3001 et seq.) is amended—*

20 (1) *in section 1107 (50 U.S.C. 3237)—*

21 (A) *in the section heading, by striking*
22 *“COMMUNIST PARTY OF CHINA” and insert-*
23 *ing “CHINESE COMMUNIST PARTY”; and*

1 (B) by striking “Communist Party of
2 China” both places it appears and inserting
3 “Chinese Communist Party”; and
4 (2) in the table of contents before section 2 (50
5 U.S.C. 3002), by striking the item relating to section
6 1107 and inserting the following new item:

“Sec. 1107. Annual reports on influence operations and campaigns in the United States by the Chinese Communist Party.”.

7 **SEC. 9506. ANNUAL REPORT ON CORRUPT ACTIVITIES OF**
8 **SENIOR OFFICIALS OF THE CHINESE COM-**
9 **MUNIST PARTY.**

10 (a) *DEFINITION OF APPROPRIATE COMMITTEES OF*
11 *CONGRESS.—In this section, the term “appropriate com-*
12 *mittees of Congress” means—*

13 (1) *the Committee on Banking, Housing, and*
14 *Urban Affairs, the Committee on Finance, the Com-*
15 *mittee on Foreign Relations, and the Select Com-*
16 *mittee on Intelligence of the Senate; and*

17 (2) *the Committee on Financial Services, the*
18 *Committee on Foreign Affairs, the Committee on*
19 *Ways and Means, and the Permanent Select Com-*
20 *mittee on Intelligence of the House of Representatives.*

21 (b) *ANNUAL REPORT REQUIRED.—*

22 (1) *IN GENERAL.—Not later than 90 days after*
23 *the date of the enactment of this Act, and annually*
24 *thereafter through 2025, the Director of the Central*

1 *Intelligence Agency shall submit to the appropriate*
2 *committees of Congress a report on the corruption*
3 *and corrupt activities of senior officials of the Chinese*
4 *Communist Party.*

5 (2) *ELEMENTS.*—

6 (A) *IN GENERAL.*—*Each report under para-*
7 *graph (1) shall include the following:*

8 (i) *A description of the wealth of, and*
9 *corruption and corrupt activities among,*
10 *senior officials of the Chinese Communist*
11 *Party.*

12 (ii) *A description of any recent actions*
13 *of the officials described in clause (i) that*
14 *could be considered a violation, or potential*
15 *violation, of United States law.*

16 (iii) *A description and assessment of*
17 *targeted financial measures, including po-*
18 *tential targets for designation of the officials*
19 *described in clause (i) for the corruption*
20 *and corrupt activities described in that*
21 *clause and for the actions described in*
22 *clause (ii).*

23 (B) *SCOPE OF REPORTS.*—*The first report*
24 *under paragraph (1) shall include comprehensive*
25 *information on the matters described in subpara-*

1 *graph (A). Any succeeding report under para-*
2 *graph (1) may consist of an update or supple-*
3 *ment to the preceding report under that sub-*
4 *section.*

5 (3) *COORDINATION.*—*In preparing each report,*
6 *update, or supplement under this subsection, the Di-*
7 *rector of the Central Intelligence Agency shall coordi-*
8 *nate as follows:*

9 (A) *In preparing the description required*
10 *by clause (i) of paragraph (2)(A), the Director of*
11 *the Central Intelligence Agency shall coordinate*
12 *with the head of the Office of Intelligence and*
13 *Analysis of the Department of the Treasury and*
14 *the Director of the Federal Bureau of Investiga-*
15 *tion.*

16 (B) *In preparing the descriptions required*
17 *by clauses (ii) and (iii) of such paragraph, the*
18 *Director of the Central Intelligence Agency shall*
19 *coordinate with the head of the Office of Intel-*
20 *ligence and Analysis of the Department of the*
21 *Treasury.*

22 (4) *FORM.*—*Each report under paragraph (1)*
23 *shall include an unclassified executive summary, and*
24 *may include a classified annex.*

1 (c) *SENSE OF CONGRESS.*—*It is the sense of Congress*
2 *that the United States should undertake every effort and*
3 *pursue every opportunity to expose the corruption and il-*
4 *licit practices of senior officials of the Chinese Communist*
5 *Party, including President Xi Jinping.*

6 **SEC. 9507. REPORT ON CORRUPT ACTIVITIES OF RUSSIAN**
7 **AND OTHER EASTERN EUROPEAN**
8 **OLIGARCHS.**

9 (a) *DEFINITION OF APPROPRIATE COMMITTEES OF*
10 *CONGRESS.*—*In this section, the term “appropriate com-*
11 *mittees of Congress” means—*

12 (1) *the Committee on Banking, Housing, and*
13 *Urban Affairs, the Committee on Finance, the Com-*
14 *mittee on Foreign Relations, and the Select Com-*
15 *mittee on Intelligence of the Senate; and*

16 (2) *the Committee on Financial Services, the*
17 *Committee on Foreign Affairs, the Committee on*
18 *Ways and Means, and the Permanent Select Com-*
19 *mittee on Intelligence of the House of Representatives.*

20 (b) *REPORT REQUIRED.*—*Not later than 100 days*
21 *after the date of the enactment of this Act, the Director of*
22 *the Central Intelligence Agency shall submit to the appro-*
23 *priate committees of Congress and the Undersecretary of*
24 *State for Public Diplomacy and Public Affairs a report on*

1 *the corruption and corrupt activities of Russian and other*
2 *Eastern European oligarchs.*

3 (c) *ELEMENTS.*—

4 (1) *IN GENERAL.*—*Each report under subsection*
5 *(b) shall include the following:*

6 (A) *A description of corruption and corrupt*
7 *activities among Russian and other Eastern Eu-*
8 *ropean oligarchs who support the Government of*
9 *the Russian Federation, including estimates of*
10 *the total assets of such oligarchs.*

11 (B) *An assessment of the impact of the cor-*
12 *ruption and corrupt activities described pursu-*
13 *ant to subparagraph (A) on the economy and*
14 *citizens of Russia.*

15 (C) *A description of any connections to, or*
16 *support of, organized crime, drug smuggling, or*
17 *human trafficking by an oligarch covered by sub-*
18 *paragraph (A).*

19 (D) *A description of any information that*
20 *reveals corruption and corrupt activities in Rus-*
21 *sia among oligarchs covered by subparagraph*
22 *(A).*

23 (E) *A description and assessment of poten-*
24 *tial sanctions actions that could be imposed*
25 *upon oligarchs covered by subparagraph (A) who*

1 *support the leadership of the Government of Rus-*
2 *sia, including President Vladimir Putin.*

3 (2) *SCOPE OF REPORTS.*—*The first report under*
4 *subsection (a) shall include comprehensive informa-*
5 *tion on the matters described in paragraph (1). Any*
6 *succeeding report under subsection (a) may consist of*
7 *an update or supplement to the preceding report*
8 *under that subsection.*

9 (d) *COORDINATION.*—*In preparing each report, up-*
10 *date, or supplement under this section, the Director of the*
11 *Central Intelligence Agency shall coordinate as follows:*

12 (1) *In preparing the assessment and descriptions*
13 *required by subparagraphs (A) through (D) of sub-*
14 *section (c)(1), the Director of the Central Intelligence*
15 *Agency shall coordinate with the head of the Office of*
16 *Intelligence and Analysis of the Department of the*
17 *Treasury and the Director of the Federal Bureau of*
18 *Investigation.*

19 (2) *In preparing the description and assessment*
20 *required by subparagraph (E) of such subsection, the*
21 *Director of the Central Intelligence Agency shall co-*
22 *ordinate with the head of the Office of Intelligence*
23 *and Analysis of the Department of the Treasury.*

24 (e) *FORM.*—

1 (1) *IN GENERAL.*—Subject to paragraph (2),
2 each report under subsection (b) shall include an un-
3 classified executive summary, and may include a
4 classified annex.

5 (2) *UNCLASSIFIED FORM OF CERTAIN INFORMA-*
6 *TION.*—The information described in subsection
7 (c)(1)(D) in each report under subsection (b) shall be
8 submitted in unclassified form.

9 **SEC. 9508. REPORT ON BIOSECURITY RISK AND**
10 **DISINFORMATION BY THE CHINESE COM-**
11 **MUNIST PARTY AND THE GOVERNMENT OF**
12 **THE PEOPLE’S REPUBLIC OF CHINA.**

13 (a) *DEFINITIONS.*—In this section:

14 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—
15 The term “appropriate committees of Congress”
16 means—

17 (A) the Select Committee on Intelligence, the
18 Committee on Armed Services, the Committee on
19 Foreign Relations, the Committee on Health,
20 Education, Labor, and Pensions, and the Com-
21 mittee on Homeland Security and Governmental
22 Affairs of the Senate; and

23 (B) the Permanent Select Committee on In-
24 telligence, the Committee on Armed Services, the
25 Committee on Energy and Commerce, the Com-

1 *mittee on Foreign Affairs, and the Committee on*
2 *Homeland Security of the House of Representa-*
3 *tives.*

4 (2) *CRITICAL INFRASTRUCTURE.—The term*
5 *“critical infrastructure” has the meaning given such*
6 *term in section 1016(e) of the Uniting and Strength-*
7 *ening America by Providing Appropriate Tools Re-*
8 *quired to Intercept and Obstruct Terrorism (USA*
9 *PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e)).*

10 (b) *REPORT REQUIRED.—Not later than 90 days after*
11 *the date of the enactment of this Act, the Director of Na-*
12 *tional Intelligence shall submit to the appropriate commit-*
13 *tees of Congress a report identifying whether and how offi-*
14 *cials of the Chinese Communist Party and the Government*
15 *of the People’s Republic of China may have sought—*

16 (1) *to suppress information about—*

17 (A) *the outbreak of the novel coronavirus in*
18 *Wuhan;*

19 (B) *the spread of the virus through China;*
20 *and*

21 (C) *the transmission of the virus to other*
22 *countries;*

23 (2) *to spread disinformation relating to the pan-*
24 *demic; or*

1 (3) *to exploit the pandemic to advance their na-*
2 *tional security interests.*

3 (c) *ASSESSMENTS.—The report required by subsection*
4 *(b) shall include assessments of reported actions and the ef-*
5 *fect of those actions on efforts to contain the novel*
6 *coronavirus pandemic, including each of the following:*

7 (1) *The origins of the novel coronavirus out-*
8 *break, the time and location of initial infections, and*
9 *the mode and speed of early viral spread.*

10 (2) *Actions taken by the Government of China to*
11 *suppress, conceal, or misinform the people of China*
12 *and those of other countries about the novel*
13 *coronavirus outbreak in Wuhan.*

14 (3) *The effect of disinformation or the failure of*
15 *the Government of China to fully disclose details of*
16 *the outbreak on response efforts of local governments*
17 *in China and other countries.*

18 (4) *Diplomatic, political, economic, intelligence,*
19 *or other pressure on other countries and international*
20 *organizations to conceal information about the spread*
21 *of the novel coronavirus and the response of the Gov-*
22 *ernment of China to the contagion, as well as to in-*
23 *fluence or coerce early responses to the pandemic by*
24 *other countries.*

1 (5) *Efforts by officials of the Government of*
2 *China to deny access to health experts and inter-*
3 *national health organizations to afflicted individuals*
4 *in Wuhan, pertinent areas of the city, or laboratories*
5 *of interest in China, including the Wuhan Institute*
6 *of Virology.*

7 (6) *Efforts by the Government of China, or those*
8 *acting at its direction or with its assistance, to con-*
9 *duct cyber operations against international, national,*
10 *or private health organizations conducting research*
11 *relating to the novel coronavirus or operating in re-*
12 *sponse to the pandemic.*

13 (7) *Efforts to control, restrict, or manipulate rel-*
14 *evant segments of global supply chains, particularly*
15 *in the sale, trade, or provision of relevant medicines,*
16 *medical supplies, or medical equipment as a result of*
17 *the pandemic.*

18 (8) *Efforts to advance the economic, intelligence,*
19 *national security, and political objectives of the Gov-*
20 *ernment of China by exploiting vulnerabilities of for-*
21 *oreign governments, economies, and companies under fi-*
22 *nancial duress as a result of the pandemic or to accel-*
23 *erate economic espionage and intellectual property*
24 *theft.*

1 **(b) REPORT REQUIRED.**—Not later than 90 days after
2 the date of the enactment of this Act, the Director of the
3 Defense Intelligence Agency, in consultation with such
4 heads of other elements of the intelligence community as the
5 Director considers appropriate, shall submit to the appro-
6 priate committees of Congress a report on—

7 (1) the plans of the Government of the Islamic
8 Republic of Iran to acquire military arms if the ban
9 on arms transfers to or from such government under
10 United Nations Security Council resolutions are lifted;
11 and

12 (2) the effect such arms acquisitions may have
13 on regional security and stability.

14 **(c) CONTENTS.**—The report submitted under sub-
15 section (b) shall include assessments relating to plans of the
16 Government of the Islamic Republic of Iran to acquire addi-
17 tional weapons, the intention of other countries to provide
18 such weapons, and the effect such acquisition and provision
19 would have on regional stability, including with respect to
20 each of the following:

21 (1) The type and quantity of weapon systems
22 under consideration for acquisition.

23 (2) The countries of origin of such systems.

1 (3) *Likely reactions of other countries in the re-*
2 *gion to such acquisition, including the potential for*
3 *proliferation by other countries in response.*

4 (4) *The threat that such acquisition could*
5 *present to international commerce and energy sup-*
6 *plies in the region, and the potential implications for*
7 *the national security of the United States.*

8 (5) *The threat that such acquisition could*
9 *present to the Armed Forces of the United States, of*
10 *countries allied with the United States, and of coun-*
11 *tries partnered with the United States stationed in or*
12 *deployed in the region.*

13 (6) *The potential that such acquisition could be*
14 *used to deliver chemical, biological, or nuclear weap-*
15 *ons.*

16 (7) *The potential for the Government of the Is-*
17 *lamic Republic of Iran to proliferate weapons ac-*
18 *quired in the absence of an arms embargo to regional*
19 *groups, including Shi'a militia groups backed by such*
20 *government.*

21 (d) *FORM.—The report submitted under subsection (b)*
22 *shall be submitted in unclassified form, but may include*
23 *a classified annex.*

1 **SEC. 9510. REPORT ON IRANIAN ACTIVITIES RELATING TO**
2 **NUCLEAR NONPROLIFERATION.**

3 (a) *DEFINITION OF APPROPRIATE COMMITTEES OF*
4 *CONGRESS.—In this section, the term “appropriate com-*
5 *mittees of Congress” means—*

6 (1) *the Select Committee on Intelligence, the*
7 *Committee on Armed Services, and the Committee on*
8 *Foreign Relations of the Senate; and*

9 (2) *the Permanent Select Committee on Intel-*
10 *ligence, the Committee on Armed Services, and the*
11 *Committee on Foreign Affairs of the House of Rep-*
12 *resentatives.*

13 (b) *REPORT REQUIRED.—Not later than 90 days after*
14 *the date of the enactment of this Act, the Director of Na-*
15 *tional Intelligence shall submit to the appropriate commit-*
16 *tees of Congress a report assessing—*

17 (1) *any relevant activities potentially relating to*
18 *nuclear weapons research and development by the Is-*
19 *lamic Republic of Iran; and*

20 (2) *any relevant efforts to afford or deny inter-*
21 *national access in accordance with international non-*
22 *proliferation agreements.*

23 (c) *ASSESSMENTS.—The report required by subsection*
24 *(b) shall include assessments, for the period beginning on*
25 *January 1, 2018, and ending on the date of the submittal*
26 *of the report, of the following:*

1 *ations community of the Central Intelligence Agency*
2 *and their families is invaluable; and*

3 *(2) the Director of the Central Intelligence Agen-*
4 *cy should work closely with the Third Option Foun-*
5 *dation in implementing section 19A of the Central*
6 *Intelligence Agency Act of 1949 (50 U.S.C. 3519b), as*
7 *added by section 6412 of the Damon Paul Nelson and*
8 *Matthew Young Pollard Intelligence Authorization*
9 *Act for Fiscal Years 2018, 2019, and 2020 (Public*
10 *Law 116–92).*

Attest:

Secretary.

116TH CONGRESS
2^D SESSION

H.R. 6395

AMENDMENT